

THE KARNATAKA CIVIL SERVICES RULES

NOTIFICATION

No. FD 53-C.O.D. 58, dated 1st March 1958.

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Karnataka hereby makes the following rules, namely :-

PART I - GENERAL

1. Title and Commencement :- (1) These Rules may be called the Karnataka Civil Services Rules. '[xxx]

(2) They shall come into force from the first day of April 1958.

2. Application:- (1) (a) Parts I, II, V, VI and VII, and the provisions of Part III and Part IV relating to procedural matters shall apply to all persons serving in connection with the affairs of the State of Karnataka

(b) Part III of these rules other than the provisions thereof referred to in clause (a) of this sub rule shall apply to all persons holding or appointed to posts in connection with the affairs of the State of Karnataka in pensionable establishments and to all claims in respect of leave availed of by such persons:

Provided that every person allotted or deemed to be allotted to serve in connection with the affairs of the State of Karnataka under section 115 of the States Reorganisation Act 1956 (Central Act 37 of 1956) shall continue to be governed by the Rules applicable to him before the 1st day of November 1956 unless such person exercises his option to be governed by Part III of these Rules:

Provided further that any option exercised by any person to be governed by the Karnataka Leave Rules, 1957 before the date of commencement of these Rules shall be deemed to be option exercised in pursuance of Part III of these Rules.

1. Deleted by No. FD 41 SRS 60 dated 1.11.1960 (wef 10.11.1960)

(c) Part IV of these Rules, other than the provisions thereof referred to in clause (a) of this sub-rule shall apply to the following classes of Karnataka Government servants in pensionable establishment;

(i) All persons who enter or have entered Karnataka Government service, whether in a permanent or other capacity on or after 1st November 1956 in respect of whose conditions of service the Governor of Karnataka is competent to make rules under the proviso to Article 309 of the Constitution;

(ii) All persons (including persons allotted to serve in connection with the affairs of the State of Karnataka under section 115 of the States Reorganisation Act, 1956), who were in service on the 31st October 1956 but did not hold substantive posts in pensionable establishments on that date;

(iii) Persons allotted to serve in connection with the affairs of the State of Karnataka under section 115 of the States Reorganisation Act, 1956 who were holding substantive posts in pensionable establishment on the 31st October 1956 in a service in connection with the affairs of the former State of Mysore, Hyderabad or Bombay or the State of Madras or in a service in connection with the affairs of the Union under the administrative control of the Chief Commissioner of the State of Coorg, and who, in the manner and within the period specified by Government, exercise their option to be governed by the provisions of Part IV of these rules,

(iv) Persons allotted to serve in connection with the affairs of the State of Karnataka under Section 115 of the States Reorganisation Act, 1956, who are subscribers to the Madras Contributory provident Fund- Pension - Insurance Fund (1950), and who subject to the following conditions, and in the manner and within the period specified by Government, exercise their option to be governed by the provisions of Part IV of these rules:-

(aa) The Government servant shall cease to subscribe to the said Fund;

(bb) The amount of contributions made by the Government (from the commencement) together with interest thereon standing to his credit in the Fund shall be credited to the Government of Karnataka.

(cc) The amount of subscription together with interest thereon standing to his credit in the fund shall be transferred to his credit in the Karnataka General Provident Fund to which he is eligible to subscribe;

(dd) His pensionary benefits shall be governed by the Rules in Part IV and the Government of Karnataka will bear full pensionary liability in respect of the services rendered by him (both in Madras and Mysore States):

Provided that every person allotted or deemed to be allotted to serve in connection with the affairs of the State of Karnataka under section 115 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) shall continue to be governed by the Rules applicable to him before the 1st day of November 1956 unless such person exercises his option to be governed by Part IV of these Rules before the ¹[first day of July 1959]:

Provided further that any option exercised by any person to be governed by the Karnataka Pension Rules 1957 before the date of commencement of these Rules shall be deemed to be option exercised for being governed by Part IV of these Rules.

²[Note 1 - In the case of Government servants in service on 31.12.1959 time for exercising the said option is extended upto ³[30th June 1961];

⁴[Note 2 - In the case of Government servants in service on 30th June 1961, time for exercising the said option is extended upto 30.6.1962];

1. Amended by No. FD 59 SRS 59 dated 24.2.1959 (wef 5.3.1959).

2. Inserted by No. FD 41 SRS 60 dated 6.7.1960 (wef 14.7.1960).

3. Substituted by No. FD 26 SRS 61 dated 20-3-1961.

4. Inserted by No. FD 73 SRS 62 dated 10.9.1962 (wef 20.9.1962).

¹[Note 3 - In the case of Government servants in service on 30th September 1962 time for exercising the said option is extended upto the 30th September 1963]

²[Note 4 - In the case of Government servants in service on the 30th September, 1963. time for exercising the said option is extended upto to the 31st March 1964];

³[Note 5 - In the case of Government servants in service on the 31st March 1964 time for exercising the said option is extended upto to the 31st December 1964];

⁴[Note 6 - In respect of retirement or death while in service of Government Servants on or after 1st September 1968, the pension rules in Part IV shall apply unless the Government Servant has exercised option to be governed by the pension rules applicable to him before 31st August 1969];

(d) Part VIII of these Rules shall apply to all persons serving in connection with the affairs of the State of Karnataka in pensionable establishments and to all claims in respect of journeys and halts made by such persons:

Provided that the claims in respect of journeys and halts made by such persons under the provisions of the Karnataka Travelling Allowance Rules, 1957, and pending on the date of commencement of these Rules shall be deemed to be claims under the corresponding provisions of Part VIII of these Rules.

(2) Notwithstanding anything contained in sub-rule (1), these Rules shall not apply to -

(i) Persons employed in Industrial Underakings of the Government;

(ii) Persons in casual employment;

(iii) Persons subject to discharge from service on less than one month's notice;

(iv) Persons for whose appointment and other matters covered by these Rules, special provisions are made by or under any law for the time being in force, or in any contract

1. Inserted by No. FD 48 SRS 63 dated 6.6.1963.

2. Inserted by No. FD 4 SRS 64 dated 1.2.1964 (wef 17.2.1964).

3. Inserted by No. FD 55 SRS 64 dated 25.8.1964(wef 18.9.1964).

4. Inserted by No. FD 69 SRS 66 dated 10.10.1968.

in regard to the matters covered by such law or such contracts; and

(v) Members of the All India Services.

¹[2A. Application of Rule 285, - Notwithstanding anything contained in Rule 2, Rule 285 shall, with effect from 16th March 1970, apply to all persons serving in connection with the affairs of the State of Karnataka including persons allotted or deemed to be allotted to serve in connection with the affairs of the State of Karnataka under Section 115 of the States Reorganisation Act, 1956 (Central Act 37 of 1956)].

²[2B. Application of Rules 106-B, 214 and 254,- Notwithstanding anything contained in Rule 2, rules 106B, 214 and 254 shall apply to all persons serving in connection with the affairs of the State of Karnataka including persons allotted or deemed to be allotted to serve in connection with the affairs of the State of Karnataka under section 115 of the State Reorganisation Act, 1956 (Central Act 37 of 1956)].

³[3. Repeal and Savings:-

(i) The Karnataka Civil Services Interpretation Rules, 1957.

(ii) The Karnataka Pay and Allowances Rules, 1957; (which came into force from 1st December, 1957).

(iii) The Karnataka Leave Rules, 1957; (which came into force from 1.10.1957).

(iv) The Karnataka Pension Rules, 1957: (which came into force from 1.9.1957).

(v) The Karnataka Commutation of Pension Rules, 1957, (which came into force from 1.9.1957).

(vi) The Karnataka Extraordinary Pension Rules, 1957; (which came into force from 1.9.1957).

1. Inserted by No. FD 119 SRS 69 dated 18.8.1970 (wef 5.9.1970)

2. Inserted by No. FD 110 SRS 70 dated 22.10.1971 (wef 28.10.1971)

3. Substituted by No.FD 315 SRS 58 dated 22.12.1958 (wef 31.1.1959).

(vii) The Karnataka Government Servants' Maintenance of Records of Service Rules, 1957 (which came into force from 1.11.1957).

(viii) The Karnataka Government Servants (Foreign Service Rules, 1957); (which came into force from 1st November, 1957).

(ix) The Karnataka Travelling Allowance Rules, 1957-, (which came into force from 1.9.1957) and

(x) Any rule or order corresponding to any rule in the Karnataka Civil Services Rules, 1958, made either under the proviso to Article 309 of the Constitution, or in exercise of any power by any competent authority are hereby repealed, to the extent to which the provision of any of these rules is applicable to the persons referred to in Rule 2:

Provided that any order issued, anything done or any action taken under any provision of any of the rules or orders repealed by this rule shall be deemed to have been issued, done or taken under the corresponding provisions of these rules.

All rules made under the proviso to Article 309 of the Constitution of India and all other rules and orders made by any competent authority, in force before the 1st day of April, 1958, other than the rules and orders repealed by rule 3 of the Karnataka Civil Services Rules 1958, as substituted by rule 2 of these rules, shall subject to any amendments made to the said rules and orders on or after 1st April 1958, be deemed to have continued in force on and after 1st April, 1958, as if rule 3 of the Karnataka Civil Services Rules, 1958, as originally made had never been made; and any order issued, anything done or any action taken under any such rule or order on or after the first day of April, 1958 shall be deemed always to have been validly issued, done or taken under such rule or order as if such rule or order were in force at all relevant times, and no order issued, anything done or action taken under any such rule or order shall be called in question on the ground that such rule or order was not in force at the relevant time.]

¹[3A. Notwithstanding anything contained in Rules 2 and 3, any option exercised by any person on or after the first day of April 1958 and before the first day of September 1958 to be governed by the Karnataka Leave Rules, 1957 or the Karnataka Pension Rules, 1957, shall be deemed to be option exercised for being governed by Part III or Part IV, as the case may be of these Rules and all such options shall be dealt with accordingly.]

4. For the purposes of these rules, 'service' with reference to service rendered by persons allotted or deemed to be allotted to serve in connection with the affairs of the State of Karnataka under section 115 of the States Reorganisation Act, 1956 (Central Act 37 of 1956) includes all service rendered by them before the first day of November 1956 which was reckoned as 'service' under the rules applicable to such persons.

²[Note - In respect of personnel of the Industrial Training Centres/Institutes and the Employment Exchanges transferred from the Government of India to the State control with effect from the first day of November, 1956, the services rendered by the said personnel under the Government of India shall be counted for leave and pension to the extent it would have counted had they been continued under the Government of India, under the Central Government Rules as on 1st November, 1956. The Government of India shall contribute to the State Government such contribution as is usually admissible under rules.]

5. Any reference to any Rule or to any expression (such as earned leave, half pay leave, etc.), in these rules, shall, in relation to Government servants who have not exercised their option to be governed by Part III or Part IV of these Rules in respect of Leave or Pension, be construed as a reference to the corresponding Rule or expression contained, in the corresponding Leave Rules or Pension Rules, as the case may be applicable to such Government servants.

6. Subject to the provisions relating to protection of conditions of service, if any, under section 115 of the States Reorganisation Act, 1956, the claim of a Government servant

1. Inserted by No. FD 174 SRS 58 dated 4.9.1958 (wef 11.9.1958).

2. Inserted by No. FD 283 SRS 59 dated 16.3.1960 (wef 24.3.1960).

to pay and allowances, including travelling allowances, is regulated by the rules in force at the time at which the pay and allowances are earned; to leave, by the rules in force at the time leave is applied for and granted and to pension, by the Rules in force at the time when the Government servant retires or is discharged from the service of Government.

7. Where the State Government is satisfied that the operation of any Rule regulating the conditions of service of the State Government servants or any class of such Government servants causes undue hardship in any particular case it may, by order dispense with or relax the requirements of that Rule to such extent and subject to such conditions as it may consider necessary for dealing with any case in a just and equitable manner.

¹[7-A. xxxl

²[7-B. Officers appointed to be in charge of the current duties of a post shall be competent to exercise all administrative and financial powers vested in the regular incumbent of that post. Such an officer should not however modify or over-rule the orders already passed by the regular incumbent of the post except in emergency without obtaining the orders of the next higher authority.]

1. Deleted by NO.FD 34 SRS 61 dated 25.8.1964 (wef 17.9.1964).

2. Inserted by No.FD 41 SRS 67 dated 8.3.1967 (wef 23.3.1967).

CHAPTER I

DEFINITIONS

8. In these rules, unless the context otherwise requires, -

(1) 'ABSENTEE' means a Government servant absent from an appointment on which he has a lien, either on leave or on deputation to another appointment, whether permanent or temporary or on special duty unconnected with his own appointment or on joining time during transfer to another appointment or under suspension;

Note - A Government servant under suspension is an absentee if the suspension is confirmed.

¹[(1A) 'Allotment' means grant of licence to a Government Servant to occupy a house owned, leased or requisitioned by the Government or a portion thereof, for use by him as residence.]

(2) Actual Travelling Expenses.- "Actual Travelling Expenses" means the actual cost of transporting a Government Servant, with his servants and personal luggage including charges for ferry and other tolls, if paid, and for carriage of camp equipment (if necessary). It does not include charges for hotels, dak bungalows, or refreshments, or for the carriage of stores or conveyances, or for presents to drivers, and the like, or any allowance for such incidental losses of expenses as the breakage of crockery, the wear and tear of furniture, the entertainment of domestic servants;

(3) Age:- When a Government servant is required to retire, revert or cease to be on leave, on attaining a specified age the day on which he attains that age is reckoned as a non-working day, and the Government servant must retire, revert or cease to be on leave (as the case may be) with effect from and including that day);

²[(4) xxx]

1. Inserted by No. FD 83 SRS 68 dated 19.1.1970 (wef 7.3.1970).

2. Deleted by No. FD 25 SRS 80 dated 23.5.1980 (wef 5.6.1980).

(5) 'Audit Officer' means the Accountant General, Karnataka.

¹[(5-A) 'Authorised Medical Attendant' means-

(i) in respect of a Government servant whose pay is not less than Rs. 500 per mensem and in the case of an officer of Class 1 Service irrespective of his emoluments. the Civil Surgeon or the Principal Medical Officer appointed by the Government to attend to its officers in the station,

(ii) in respect of a Government servant whose pay is less than Rs. 500, Medical Officer, Class II, similarly appointed]

(6) 'Average pay' means the average monthly pay earned during the ²[ten complete months] immediately preceeding the month in which the event occurs which necessitates the calculation of average pay:

Provided that in respect of any period spent on deputation out of India, the pay which the Government servant would have drawn, if on duty, in India, shall be substituted for the pay actually drawn.

Note 1 - According to the definition of 'average pay' in this Rule the average is to be taken of the monthly pay earned during the ²[10] complete months immediately preceeding the month in which the leave is taken, and for this purpose the 10 complete months immediately preceeding should be interpreted literally.

³[Thus a Government servant who has been on leave from the 23rd March 1965 to 22nd July 1965 inclusive, is granted leave from the 4th November, 1965, his average pay should be calculated on the pay earned for the periods 1st January 1965 to the 22nd March 1965 and 23rd July 1965 to 31st October 1965]. If however, a Government servant happens to have been on leave

1. Inserted by No.FD 18 SRS 61 dated 6.5.1961 (wef 8.5.1961).

2. Substituted by No.FD 70 SRS 61 dated 22.9.1961 (wef 1.10.1961).

3. Substituted by No.FD 120 SRS 66 dated 2.3.1967 (wef 23.3.1967).

for more than 10 months immediately proceeding the month in which the leave is taken, then the average should be taken of the monthly pay earned during the 10 complete months immediately preceeding the month in which the previous leave commenced.

Note 2 - In the case of a Government servant of vacation department, the vacations falling in the period of 10 complete months immediately preceeding the month in which leave is taken should be treated as duty and the pay drawn by the Government servant during the vacations should be treated as pay drawn on duty and should therefore be taken into account in determining his leave salary during the succeeding leave.

Note 3 - In the case of a Government servant of the vacation department both prefixing and affixing leave to a vacation, the leave salary for the leave affixed should be calculated on the pay drawn by the Government servant during the ten complete months preceeding the commencement of his leave.

Note 4 - The term 'month' in this rule means 'calendar month' as in Rule 8(30).

(7) 'Cadre' means the strength of a service or part of a service sanctioned as a separate unit;

(8) 'Camp Equipage' means the apparatus for moving a service camp;

(9) "Camp Equipment" means tents and the requisites for pitching and furnishing them or where tents are not carried such articles of camp furniture as it may be necessary in the interest of the public service for a Government servant to carry with him on tour;

(10) "Class and Grade" - Appointments are said to be in the same 'Class' when they are in the same department, and bear the same designation, or have been declared by Government to be in the same class. Appointments in the same class are sometimes divided into 'Grades' according to pay;

Note - Appointments do not belong to the same Class or grade unless they have been so constituted or recognised by Government.

A ministerial officer may be appointed to act for another ministerial officer in the same office whose pay is higher than his own subject to rules governing such appointments.

(11) 'Continuous Service' means the service of a Government servant from the beginning of his service, without any break. Only leave with allowances will be included in continuous service.

(12) 'Compensatory Allowance' means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. ¹[It includes travelling allowance and local allowance], but does not include a sumptuary allowance nor the grant of a free passage by sea to or from any place outside India;

(13) 'Competent Authority' in relation to the exercise of any power, means Government or any authority to which the power is delegated by or under these rules;

(14) 'Day' means a calendar day, beginning and ending at midnight; but an absence from headquarters which does not exceed 24 hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends;

Note - A continuous journey occupying a period of time less than 24 hours, partly before and partly after midnight, and ending before ² [dawn] shall, for mileage under Rule 522, be regarded as completed on the day preceeding the midnight.

³[(14-A) 'Dies-non' means non-duty period or period not spent on duty.

Note,- The period treated as 'dies-non' will not count as service nor will it be construed as break in service.]

(15) Duty: 'Duty' includes:-

⁴[(a) service as a probationer, subject to the provisions of the Karnataka Civil Service (Probation) Rules 1977).

⁴[Note 1, Note 2, Note 3 xxx]

1. Amended by.No. FD 109 SRS.66 dated 4.1.1967.

2. Substituted by No. FD 112 SRS 58 dated 3.7.1958 (wef 1.4.1958)

3. Inserted by No. FD 6 SRA 99 dated 15-12-1999. (w.e.f. 20-1-2000)

4. Amended by NO.FD 25 SRS 80 dated 23.5.80.

Note 4 - Service as a local candidate ¹[xxx] is to be treated as officiating or temporary service. for purposes of grant of increments, leave, pension, etc.

(b) Joining time;

Note:- If a Government servant has handed over charge of a post on receipt of the orders of transfer and if, immediately thereafter the orders of transfer are held in abeyance or cancelled, the period of compulsory waiting between the date of handing over charge and the date of resuming charge of the post should be treated as duty.

(c) a course of instruction or training authorised by or under the orders of Government;

²[Note 1- The time reasonably required by a Government servant for the journeys between the place of training and his headquarters immediately before and after the period of training, should be treated as part of that period.]

³[Exception:- Government servants returning from abroad whose period of deputation consists of only a period of duty under the rules in Annexure 'B' of Appendix-II may be granted joining time not exceeding 7 days irrespective of their places of postings.]

⁴[Note 2 -Where a Government servant deputed for training is required to attend an interview and to wait for the result of the interview before actually joining the course of instruction or training. the period intervening between, the date of interview and the date of actually joining the course of instruction or training may be treated as duty under special orders of Government.]

(d) the period occupied in appearing for an examination prescribed by Government in any regional language at which a Government servant has been granted permission to appear, or in attending an obligatory departmental examination or in attending an examination which a Government servant must pass

1. Deleted by No. FD 209 SRS 58 dated 4.12.58 (wef 1.4.1958)

2. Substituted by No.FD 39 SRS 60 dated 8.7.1960 (wef 14.7.1960).

3. Inserted by No. FD 152 SRS 67 dated 5.3.1968.

4. Inserted by NO.FD 19 SRS 64 dated 7.7.1964 (wef 28.7.1964).

to become eligible for a higher post in any branch of the public service, ¹[for attending the Kannada Typewriting or Kannada Shorthand Examinations conducted by the Department of Public instruction] including the time reasonably necessary for going to and from the place of examination; provided that such period shall be deemed to be on duty only twice in respect of each obligatory examinations.

Note - In cases where an examination is taken in interruption of leave or immediately after leave, the time occupied in appearing for the examination, including the time necessary for going to and from the place of examination, shall be treated not as duty but as leave. If the examination takes place immediately before leave, the leave shall be held to have commenced from the date following that of the completion of the examination.

²[(e) XXX]

³[(f) the period spent by a Government servant awaiting orders of posting after relief from a post under Government or after reporting for duty on return from leave,. training or deputation; provided such waiting is approved by Government as unavoidable.

Note- The term deputation used in this clause includes deputation on 'foreign service']

⁴[(g)the period spent by a Government servant, who is engaged or deployed temporarily on special duty by or under orders of the competent authority, including the time reasonably necessary to travel to and from the place of such special duty,

Note - Deployment of a Government servant on special duty does not amount to transfer. A Government servant may be deployed on special duty by the Head of the Department concerned temporarily for a period not exceeding one month.]

1. Inserted by No. FD 129 SRS 73 dated, 23.11.1973.

2. Deleted by No. FD 51 SRS 65 dated 15.7.1966.

3. Substituted by No.FD 150 SRS 68 dated 2.11.1968.

4. Substituted by No.FD 66 SRS 79 dated 15.11.1980 (wef 27.11.1980)

¹[(h) the period spent by a Government servant whose services are engaged by a delinquent Government servant in accordance with the provision of ²[Rule 11(8) of the Karnataka Civil Services (CCA) Rules, 1957,] in his defence in the disciplinary proceedings instituted against him, in assisting the delinquent Government servant.]

³[(16) 'Family' means the wife or husband and legitimate children including step children of the Government servant residing with and wholly dependent on the Government servant and for the purpose of claiming travelling allowance for journeys on transfer, also, includes the parents residing with and wholly dependent on the Government servant.]

(17) 'Fees' means a recurring or non-recurring payment to a Government servant from a source, other than the Consolidated Fund of the State or the Consolidated Fund of India or of other States, whether made directly to the Government servant or indirectly through the intermediary of Government but does not include,-

(a) unearned income, such as income from property, dividends and interest on securities;

(b) income from literary, cultural or artistic efforts, if such efforts are not aided by the knowledge acquired by the Government servant in the course of his service;

1. Inserted by No. FD 103 SRS 74 dated 13.9.1974 (wef 9.1.1964).

2. Amended by No. FD 103 SRS 74 dated 25.2.1975 (wef 24.1.1974).

3. Substituted by No. FD 8 SRA 99 dated 2.6.2000.

¹[Explanation - When the income referred to in clause (b) above is the result of efforts aided by the knowledge acquired by the Government servant in the course of his service, it is subject to the provisions of Rule 29. However, if such, income is, derived from sale or royalties of a book written by the Government servant with the aid of the knowledge acquired by him during the course of his service and if such book is not a mere compilation of Government rules, regulations or procedure, but reveals the author's scholarly study of the subject. Government may exempt such income from the operation of Rule 29. The Department concerned should furnish a certificate to the above effect while recommending to Government relaxation of the said Rule in such cases.]

(18) 'First Appointment' includes the appointment of a person not at the time holding any appointment under Government even though he may have previously held such an appointment,

(19) 'Foreign Service' means service in which a Government servant receives his substantive pay with the sanction of Government, from any source other than the Consolidated Fund of the State;

² [xxx]

³[(19-A) Foreign Service Allowance is an allowance granted by a foreign employer to a Government servant deputed to foreign service.]

⁴ [Note xxxl

(20) "A Gazetted Government Servant' is one who is a member of an All India Service or State Civil Service, Class I or II or a person appointed in accordance with the terms of a contract or agreement and whose appointment is Gazetted by Government;

(21) Heads of Department.- This term includes the officers mentioned in Appendix-I and any others whom Government may from time to time declare to be Heads of Departments.

1. Inserted by No. FD 88 SRS 60 dated 1.7.1960 (wef 14.7.1960).

2. Deleted by No. FD 86 SRS 66 dated 12.12.1966.

3. Inserted by No. FD 21 SRS 68 dated 8.4.1968.

4. Deleted by No. FD 52 SRS 73 dated 24.12.1973.

(22) 'Holiday' means a holiday prescribed or notified by Government as such; and in relation to any particular office, includes a day on which such office is ordered to be closed by a competent authority for the transactions of Government business without reserve or qualification;

(23) "Honorarium" means a recurring or non-recurring payment granted to a Government servant ¹[from the consolidated fund of the State] under whom he is employed or of any other Government in India as remuneration for work of an occasional or intermittent character;

²[(24) 'Joining time' means time allowed to a Government servant to join a new post or to travel to a station to which he is posted'.]

(25) "Leave Salary" means the monthly amount paid by the Government to a Government servant on leave:

(26) 'Lien' means the title of a Government servant to hold substantively, either immediately or on the termination of a period or periods of absence, a permanent post, including a tenure post, to which he has been appointed substantively;

³[Note - Government may permit a Government servant to retain a lien on a temporary appointment in special cases, such as absence on study or training outside India. Attention is also invited to ⁴ [Note 4 under clause (f) of Rule 20] and to Rule 423.]

⁵[(27) Local Allowance:-A 'Local allowance' is an allowance granted in consideration of exceptional local circumstances. such as the unhealthiness or expensiveness of the locality;

Note - Project Allowance granted to the staff of the Public Works Department and other Departments attached to construction projects (Irrigation or Power Projects) is a local allowance granted on account of the expensiveness of the locality.]

1. Substituted by No. FD 184 SRS 59 dated 8.9.1959 (wef 14.9.1959)

2. Substituted by FD 66 SRS 79 dated 15.11.1980 (wef 27.11.1980).

3. Substituted by No. FD 212 SRS 59 dated 15.12.1959 (wef 24.12.1959).

4. Amended by No. FD 196 SRS 60 dated 1.11.1961

5. Substituted by No. FD 197 SRS 59 dated 27.5.1964 (wef 1.8.1961).

¹[(27-A) Local Candidate:- A 'Local Candidate' in service means a temporary Government servant not appointed regularly as per rules of recruitment to that service;]

(28) 'Local Fund' means (1) Revenues administered by local bodies or other bodies, which by law or rule having the force of law come under the control of Government, whether in regard to proceedings generally, or to specific matters, such as the sanctioning of the budgets, sanction to the creation of filling up of particular posts or the making of leave, pension or similar rules., and

(2) the revenues of any body which may be specially notified by Government as a local fund;

(29) 'Ministerial servant' means a Government servant whose duties are entirely clerical and any other class of servants specially defined as such by Government;

(30) 'Month' means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently;

Note - In calculating a period of 3 months and 20 days from 25th January, 3 months should be taken as ending On 24th April, and the 20 days on 14th May. In the same way, the period from 30th January to 2nd March should be reckoned as 1 month and 2 days, because one month from 30th January ends on 28th February. A period of one month and 29 days commencing from the 1st January will expire, in an ordinary year (in which February is a month of 28 days) on the last day of February, because a period of 29 days cannot obviously mean to exceed a period of full calendar month and a period of two months from 1st January would end on the last day of February. The same would be the case if February were a month of 29 days or if the broken period were 28 days (in an ordinary year).

1. Inserted by No. FD 209 SRS 58 dated 4.12. 1958 (wef 1.4.1958).

(31) **Officiate:-** A Government servant officiates in a post when he performs the duties of a post on which another person holds a lien. A competent authority may, if it thinks fit, appoint a Government servant to officiate in a vacant post on which no other Government servant holds a lien;

Note 1 - The authority which has power to make substantive appointment to a vacant post may appoint a Government servant to officiate in it.

Note 2 - A post vacated by a Government servant who has been dismissed should not be filled substantively pending the result of such appeal as the rules permit.

¹[(32) **'Pay'** means the amount drawn monthly by a Government servant as the pay which has been sanctioned for a post held by him substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre and shall also include;

(a) stagnation increment, if any, granted to him above the maximum of the scale of pay;

(b) additional increment, if any, granted to him above the maximum of the scale of pay, in accordance with the provisions of rule 6 of the Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974;

(c) personal pay, if any, granted to him under the Karnataka Civil Services (Revised Pay) Rules, issued by the Government from time to time;

(d) any other emoluments specifically classed as pay by the Government.]

(33) **Pension:-** Except when the term 'Pension' is used in contradistinction to 'Gratuity' 'Pension' includes 'Gratuity'.

(34) **'Permanent Post':-** means a post carrying a definite rate of pay sanctioned without limit of time.,

(35) **'Personal Pay':-** means additional pay granted to a Government servant:-

1. Substituted by No. FD 5 SRA 96 dated 12.8.1996 (wef 14.8.1996)

(a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure, or

(b) in exceptional circumstances, on other personal considerations.

Unless in any case it is specially ordered otherwise, a personal pay should be reduced by any amount by which the recipient's pay may be increased and should cease as soon as his pay is increased by an amount equal to his personal pay;

(36) Presumptive Pay of a post, when used with reference to any particular Government servant, means the pay to which, he would, be entitled, if he held the post substantively and were performing its duties; but it does not include special pay unless the Government servant performs or discharges the work or responsibility or is exposed to the unhealthy conditions, in consideration of which the special pay was sanctioned;

¹[(37) The term 'Probationer' shall have the same meaning as given to it under the Karnataka Civil Services (Probation) Rules, 1977'

Note 1 - A probationer is treated for all purposes as a temporary' Government Servant.

Note 2 - In computing the period of probation Extraordinary leave granted to a probationer during the period of his probation shall be excluded.]

(38) Public Conveyance means a train or other conveyance which plies regularly for the conveyance of passengers;

Note 1 - Carts, cabs and horses are not regarded as public conveyances for the purpose of travelling allowance rules.

Note 2 - The test to be applied is whether the conveyance belongs to a regular established line of carriages running a regular course and not deviating therefrom according to the wishes of passengers.

1. Substituted by No. FD 25 SRS 80 dated 23-5- 1980 (wef 5-6- 1980).

¹[(39) X X X]

(40) 'Quasi permanent Post:-means a temporary post sanctioned initially for a period of not less than three years.,

Note - Appointment of a Government servant against a quasi~permanent post cannot be considered to be appointment to a permanent post in a substantive capacity and fixation of initial pay in such cases will have to be regulated as per the provisions of Rule 45.

²[(40-A) 'Quasi-permanent service' means temporary service commencing from the date on which the appointing authority, being satisfied as to the suitability of the Government servant who has been in continuous service for more than three years, as to his age, qualification, work and character for Employment in a quasi-permanent capacity has issued a declaration to the effect, and shall consist of periods of duty and leave (other than extraordinary leave) after that date.

Note 1 - A declaration issued by the Appointing Authority shall specify the particular post or the particular grade of posts within a cadre, in respect of which it is issued and the date from which It takes effect.

Note 2- Quasi permanent tenure has been evolved with the object of attaching certain benefits to temporary services if rendered for as long as three years and more. Quasi-permanent service ripens into a permanent service when the Government servant is appointed to a permanent post in a substantive capacity]

(41) Rule of Proportions:- Pensions or leave allowance are said to be chargeable according to the Rule of Proportions, when the charge is debitable to several accounts in the proportion in which, in the case of pension, the aggregate pay and leave salary drawn by the officer during the whole of his qualifying service has been paid from them; or in the case of leave allowances, the .aggregate pay drawn by the officer during the portion of his service immediately preceding the beginning of his leave, which is taken into account in calculating the leave granted to him, was charged to such several accounts.

1. Deleted No. FD 53 SRS 62 dated 12-2-1963 (wef 1-8-1961).

2. Inserted by No. FD 39 SRS 65 dated 1-6-1966.

Note - If according to the Rule of Proportions the share of pension or leave allowance chargeable to one account does not exceed one rupee, no charge shall be made to this account, and the share, shall be borne by the account chargeable with the greatest share.

When leave allowances are chargeable according to the Rule of Proportions, the following is the service to be taken into account:-

(a) Earned leave:- Duty without interruption for a period eleven times as along as the leave.

(b) Half pay leave or commuted leave :- Service immediately prior to the leave, which is taken into account for calculating the leave due.

(42) ¹['Special Allowance'] means an addition, of the nature of pay, to the emoluments of a post or of a Government servant, granted in consideration of-

- (a) the specially arduous nature of the duties: or
- (b) a specific addition to the work or responsibility; or
- (c) the unhealthiness of the locality in which the work is performed.

(43) 'Subsistence Grant' means a monthly grant made to Government servant who is not in receipt of pay or leave salary;

(44) 'Substantive Pay' means the pay, other than special pay, personal pay or emoluments classed as pay by Government, under clause (32) (iii) to which a Government servant is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre;

(45) "Technical Pay" means pay granted to a Government servant in consideration of the fact that he has received technical training outside India;

(46) 'Temporary Post' means a post carrying a definite rate of pay sanctioned for a limited time;

1. Substituted by No. FD 7 SRA 99, dated 29-4-2000 (w.e.f. 1-4-1998)

(47) 'Tenure Post' :-means a permanent post which an individual Government servant may not hold for more than a limited period without reappointment. In case of doubt Government will decide whether a particular post is or is not a tenure post;

(48)(a) 'Time Scale Pay' means pay which subject to any conditions prescribed in these Rules or any other Rules made under article 309 of the Constitution, rises by periodical increments from a minimum to a maximum. It includes the class of pay called progressive pay;

(b) Time scales are said to be identical, if the minimum, the maximum, the period of increment, and the rate of increment of the time scales, are identical;

(c) A post is said to be on the same time scale as another post on a time scale, if the two time scales are identical and the posts fall within a cadre or class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility, in a service or establishment or group of establishments; so that the pay of the holder of any particular post is determined by his position in the cadre or class and not by the fact that he holds that post;

(49) 'Transfer' means the movement of a Government servant from one headquarters station in which he is employed to another such station, either (a) to take up the duties of a new post; or (b) in consequence of a change of his headquarters;

(50) 'Travelling Allowance' means an allowance granted to a Government servant to cover the expenses which he incurs in travelling in the interests of public service. It includes allowance granted for the maintenance of conveyances, horses and tents.

***PART II PAY AND ALLOWANCES**

CHAPTER II

GENERAL CONDITIONS OF SERVICE

MEDICAL CERTIFICATE OF FITNESS ON FIRST ENTRY INTO GOVERNMENT SERVICE

- ¹[9.
- 10.
11. xxx]

CHARGE OF OFFICE

12. Unless, for special recorded reasons which must be of a public nature, the authority under whose orders the transfer takes place, permits or requires it to be made in any particular case elsewhere, or otherwise, the charge of an office must be made over at its headquarters, both the relieving and the relieved Government servants being present.

13. As a general rule and subject to any special orders to the contrary in particular cases, the headquarters of a Government servant on the staff of Government, as for instance, a Secretary to Government or a clerk in the Government Secretariat, are the headquarters, for the time being of the Government.

14. The headquarters of any other Government servant are either the station which has been declared to be his headquarters by the authority competent to prescribe his headquarters for the purpose of travelling allowance or, in the absence of such declaration, the station where the records of his office are kept.

*The rules in this Part supersede the Karnataka Pay and Allowances Rules 1957 which came into force from 1.12.1957 and all claims under the Pay and Allowances Rules, 1957 pending on the date of coming into force of this part will be dealt with in accordance with the corresponding provisions of this Part.

1. Deleted by No. FD 36 SRS 75 dated 27.7.1978 (wef 23.2.1978).

LEAVING JURISDICTION

15. No Government servant other than a police officer acting within his legal powers is entitled to pay or allowances for any time he may spend beyond the limits of his ¹[charge] without proper authority.

Note 1 - An authority competent to sanction casual leave to a Government servant may permit him to leave headquarters during holidays or during casual leave.

Note 2 - Sanction of Government is not necessary for journeys performed by Public Prosecutors outside their jurisdiction for attending to criminal cases of their district when summoned by a Sessions Court.

16. (a) Heads of Department mentioned in Appendix I may authorise any Government servant or subordinate under their control to proceed on duty beyond the limits of his charge but within the State. The subordinate authorities may exercise this power to proceed on duty within their jurisdiction.

²[Note 1 -Treasury officials (a) accompanying remittances (b) travelling to and from Bangalore in connection with the delivery of Treasury Accounts and Schedules to the office of the Accountant General, Karnataka, Bangalore (c) deputed for work connected with transfer of stamps to or from the office of the Superintendent of stamps, Bangalore or among the local or branch depots in the State (d) working in the District Treasury Office, Karwar and Coorg (Mercara) deputed for taking delivery of stamp cases or forms or parcels etc., from the nearest Railway Station or from the office outside the District, are exempted from the operation of this Rule. The Travelling Allowance claims of Treasury officials accompanying remittances should be supported by a certificate prescribed in the Karnataka Treasury Code.]

Note 2 - Police Officers may, in special circumstances, proceed beyond the limits of their charge but within the State without previous sanction, subject to ratification by the sanctioning authority in each case after completing the journeys.

1. Substituted by No. FD 17 SRS 61 dated 20.2.1961 (wef 2.3.1961)

2. Substituted by No. FD 79 SRS 75 dated 15.3.1977 (wef 16.6.1975).

Note 3- The District Superintendents of Police are authorised to permit the officers subordinate to them to proceed on journeys outside the limits of their charge and beyond their jurisdiction.

¹[Note 4 - The District and Sessions Judges and the District Magistrates in charge of the Criminal Courts in the District (independent charge) may authorise any Government servant or subordinate under their control to proceed on duty beyond the limits of his charge but within their jurisdiction.]

(b) For proceeding beyond the limits of the State, sanction of Government is necessary.

Note 1 - This Rule does not apply to cases where a Government servant, in order to shorten his journey to some place within his jurisdiction has to pass through stations outside his jurisdiction.

Note 2 - The Heads of Departments are empowered to sanction journeys outside the State in the case of non-gazetted Government servants.

²[They are also empowered to sanction journeys of Gazetted Officers on duty outside the State involving a period of halt not exceeding 15 days.]

Note 3 - General Sanction is accorded to members of the Excise Reserve Staff proceeding beyond the limits of the State when necessary in the interest of their work.

Note 4- The Excise Commissioner is empowered to sanction journeys outside the State by District Excise Officers for purposes of inspecting at intervals the groves of date and other palm, opium and ganja shops in the Madras State. Such journeys should be kept at a minimum consistently with the interest of excise revenue.

³[Note 4-A- The Commissioner of Commercial Taxes, Bangalore, is empowered to sanction journeys outside the State by the Deputy Commissioner, Commercial Taxes, Assistant Commissioner, Commercial Taxes, Commercial Tax Officers, Assistant Commercial Tax Officers and Commercial Tax Inspectors on duties connected with study of the pattern of taxation

1. Inserted by No.FD 15 SRS 62 dated 1.3.1962.

2. Inserted by No.FD 74 SRS 69 dated 19.1.1970 (wef 7.3.1970).

3. Inserted by No.FD 81 SRS 76 dated 11.7.1977 (wef 28.7.1977).

measures, investigation of cases of evasion of taxes, giving evidence or producing documents in Court cases, etc.]

Note 5 - Police Officers both gazetted and, non-gazetted, are permitted to proceed beyond the limits of the State on duties connected with police officers' meetings investigation of crime, arrest and escort of accused and security measures subject to the sanction of the Head of the Department.

Note 6 - Police Officers may in an emergency, proceed outside the State without previous sanction for purposes of investigation and detection work, subject to ratification by the sanctioning authority in each cases after completing the journeys.

¹[Note 7 - The above Rule does not apply to journeys performed to a place within the state, through areas of another State.]

²[Note 8 - The Public Works Department Officers-in-charge of Hidkal and Hadalga Dam-Projects, are authorised to perform journey in the catchment area of Ghataprabha river and its tributaries so far as the Ghataprabha Project is concerned (even though these places are outside the Karnataka State)]

³[Note 9 - The following officers of the Public Works Department are authorised to perform journeys to Thirupathi, Thirumalai and Thiruchandur for maintenance and inspection of the Choultry buildings at these places (outside the Karnataka State):-

1.Executive Engineer, Kolar Division	Once in a year to suggest improvements etc.,
2. ⁴ [Assistant Executive Engineer, Division I or Assistant Executive Engineer Division II] Kolar Sub Division	Twice in a year. One journey for assessing the nature and quantum of works to be done and other for check measurements

1. Inserted by No.FD 255 SRS 58 dt. 28.10.1958 (wef 6.11.1958).

2. Inserted by No.FD 55 SRS 59 dt. 6.3.1959 (wef 12.3.1959).

3. Inserted by No.FD 244 SRS 59 dt. 3.12.1959 (wef 10.12.1959).

4. Substituted by No.FD 14 SRS 79 dt. 30.7.1979.

3. Subordinate attached
to Kolar Sub Division

Thrice in a year. One journey
for survey for preparing A.R.
estimates, another for
supervision of work and taking
measurements and the third with
the ¹[Assistant Executive
Engineer Division I or Assistant
Executive Engineer Division II.]
for check measurements.

²[Note 10. xxx]

GENERAL RULES REGARDING LIEN ON APPOINTMENT AND ADMISSIBILITY OF ALLOWANCES

17(a) Two or more Government servants cannot be appointed substantively to the same permanent post at the same time.

(b) A Government servant cannot be appointed substantively except as a temporary measure, to two or more permanent posts at the same time.

18(a) A Government servant cannot be appointed substantively to a post on which another Government servant holds a lien.

(b) Unless, in any case, it be otherwise provided in the rules, a Government servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

19. Unless his lien is suspended under Rule 20, a Government servant holding substantively a permanent post retains a lien on that post-

(a) While performing duties of that post;

(b) while on foreign service, or holding a temporary post or officiating in another posts;

1. Substituted by No. FD 14 SRS 79 dated 30.7.1979.

2. Deleted by No. FD 14 SRS 78 dated 22.9.1978 (wef 28.9.1978).

(c) during joining time on transfer to another post; unless he is transferred substantively to a post on lower pay, in which case his lien is transferred to the new post from the date on which he is relieved of his duties in the old post:

(d) while on leave.,

(e) while under suspension.

20.(a) Government ¹[shall] suspend the lien of a Government servant on a permanent post which he holds substantively if he is appointed in a substantive capacity-

(1) to a tenure post, or

²[(2)]

(3) Provisionally to a post on which another Government servant would hold a lien had his lien not been suspended under this Rule.

(b) Government may at its option, suspend the lien of a Government servant on a permanent post which he holds substantively if he is deputed out of the State of Karnataka or transferred to foreign service, or in circumstances not covered by clause (a) of this Rule, ³[is transferred in an officiating capacity] to a post in another cadre and if any of these cases there is reason to believe that he will remain absent from the post on which he holds a lien for a period of not less than three years.

(c) Notwithstanding anything contained in clause (a) or (b) of this Rule, a Government servant's lien on a tenure post may in no circumstances be suspended. If he is appointed substantively to another permanent post his lien on the tenure post must be terminated.

(d) If a Government Servant's lien on a post is suspended under clause (a) or (b) of this Rule, the post may be filled substantively, and the Government servant appointed to hold it substantively shall acquire a lien on it, provided that the arrangements shall be reversed as soon as the suspended lien revives.

1. Substituted by No. FD 61 SRS 63 dated 30.11.1963 (wef 18.12.1963).

2. Deleted by No. FD 89 SRS 67 dated 19.10.1967.

3. Substituted by No. FD 89 SRS 67 dated 19.10.1967.

Note - When a post is filled substantively under this clause the appointment will be termed as provisional appointment; the Government servant appointed will hold a provisional lien on the post and that lien will be liable to suspension under clause (a) but not under clause (b) of this Rule.

(e) A Government servant's lien which has been suspended under clause (a) of this Rule shall revive as soon as he ceases to hold a lien on a post of the nature specified in sub-clause (1) ¹[....] or (3) of that clause.

(f) A Government servant's lien which has been suspended under clause (b), of this Rule shall revive as soon as he ceases to be on deputation outside the State of Karnataka or on foreign service or to hold a post referred to in clause (b) provided that a suspended lien shall not revive because the Government servant takes leave if there is reason to believe that he will, on return from leave, continue to be on deputation outside the State of Karnataka or on foreign service or to hold a post referred to in clause (b) and the total period of absence on duty will not fall short of three years or that he will hold substantively a post of the nature specified in sub clause (1) ¹[.....] or (3) of clause (a).

Note 1 - Only one provisionally substantive appointment is permissible against one post. A provisionally substantive appointment is permissible against a vacant permanent post.

Note 2 - The power to make provisionally permanent arrangements and to order suspension of lien is delegated to Heads of Department in the case of non-gazetted Government servants.

Note 3 - The lien of a Government servant cannot be suspended while he is on probation in another post. If the Government servant completes the period of probation satisfactorily, suspension of lien may be made with retrospective effect from the date on which the Government servant was transferred to other duty, provided that the conditions in clause (b) above are otherwise satisfied.

²[Note 4 - When a Government servant who has secured employment in one Department of Government under the rules of recruitment, seeks employment on his own accord in

1. Deleted by No. FD 89 SRS 67 dated 22.11.1967.

2. Amended by No. FD 63 SRS 63 dated 28.12.1963.(wef 20.1.1964).

another unit or Department or in another cadre or grade in the same Department, his lien on the original appointment shall be continued to be maintained provided he has already been confirmed in the post till he is permanently absorbed in the Department or cadre in which he is newly appointed and he shall be given the benefit of the past service for purposes of leave and pension. If, however, he is temporary in the first appointment, he will cease, to have any connection with his old appointment but he shall be given only the benefit of the past service for leave and pension]

(g) (i) A Government servant's lien on a post may in no circumstances be terminated even with his consent if the result will be to leave him without a lien, or a suspended lien upon a permanent post.

¹[(ii)]

(h) Government may transfer to another permanent post in the same cadre the lien of a Government servant who is not performing the duties of the post to which the lien relates, even if that lien has been suspended.

Note - The Head of the Department is empowered to transfer a lien provided that he or an authority subordinate to him is authorised to make appointments to both the posts concerned.

²[(i) A Government servant's lien on a post shall stand terminated on his acquiring a lien on a permanent post (whether under the Central or State Government outside the cadre on which he is borne].

³[20-A(1) A Government servant may be transferred from one post to another, provided that except-

- (i) as penalty imposed for misconduct, or
- (ii) on his written request.

A Government servant shall not be transferred substantively to or except in the case covered by Rule 66 appointed to officiate in a post carrying less pay than the pay of the post on which he holds a lien or would hold a lien had his lien not been suspended under Rule 20.

1. Deleted by No. FD 89 SRS 67 dated 19.10.1967.

2. Inserted by No.FD 89 SRS 67 dated 19.10.67

3. Inserted by No. FD 178 SRS 59 dated 26.8.1959 (wef 3.9.1959.)

(2) Nothing contained in sub-rule (1) of this Rule or clause (26) of Rule 8 shall operate to prevent the retransfer of a Government servant to the post on which he would hold a lien had it not been suspended in accordance with the provisions of clause (a) of Rule 20].

21. A Government servant may be required to subscribe to a Government Insurance Fund, Provident Fund, a Family Pension Fund or other similar fund in accordance with such rules as the Governor may, under Article 309 of the Constitution, prescribe.

22. Subject to any exception specially made in these rules, a Government servant shall begin to draw the pay and allowance of a post with effect from the date when he assumes the duties of that post and shall cease to draw them as soon as he ceases to discharge those duties.

23. Unless it be otherwise provided by special rule or contract the pay of Government servant begins when he takes charge of the appointment in respect of which it is earned. If the charge is transferred afternoon, the transfer does not affect allowances until the next day. Twelve Noon will be treated as Forenoon.

If, however, the substantive appointment of a Government servant is changed while he is officiating in an appointment or if while so officiating, a Government servant is appointed for the first time to some substantive office, then, provided that the tenure of his officiating appointment is not interrupted by his new substantive appointment he may draw the pay thereof without joining it from the date on which the substantive office becomes vacant.

Promotions involving change of duties shall take effect from the date when the Government servant assumes the duties of that post.

24. Every relieving Government servant is responsible for informing the Government servant to be relieved at the earliest possible moment of the date when he will be in a position to receive charge and it is the duty of the Government servant to be relieved to be in readiness to deliver charge on that date.

When more than one day is occupied in making over charge the last day should be entered in the report, and an explanation should be submitted.

¹[25 xxx].

ADDITIONS TO PAY

²[26(a) Unless in any case it be otherwise distinctly provided the whole time of a Government servant is at the disposal of the Government which pays him and he may be employed in any manner required by proper authority without claim for additional remuneration, whether the services required of him are such as would ordinarily be remunerated from the Consolidated Fund, from a Local fund or from the Funds of ³[a body incorporated or not, which is wholly or substantially owned or controlled by the Government.]]

(b) When Municipal Bodies and Other Bodies administering local funds require gratuitous advice and services of officers of the public works or other Departments, Government shall be referred to, which will indicate in each instance to which Government servant application for advice or assistance should be made. The Government servants thus consulted shall give their advice, or if necessary, direct supervision and assistance, without charge.

27. Without the sanction of Government:-

(i) no increase may be given to the pay of a Government servant for the performance of any special duty outside the duty of his regular appointment from Local, Municipal or Other Funds administered by Government;

(ii) no grant may be given to any Government servant from the Consolidated Fund of the State as a bonus or honorarium for work done on behalf of the above out of office hours and beyond the regular duties of his office, payment for which is a proper charge against it.

FEES AND HONORARIA

General Rules

28(a) Fees:- A competent authority may permit a Government servant, if it be satisfied that this can be done without detriment to his official duties or responsibilities to perform a specified service or series of services for a private person or body or for a public body, including a body administering a local fund and

1. Deleted by No.FD 57 SRS 65 dated 15.6.1968 (wef 11.7.1968).

2. Substituted by No. FD 276 SRS 58 dated 25.11.1958.

3. Amended by No. FD 55 SRS 60 dated 25.4.1960 (wef 5.5.1960).

to receive as remuneration therefor, if the service be material, a nonrecurring or recurring fee.

(b) Honoraria:- A competent authority may grant or permit a Government servant to receive an honorarium as remuneration for work performed which is occasional ¹[or intermittent] in character and either so laborious or of such special merit as to justify a special reward. Except when special reasons, which should be recorded in writing, exist for a departure from the provision, sanction to the grant or acceptance of an honorarium should not be given unless the work has been undertaken with the prior consent of Government and its amount has been settled in advance.

Note 1 - The following general principles are laid down for payment of fees and honoraria:-

(a) No honoraria should be paid in respect of any work which can fairly be regarded as part of the legitimate duties of the Government servant concerned.

(b) It is one of the liabilities of Government servants to have to work outside office hours in exceptional times and circumstances. No honoraria should ordinarily be given on this account, but continuous working out of office hours and on authorised holidays may justify a claim to honoraria or to special pay.

(c) No honoraria should be paid to Government servants for attending meetings of Boards and Committees financed wholly or partly ²[from the Consolidated Fund of the State].

(d) The amount of an honorarium or fee must be fixed with due regard to the value of the service in return for which it is given. The maximum fee permitted by any rule is not to be given in cases in which any smaller fee would be fair and sufficient.

(e) When the service rendered falls within the scope of the ordinary duties of the Government servant performing it, the text of special merit prescribed in this rule must be very strictly applied.

Note 2 - The temporary increase in work due to the holding of special conferences under the auspices of a department of subordinate authority or of interdepartmental committees are normal

1. Inserted by No. FD 362 SRS 59 dated 14.12.1959 (wef 17.12.1959)

2. Substituted by No. FD 184 SRS 59 dated 8.9.1959.

incidents of Government service, and form part of the legitimate duties of Government servants according to the general principle enunciated in Note 1. Those so employed have, therefore, no claim to extra remuneration.

Note 3 - In the case of both fees and honoraria, the sanctioning authority shall record in writing that due regard has been paid to the general principle enunciated in Note 1 and shall record also the reasons which in its opinion justify the grant of extra remuneration.

¹[(c) Any Government servant is eligible to receive and, except as otherwise provided by a general or special order of the Government, to retain without special permission-

(i) the premium awarded for an essay or plan in public competitions;

(ii) any reward offered for the arrest of criminal or for information or special service in connection with the administration of justice;

(iii) any reward payable in accordance with the provisions of any Act or Regulation or Rules framed thereunder;

(iv) any reward sanctioned for services in connection with the administration of the Excise and other Laws; and

(v) any fees payable to a Government servant for duties which he is required to perform in his official capacity under any special or local law or by order of Government.]

(d) Remuneration shall not be given under these rules for superintending examinations rendered compulsory on persons belonging to the public service, but may be granted in the case of examinations of candidates for admission to the service, or where it has been specially authorised heretofore, or when the fees received from the persons examined meet the whole charge.

Note 1 - In the case of all Government servants under their control, the Heads of Departments can sanction the acceptance of remuneration in accordance with the scale sanctioned by Government for work as examiners for examinations conducted by the Educational Department ²[xxx] and other Examining Bodies set up by Government, and by the Karnataka University or the University of Mysore.

1. Substituted by No. FD 205 SRS 59 dated 8.9.1959 (wef 14.9.1959).

2. Deleted by No.FD 19 SRS 62 dated 15.3.1962

¹[Note 2 - Government servants are permitted to accept remuneration in accordance with the scale sanctioned by Government for work as examiners in connection with the Service/ Departmental Examinations conducted by the Karnataka Public Service Commission without the permission of their higher authorities.]

²[Note 3 - Officers of the Forest Department are permitted to undertake the work of Examiners in connection with the Examination conducted by the Forest Colleges at Dehradun and Coimbatore and to accept remuneration therefore, such remuneration being restricted to Rs.500 in a year.]

³[Note 4 - Government Servants are permitted to accept remuneration in accordance with the scale sanctioned by the Union Public Service Commission for work as examiners, moderators etc., in connection with the service/Departmental Examinations conducted by the Union Public Service Commission without permission of their higher authorities.]

⁴[This concession is applicable also to the Government servants appointed as Paper Setters, Moderators or Examiners by the Secretariat Training School, (Examination Wing), Department of Personnel, New Delhi.]

⁵[Note 5 - Government Servants are permitted to accept remuneration in accordance with the scale sanctioned by the National Academy of Administration/ National Police Academy for work as examiners, moderators etc., in connection with the examinations conducted by the National Academy of Administration/ National Police Academy without the permission of their higher authorities.]

(e) A Government servant called upon by Court of Law to act as a commissioner to give evidence on technical matters may comply with the request, provided that the case is not of such a nature as will be likely to come before him in the course of his official duties, and may accept such fees or honoraria as are fixed by the Court.

(f) In other cases, not provided for by existing orders, sanction of Government should be obtained to the grant of remunerations in addition to the fixed pay of any Government servant.

1. Inserted by No.FD 19 SRS 62 dated 15.3.1962

2. Inserted by No.FD 37 SRS 66 dated 17.6.1966

3. Inserted by No.FD 126 SRS 69 dated 29.10.69 (wef 8.9.1969)

4. Inserted by No.FD 187 SRS 71 dated 23.11.1971 (wef 23.6.1971)

5. Inserted by No. FD 126 SRS 69 dated 29.1.70 (wef 18.12.1969)

(g) A Government servant whose duties involve the carrying out of scientific or technical research shall not apply for or obtain, or cause or permit any other person to apply for or obtain a patent for an invention made by such Government servant save with the permission of the Government and in accordance with such conditions as Government may impose.

FEES - SUBSIDIARY RULES

29(a) Any Government servant may receive a fee from a private person or private body or a public body whose funds are not administered by Government for work done for it, provided :-

(1) he has undertaken the work with the knowledge and¹[sanction of Government and it can be carried out without detriment to his official duties.]

Note - It is incorrect for Government servants, who are wholetime Government employees to accept private employment (particularly part-time work daily) which may conflict with their official duties. Permission for such employment should be accorded only for a work of a quasi-Government nature of an educational Institution, Local Body, or a Co-operative Institution.

²[(2), (3) xxx]

(4) that unless Government by special order otherwise directs, one-third of any fee in excess of Rs.250 or, if recurring, a fee of Rs.250 a year, paid to a Government servant shall be credited to the Consolidated Fund of the State.

If any fee to which this Rule applies exceeds Rs.250 non recurring or Rs.250 a year recurring, one-third of the total amount payable should be credited to the Consolidated Fund, provided that the amount retained by the Government servant concerned will not, merely owing to the operation of this rule, be reduced below Rs.250, if non-recurring or Rs.250 a year if recurring.

Non-recurring and recurring fees should be dealt with separately and should not be added, for the purpose of crediting one third to General Revenues under this Rule. In the case of the former, the limit of Rs.250 prescribed in this Rule should be applied in each individual case and, in the case of the latter, the limit should be applied with reference to the total recurring fees for the financial year.

1. Substituted by No. FD 43 SRS 68 dated 3.6.1968 (wef 28.6.1968)

2. Deleted by No. FD 43 SRS 68 dated 3.6.68 (wef 28.6.1968)

¹[Provided further that where the fee received by a Government Servant in any year exceed Rs.2,500 (whether recurring or non-recurring), fifty per cent of such fee shall be credited to the Consolidated Fund of the State subject to the condition that the amount of the fee retained by the Government Servant shall not be reduced below Rs.1,670 owing to the operation of this proviso.]

The condition laid down in clause 4 above will not apply in respect of the following items:-

(i) fees received by a Government servant in the capacity of an office-bearer of a Co-operative Society working for the benefit of Government servants only;

(ii) remuneration earned by Government servants for lectures delivered including radio broadcasts, publication of papers, pamphlets etc., provided that in any individual case the remuneration received for each of the above items does not exceed rupees five hundred on each occasion;

(iii) remuneration received by Government servants and members of the teaching staff for work done by them as examiners of the University of Mysore or other Universities or other Examining Bodies; ²[xxx ...]

(iv) fees received to the extent of ³[Rs.50] per mensem by Government servants working as part-time teachers in commercial and other Institutions under private management and fees received by a Government servant for part-time work in a Local Body or the Mysore University;

(v) remuneration received by Government servants, either from the Government of India or from the funds of Institutions either directly under the control of the Government of India, or aided or sponsored by them or the State Government;

⁴[(vi) fees levied for the services of police deputed for duty on the application of private persons, institutions or authority in accordance with rule 507 of the Karnataka Police Manual and disbursed to the staff;]

⁵[(vii) Income derived by a Government servant from exploitation of a patent for an invention taken out by him with the permission of competent authority under clause (g) of rule 28.]

1. Inserted by No.FD 54 SRS 69 dated 12.11.1969

2. Deleted by No.FD 86 SRS 68 dated 17.6.1968 (wef 11.7.1968)

3. Amended by No.FD 16 SRS 65 dated 14.5.1965 (wef 17.6.1965)

4. Inserted by No.FD 267 SRS 59 dated 9.2.1960 (wef 18.2.1960)

5. Inserted by No.FD 88 SRS 60 dated 1.7.1960 (wef 14.7.1960)

¹[Note - Remuneration received by Tahsildars or Deputy Tahsildars appointed as Receivers by Courts of Law to take possession of any property which is the subject matter of a dispute pending before the Court, shall be subject to recovery under this clause.]

(b) when the work undertaken for a private body is such that it must be done during the time which would otherwise be employed in the service of Government, the fee should be credited to Government, ¹[but Government] may grant to the Government servant concerned such portion of the fee realized as it may deem suitable subject to provisions of sub-clause (4) of clause (a) supra.

Note 1 - Government servants who serve as Directors of Joint Stock Companies or as members of other institutions (such as the Indian Institute of Science), by virtue of their official position, should credit to Government any fees which they may receive for attending Directors' or other meetings, and where necessary they will be allowed to draw, on such occasions, travelling allowance as on duty.

The officers concerned should invariably furnish in the travelling allowance bills (in which travelling allowance is claimed for attending Directors' or other meetings of Joint Stock Companies, etc.,) the following certificate:-

"Certified that I have not received any amount in the shape of Directors' fees or sitting fees from the Company for attending meeting in respect of which travelling allowance is claimed or that the fees received have been credited to the Treasury (Government Account)"

²[Note 2 - In cases where travelling allowance is not admissible under the rules a Conveyance Allowance of an amount equivalent to a daily allowance may be allowed. Where however sitting fees and/or Conveyance charges are paid by the institutions or organisations the Directors/ Members may retain an amount equal to a daily allowance and credit the excess to Government.]

³ [(c) xxx]

1. Amended by No.FD 43 SRS 68 dated 3.6.1968 (wef 28.6.1968).

2. Substituted by No.FD 67 SRS 67 dated 6.3.68.

3. Deleted by No.FD 43 SRS 68 dated 3.6.68 (wef 28.6.1968).

(d) This rule does not apply to medical officers who are allowed to accept fees from private persons for professional attendance subject only to such conditions as Government may prescribe from time to time.

30(i) A Government servant appointed as a Director of Autonomous Organisation like Government Industrial and Commercial Undertakings, shall draw for journeys performed in connection with the affairs of any such organisation, his travelling allowance under the Government rules applicable to him and from the source from which he draws his pay. He should not draw any such allowance from the organisation. In the claim preferred against the Government a certificate that he has not claimed or drawn any travelling allowance from the organisation shall be furnished by the Government servant.

(ii) If the journey is solely or mainly in connection with the affairs of the organisation or body, the whole expenditure on the travelling of the Government servant, which is initially paid by the Department concerned, shall be reimbursable from the organisation to the Government even though the Government servant performs other Government duties at the place of halt. Where, however, the journey is not mainly on account of the affairs of the organisation, the entire expenditure on the travelling allowance of the Government servant shall be borne by the Government.

¹[Exception:- The teaching staff of the Government Colleges are permitted to prefer their claim for travelling and daily allowance according to the rules of the Bangalore or Mysore or Karnataka Universities as the case may be and obtain payment direct from the universities concerned in respect of their journeys and halts connected with the work of the Universities.]

(iii) The recovery effected from the organisation may be treated as the revenue of the department concerned.

(iv) The authority controlling the allotment of funds for travelling allowance shall be the sole judge for determining whether recovery should be made or not from the organisation in each case and shall be responsible for preferring the claim for reimbursement of travelling allowance charges against the organisation concerned.

1. Inserted by No. FD 21 SRS 66 dated 1.6.1966 (wef 29.12.1965)

A copy of the claim should be endorsed to the Audit officer concerned, who shall then watch actual recovery from the organisation and its credit to Government.

¹[(v) provisions of clauses (ii) and (iii) shall also apply to a Government servant appointed as a Director etc., of a private company which does not receive any financial assistance from the Government or in which Government funds are not invested.

(vi) If a Government Servant in foreign service is required to work in some capacity for a third party and receives fees from that party, such fees less the amount of expenditure incurred on him by the foreign employer by way of travelling allowances (which shall be reimbursed to the foreign employer) shall be credited to Government.

(vii) The amount in respect of travelling allowance received from the private company whether during the same financial year or subsequently, shall be adjusted as recovery under the minor head "Deduct-Amounts recovered from other Government, Departments etc." under the same Major Head under which the travelling allowance initially borne by the Government was adjusted.]

²[Note - The provisions of this Rule apply also to the journeys performed by the Government servants in connection with the affairs of the Non-Government or Semi-Government Institutions, Bodies which receive grants-in-aid from Government and on which or on whose governing Bodies they are appointed as Government representatives or to whose affairs they are required to attend in any other capacity under official arrangements.]

1. Inserted by No.FD 134 SRS 72 dated 8.5.1973 (wef 7.6.1973)

2. Inserted by No.FD 166 SRS 59 dated 23.7.1959 (wef 30.7.1959)

CHAPTER III

REGULATION OF EMOLUMENTS

31. An officiating arrangement is permissible in a post of which either there is no holder or of which the holder is an absentee.

Exception:- When a Judicial Officer, ¹[presiding over a combined court (Civil and Criminal)] is allowed to avail himself of the summer vacation, an officiating appointment may be made during the vacation for the disposal of criminal work.

Note - With the general or special sanction of Government acting appointments may be made in place of officers ordered or permitted to undergo a course of training.

²[Explanation: In the case of a Government servant deputed for training or a course of Instruction it is not necessary to create a new post in order to accommodate him during such training or course of instruction since the very order posting him for training, etc. would be considered as a sanction in this behalf.]

³[31-A. A Government servant who is on training the period spent on which is treated as duty under rule 8 (15) (c), may be granted such pay as the Government may consider equitable but in no case exceeding the pay which he would have drawn had he been on duty other than duty under rule 8 (15) (c).]

⁴[Explanation:- A Government servant who is on training may be given regular promotion and allowed by the competent authority to draw the pay of the higher post against which he would have officiated but for his deputation to undergo training.]

Instructions:- ⁵[According to the Explanation below Rule 31-A of Karnataka Civil Services Rules, a Government servant who is on training may be given regular promotion and allowed by the competent authority to draw the pay of the higher post against which he would have officiated but for his deputation to undergo the training.

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1. Substituted by No.FD 48 SRS 60 dated 23.8.1960 (wef 1.9.1960).
 2. Inserted by No.FD 8 SRS 66 dated 1.6.1966.
 3. Inserted by No.FD 35 SRS 68 dated 21.10.1971.
 4. Substituted by No.FD 180 SRS 74 dated 18.4.75 (wef 21.10.1971).
 5. No. FD 30 SRS 78 dated 21.6.1978.

The matter has been further examined and it is hereby clarified that, a Government servant who has been deputed for a course of instruction or training authorised by or under orders of Government and who is treated as on duty, according to rule 8 (15) (c) of Karnataka Civil Services Rules may be-

(i) given regular promotion by the competent authority with effect from the date on which the Government servant junior to him in the cadre of his service assumes charge on promotion to a post in the next higher cadre, and

(ii) allowed to draw such pay in the pay scale of the higher cadre as he would have drawn from time to time but for his deputation to undergo such instruction or training.

3. The above benefit of promotion and consequential fixation of pay may be given subject to fulfilment of the following conditions:-

(i) The Government servant undergoing training or instruction is otherwise eligible for promotion, according to the rules of recruitment, and

(ii) All his seniors, except those regarded as unfit for promotion have been promoted.]

32. Instead of appointing a Government servant to officiate, it is also permissible to appoint him to be in charge of the current duties of a vacant post. In such a case a 'charge allowance' (additional pay) is payable as specified in Rule 68.

¹[Note 1,- A Government servant can be appointed under this Rule to be in-charge of the current duties of a vacant post only if he is eligible to be promoted to officiate in that post according to the Cadre and Recruitment Rules applicable to that post or if he is holding a post in an equivalent or higher grade.]

²[Note 2 - The provisions of this Rule apply also to cases where a Government servant being relieved of his own appointment is appointed to be in independent charge of a higher appointment as a temporary measure.]

³[Instructions:- The following delegation of powers to the Secretaries to the Administrative Departments of the Government is hereby ordered to be given effect to from 1st November 1977.]

1. Inserted by No. FD 7 SRS 75 dated 22.4.1976 (wef 20.5.1976).

2. Amended by No. FD 97 SRS 61 dated 1.11.1961.

3. No. FD 7 RFP 77 dated 17.10.1977.

Nature of power	Further financial powers delegated to Secretaries to Government
Continuation of independent charge arrangements beyond six months and payment of charge allowance (Rule 32 of Karnataka Civil Services Rules)	Full powers]

¹[Note 3:- The Authority competent to make incharge arrangements specified in column (1) of the table below, may make incharge arrangements for vacant posts in respect of subordinate Government servants holding the posts in the scales of pay specified in column (2) thereof to the maximum duration specified therein.

Authority competent to make in charge arrangements	Posts in the scale of pay of		
(1)	(2)		
	Rs.7400-13120 and above	Rs.5575-10620 and above but below Rs.7400-13120	Rs.2500-3850 and above but below Rs.5575-10620
Heads of Departments.	4 months	6 months	Full Powers
Divisional level officers	3 months	4 months	Full Powers
District level officers	2 months	3 months	Full Powers
Sub divisional officers	-	-	Full Powers
Taluk level officers	-	-	Full Powers]

33. 'Permanent Post' is defined in Rule 8 (34). Without the authority of Government,-

(i) no new appointment may be created; and no addition may be made to the pay and allowances of any Government Servant;

(ii) no appointment may be abolished; and the pay and allowances of no appointment may be reduced;

1. Inserted by No. FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999)

(iii) no class or grade of Government servants may be created or abolished, and the pay of no class or grade of Government servant may be raised or reduced.

Exception:- An addition to the scale of appointments in the lower grade as against a vacancy in higher grade may be allowed temporarily on occasions.

¹[34. A temporary post is defined in Rule 8(46). No temporary post may be created without the sanction of Government. Government may, however, delegate this power to Heads of Departments and other authorities subject to such limits and conditions as they deem fit.]

35. Tenure post is defined in Rule 8(47). A Government servant may be confirmed against a tenure post. The emoluments drawn by a Government servant in a tenure post count for pension if the Government servant is appointed substantively to that post.

36. A Government servant when appointed to officiate in a post which is tenable by a Government servant of any one of the several grades or classes in a cadre shall, save as otherwise directed by Government, be given officiating pay calculated in the pay of the lowest grade or class in the cadre.

37.(a) The pay of a Government servant officiating in a post, the pay of which is subject to increase upon the passing of an examination or upon the completion of certain period of service, is the pay which he would from time to time receive if he held the post substantively.

(b) The pay of a Government servant officiating in a post, the pay of which has been reduced with effect from the next succession thereto, is the reduced pay.

38. The pay of a Government servant officiating in an appointment the pay of which has been increased with effect from the next succession thereto, is the increased pay.

39. The fixation of Pay of a Government servant is within the competence of Government provided that, except in the case of Personal Pay granted in the circumstances defined in Rule 8(35) the pay of Government servant shall not be so increased as to exceed the pay sanctioned for his post without the sanction of an authority competent to create a post in the same cadre on a rate of pay equal to his pay when increased.

1. Substituted by No. FD 58 SRS 60 dated 14.5.1960 (wef 20.5.1960)

40. Time scale of pay - Rules 41 to 49 apply to time scales of pay generally. They do not, however, apply to any time scale in so far as they are inconsistent with terms specially sanctioned for such time scale.

41. The initial substantive pay of a Government servant who is appointed substantively to a post on a time scale of pay is regulated as follows:-

(a) If he holds a lien on a permanent post other than a tenure post, or would hold a lien on such a post had his lien not been suspended under Rule 20,-

(i) When appointment to the new post involves the assumption of duties or responsibilities of greater importance (as interpreted for the purposes of rule 44) than those attaching to such permanent post, he will draw as initial pay the stage of the time-scale next above his substantive pay in respect of the permanent post;

(ii) When appointment to the new post does not involve such assumption of duties or responsibilities he will draw, as initial pay, the stage of the time-scale which is equal to his substantive pay, in respect of the permanent post, or if there is no such stage, the stage next below that pay, plus personal pay equal to the difference, and in either case will continue to draw that pay until such time as he would have received an increment in the time scale of the permanent post, or for the period after which an increment is earned in the time-scale of the new post whichever is less. But if the minimum pay of the time-scale of the new post is higher than his substantive pay in respect of the permanent post he will draw that minimum as initial pay;

(iii) When the appointment to the new post is made on his own request and the maximum pay in the time-scale of that post is less than his substantive pay in respect of the old post, he will draw that maximum as initial pay.

(b) If, the conditions prescribed in clause (a) are not fulfilled he will draw as initial pay the minimum of the time-scale:

Provided that both in cases covered by clause (a) and in cases (other than cases of re-employment after resignation or removal or dismissal from the public service) covered by clause (b) if the Government servant either-

(1) has previously held substantively or officiated in,-

(i) the same post, or

(ii) a permanent or temporary post on the same time-scale,
or

(iii) a permanent post other than a tenure post on an identical time-scale, or

(iv) a temporary post on an identical time-scale, such post being on the same time-scale as a permanent post; or

(2) is appointed substantively to a tenure post on a time scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated; then the initial pay shall not be less than the pay, (other than special pay, personal pay or emoluments classed as pay by Government) which he drew on the last such occasion, and he shall count the period during which he drew that pay on such last and any previous occasions for increments in the stage of the time-scale equivalent to that pay; provided further where the pay last drawn by the Government servant in a temporary post has been inflated by the grant of premature increments, the pay which he would have drawn but for the grant of such increments shall, unless otherwise ordered by the authority competent to create the new post, be taken for the purposes of the preceding proviso to be the pay which he last drew in the temporary post.

¹[Note 1]

Note 2 - The personal pay, mentioned in sub-clause (a) (ii) of this Rule should be given to a Government servant only for the purpose of initial pay and not at any subsequent stage in the new time-scale in which the Government servant might draw less pay than he would draw had he remained in the old scale. Accordingly when the next increment in the time scale of either the new or the old post falls due, the Government servant should draw the next increment in the time-scale of the new post, and forthwith lose the personal pay and all connection with the time-scale of his old post.

Note 3 - The expression 'if he holds a lien on a permanent post' occurring in clause (a) of this Rule should be held to include the lien on a permanent post to which a Government servant is appointed in a provisionally substantive capacity under Rule 20 and the expression 'substantive pay' in respect of the permanent post, occurring in that Rule should be held to include his substantive pay

1. Deleted by No. FD 41 SRS 62 dated 16.10.62 (wef 1.4.1958)

in respect of that provisionally substantive appointment. This Rule should therefore, be held to permit the substantive pay in respect of a provisionally substantive appointment being taken into account in determining his initial pay in another post to which he is appointed. When the initial pay of a Government servant in a post is thus fixed, it will not be effected even if during the tenure of his appointment to that post he reverts from his provisional appointment.

Note 4 - For the purposes of this Rule and Rule 44 a declaration as to the relative degrees of responsibility of two posts should be obtained from the administrative Head of the Department or from Government according as the posts are in the same Department or in different Departments. A declaration is, however, necessary only when the relative degrees of responsibility are not obvious beyond doubt.

Note 5 - For the purposes of this Rule and Rule 43 a temporary post on a certain rate of pay (fixed or time-scale) which is converted into a permanent post on a different rate of pay is not the "same post as the permanent post even though the duties remain the same. In other words in view of Rule 8(46) the temporary post is to be regarded as having ceased to exist and to have been replaced by the permanent post. The incumbent of the temporary post is thus entitled only to the pay of the permanent post if it is on a fixed rate of pay or to the minimum of the time scale of the permanent post if it is on a time-scale unless his case is covered by the concession admissible under Note 1.

Note 6 - In the case of a Government servant appointed substantively to a post in which he has previously officiated and whose present substantive pay is the same as the pay which he drew when last officiating, the initial pay should be fixed with reference to his substantive pay in respect of the old post. Accordingly when a Government servant is appointed to a post substantively while officiating in it, he is entitled to have his pay fixed anew with reference to his substantive pay at the time in respect of his old permanent post.

¹[Note 7 - A Government servant serving as a local candidate if appointed subsequently as a direct recruit to the same post, will continue to draw his pay with future increments as they fall due provided that where a period of probation is fixed, an increment or increments falling due ²[(during and after that period

1. Amended by No. FD 80 SRS 61 dated 24.3.1962.

2. Amended by No. FD 80 SRS 61 dated 30.3.1962.

shall be governed by the provisions of the Note below Rule 10 of the Karnataka Government Servants' (Probation Rules, 1957)]

¹[41A- Notwithstanding anything contained in rules 20 and 41 of these rules ² [or anything contained in the Recruitment rules in respect of particular services but subject to the Karnataka Civil Services (Direct Recruitment to Class III Posts) (Special) Rules, 1970] when a Government servant appointed to a post or category of posts as a local candidates or as regularly recruited candidate, is appointed regularly as per relevant rules of recruitment to any other posts or category of posts, whether in the same or any other department, whether a period of probation is prescribed or not his pay is regulated as follows:

(i) Where the appointment is to a post the scale of pay of which is lower than the scale of pay of the post he held last, his pay in his appointment shall be equivalent to the stage of pay which he would have reached had he been appointed to that scale of pay from the date he was initially appointed as a local candidate or as a regularly recruited candidate as the case may be;

³[(ii) Where the appointment is to a post the scale of pay of which is identical with the scale of pay of the post which he held last, his pay in his appointment shall be fixed at the stage which is equal to the pay drawn in the post last held by him.

Provided that after the initial pay is fixed under clause (i) or clause (ii), as the case may be, the next increment in the scale of pay of the new post shall be granted on the date on which an increment in the time-scale of the old post would have accrued, had he continued in that post or the date on which an increment accrues in the time-scale of the new post, whichever is earlier].

⁴[Note- The personal pay granted under Rule 8(f) of the Karnataka Civil Services (Revised Pay) Rules, 1970 shall continue even after the pay is fixed under this clause and shall be absorbed in the next increment.]

⁵[(iii) xxx]

(iv) If the minimum pay of the new post is higher than that fixed under the preceding clauses, that pay shall be allowed.

1. Amended by No. FD 76, SRS 68 dated 6.4.1971 (wef 26.4.1973)

2. Amended by No. FD 32 SRS 72 dated 20.3.1972 (wef 31.8.1972)

3. Substituted] by No. FD 51 SRS 88 dated 3.10.1989 (wef 1.1.1977)

4. Inserted by No. FD 222 SRS 71 dated 17.8.1972(wef 1.1.1970)

5. Deleted by No. FD 130 SRS 73 dated 24.12.1973(wef 26.4.1973)

(v) The increment or increments falling due during the period of probation in cases of fixation done under clause (i) or (ii) above shall be governed by the provisions of the Note below rule 10 of the Karnataka Government Servants (Probation) Rules, 1957.

(vi) When the probationer is declared to have satisfactorily completed the period of probation after an extended period of probation and the increments falling due during the extended period of probation have not been allowed under the Note below rule 10 of the Karnataka Government Servants (Probation) Rules, 1957, his pay from the date of satisfactory completion of probation shall be refixed at what he would have drawn had he completed the probation at the end of the prescribed period of probation and his future increments shall be allowed on the normal dates.

Instructions: (i) The benefit derivable under this rule shall also be given to appointments made regularly as per relevant rules of recruitment on or after the first day of April 1962.

(ii) Cases which have been decided already under rule 42-A shall not be reopened if refixation of pay under these rules is disadvantageous to the Government servant.

(iii) The provisions of the Karnataka Probationers (Pay) Rules, shall not apply to those whose pay is to be regulated under rule 41-A.]

¹[41-B. When a Government employee working in a time scale of pay in the work charged establishment is absorbed in the regular establishment, his pay shall be fixed in accordance with the provisions of Rule 41-A.]

²[41-C. Notwithstanding anything contained in any other rules, where a military officer of the rank of Junior Commissioned Officer or below who is discharged from the military service before superannuation is appointed to a post in accordance with the rules regulating recruitment thereto, his pay in the time scale of the post in which he is so appointed shall be fixed as follows:-

1. Inserted by No. FD 120 SRS 74 dated 4.2.1977 (wef 6.9.1972)

2. Inserted by No. FD 119 SRS 76 dated 3.11.1978 (wef 1.1.1978)

(i) Where the pay drawn in the military service is equal to a stage in the time scale of the post to which he is appointed, it shall be fixed at that stage;

(ii) Where the pay last drawn in the military service does not correspond to a stage in the time scale of the post to which he is appointed, it shall be fixed at the stage next below the difference being treated as Personal Pay absorbable in future increase in pay;

(iii) Where pay last drawn in the military service is below the minimum of the time scale of the post to which he is appointed it shall be fixed at the minimum;

(iv) Where the pay last drawn in the military service is above the maximum of the time scale of the post to which he is appointed it shall be fixed at the maximum;

(v) For the purpose of fixation of pay as at (i) to (iv) above pay last drawn in the military service to be taken into account is basic pay only and does not include any other allowance and pension and pension equivalent of Death-cum-Retirement Gratuity received from the Defence Authorities shall be ignored:

(vi) The military service rendered prior to appointment in the State Civil Services shall not be taken into account in determining service qualifying for pension.]

42. The initial substantive pay of a Government servant who is appointed substantively to a post on a time scale of pay which has been reduced for reasons other than diminution in the duties or responsibilities attached to posts thereon and who is not entitled to draw pay on the time scale as it stood prior to reduction regulated by Rule 41 provided that both in case covered by clause (a) of that rule and in cases, other than those of re-employment after resignation, removal or dismissal from the public service, covered by clause (b) of that rule, if he either,-

(1) has previously held substantively or officiated in :-

(i) the same post prior to reduction of its time scale, or

(ii) a permanent or temporary post on the same time scale as the unreduced time scale of the post, or

(iii) a permanent post other than a tenure post or a temporary post, on a time scale of pay identical with the unreduced time-scale of the post, such temporary post being on the same time-scale as a permanent post, or

(2) is appointed substantively to a tenure post the time scale of which has been reduced without a diminution in the duties or responsibilities attached to it and has previously held substantively or officiated in another tenure post on a time-scale identical with the unreduced time-scale of the tenure post;

then the initial pay shall not be less than the pay, (other than ¹[special allowance], personal pay or emoluments classed as pay by Government), which he would have drawn under Rule 41 on the last such occasion, if the reduced time-scale of pay had been in force from the beginning and he shall count for increments the period during which he would have drawn that pay on such last and any previous occasions.

Note- The re-employment of a Government servant after resignation or after discharge on reduction of establishment or after invalidation out of service amounts to a fresh appointment for the purpose of Rule 41 and he will therefore draw the minimum of the time-scale. If in any case, it is considered that a higher rate of pay should be given the case can be dealt with under Rule 57.

²[42-A xxx]

³[42-B. (1) Notwithstanding anything contained in these rules, when a Government servant is promoted to a post or appointed, to an ex-cadre post and such promotion or appointment involves the assumption of duties and responsibilities of greater importance than those of the post held by him, his initial pay in the time scale of the higher post shall be fixed at the stage next above the pay in the time scale of the lower post at the time of such fixation:

Provided that where a Government servant appointed to a higher ex-cadre post is promoted while holding such higher ex-cadre post, to a higher post in accordance with the Recruitment Rules of the Service to which he belongs, the pay drawn in such ex-cadre post shall not be taken into account for the purpose of fixation of initial pay on such promotion; but this initial pay in the post to which he is promoted shall be fixed with reference to the pay which he would have drawn in the post held by him before his appointment to the ex-cadre post:

1. Substituted by No. FD 7 SRA 99, dated 29.4.2000 (wef 1.4.1998)

2. Deleted by No. FD 76 SRS 68 dated 6.4.1971 (wef 26.4.1973)

3. Substituted by No. FD 25 SRS 79 dated 28.4.1979 (wef 1.1.1977)

Provided further that if a Government servant either-

(a) has previously held substantively or officiated in,-

(i) the same post, or

(ii) a permanent or temporary post on the same time-scale,

or

(iii) a permanent post other than a tenure post, or a temporary post on an identical time-scale, or

(b) is appointed substantively to a tenure post on a time-scale identical with that of another tenure post which he has previously held substantively or in which he has previously officiated, then proviso to rule 41 shall apply in the matter of the initial fixation of pay and counting of previous service for increment.

(2) The pay of Government servant to whom sub-rule (1) is applicable, and who would have normally earned his next increment in the time-scale of the lower post but for his promotion to the said higher post or appointment to the said higher ex-cadre post shall be refixed in accordance with the provisions of sub-rule (1) in the time-scale of the higher post held by him, as if he had been promoted to the said higher post or appointed to the said higher ex-cadre post after he had earned the said increment in the lower post.

¹[Provided that where an additional increment is granted to a Government servant under the provisions of Rule 6 of the Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974 after the date of fixation of his pay under sub-rule (1) above but before the date of refixation of pay under sub-rule (2) above, the additional increment shall be allowed to him with effect from the date of refixation under sub-rule (2) above, as if the additional increment had accrued to him on that date.]

3. The expression "ex-cadre" used in this rule means a stray post, which has been created in a department or service outside the regular line of promotion for a purely temporary period to meet a special need and appointment to which is made by selection from Government servants possessing the required qualification and experience.

1. Inserted by No.FD 39 SRS 82 dated 6.9.1982 (wef 1.1.1977)

¹[(4) The principles of fixation of pay as laid down in sub rules (1) and (2) above shall be applicable also to a Government servant appointed through the Public Service Commission or any other recruitment agency to a post carrying higher scale of pay.]

²[42-C. Notwithstanding anything contained in these rules, the initial pay of a Government servant appointed during the period between 22nd June 1966 and 31st July 1967, in a temporary or officiating capacity to another post carrying duties and responsibilities of greater importance than those attaching to the post held by him, shall be fixed applying the provisions of Rule 42-B as was in force immediately prior to 22nd June 1966, and as if the said Rule had been made with the following proviso, namely-

Provided that where a Government servant appointed to a higher ex-cadre post is promoted, while holding such higher ex-cadre post, to a higher post in accordance with the Recruitment Rules of the Service to which he belongs, the pay drawn in such ex-cadre post shall not be taken into account for the purpose of fixation of initial pay on such promotion; but his initial pay in the post to which he is promoted shall be fixed with reference to the pay which he would have drawn in the post held by him before his appointment to the ex-cadre post.]

³[Instructions:- In respect of the cases coming under Rule 42-C arrears for the period from 26th June 1966 to 31st July 1967, if any, may be paid. Rule 42(B) (1) will be applicable only in respect of cases arising on or after 1st January 1961 but arrears shall be payable only from 1st August 1967.]

43. The holder of a post, the pay of which is changed, shall be treated, as if he were transferred to a new post on the new pay, provided that he may at his option retain his old pay until the date on which he has earned his next or any subsequent increment on the old scale, or until he vacates his post or ceases to draw pay on that time-scale. The option once exercised is final.

1. Substituted by No.FD 51 SRS 88 dated 3.10.1989 (wef 1.1.1977)

2. Inserted by No.FD 15 SRS 69 dated 16.7.1969

3. Inserted by No. FD 15 SRS 69 dated 26.5.1970

¹[Note 1] - If a Government servant has held substantively, or officiated in, a post in the cadre or class immediately prior to the introduction of a new time-scale, and has drawn during the period pay or salary equal to a stage or intermediate between two stages in the new time-scale, then the initial pay or salary in the new time-scale shall be fixed on the basis of the pay or salary last drawn.

¹[Note 2 - The above rule applies also in cases where a revision of pay is accompanied by change in the status of the posts. In such cases the posts virtually continue as before. Where, however, a revision of pay is concurrent with a specific change in the duties and responsibilities attached to the post, the old post will be deemed to have been substituted by a different post. In such cases, the individual will be treated as having been appointed to a higher or lower post, as the case may be, and pay will be fixed under the relevant rules, and not under this rule.]

44.(1) Subject to the provisions of Chapter III a Government servant who is appointed to officiate in a post shall not draw pay higher than his substantive pay in respect of a permanent post other than a tenure post, unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attaching to the post, on which he holds a lien or would hold a lien had his lien not been suspended:

Provided that Government may exempt from the operation of this rule, any State Civil Service which is not organised on a time scale basis and in which a system of acting promotion from grade to grade is in force.

(2) For the purposes of this Rule, the officiating appointment shall not be deemed to involve the assumption of duties or responsibilities of greater importance if the post to which it is made, is on the same scale of pay as the permanent post, on which he holds a lien or would hold a lien had his lien not been suspended or on a scale of pay identical therewith.

² [xxx]

1. Amended by No. FD 50 SRS 65 dated 22.6.1966
 2. Deleted by No. FD 41 SRS 62 dated 16.10.1962 (wef 1.4.1958)

45. ¹[(a) (i) Subject to the provisions of Rule 44 and clause (c) of this Rule, a Government servant who is appointed to officiate in a post will draw the presumptive pay of that post.

(ii) On an enhancement in the substantive pay, as a result of increase or otherwise, the pay of such Government servant shall be refixed under (i) of this clause from the date of such enhancement as if he was appointed to officiate in that post on that date where such refixation is to his advantage.]

²[Note 1 - Where the increment of a Government servant in the post in which he is officiating has been withheld under Rule 51 without any reference to the increment that will accrue to him in the post held by him substantively, the provisions contained in sub-clause (ii) above shall not apply before the date from which the orders withholding the increments finally cease to be operative. However, the Government servant may be allowed during the period of penalty of withholding of increment, his substantive pay from time to time if the same happens to be more than the officiating pay.]

³[Note 2 - Where a Government servant was not actually officiating in a higher post at the time of enhancement of his substantive pay, but would have either officiated in that post under the 'Next Below Rule' but for his deputation to some other post or would have officiated in that post but for his officiating appointment to a still higher post, his pay shall be refixed under sub-clause (ii) of this clause notionally in the post in which he would have so officiated but for the occasions mentioned above. As and when the Government servant reverts to that post from deputation/higher post, the actual pay to be given to him on the date of reversion will be arrived at with reference to such notional pay.]

⁴[Explanation:- Where an increment in the substantive post falls due during a period of leave and the refixation of officiating pay under sub-clause (ii) of clause (a) of this rule is to the Government servant's advantage, the officiating pay may be regulated as follows:

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1. Substituted by No. FD 72 SRS 58 dated 13.5.58 (wef 1.4.1958)
 2. Inserted by No. FD 121 SRS 60 dated 23.8.1960 (wef 1.9.1960)
 3. Inserted by No. FD 87 SRS 61 dated 16.10.1961.
 4. Inserted by No. FD 73 SRS 60 dated 14.7.1960 (wef 21.7.1960)

(i) In the case of a Government servant proceeding on leave, if the period of leave counts for increments in the officiating post either under rule 53(b) or 53(c) subject to the fulfilment of the conditions and production of the necessary certificates, his officiating pay may be refixed under sub-clause (ii) of clause (a) of this Rule, from the very date of increment or increase in the substantive pay as if he was appointed to officiate in that post on that date. The benefit of the increase in officiating pay can be had by him only from the date of resumption of duties but his next increment in the officiating post will accrue to him from an earlier date in the next year calculated with reference to the date of refixation of pay.

(ii) If, however, the period of leave does not count for increment in the officiating post, the Government servant loses all connection with that post during that period and he will be entitled to get his officiating pay refixed only from the date he returns from leave in which case the next increment will fall due only after completion of ¹[the prescribed period of duty] from the date of resuming charge unless he becomes entitled to refixation of pay under sub-clause (a) of this Rule once again from an earlier date.]

(b) When a Government servant officiates in a post the pay of which has been fixed at a rate personal to another Government servant, Government may permit him to draw pay at any rate not exceeding the rate so fixed or, if the rate so fixed be a time-scale, may grant him initial pay not exceeding the lowest stage of that time-scale and future increments not exceeding those of the sanctioned scale.

(c) A competent authority may fix the pay of an officiating Government servant at an amount less than that admissible under these rules.

Instructions:- The power conferred by clause (c) of this Rule is not exercisable save by a special order passed in an individual case and on the consideration of the facts of that case.

Note 1 - When a Government servant is appointed to officiate in a post on a time-scale of pay fixed below the minimum of the time-scale under clause (c) of this Rule, he must not be treated as having effectually officiated in that post within the meaning of Rule 41 (b) or having rendered duty in it within the meaning of Rule 53. Such a Government servant, on confirmation should have his

1. Amended by No. FD 189 SRS 60 dated 29.11.1960 (wef 8.12.1960)

initial pay fixed under Rule 41 (b) and draw the next increment after he has put in duty for the usual period required calculated from the date of his confirmation.

Note 2 - One class of cases falling under clause (c) of this Rule is that in which a Government servant merely holds charge of the current duties and does not perform the full duties of the post. In such cases a charge allowance is allowed in addition to his pay.

¹[Note 3 - The provisions of clause (a) of Rule 45 shall be applicable with effect from 1st January 1958, and shall apply to cases arising after that date and coming under Rule (40)(a) of the Karnataka Pay and Allowances Rules, 1957.]

46. A person holding no substantive appointment under Government, who is appointed to officiate in a permanent post or to hold a temporary post on a time-scale of pay, shall not be allowed to count, for the purposes of increment on the time-scale past non-continuous officiating service in such permanent post or non-continuous service in such temporary post.

Note - Service shall be deemed non-continuous only if it is interrupted by actual loss of appointment.

47. Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by any amount by which the recipient's pay may be increased and shall cease as soon as his pay is increased by an amount equal to his personal pay.

48. When a temporary post is created, which may have to be filled by a person not already in Government service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

49(a) When a temporary post is created, which will probably be filled by a person who is already a Government servant, its pay should be fixed by a competent authority with due regard to -

(1) the character and responsibility of the work to be performed, and

1. Inserted by No.FD 160 SRS 59 dated 5.12.1959

(2) the existing pay of Government servants of a status sufficient to warrant their selection for the post.

Note 1 - The following principles should be observed in fixing pay of temporary posts:-

(i) No Government servant may be placed on special duty or on deputation without the sanction of Government. A Government servant placed on 'special duty' or 'on deputation' should have the pay of his temporary post fixed at what his pay would have been from time to time in the regular line had he not been so deputed.

If the sanctioning authority is satisfied that a Government servant so deputed would otherwise have been advanced very shortly afterwards to a post carrying higher pay than that which he was drawing at the time his 'special duty' or 'deputation' begins and would continue to hold such a post for approximately the same period as his temporary post is expected to last it may take this fact into account and fix a uniform pay throughout the period.

(ii) The sole criteria for sanctioning enhanced pay in such cases is proof of a decided increase of work or responsibility in comparison with the duties of the post which the Government servant would otherwise occupy in the regular line. Where the test of comparative responsibility is not practicable, clause (a) of this Rule may be followed.

(iii) Any extra remuneration sanctioned because of such increased work or responsibility should not in any case exceed a maximum of twenty per cent of the pay; and the rate should be ordinarily ten per cent and the same should be allowed for a temporary period.

Note 2 - Temporary posts may be divided into two categories:-

(i) posts created to perform the ordinary work for which permanent posts already exist in a cadre, the only distinction being that the new posts are temporary and not permanent, and

(ii) isolated posts created for the performance of special tasks unconnected with the ordinary work which service is called upon to perform.

An example of the latter type of post would be a post on a commission of enquiry.

A distinction by strict verbal definition is difficult, but in practice there should be little difficulty in applying the distinction in individual cases. The former class of posts should be considered to be a temporary addition to the cadre of a service whoever may be the individual appointed to the post. The latter class of temporary posts should be considered as un-classified and isolated ex-cadre posts. Temporary posts which by this criterion should be considered as temporary additions to the cadre of a service should be created in the time-scale of the service ordinarily without extra remuneration. Incumbents of these posts will, therefore, draw their ordinary time-scale pay. If the posts involve decided increase in work and responsibility in comparison with the duties of the parent cadre generally, it may be necessary to sanction a special pay in addition. For isolated ex-cadre posts, it may occasionally be desirable to fix consolidated rates of pay. Where, however, the post is to be held by members of service, it will ordinarily be preferable also to create the post in the time-scale of the holder's service with a special pay, if necessary.

(b) Special pay does not include reimbursement of cost of travelling and a Government servant who draws special pay is not thereby debarred from drawing any travelling allowance which would be admissible to him if the duty on which he is deputed were treated as a new permanent appointment.

Deputations to Other Departments

¹[50 (1) When a Government servant is permanently transferred or deputed from one department to another under the provisions of rule 16 of the Karnataka State Civil Services (General Recruitment) Rules, 1957, he will draw pay in the new post at the same stage in which he was drawing in the old post and earn the next increment on the date on which he would have earned it had he continued in the old post.

(2) (a) When a Government Servant deputed from one department to another returns to the parent department he will draw the pay he would have drawn but for his deputation to the other department.

(b) Where, however, a Government servant is deputed to another department on special temporary duty against no sanctioned post, he will continue to draw pay in the grade of the post held by him in his parent department and will continue to retain a lien in his parent department.

1. Substituted by No. FD 109 SRS 75 dated 15.7.1977

(3) Such deputations should not ordinarily extend beyond five years except under special orders of Government.]

Increment

51(1) Increment accrues from the day following that on which it is earned. An increment shall ordinarily be drawn as a matter of course unless it is withheld. An increment may be withheld from a Government servant by a competent authority, in accordance with the rules applicable for ordering the withholding of increments if his conduct has not been good or his work has not been satisfactory. In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld, and whether the postponement shall have the effect of postponing future increments.

¹[(2) As and from the first day of April 1973, an increment which accrues on a day other than the first day of a month, shall be advanced to the first day of that month subsequent increment being regulated accordingly.)

Note - When the authority passing orders to withhold an increment fails to specify clearly for what period the officer is to be deprived of his increments, the deprivation should be held to cease on the expiry of the period during which the officer would have drawn the increment withheld. For example, if on the 1st July 1958, an officer already drawing a pay of Rs. 110 from, 1st July, 1957 in a grade of Rs. 100-10-150 and in ordinary course entitled to an increment of Rs.10 on the 1st July each year is punished by refusal of the next increment, to which he would otherwise have been entitled on that date, he will, in the absence of special orders to the contrary be entitled on the 1st July 1959 to draw Rs. 130 and not Rs. 120 only.

²[51-A. (1) Notwithstanding anything contained in Rule 51, where under the conditions of his service a Government servant has to pass any service examination or test before earning an increment he shall not earn the increment until he passes such examination or test.

(2) Where in pursuance of sub-rule (1), the date of earning the increment in respect of any Government servant is deferred beyond the normal period or period prescribed for earning the subsequent increments, the pay of such Government servant shall, on his passing the examination or test concerned be fixed at the

1. Inserted by No. FD 47 SRS 73 dated 17.8.1973.

2. Inserted by No. FD 14 SRS 67 dated 27.6.1967.

stage at which he would have drawn it if the earning of the increment had not been deferred.

Explanation - The provisions of sub-rule (2) will not entitle the Government servant to payment of any amount other than that drawn by him before earning the increment for the period during which he did not earn the increment. He will only be entitled to the fixation of his pay in the time-scale at the stage at which he would have drawn the pay, if the earning of the increment had not been deferred.]

52. ¹[Where] an efficiency bar is prescribed in a time-scale, the increment next above the bar shall not be given to a Government servant without the specific sanction of the authority ¹[empowered] to withhold increments.

53. The conditions under which service counts for increments in a time-scale are as follows:-

²[(a) All duty in a post on a time-scale counts for increment in that time scale:

Provided that for the purpose of arriving at the date of the next increment in that time-scale, the total of all such periods as do not count for increments in that time-scale shall be added to the normal date of increment.]

Note 1 - In the case of a Government servant, who, while officiating in one post, is appointed to officiate in another, the period of joining time spent in proceeding from one post to the other should be treated as duty in the post, the pay of which the Government servant draws during the period and will count for increment in the same post.

Note 2 - In the case of a Government servant who, officiating in a post, proceeds on training or to attend a course of instruction and who is treated as on duty while under training, the period of such duty, will count for increment in the post in which he was officiating prior to his being sent for training or instruction if he is allowed the pay of the officiating post during such period.

Note 3 - In cases where the passing of an examination or test confers on a Government servant the ¹[title to increments] such title should be deemed to have accrued on the day following the last day of the examination or test which he passed. In cases where

1. Amended by No. FD 57 SRS 62 dated 12.9.1962.

2. Substituted by No.FD 7 SRS 68 dated 16.3.1968.

3. Amended by No. FD 95 SRS 66 dated 22.12.1966.

the examination or test can be passed in more than one instalment, the ¹[title to increments] will be deemed to have accrued on the day following the last day of the last instalment of, the examination or test which he is required to pass.

¹[The title to increments conferred by passing the examination is subject to the person concerned being otherwise eligible for the increments.]

²[Note 4 - In the case of eight monthly peons employed in the Land Records department, the period during which the establishment is not employed shall be treated as duty counting for increments in the time scale of pay sanctioned for such establishment provided that it shall not be so treated unless the peon is actually on duty immediately prior to and immediately subsequent to such period, viz.,

1. On the date on which the establishment is discharged and

2. On the date on which it is re-employed.

The above provisions shall be deemed to have come into force with effect from 1st April 1958 and shall be made applicable with effect from 1st December 1957 also to cases coming under Rule 48(a) of the Karnataka Pay and Allowances Rules, 1957.]

³[(b)(i) Service in another post, other than a post carrying less pay referred to in clause (i) of Rule 20(A), whether in a substantive or officiating capacity, service on deputation out of India and ⁴[leave except extraordinary leave taken otherwise than on Medical Certificate] shall count for increments in the time-scale applicable to the post on which the Government servant holds a lien, as well as in the time-scale applicable to the post or posts, if any on which he would hold a lien had his lien not been suspended.]

⁵[(ii) All leave except extraordinary leave taken otherwise than on medical certificate and the periods of deputation out of India shall count for increments in the time scale applicable to the post in which a Government servant was officiating at the time he proceeded

1. Amended by No. FD 95 SRS 66 dated 22.12.1966

2. Inserted by No.FD 143 SRS 61 dated 20.2.1962 (wef 1.4.1958)

3. Amended by No. FD 5 SRS 62 dated 18.4.1962

4. Amended by No. FD 75 SRS 63 dated 30.11.1963

5. Substituted by No. FD 29 SRS 85 dated 19.5.1986 (wef 29.5.1986)

on leave or on deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India.

Periods of deputation to other Departments of Government in accordance with Rule 16 of General Recruitment Rules, 1977 and Rule 50 of Karnataka Civil Service Rules count for increment in the time-scale applicable to the post held at the time of Deputation or to which the Government servant may be promoted in the parent Department while on Deputation.]

¹[Provided that the Government may in any case in which it is satisfied that the extraordinary leave was taken for any reason beyond the control of the Government servant or for prosecution of higher studies, direct that the extraordinary leave shall count for increments under (i) and (ii), and where the leave was taken for prosecuting higher studies. subject to the following conditions. namely-

(a) the course of such higher studies have a close bearing on the sphere of duty of the Government servant;

(b) such leave has been sanctioned with the prior approval of the Government.]

²[Note 1-In the case of non-gazetted Government servants a certificate in the following form will be obtained from the Appointing authority and appended to the increment certificate by the Head of the office.

‘Certified thatwho has been allowed increment taking into account the period of leave with allowances fromto would have actually continued to officiate in the post held by him but for his proceeding on leave.’]

³[Note 1(a) - In the case of a Government servant proceeding on leave where no officiating arrangement is made in the leave vacancy and the Government Servant concerned returns to the same post after expiry of the leave, the certificate mentioned in Note 1 above may be issued by the leave sanctioning authority.]

⁴[Note 1(b) - The provisions of sub-clause (ii) shall be applicable to probationers referred to in sub-rule (37) of Rule 8 of the said rules.]

1. Substituted by No. FD 1 SRS 78 dated 13.7.1978 (wef 28.1.1978)

2. Inserted by No. FD 5 SRS 62 dated . 18.4.1962.

3. Inserted by No. FD 130 SRS 67 dated . 29.12.1967.

4. Substituted by No. FD 25 SRS 80 dated 23.5.1980 (wef 5.6.80)

¹[Note 2 - In the case of Gazetted Government servants, the order of the competent authority sanctioning leave will indicate that the Government servant would have actually continued to officiate in the post but for his proceeding on leave.

²[Note 3 - The maximum period of extraordinary leave which will be recognised for purposes of granting increments under the proviso to this rule shall be two years for ³[under-graduate, graduate and post-graduate courses] and three years for Ph.D.]

⁴[Note 4 - The period of absence from duty debited to the half pay leave account of a Government Servant under the provisions of rule 106-A or 162 of the Karnataka Civil Services Rules, as the case may be, shall count for the purpose of increment in the scale of pay of the post held substantively or in an officiating capacity as on the date of commencement of the unauthorised absence.]

¹(c) xxx]

(d) If a Government servant, while officiating in a post or holding a temporary post on a time scale of pay, is appointed to officiate in a higher post or to hold a higher temporary post, his officiating or temporary service in the higher post shall, if he is reappointed to the lower post, or is appointed or re-appointed to a post on the same time-scale of pay, count for increments in the time-scale applicable to such lower post.

The period of officiating service in the higher post which counts for increments in the lower post is, however, restricted to the period during which the Government servant would have officiated in the lower post but for his appointment to the higher post.

This clause applies also to a Government servant who is not actually officiating in the lower post at the time of his appointment to the higher post, but who would have so officiated in such lower post or in a post on the same time-scale of pay had he not been appointed to the higher post.

Note - The intention of this rule is to allow the concession irrespective of whether the higher post is within or outside the department to which the Government servant belongs.

1. Amended by No. FD 5 SRS 62 dated 18.4.1962

2. Inserted by No. FD 52 SRS 63 dated 5.7.1966

3. Substituted by No. FD 1 SRS 78 dated 13.7.1978 (wef 28.1.1978)

4. Inserted by No. FD 31 SRS 81 dated 31.7.1981 (wef 6.8.1978)

¹[(e) xxx]

(f) Foreign service counts for increments in the time-scale applicable to-

(i) the post in Government service on which the Government servant concerned holds a lien as well as the post or posts, if any, on which he would hold a lien had his lien not been suspended, and

¹[(ii) the post in Government service in which the Government servant was officiating immediately before his transfer to foreign service so long as he would have continued to officiate in that post ²[or a post] on the same time-scale but for his going on foreign service; and

(iii) any post in which he may receive officiating promotion under Rule 423 for the duration of such promotion.]

³[(g)(i) Joining time availed of by a Government servant in continuation of duty counts for increment in the time scale applicable to the post on which he holds a lien or would have held a lien, if his lien had not been suspended and in the time scale applicable to the post the pay of which is received by him during the period of joining time.

(ii) Joining time availed of by a Government servant in continuation of leave counts for increment in the time scale applicable to the post/posts on which the last day of leave before commencement of joining time counts for increment.

(iii) Joining time availed of by a Government servant in continuation of suspension counts for increment in the time scale applicable to the post the pay of which is received by him for the period of joining time.]

54. When the conditions of service of a Government servant are such that he is liable to be transferred in the same department or in different departments including Local Bodies between appointments of which the pay and increments are identical, his service shall, in the case of such a transfer, count for increments as if he had not been transferred.

55. Time passed under suspension does not count towards increments if the authority competent to impose any punishment directs that the period of suspension shall not count as duty under Rule 100.

1. Amended by No. FD 147 SRS 60 dated 14.3.1961 (wef 23.3.1961)

2. Amended by No. FD 147 SRS 60 dated 26.4.1961 (wef 11.5.1961)

3. Substituted by No. FD 66 SRS 79 dated 15.11.1980 (wef 27.11.1980)

¹[56. xxx]

57. An authority may grant a premature increment to a Government servant on a time-scale of pay if it has power to create a post in the same cadre on the same scale of pay.

Note 1 - In the case of increments granted in advance, it is usually the intention that the officer should be entitled to increments in the same manner as if he had reached his position in the scale in the ordinary course and in the absence of special orders to the contrary he should be placed on exactly the same footing, as regards future increments as an officer, who has so risen.

Note 2 - A proposal to grant an increment to a Government servant on a time-scale pay in advance of the date should be scrutinised with special jealousy as it is contrary to the principle of a time-scale pay to grant an increment before it is due. Such a grant of advance increment should not, therefore be recommended or allowed except under circumstances which would justify the grant of personal pay to a Government servant. Such increments in advance can be allowed only under the special order of Government in each case.

58. The authority which orders the transfer of a Government servant as a penalty from a higher to a lower grade or post may allow him to draw any pay not exceeding the maximum of the lower grade or post which it may think proper:

²[Provided that the pay allowed to be drawn by a Government servant under this rule shall not exceed the pay which he would have drawn by the operation of Rule 41 read with clause (b) or clause (d), as the case may be, of Rule 53.

Note - Once the pay is fixed in the lower post in the manner indicated above the regulation of increments in the lower post will be made under the normal rules unless the increment in the lower post also is withheld.]

59. ³[(1)(a) Where a Government servant's pay is reduced as a measure of penalty to a lower stage in his time scale, the authority ordering such reduction shall indicate-

(i) the date from which the penalty will take effect;

1. Deleted by No. FD 66 SRS 60 dated 12.5.1960.

2. Inserted by No. FD 136 SRS 60 dated 30.12.1960 (wef 26.5.1960)

3. Substituted by No. FD 41 SRS 84 dated 29.1.1985.

(ii) the period (in terms of years and months) for which the penalty shall be operative;

(iii) the stage in the time-scale (in terms of rupees) to which the pay of the Government servant is reduced;

(iv) whether the Government servant will earn increments during the period referred to at (ii) above, and

(v) whether, on the expiry of the period referred to at (ii) above, the reduction will operate to postpone his future increments and if so the extent (in terms of years and months) to which it would operate to postpone future increments.

(b) The reduction of pay to a lower stage in a time scale is not permissible under the rules either for an unspecified period or as a permanent measure.

(c) the period to be specified under (v) in clause (a) above, should in no case exceed the period specified under (ii) *ibid*.

(d) The question as to what should be the pay of a Government servant on the expiry of the period of reduction shall be decided as follows:-

(i) If the order of reduction lays down that the period of reduction shall not operate to postpone future increments, the Government servant should be allowed the pay which he would have drawn in the normal course but for the reduction.

(ii) If the order of reduction specifies that the period of reduction shall operate to postpone future increments for any specified period, the pay of the Government servant shall be refixed in accordance with (i) above, but after treating the period for which the increments are postponed as not counting for increments.

(e) Where a Government servant who is reduced to a lower stage in his time scale for a specified period, is promoted to a higher post during the period of such reduction, his pay on such promotion shall be regulated as follows:-

(i) The pay of the Government servant shall be fixed under the relevant rules regulating fixation of pay on the date he assumes charge of the post to which he is promoted on the basis of the pay he is drawing as a result of the penalty.

(ii) The pay of the Government servant shall simultaneously be fixed notionally on the basis of the pay he would have been entitled to, had the penalty not been imposed. This fixation will,

however, be operative from the date following the date of expiry of the period of reduction.

(iii) The service rendered by the Government servant in the higher post shall count for increment from the date he took charge of the post.

(iv) The principles of fixation of pay laid down at (i) to (iii) above, shall be applicable also in cases where a Government servant is promoted during the currency of the penalty of withholding of increments.

(f) Where increments are allowed under clause (a) (iv) above, the Government servant shall draw during the period of penalty increments with reference to the reduced pay.]

(2) If a Government servant is reduced as a measure of penalty ¹[to a lower service, grade or post, or to a lower time-scale] the authority ordering the reduction may or may not specify the period for which the reduction shall be effective, but where the period is specified, that authority shall also state whether, on restoration, the period of reduction shall operate to postpone future increments and, if so, to what extent.

²[Note - Where the period of reduction is specified under sub-rule (2) of this rule, the Government servant concerned shall be automatically restored to his old post after the expiry of the specified period and his pay on such restoration shall be regulated as follows: -

(i) if the order of reduction lays down that the period shall not operate to postpone future increments, the Government servant shall be allowed the pay which he would have drawn in the normal course but for his reduction to the lower post. If the pay drawn by him immediately before reduction was below the efficiency bar, he shall not be allowed to cross the bar except in accordance with the provisions of Rule 52;

(ii) if the order lays down that the period of reduction shall operate to postpone his future increments for any specified period which shall not exceed the period of reduction to the lower post/ grade, the pay of the Government servant on restoration shall be fixed in accordance with (i) above but after treating the period for which increments are to be postponed as not counting for increments.

1. Amended by No.FD 94 SRS 60 dated 7.7.1960 (wef 14.7.1960)

2. Inserted by No. FD 136 SRS 60 dated 30.12.1960 (wef 5.1.1961)

In cases where the reduction to the lower post/grade is for an unspecified period, if and when the Government servant is reappointed to the higher post in the normal course the pay in the higher post will be regulated only in accordance with the normal rules relating to fixation of pay.]

¹[Instruction xxx]

²[59-A. Where an order of penalty of withholding of increment of a Government servant or his reduction to a lower service, grade or post, or to a lower time-scale, or to a lower stage in a time-scale is set aside or modified by a competent authority on appeal or review, the pay of the Government servant shall notwithstanding anything contained in these Rules, be regulated in the following manner:-

(a) If the said order is set aside, he shall be given, for the period such order has been in force, the difference between the pay to which he would have been entitled had that order not been made and the pay that he had actually drawn.

(b) If the said order is modified, the pay shall be regulated as if the order as so modified had been made in the first instance.

Explanation - If the pay drawn by a Government servant in respect of any period prior to the issue of the orders of the competent authority under this rule is revised the leave salary and allowances (other than travelling allowance), if any, admissible to him during that period shall be revised on the basis of the revised pay.]

³[Note - In respect of cases falling under sub-rule (a) of this Rule, service rendered by the Government servant in the lower service, grade or post and or lower time-scale or lower stage in the time-scale or at the stage the increment was withheld, from the date of imposition of such penalty by the disciplinary authority to the date on which the order of penalty is set aside by the competent appellate or reviewing authority, shall count for increment or for other purposes in the post which he was holding immediately before the imposition of the penalty provided that he would have continued to hold that post but for the order of penalty.

1. Omitted by No. FD 41 SRS 84 dated 29.1.1985

2. Inserted by No. FD 94 SRS 60 dated 7.7.1960 (wef 14.7.1960)

3. Inserted by No. FD 32 SRS 60 dated 4.8.1962 (wef 7.7.1960)

In respect of cases falling under sub-rule (b), of this Rule such service from the date of imposition of the penalty by the disciplinary authority to the date on which the order is modified by the appellate or reviewing authority, shall be counted for the purpose of increment or for other purposes in the post which he was holding immediately before the imposition of the penalty or any other post which he would have held but for the order of penalty, to the extent the modified order permits such counting.

For example, if an officer of a Class I service in the senior scale (Rs. 900-1300) is reduced to a Class II service (RS. 250-500) for a period of say, two years, and if after six months, the order is modified by the appellate authority as reduction to the Class I Service in the Junior Scale (Rs. 350-800) the period of six months will count for increment in the junior scale.

If on the other hand, the order of penalty is modified as reduction to a lower stage in the time-scale (Rs. 900-1300) for a specified period or withholding of increment, in that time-scale for a specified period, the period that has already elapsed since the date of imposition of the original penalty shall be taken into account only for the purpose of computing the specified period of penalty under the modified order.]

NEXT BELOW RULE

60. When, a person in a post (whether within the cadre of his service or not) is for any reason prevented from officiating in his turn in a post on a higher scale or grade borne on the cadre of the service to which he belongs, he may be authorised by special order of the appropriate authority proforma officiating promotion into such scale or grade and thereupon be granted the pay of that scale or grade if that be more advantageous to him, on each occasion on which the person immediately junior to him in the cadre of his service (or if that person has been passed over for reasons of inefficiency or unsuitability or because he is on leave or serving outside the ordinary line or foregoes officiating promotion of his own volition to that scale or grade, then the person next junior to him not so passed over) draws officiating salary in that scale or grade;

Provided that all persons senior to the person to whom the benefit under the substantive part of this rule is to be allowed are also drawing, unless they have been passed over for one or other of the reasons aforesaid, officiating salary in the said or some higher scale or grade within the cadre.

Provided further that not more than one person (either the senior most fit person in a series of adjacent persons outside the ordinary line, or, if such a person either foregoes the benefit of his own volition or does not require the benefit by virtue of his holding a post outside the ordinary line which secures him at least equivalent benefits in respect of salary and pension then the next below in the series) may be authorised to draw the salary of the higher scale or grade in respect of any one officiating vacancy within the cadre filled by his junior under this Rule.

Note 1 - A purely fortuitous officiating promotion given to a person who is junior to one outside the regular line does not in itself give rise to a claim under the 'Next Below' Rule.

¹[Note 2 - The benefit of officiating promotion under this Rule shall be allowed to Officers who are outside the cadre subject to the fulfilment of the conditions laid down therein, only against promotions in a cadre in vacancies of more than 120 day's duration. In other words, the initial vacancy as well as subsequent vacancies on the basis of which the benefit is to be continued should each be of more than 120 days' duration. The benefit should not be allowed in respect of promotions against a chain of vacancies which taken together extend beyond 120 days.]

²[Exception - The provisions of this rule apply also to a Government servant deputed abroad on study leave concessions under rule 1 of the Appendix II to these rules and to a Government servant who goes abroad for higher studies at his own cost under Rule 10 of the said Appendix. The maximum period of leave which will be recognised for purposes of according pro-forma promotion shall be two years for post-graduate and other courses and 3 years for Ph.D. if the candidate is successful in all his examinations within that period. The monetary benefit of promotion will, however, have effect from the date he rejoins duty after the expiry of leave.]

³[DEPUTATION FOR TRAINING OR STUDY WITHIN INDIA

61(1) (a) The State Government may, with due regard to the exigencies of public service, depute or grant study leave to a Government servant for prosecution of a special course of study

1. Inserted by No. FD 96 SRS 68 dated . 12.9.1968.

2. Inserted by No. FD 52 SRS 63 dated 5.7.1966.

3. Substituted by No.FD 17 SRS 84 dated. 4.4.1985 (wef 16.5.1985).

consisting of higher studies or specialised training in professional or technical subjects having a direct and close connection with the sphere of his duty.

(b) The State Government may also grant study leave to a Government servant for prosecution of studies which may not be closely or directly connected with his work but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with those employed in the other branches of public service.

(2) A Government servant who is deputed or granted study leave for higher studies or specialised training shall not be entitled to claim any monetary benefit or seniority by virtue of the higher qualification or training acquired.

(3) The deputation or grant of study leave to a Government servant for prosecution of higher studies or specialised training shall be regulated in accordance with the rules contained in Appendix-II-A.

62. xxx]

¹[62A. Government servants who are members of the various Army, Navy and Air Force Reserves (excluding the Reserves of Officers), will, if called up for periodical training, be entitled to the following concessions in respect of their Civil employment:

(1) The entire period of training including the period of transit will count as duty in the Civil post for purposes of leave, increments and pension;

(2) During the transit period, they will be entitled to their Civil rates of pay and allowances to be met from the budget head to which such expenditure is normally debitable. No travelling allowance will, however be admissible to them because they would travel on railway warrants and would draw money in lieu of ration and mineral water and ice allowance during summer months.

(3) For the period of training (excluding periods of transit) if the pay and allowance (excluding concessions in kind, e.g. free ration, etc.)admissible as a reservist are less than the pay and allowances admissible in the Civil post, the difference will be paid and debited to the budget head to which the individual's Civil pay is normally debitable.]

1. Inserted by No.FD 30 SRS 77 dated 27.7.1978 (wef 3.8.1978)

CHAPTER IV

DEPUTATION OUTSIDE INDIA

¹[63 xxx]

64. No Government servant may be deputed on duty outside India without, the specific sanction of Government.

When a Government servant is so deputed his pay and allowances shall be regulated as follows:-

He shall receive -

(a) pay not exceeding the full amount of the pay which he would have drawn had he remained on duty in the State; and

(b) compensatory allowances in accordance with such special or general orders as Government may prescribe from time to time.

Note 1 - Rules in Appendix III regulate the grant of compensatory and travelling allowances.

²[Note 2 - Under no circumstances should a Government servant be placed on deputation outside India when the requirements of the case would be met sufficiently by the grant of Study leave. Study leave and other concessions applicable to Government servants of the several departments proceeding outside India for training or for study are detailed in Appendix II.]

Note 3 - The Sterling equivalent of the Pay granted under clause (a) to a Government servant on deputation shall be calculated at such rate of exchange as the Government of India may have prescribed in the case of deputation of officers of All India Services.

³[Note 4 - Wherever Government servants are permitted to go abroad, by air, the 'Passenger Service Fee' wherever levied may be reimbursed in respect of a Government servant and members of his family while on transfer ex-India and, in respect of himself, if he travels abroad on tour/deputation and where the air passage is to be borne by the Government. The 'Fee' would, however, not be reimbursable in cases where officers go abroad on study leave or other kinds of leave.

1. Deleted by No. FD 73 SRS 63 dated 5.12.1963 (wef 27.12.1963)

2. Substituted by No. FD 73 SRS 63 dated 5.12.1963(wef 27.12.1963)

3. Inserted by No.FD 100 SRS 70 dated 7.6.1971.

The reimbursement of Passenger Service Fee may be classified under the same head of account under which the related travelling expenses of the Government servant concerned are originally debitable.]

65. The period of deputation shall be from the date on which the Government servant makes over charge of his office in India, to the date on which he resumes it.

CHAPTER V

COMBINATION OF APPOINTMENTS

66. Government may appoint one Government servant to hold substantively as a temporary measure, or to officiate in two or more independent posts at a time. In such cases his pay is regulated as follows:-

(a) the highest pay, to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post;

(b) for each other post he draws such reasonable pay in no case exceeding half the presumptive pay of the post, as Government may fix; and

(c) if compensatory or other allowances are attached to one or more of the posts, he draws such allowances as Government may fix, provided that such allowances shall not exceed the total of the compensatory and sumptuary allowances attached to all the posts.

Note:- The minimum period prescribed for claiming increased pay or allowances for holding combined charges as above shall be fourteen days.

¹[67. A Government servant discharging the duties of more than one appointment in the same office, or on the same establishment, in accordance with Rule 66 is entitled to the highest salary to which he would be entitled if he held or officiated in any one of the appointments alone, and to nothing more, but he may be granted the special pay attached to any of the posts he holds subject to the condition that not more than one special pay is drawn.

Example:-

A class III officer doing the duties of another class III officer in the same office.

Note:- A Government servant appointed to hold substantively as a temporary measure or to officiate in two posts, of which one is directly subordinate to the other is not, save in exceptional circumstances, entitled to any additional remunera-

1. Substituted by No. FD 302 SRS 58 dated 7.7.1959 (wef 16.7.1959)

tion under Rule 66 (b) as it is undesirable that a Government servant doing the work of a subordinate in addition to his own should draw extra remuneration for that work.

Example - An Assistant Commissioner holding the post of a Tahsildar in addition.

A First Division Assistant holding the post of a Second Division Assistant, in addition.]

CHARGE OF CURRENT DUTIES

68. When a Government servant is appointed to be in charge of the current duties of an office in addition to his own duties and the charge entails a substantial increase of responsibility and some additional work, he is entitled to additional pay (charge allowance) to be fixed by the authority competent to appoint him as such, not exceeding ¹[Five percent] of the pay of the office (minimum pay of the post)

²[Sanction of Government should be obtained where the incharge arrangement is proposed to be continued beyond] ³[six months.]

⁴[Note 1 - A Government servant can be appointed under this Rule to be incharge of the current duties of an office or post in addition to his own duties only if he is eligible to be promoted to officiate in that post according to the Cadre and Recruitment Rules applicable to that post or if he is holding a post in an equivalent or higher grade.]

Note 2 - No charge allowance is admissible unless the incumbent has actually given over charge of the office under the orders of the competent authority ⁵[and is absent on leave or deputation or is permitted to avail himself of vacation or is under suspension.] For instance, no charge allowance is admissible to a subordinate officer empowered to dispose of routine business while his superior is on tour.

Note 3 - The minimum period required for claiming charge allowance under this Rule shall be one month. ⁶[xxxx]

1. Amended by No. FD 4 SRA 99 dated. 2.6.2000 (wef 1-1-1999)

2. Inserted by No.FD 17 SRS 60 dated. 23.4.1960 (wef 17.4.1960)

3. Amended by No. FD 74 SRS 69 dated 19.1.1970 (wef 7.3.1970)

4. Inserted by No.FD 7 SRS 75 dated 22.4.1976 (wef 20.5.1976)

5. Substituted by No.FD 34 SRS 65 dated 30.12.1965 (wef 6.2.1966)

6. Deleted by No.FD 17 SRS 60 dated 25.4.1960 (wef 17.2.1960)

¹[Explanation - In cases where a period of additional charge is interrupted by leave with allowances and the total period of additional charge immediately before and after such leave (excluding the period of leave) together exceed one month, charge allowance may be paid for the period of such additional charge even though each of the two spells of additional charge does not by itself exceed one month provided it is certified by the competent authority granting leave that but for the Government servant proceeding on leave, he would have continued to hold additional charge of the post which he held immediately before proceeding on leave.]

²[Exception 1 - Taluk Sheristedars or other officials placed in additional charge of the duties of Sub-Registrars of the Registration Department in leave and other vacancies (other than casual leave) may be allowed charge allowance of Rs.10 per month provided the vacancies last for a period of not less than 14 days.]

³[Exception 2 - The officials of the Treasury Department placed in additional charge of the duties of other officials of the same Department or the officials of the Revenue Department placed in additional charge of the posts in the Treasury Department in leave or other vacancies (other than casual leave) may be allowed charge allowance provided such in-charge arrangement lasts for a period of not less than 14 days and subject to the fulfilment of other conditions laid down in this Rule.]

⁴[Note 4 - The Director of Treasuries is empowered to sanction charge allowance under this Rule for a period of twelve months.]

Note 5 - Government servants when deputed to places outside the State to attend conferences and technical committee meetings, for training, etc. treated as on duty and whenever sub-ordinate officers replaced in-charge of the current duties of such officers no charge allowance is admissible to the officers so placed in charge except in cases where the period of deputation, training etc. is not less than one month and the officer on deputation or training actually gives over charge before proceeding on deputation or training.]

1. Inserted by No.FD 193 SRS 60 dated 3.3.1961 (wef 6.3.1961)

2. Inserted by No.FD 271 SRS 59 dated 23.12.1959 (wef 31.12.1959)

3. Substituted by No.FD 6 SRS 69 dated 17.4.1969 (wef 2.5.1969)

4. Inserted by No.FD 79 SRS 75 dated 15.3.1977 (wef 16.6.1975)

¹[Note 6 - No charge allowance is admissible under this rule to a Government servant who is placed in additional charge of the duties of a dalayat, daffedar, jamedar or a watchman.]

²[Note 7 - The amount of charge allowance resulting in a fraction of a rupee shall be rounded off to the next rupee.]

³[Note 8 :- The Authority competent to make incharge arrangements specified in coloumn (1) of the table below, may make incharge arrangements for vacant posts in respect of sub-ordinate Government servants holding the posts in the scales of pay specified in coloumn (2) thereof to the maximum duration specified therein.]

Authority competent to make incharge arrangements	Posts in the scale of pay of		
	(1)	(2)	
	Rs.7400- 13120 and above	Rs.5575- 10620 and above but below Rs.7400 -13120	Rs.2500-3850 and above but below Rs.5575- 10620
Heads of Departments	4 months	6 months	Full powers
Divisional level officers	3 months	4 months	Full powers
District level officers	2 months	3 months	Full powers
Sub Divisional Officers	-	2 months	Full powers
Taluk level officers	-	-	Full powers

Instruction 1.- Charge allowance in respect of only one additional post is admissible even though a Government servant is placed in additional charge of the duties of more than one post concurrently.

1. Inserted by No. FD 51 SRS 68 dated 28.9.1968 (wef 8.10.1968)

2. Inserted by No. FD 46 SRS 85 dated 7.2.1986 (wef 5.6.1986)

3. Inserted by No. FD 4 SRA 99 dated 2.6.2000 (wef 1-1-1999)

(Letter No.FD 9654/S-1/58 dated 29th January 1959)

2. It is not clear whether the clarification issued in letter dated 29th January 1959 is applicable to cases where a Government servant appointed to be in independent charge of a post under rule 32 Karnataka Civil Services Rules is placed in additional charge of duties of another post under rule 68 of Karnataka Civil Service Rules concurrently.

An actual case is given below.

A Senior Superintendent of the State Accounts Department has been placed in independent charge of the duties of one of the post of Assistant Accounts Officers in the Chief Accounts Office, Sharavathi Project, and is being paid charge allowance at 1/10th of the minimum pay of the post in accordance with rule 68 of Karnataka Civil Services Rules with effect from 3rd July 1961. He has been placed in additional charge of the duties of another Accounts Officer who has proceeded on leave.

(Letter No. TM/VI 2/61-62/D/371 dated 7th September, 1961 from the Accountant General, Karnataka, Bangalore to the Secretary to Government of Karnataka, Finance Department, Bangalore.)

Charge allowance is admissible in the type of cases cited by you as the Government servant holds another post in addition to the post of which he is placed in independent charge.

(Letter No. FD 6111/S-I/61, dated 4th October 1961 from the Finance Secretary, to the Accountant General, Karnataka, Bangalore.)

Instructions:

¹[The following delegation of powers to the Secretaries to the Administrative Departments of the Government is hereby ordered to be given effect to from 1st December 1974.

Nature of Power	Further financial powers delegated to Secretaries to Govt.
Continuation of incharge arrangements beyond six months and payment of charge allowance (Rule 68, KCSRs)	Full powers

1. G.O. No. FD 3 REP 74 dated 27.11.1974.

69. The charge allowance is payable even in cases where the pay of the officer together with the charge allowance, exceeds the pay which he would have received if he had officiated in the office.

Note - Charge allowance is admissible only in cases where a Government servant is placed in additional charge of the duties of another officer carrying almost the same or higher rate of pay. For example, when a First Division Assistant is placed in additional charge of the current duties of a Second Division Assistant, charge allowance is not payable to the former.

70. A Government servant placed incharge of the current duties of an office is not entitled to any fixed travelling, tentage local or other allowances (including ¹[special allowance]) attached to the office except under the special orders of Government.

Exception 1 - An officer of the Karnataka Revenue Survey Department when placed in charge of another survey establishment in addition to his own, may when the arrangement is sanctioned by the Heads of Departments draw the tentage allowance attached to that establishment.

2. A Government servant placed incharge of the current duties of a Tahsildar is entitled to the fixed travelling allowance admissible to a Tahsildar. Taluk Sheristedars placed in charge of Taluks shall be paid actual Travelling allowance admissible under the ordinary rules, subject to a Maximum of Rs. 4 per mensem for journeys performed by them.

3. A Government servant who is already in receipt of ¹[special allowance] or an allowance when placed incharge of an appointment to which ¹[special allowance] or an allowance is attached, shall be entitled to draw either the ¹[special allowance] or allowance already in receipt or the ¹[special allowance] or allowance for being incharge of the duties of the post, but not both.

1. Substituted by No. FD 7 SRA 99, dated 29.4.2000 (wef 1.4.1998)

COMPENSATORY ALLOWANCES

71. The amount of a compensatory allowance should be so regulated that the allowance is not on the whole a source of profit to the recipient. All general or special orders are subject to this principle.

¹[72(1) Unless it is in any case otherwise expressly provided by these rules or by general or special orders of Government, a compensatory allowance attached to a post shall be drawn in full by the Government servant actually performing the duties of the post and shall not be drawn in whole or part by any one else.

(2) Notwithstanding the provisions of sub-rule (1) above, any local allowance, including project allowance may be drawn by a Government servant engaged or deployed temporarily on special duty out of the project area during the period of such special duty.]

¹[73. xxx]

¹[74. Where a Government servant in receipt of house rent allowance or city compensatory allowance is engaged or deployed temporarily on special duty, he is entitled to draw the said allowances during the period of such special duty at the rates at which he would have drawn them, but for such special duty.]

¹[74-A. xxx]

75. Government may make rules or issue orders laying down the principles governing the allotment to officers serving under its administrative control, for use by them as residences, of such buildings owned or taken on lease by it, or such portions thereof, as the Government may make available for the purpose. Such rules or orders may lay down different principles for observance in different localities or in respect of different classes of residences, and may prescribe the circumstances in which such officer shall be considered to be in occupation of a residence. Rules in Appendix IV govern the occupation of Government buildings.

1. Amended by No.FD 66 SRS 79 dated 15.11.1980 (wef 27.11.1980)

CHAPTER VII

JOINING TIME

¹[76. Admissibility of Joining Time:- (1) Joining time shall be granted to a Government servant on transfer in public interest to enable him to join the new post either at the same or a new station.

(2) where a Government servant is engaged or deployed temporarily on special duty, he is not entitled to joining time but may be allowed only the actual transit time, as admissible in the case of journeys on tour.

(3) Where a Government servant is transferred at his request or for any reason other than public interest, no joining time, except that which may be granted under rule 85, is admissible and the actual period taken by him in transit shall be treated as dies non and shall not count for increment and pension. But such a Government servant may at his request be granted any kind of leave due and admissible to him as on the date of such transfer for a period not exceeding the joining time which would have been admissible to him, if the transfer had been made in public interest.

(4) Where a Government servant to whom these rules apply, is transferred on deputation to the control of Central Government or any other State Government or organisation, which has made separate rules prescribing the period of joining time his joining time for the journey to join his post under that Government or organisation and for the return journey, shall be governed by those rules, unless different provisions are expressly made in the terms of deputation/ foreign service by mutual agreement between the lending and borrowing authorities.

(5) Where an employee of Central Government or any other State Government, Railway Board or any other organisation is appointed on deputation to the Civil Services of this State Government or any post therein, his joining time for joining the said Civil Services or post and for return journey, shall be regulated in accordance with the provisions of these rules unless different provisions are expressly made in his terms of deputation to foreign service by mutual agreement between the lending and borrowing authorities.

1. Substituted by No. FD 66 SRS 79 dated. 15.11.1980 (wef 27.11.1980)

(6) For appointment to Civil Services and posts of this State Government on the results of competitive examination and/or interview open to Government servants and others, joining time is admissible

(a) to all Government servants to whom these rules apply, irrespective of whether they are permanent or temporary; and

(b) to employees of the Central Government or any other State Government, only if they are permanent or provisionally permanent.

(7) Where a Government servant, to whom these rules apply, is discharged due to reduction of establishment from one office and appointed in another office, he shall be entitled to joining time, if the orders of appointment to the new post are received by him, while working in the old post. If such a Government servant is appointed to the new post after being discharged from the old post the period of break may be converted into joining time without pay by the Head of the Department, provided that the break does not exceed 30 days and the Government servant has rendered a continuous service of not less than 3 years on the date of his discharge.

(8) A Government servant deputed within the State or outside the State in India to undergo a course of instruction or training authorised by or under the orders of the competent authority is treated as on duty. The time reasonably required by such a Government servant for journeys between the place of training/instruction and his headquarters immediately before and after the period of training is treated as part of the period of training/instruction. Therefore, such a Government servant is not entitled to joining time.

Where, however, on completion of the training/ instruction, such a Government servant is posted to a station other than that from which he proceeded for the training/instruction, he is entitled to joining time.

(9) Where a Government servant who has been suspended is reinstated and posted to a station different from that at which -

(a) he was working immediately before his suspension or leave preceding the suspension, or

(b) he was permitted to reside during the period of his suspension,

he is entitled to joining time from the date following the date of receipt of the orders of posting. No joining time is admissible to such a Government servant, if the posting does not involve change of station as mentioned above.

77. Period of joining time where transfer does not involve change of station/residence:- Where the transfer of a Government servant is within the same station or does not involve change of residence from one station to another, his joining time shall be regulated as specified below :-

(a) Where the Government servant makes over charge in the forenoon, he should take over charge in the afternoon of the same day;

(b) Where the Government servant makes over charge in the afternoon, he should take over charge in the forenoon of the succeeding day, unless it is a holiday;

(c) Where the Government servant makes over charge on the afternoon and the succeeding day(s) is (are) holiday(s), he should join duty in the forenoon of next working day;

(d) Where a Government office /institution functions in the forenoons, a Government servant who is expected to join duty in the forenoon should do so, as soon as the office/institution commences work and a Government servant who is relieved at the close of the office/institution is treated as having been relieved in the afternoon;

(e) 12 noon is treated as forenoon except as otherwise provided in clause (d) above.

Explanation - The terms 'same station' used in this rule shall be interpreted to mean the area falling within the jurisdiction of a Village Panchayat/ Municipality/Municipal Corporation.

Explanation - Transfer of a Government servant from Hubli to Dharwad or vice versa shall be considered as transfer between two different stations.

78. Period of joining time, where transfer involves change of station/residence:- (1) Where a Government servant is transferred from one station to another and the transfer involves change of residence, he should be allowed joining time with reference to the distance between the old headquarters and the new headquarters

by the direct route and ordinary modes of travel as indicated in the following schedule:-

Distance between old headquarters and new headquarters.	Joining time admissible
1000 Kms. or less	10 days
More than 1000 Kms.	12 days
More than 2000 Kms.	15 days, except in cases of travel by air for which maximum is 12 days.

Explanation,- (1) Distance means the actual distance and not the weighted distance for which fare is charged by the Railways in certain ghat/hill stations.

(2) The joining time shall commence from the date of relinquishment of charge of the old post if the charge is made over in the forenoon or the following day, if the charge is made over in the afternoon. For this purpose 12 noon is considered as forenoon.

(3) The joining time shall be calculated from the old headquarters in all cases, including those wherein a Government servant receives his transfer orders or makes over charge of the old post at a place other than his old headquarters or wherein the headquarters of a Government servant on tour is changed to the tour station itself or some other station.

79. Joining time in respect of transfer while in transit:- If a Government servant in transit on transfer is directed to proceed to a station different from that indicated in the initial transfer orders, he shall be entitled to -

(i) joining time already availed of upto the date of receipt of the revised orders, and

(ii) fresh spell of joining time from the date following the date of receipt of the revised orders.

The fresh spell of joining time in such cases shall be calculated from the place at which he received the revised orders as if he were transferred from that place.

80. Notwithstanding the provisions of rule 78, a Government servant returning from leave granted for prosecution of study/training

abroad may avail himself of joining time not exceeding 7 days irrespective of the place of his posting or the duration of the leave.

81. Notwithstanding the provisions of rule 78, a Government servant, whose period of deputation abroad consists of only a period of duty under the rules in Annexure 'B' of Appendix II, may avail himself of joining time not exceeding 7 days irrespective of his place of posting.

82. Combination of holiday(s) with joining time:- When holiday(s) follow(s) joining time, the normal joining time admissible under these rules shall be deemed to have been extended to cover such holiday(s).

Explanation:- Holidays can only be suffixed to joining time but not prefixed to it.

83. Combination of leave or vacation with joining time:- (1) Joining time may be combined with vacation and/or leave of any kind or, duration except casual leave. But, where a Government servant applies for leave on transfer, no leave shall be granted to him except on medical grounds.

(2) Casual leave is not admissible in combination with or in continuation of joining time.

84. Curtailment of joining time :- Notwithstanding the provisions of rules 78, 80 or 81, the authority under whose orders the transfer of charge takes place, may, in the exigencies of public service, direct a Government servant on his transfer to take charge of the post to which he is transferred by utilising only the transit time necessary for the journey or joining time for specified period shorter than the normal joining time admissible under these rules.

85. Additional joining time for taking over charge in certain cases:

Where assumption of charge by a relieving Government servant involves -

- (a) verification of stores, or
- (b) inspection of works,

together with the Government servant to be relieved, the former may be granted additional joining time as specified in the schedule given below, by the Head of the Department concerned or by any authority empowered by him:-

Designation of the relieving Government servant	charge to taken	Maximum period of extension of joining time.
1	2	3
P.W.D. Sub-Divisional Officer	Sub-Division	7 days
Store-Keeper	Divisional Stores	7 days
	Central Stores and stores attached to Water Supply Division.	10 days
Department of Health and Family Welfare: Superintendent Medical Stores	Governmental Medical Stores	15 days
Department of Prisons: Store Keeper	Prison Stores	7 days
Police Department: Store Keeper	District Police Stores	3 days
Education Department: Government servants in direct charge of Libraries and Laboratories.	Libraries and Laboratories	10 days
Department of Treasuries: Shroff	Treasury where there is no Treasurer/ Deputy Accountant/ Stamp Clerk.	2 days
Sub-Treasury Officer	Treasury	3 days
Deputy Accountant	Stamps	3 days
Stamp Head Clerk	Stamps	3 days
Treasurer	District Treasury	3 days
District Treasury Officer	- do -	4 days
Superintendent of Stamps, Bangalore	Stamps	10 days
Treasury Officer, State Huzur Treasury	Treasury	1 day

Department of Food
and Civil Supplies and
other Departments:
Government servants
in direct charge of
Godowns

Godowns, where
commodities are
stored in standard
or unstandard bags.

1 day for
every 400
standard
bags or
fraction
thereof or
300
unstandard
bags or
fraction
thereof.

Forest Department:
Government servants
in direct charge of
Timber/Sandal wood
Depots.

Timber/ Sandalwood
Depots.

1 day for
checking
every
10,000 cft
of timber.
1 day for
checking
20 tons of
sandal
wood
stock or a
fraction
thereof
exceeding
10 tons.

Explanation - Transfer of charge is not completed until the certificate of transfer of charge has been signed by both the relieving and the relieved Government servants. As soon as the transfer of charge is thus completed, the relieved Government servant is regarded as on joining time and must take charge of his new post before its expiry. Ordinarily the transfer of charge should be completed before expiry of the joining time of the relieving Government servant and it is his duty to arrive at the new station in time to take charge within the joining time admissible to him. Where the relieving Government servant does not sign the transfer certificate within this period, he should be regarded as having exceeded his joining time.

86. Extension of joining time:- Extension of joining time beyond the limits specified in rule 78(1) may be granted upto a

maximum of 15 days by the Head of the Department concerned and beyond 15 days by the Government, the guiding principle being that the total period of joining time should approximately be equal to 8 days for preparation, plus reasonable transit time, plus holidays, if any, following the extended joining time. While computing the transit time, allowance should be made for the time unavoidable spent due to disruption of transport arrangements caused by strike or natural calamities or accidents.

87. Unavailed portion of joining time to be credited to leave account as earned leave:- When a Government servant joins the new post without availing the full joining time as admissible, under sub-rule (1) of rule 78 or rules 80 or 81, the number of days of joining time admissible, reduced by the number of days actually availed of shall be credited to his leave account as earned leave.

88. Overstayal of joining time :- Where a Government servant overstays his joining time the period of such absence shall be treated as unauthorised absence in accordance with the provisions of rule 106-A.

89. Pay during joining time:- A Government servant on joining time shall be treated as on duty and shall be entitled to be paid as follows:

(a) Where joining time is availed of by a Government servant immediately on relinquishment of charge of his old post without availment of any leave, he is entitled to draw pay equal to the pay which was drawn before relinquishment of charge of the old post and compensatory allowances like DA, CCA and HRA admissible thereon.

(b) Where joining time is availed of by a Government servant in continuation of leave of any kind, except casual leave, he is entitled to draw pay equal to the pay which was drawn before relinquishment of charge of the old post and the compensatory allowances like DA, CCA and HRA admissible thereon.

(c) Where joining time is availed of by a Government servant under sub-rule (8) of rule 76 or rule 81, he is entitled to draw pay equal to the pay last drawn during the period of his deputation for training/study and compensatory allowances like DA, CCA and HRA admissible thereon.

(d) Where joining time is availed of by a Government servant under sub-rule (9) of rule 76 he is entitled to draw pay equal to the pay which he was in receipt of immediately prior to the date of suspension or which he would have received but for proceeding or being on leave immediately prior to the date of suspension and compensatory allowances like DA, CCA and HRA admissible thereon.

(e) on the pay admissible for the period of joining time as specified as (a) to (d) above, Conveyance Allowance, Permanent Travelling Allowance and Project Allowance are not payable.

90. Reckoning of Joining Time for increment:- Joining time counts for increment in accordance with the provisions of clause (d) of rule 53.]

**¹[CHAPTER VIII - SERVICE ON DEPUTATION
UNDER THE GOVERNMENT OF INDIA, LOCAL AUTHORITY
AND CO-OPERATIVE INSTITUTIONS]**

²[xxx]

1. Amended by No. FD 133 SRS 62 dated 20.12.1962 (wef 7.1.1963)
2. Deleted by No. FD 86 SRS 66 dated 12.12.1966.

CHAPTER IX

COMPULSORY RETIREMENT

¹[95(1) Subject to the provisions relating to the protection of conditions of service prescribed by the Government of India, in respect of persons allotted or deemed to have been allotted to serve in connection with the affairs of the State under Section 115 of the States Re-organisation Act, 1956, the date of compulsory retirement of a Government servant shall be the afternoon of the last day of the month in which he attains the age of 58 years:

Provided that the date of compulsory retirement of a Government servant whose date of birth is the first day of a month shall be the afternoon of the last day of the month preceding the month in which he attains the age of 58 years:

Provided further that where the date of compulsory retirement of a Government servant is a general holiday or the date of compulsory retirement and the day(s) preceding thereto are general holidays, he may be permitted to hand over charge on the afternoon of the last working day before the date of such retirement and may be allowed pay and allowances for the holiday or holidays.

(2) Notwithstanding anything contained in sub-rule (1), Government may grant re-employment to any Government servant beyond the date of his compulsory retirement if he is physically fit, on public grounds, which must be recorded in writing subject to the condition that such re-employment shall not be granted beyond the age of 60 years, except in very special circumstances. No Government servant shall be continued in service beyond the date of compulsory retirement, except with the prior and specific sanction of Government.

(3) Notwithstanding anything contained in sub-rule (1), a competent authority may remove or dismiss any Government servant from Government service or may require him to retire from it compulsorily on the ground of misconduct or insolvency or inefficiency, provided that before any such order is issued, the procedure laid down in the Karnataka Civil Services (Classification, Control and Appeal) Rules 1957, shall be followed.

1. Substituted by No.FD 42 SRS 84 dated 30.11.1984 (w.e.f 2.8.1984)

(4) Notwithstanding anything to the contrary contained in this rule or any other rule made under the proviso to Article 309 of the Constitution of India or in the contract, or the terms and conditions of retention of any Government servant in service after the date of compulsory retirement, the services of a Government servant so retained shall be liable for termination at any time by a notice in writing given either by the Government servant to the appointing authority or the appointing authority to the Government servant and the period of such notice shall be one month:

Provided that, the service of any such Government servant may be terminated forthwith and on such termination the Government servant shall be entitled to claim a sum equivalent to the amount of his pay plus allowance for the period of the notice at the same rates at which he was drawing them immediately before the termination of his services, or as the case may be, for the period by which such notice falls short of one month.)

¹[95A. The age of retirement of Judicial Officers shall be raised to 60 years subject to the following conditions, namely , -

(1) The High Court of Karnataka should assess and evaluate the record of the Judicial Officer for his continued utility well within the time before he attains the age of 58 years by following the procedure for the compulsory retirement under the service rules applicable to him and give him the benefit of the extended superannuation age from 58 to 60 years, only if he is found fit and eligible to continue in service.

(2) If found not fit and ineligible, he should be compulsorily retired on his attaining the age of 58 years.

(3) The assessment as indicated above should be done before the attainment of the age of 58 years.

(4) The above assessment is for evaluating the eligibility to continue in service beyond 58 years of age and is in addition to and independent of the assessment for compulsory retirement that may have to be undertaken as per the relevant service rules.

(5) Those Judicial Officers who are not desirous of availing of the benefit of enhanced superannuation age with the condition of compulsory retirement at the age of 58 years, may give an option to

1. Inserted by No. FD 7 SRA 95 dated 26-8-1997 (wef 1-1-1993)

retire at the age of 58 years and such an option shall be exercised in writing by the Judicial Officer before he attains the age of 57 years.

(6) Such of the Judicial Officers who do not exercise the said option mentioned above before attaining the age of 57 years, shall be deemed to have opted for continuing in service till the enhanced superannuation age of 60 years with the liability to compulsory retirement at the age of 58 years.

(7) The benefit of the increase of the retirement age to 60 years shall not be available automatically to all Judicial Officers irrespective of their past record of service and evidence of their continued utility to the Judicial system. The benefit will be available to those who in the opinion of the High Court have a potential for continued useful service. The potential for continued utility shall be assessed and evaluated by appropriate committees of Judges of the High Court constituted and headed by the Chief Justice of the High Court and the evaluation shall be made on the basis of the Judicial Officer's past record of service, character rolls, quality of judgements and other relevant matters.

Explanation :- For the purpose of this rule Judicial Officer means "District Judge or Civil Judge (Senior Division) or Civil Judge (Junior Division), belonging to Karnataka Judicial Service.]

¹[96 xxx]

²[(2) The authority competent to sanction pension shall prepare every six months i.e. on the 1st January and the 1st July of each year a list indicating the name, designation, dates of birth and dates of retirement of all Gazetted and non-Gazetted Government servants who are due to retire within the next 12 to 18 months and of every Government servant who is on extension of service. He shall send the list to Government in the Finance Department and to the Audit Office not later than the 31st January and the 31st July respectively. In respect of Heads of Departments and Secretaries to Government, the list shall be prepared and sent by the Chief Secretary to Government.

Note - In the case of a Government servant retiring for reasons other than superannuation, the Head of the Department shall promptly inform the Audit Office as soon as the impending retirement becomes known to him.]

1. Deleted by No. FD 18 SRS 77 dated 3.8.1978 (wef 10.8.1978)

2. Substituted by No. FD 140 SRS 73 dated 30.8.1974 (wef 19.9.1974)

CHAPTER X

DISMISSAL, REMOVAL AND SUSPENSION

97. The pay and allowances of a Government servant who is dismissed or removed or compulsorily retired from service cease from the date of such dismissal or removal or compulsory retirement.

¹[97-A. A Government servant under suspension shall not seek any employment, business, profession or vocation either in private or in institutions where Government have interest.]

²[98(1) A Government servant who is placed or deemed to have been placed or continues to be under suspension shall be entitled to the following payments, namely:-

(a) Subsistence allowance, at an amount equal to the leave salary which the Government servant would have drawn if he had been on leave on half pay and in addition, dearness allowance, if admissible on the basis of such leave salary, and

(b) House rent allowance and city compensatory allowance admissible from time to time on the basis of pay of which the Government servant was in receipt on the date of suspension subject to fulfilment of other conditions laid down for drawal of such allowances:

Provided that where the period of suspension exceeds six months, the authority which made or is deemed to have made, the order of suspension shall be competent to vary the amount of subsistence allowance for any period subsequent to the period of the first six months as follows:-

(i) The amount of subsistence may be increased by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible during the period of first six months, if, in the opinion of the said authority the period of suspension has been prolonged for reasons, to be recorded in writing, not directly attributable to the Government servant.

(ii) The amount of subsistence allowance may be reduced by a suitable amount not exceeding fifty per cent of the subsistence allowance admissible during the period of the first six months, if in the opinion of the said authority, the period of suspension has been prolonged for reasons, to be recorded in writing directly attributable to the Government servant.

1. Inserted by No. FD 123 SRS 68 dated 11.11.1968

2. Substituted by No. FD 21 SRS 86 dated 8.7.1987

(iii) The amount of dearness allowance shall be based on the increase or decrease in the amount of subsistence allowance, as the case may be, admissible under clauses (i) and (ii) above.

(2) No payment under sub-rule (1) shall be made unless the Government servant furnishes a certificate that he is not engaged in any other employment, business, profession or vocation:

Provided that in the case of a Government servant dismissed, removed or compulsorily retired from service, who is deemed to have been placed or to continue to be under suspension from the date of such dismissal or removal or compulsory retirement under sub-rule (3) or sub-rule (4) of rule 10 of the Karnataka civil Services (Classification, Control and Appeal) Rules, 1957 and who fails to produce such a certificate for any period or periods during which he is deemed to have been placed or to continue to be under suspension, he shall be entitled to the subsistence allowance and other allowances equal to the amount by which his earnings during such period or periods, as the case may be fall short of the amount of subsistence allowance and other allowances that would otherwise be admissible to him but when the subsistence allowance and other allowances admissible to him are equal to or less than the amount earned by him nothing in this proviso shall apply to him.]

¹[99(1) When a Government servant who has been dismissed, removed or compulsorily retired, is reinstated as a result of appeal or review or would have been so reinstated ²[but for his retirement or superannuation while under suspension or not] the authority competent to order reinstatement shall consider and make a specific order -

(a) regarding the pay and allowances to be paid to the Government servant for the period of his absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be; and

(b) whether or not said period shall be treated as a period spent on duty.

(2) Where the authority competent to order reinstatement, is of opinion that the Government servant who had been dismissed, removed or compulsorily retired has been fully exonerated the

1. Amended by No. FD 39 SRS 73 dated 10.5.1974 (wef 1.8.1974)

2. Amended by No. FD 39 SRS 73 dated 22.12.1975 (wef 19.8.1976)

Government servant shall, subject to the provisions of sub rule (6), be paid the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be:

Provided that where such authority is of opinion that the termination of the proceedings instituted against the Government servant had been delayed due to reasons directly attributable to the Government servant, it may after giving him an opportunity to make his representation and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the Government servant shall, subject to the provisions of sub-rule (7), be paid for the period of such delay, only such proportion of such pay and allowances as it may determine.

(3) In a case falling under sub-rule (2), the period of absence from duty including the period of suspension preceding dismissal, removal or compulsory retirement, as the case may be, shall be treated as a period spent on duty for all purposes.

(4) In cases other than those covered by sub-rule (2) (including cases where the order of dismissal, removal or compulsory retirement from service is set aside by the appellate or reviewing authority solely on the ground of non-compliance with the requirements of ¹[Clause (1) or Clause (2) of Article 311] of the Constitution and no further inquiry is proposed to be held) the Government servant, shall subject to the provisions of sub-rules (6) and (7), be paid such proportion of the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period as may be specified in the notice:

¹[xxx]

(5) In case falling under sub-rule (4), the period of absence from duty including the period of suspension preceding his dismissal, removal or compulsory retirement as the case may be, shall not be treated as a period spent on duty, unless the competent authority specifically directs that it shall be so treated for any specified purpose:

1. Amended by No.FD 45 SRS 81 dated 8.2.1982 (wef 18.2.1982)

Provided that if the Government servant so desires such authority may direct that the period of absence from duty, including the period of suspension preceding his dismissal, removal or compulsory retirement, as the case may be, shall be converted into leave of any kind due and admissible to the Government servant.

Note:- The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of,-

(a) extraordinary leave in excess of three months in the case of temporary Government servant; and

(b) leave of any kind in excess of five years in the case of permanent or quasi-permanent Government servant.

(6) The payment of allowances under sub-rule (2) or sub-rule (4) shall be subject to all the other conditions under which such allowances are admissible.

(7) The proportion of the full pay and allowances determined under the proviso to sub-rule (2) or under sub-rule (4) shall not be less than the subsistence allowance and other allowances admissible under Rule 98.

(8) Any payment made under this rule to a Government servant on his reinstatement shall be subject to adjustment of the amount, if any, earned by him through an employment during the period between the date of removal, dismissal or compulsory retirement, as the case may be, and the date of reinstatement. Where the emoluments admissible under this rule are equal to or less than the amounts earned during the employment elsewhere, nothing shall be paid to the Government servant.

(9) No extra cost may ordinarily be imposed on the State by the grant of an allowance under this Rule without the permission of Government. This power is delegated to Heads of Departments in cases where the period during which the Government servant has remained unemployed through removal or dismissal '[does not exceed one year]'.

Note:- The grant of pay and allowances or a proportion of them does not cancel any officiating arrangements that may have been made while the Government servant was under removal or dismissal.

99A:- (1) Where the dismissal, removal or compulsory retirement of a Government servant is set aside by a Court of law and such Government servant is reinstated without holding any further enquiry, the period of absence from duty shall be regularised and the Government servant shall be paid pay and allowances in accordance with the provisions of sub-rule (2) or (3) subject to the directions, if any, of the Court.

(2) Where the dismissal, removal or compulsory retirement of a Government servant is set aside by the court solely on the ground of non-compliance with the requirements of ¹[clause 1 or clause (2) of article 311] of the Constitution and where he is not exonerated on merits, the pay and allowances to be paid to the Government servant for the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be and the date of reinstatement shall be determined by the competent authority and the said period shall be regularised, in accordance with the provisions contained in sub-rules (4), (5) and (7) of rule 99.

(3) If the dismissal, removal or compulsory retirement of a Government servant is set aside by the court on the merits of the case, the period intervening between the date of dismissal, removal or compulsory retirement including the period of suspension preceding such dismissal, removal or compulsory retirement, as the case may be and the date of reinstatement shall be treated as duty for all purposes and he shall be paid for the period the full pay and allowances to which he would have been entitled, had he not been dismissed, removed or compulsorily retired or suspended prior to such dismissal, removal or compulsory retirement, as the case may be.

(4) The payment of allowances under sub-rule (2) or sub-rule (3) shall be subject to all other conditions under which such allowances are admissible.

(5) Any payment made under this rule to a Government servant on his reinstatement shall be subject to adjustment of the amount if any, earned by him through an employment during the period between the date of dismissal, removal or compulsory retirement and the date of reinstatement. Where the emoluments admissible under this rule are equal to or less than those earned during the employment elsewhere, nothing shall be paid to the Government servant.

1. Amended by No. FD 45 SRS 81 dated 8-2-1982 (wef 18.2.1982)

100(1) When a Government servant who has been suspended is reinstated or would have been so reinstated but for his retirement on superannuation while under suspension, the authority competent to order reinstatement shall consider and make a specific order -

(a) regarding the pay and allowances to be paid to the Government servant for the period of suspension ending with reinstatement or the date of his retirement on superannuation, as the case may be; and

(b) whether or not the said period shall be treated as a period spent on duty.

(2) Notwithstanding anything contained in Rule 98, where a Government servant under suspension dies before the disciplinary or court proceedings instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty for all purposes and his family shall be paid for that period the full pay and allowances to which he would have been entitled had he not been suspended subject to adjustment in respect of subsistence allowances already paid.

(3) Where the authority competent to order reinstatement is of the opinion that the suspension was wholly unjustified the Government servant shall, subject to the provisions of sub-rule (8), be paid the full pay and allowances to which he would have been entitled, had he not been suspended:

Provided that where such authority is of the opinion that termination of the proceedings instituted against the Government servant had been delayed due to reasons directly attributable to the Government servant, it may, after giving him an opportunity to make his representation, and after considering the representation, if any, submitted by him, direct, for reasons to be recorded in writing, that the Government servant shall be paid for the period of such delay only such proportion of such pay and allowance as it may determine.

Note 1 - Allowances such as permanent travelling allowance, conveyance allowance and ¹[special allowance] which are paid for the performance of specific duties and which the Government servant was in receipt of immediately prior to the date of his suspension shall not be payable for the period of suspension which is subsequently treated as duty under this clause.

1. Substituted by No. FD 7 SRA 99, dated 29.4.2000 (wef 1.4.1998)

Note 2 - Where a Government servant who is not considered for promotion on account of his being under suspension, is fully exonerated on the conclusion of the enquiry, he may be promoted in the next available vacancy or, if there is no vacancy, by reversing the officiating arrangement made previously. His pay, on the date of actual promotion, may be fixed at a stage which he would have reached had he been promoted on the date his junior was promoted and took charge, the order of fixation of pay being issued under rule 57.

(4) In a case falling under sub-rule (3) the period of suspension shall be treated as a period spent on duty for all purposes.

(5) In cases other than those falling under sub-rules (2) and (3), the Government servant shall subject to the provisions of sub-rules (8) and (9) be paid such proportion of the full pay and allowances to which he would have been entitled had he not been suspended, as the competent authority may determine, after giving notice to the Government servant of the quantum proposed and after considering the representation, if any, submitted by him in that connection within such period as may be specified in the notice.

(6) Where suspension is revoked pending finalisation of the disciplinary or court proceedings, any order passed under sub-rule (1) before the conclusion of the proceedings against the Government servant, shall be reviewed on its own motion after the conclusion of the proceedings by the authority mentioned in sub-rule (1), who shall make an order according to the provisions of sub-rule (3) or sub-rule (5), as the case may be.

(7) In a case falling under sub-rule (5) the period of suspension shall not be treated as a period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose;

Provided that if the Government servant so desires, such authority may order that the period of suspension shall be converted into leave of any kind due and admissible to the Government servant.

Note:- The order of the competent authority under the preceding proviso shall be absolute and no higher sanction shall be necessary for the grant of extraordinary leave in excess of three months in the case of temporary Government servant.

(8) The payment of allowances under sub-rule (2), sub-rule (3) or sub-rule (5) shall be subject to all other conditions under which such allowances are admissible.

(9) The proportion of full pay and allowances determined under the proviso to sub-rule (3) or under sub-rule (5) shall not be less than the subsistence allowance and other allowances admissible under Rule 98.]

Instruction 1:- A permanent post vacated by the dismissal, removal or compulsory retirement of a Government servant should not be filled up substantively, until the period of one year from the date of such dismissal, removal or compulsory retirement. as the case may be. Where, on the expiry of the period of one year, the permanent post is filled and the original incumbent of the post is reinstated thereafter, he should be accommodated against any post which may be substantively vacant in the grade to which his, previous substantive post belonged. If there is no such vacant post, he should be accommodated against a supernumery post which should be created in this grade with proper sanction and with the stipulation that it would be terminated on the occurrence of the first substantive vacancy in that grade. (O.M. No. FD 49 SRS 61 dated 16.6.1961)

Instruction 2:- Government have had under their consideration the circumstances in which supernumerary posts may be created and what should be the general principles governing the creation of such posts. Instructions have also been issued regarding the creation of supernumerary posts to accommodate the following categories of officials:-

(1) Permanent Government servants who are substantively reduced to a lower post on account of inefficiency or misbehaviour and for whom permanent posts in the lower service/ grade/time-scales, etc., are not available (vide OM No. FD 148 SRS 60, dated 26th October 1960).

(2) Permanent Government servants who vacate their posts as a result of dismissal, removal or compulsory retirement but are later reinstated after the expiry of a period of more than one year. (Vide Instruction below Karnataka Civil Service Rules, 100, issued in OM NO. FD 49 SRS 61, dated 16th June 1961). It is however, not possible to give an exhaustive list of the circumstances in which supernumerary posts may be created. Government are therefore, pleased to lay down the following broad principles governing the creation of such posts:-

(i) A supernumerary post is normally created to accommodate the lien of a Government servant, who, in the opinion of the authority competent to create such a post is entitled to hold a lien against a regular permanent post but who due to non-availability of a regular permanent post cannot have his lien against such a post.

(ii) It is a shadow post, i.e., no duties are attached to such a post. The Government servant whose lien is maintained against such post, generally performs duties in some other vacant temporary or permanent post.

(iii) It can be created only if another vacant permanent or temporary post is available to provide work for the person whose lien is retained by the creation of the supernumerary post. In other words, it should not be created in circumstances which, at the time of the creation of the post or thereafter, would lead to an excess of the working strength.

(iv) It is always a permanent post. Since, however, it is a post created for accommodating a permanent Government servant till he is absorbed in a regular permanent post. it should not be created for an indefinite period as other permanent posts are but should normally be created for a definite and fixed period sufficient for the purpose in view.

(v) It is personal to the Government servant for whom it is created and no other Government servant can be appointed against such a post. It stands abolished as soon as the Government servant for whom it was created vacates it on account of retirement or confirmation in another regular permanent post or for any other reason. In other words, no officiating arrangements can be made against such a post. Since a supernumerary post is not a working post the number of working posts in a cadre will continue to be regulated in a manner that, if a permanent incumbent of one of the regular posts returns to the cadre and all the posts are manned, one of the Government servants of the cadre will have to make room for him. He should be shown against a supernumerary post.

(vi) There should be no extra financial commitment involved in the creation of such posts in the shape of increased pay and allowances pensionary benefits, etc.,

2. Subject to the observance of the principles set out in the previous paragraph, supernumerary posts may be created only in consultation with the Finance Department.

3. The Heads of Departments should maintain a record of the supernumerary posts, the particulars of the individuals who hold liens against them and the progressive abolition of such posts as and when the holders of the posts retire or are absorbed in regular permanent posts, for the purpose of verification of service pension.

(O.M. No. FD 49 SRS 61 dated 17th June 1961)

COMMITTALS TO PRISON

SUSPENSION DURING PENDENCY OF CRIMINAL PROCEEDINGS OR PROCEEDINGS FOR ARREST FOR DEBT OR DURING DETENTION UNDER A LAW PROVIDING FOR PREVENTIVE DETENTION.

101. A Government servant against whom proceedings have been taken either for his arrest for debt or on a criminal charge or who is detained under any law providing for preventive detention, should be considered as under suspension for any periods during which he is detained in custody or is undergoing imprisonment and not allowed to draw any pay and allowances other than any subsistence allowance that may be granted in accordance with the principles laid down in Rules 98 for such periods until the termination of the proceedings taken against him or until he is released from detention and allowed to rejoin duty, as the case may be. An adjustment of his allowances for such periods should thereafter be made according to the circumstances of the case, the full amount being given only in the event of the officer being acquitted of the blame or (if the proceedings taken against him were for his arrest for debt) of its being proved that the officer's liability arose from circumstances beyond his control. In cases where the arrest is for detention under a law providing for preventive detention the full amount of allowances for the period of detention, shall be given only when such detention is held by any competent authority to be unjustified.

102. A Government servant against whom a criminal charge or a proceeding for arrest for debt is pending should also be placed under

suspension by the issue of specific orders to this effect during periods when he is not actually detained in custody or imprisoned (i.e., whilst released on bail), of the charge made or proceeding taken against him is connected with his position as a Government servant or is likely to embarrass him in the discharge of his duties as such or involves moral turpitude. In regard to his pay and allowances, the provisions of Rule 101 above shall apply.

Note 1 - A subsistence allowance not exceeding the prescribed rate may, however, be granted even in cases of committals to prison at the discretion of the suspending authority.

¹[Note 2- Each claim for subsistence and compensatory allowances should be supported by a certificate by the Government servant concerned to the effect that he was not engaged in any employment, business, profession or vocation during the period to which the claim relates.]

CONVICTIONS

103. Whenever a Government servant is judicially convicted of any offence, a copy of the decision should be sent to the Head of the Department under whom he is employed in order that such action in the case as may be deemed proper may be taken at once.

LEAVE WHILE UNDER SUSPENSION

104(1) Leave of absence for a definite period is not admissible to a Government servant who has been suspended from duty and, without obtaining the permission of the authority competent to fill up the appointment, a Government servant under suspension should not leave the station where his office is situated.

²[(2) No payment under Rule 98 shall be made unless the Government servant continues to reside in the station where his office is situated or in the station in which he is permitted to reside by the authority which made or which is deemed to have made the order of suspension.]

1. Substituted by No. FD 19 SRS 70 dated 21-9-1970 (wef 19.10.1970)

2. Inserted by No. FD 216 SRS 71 dated 13-3-1972.

PART III - LEAVE

CHAPTER XI - MAIN RULES SECTION 1 - GENERAL RULES

105. This part shall apply in respect of all claims in respect of leave availed of on and after 1st October 1957 under the Mysore Leave Rules, 1957 as if they are claims made under this part:

Provided that every person allotted to serve in connection with the affairs of the State of Mysore under Section 115 and Section 116 of the State Reorganisation Act, 1956 (Central Act 37 of 1956), shall continue to be governed by the Rules applicable to him before the 1st day of November, 1956, as amended from time to time, unless such person exercises his; option to be governed by these Rules ¹[before the first day of August, 1962]

²[Provided further that a person referred to in the preceding proviso who has failed to exercise option to these rules before the first day of August, 1962, may be permitted to exercise option to be governed by these rules with effect from first day of August, 1972. Such option shall be exercised before the first day of August 1973.]

Note - The leave accounts of all the Government servants who opt to this part under this proviso will be closed at the end of 31st July 1972 and leave calculated according to the old rules (which are applicable to them prior to 1st August 1972 and found to be at credit at the end of July 1972 according to the old rules), will be carried forward for being availed of later, subject to the maximum limits prescribed in the old rules. Leave due from 1st August 1972 will be calculated according to the new rules and the total leave at credit (calculated according to the old rules upto 1st August 1972 and according to new rules thereafter) will be permitted to be availed of subject to the maximum limits prescribed under these rules (vide rule 120).]

³[Provided further that any person referred to in the preceding two provisos who failed to exercise option to these rules before 1st August 1972 and therefore continues to be governed by the rules applicable to him before 1st November 1956 may be permitted to exercise an option to be governed by these rules from 1st January 1978. Such option should have been exercised on or before

1. Amended by No. FD 18 SRS 62 dated 15-3-62

2. Inserted by No. FD 128 SRS 72 dated 3-10-72.

3. Inserted by No.FD 91 SRS 78 dated 8-2-1980 (wef 28-2-1980)

31st December 1978. On exercise of such an option, he shall be eligible to entitlement of leave under rules contained in this part from 1st January 1978.

Note- The leave accounts of all the Government servants who opt to this part under this proviso will be closed at the end of December 1977 and leave calculated according to the old rules, (which were applicable to them prior to 31st December 1977 and found to be at credit at the end of December 1977 according to the old rules) will be carried forward for being availed of later subject to the maximum limits prescribed in the old rules. Leave due from 1st January 1978 will be calculated according to the new rules and the total leave at credit (calculated according to the old leave rules upto 31st December 1977 and according to new rules thereafter) will be permitted to be availed of subject to the maximum limits prescribed under these rules (vide rule 120).]

¹[Provided further that any person referred to in the preceding three provisos who had failed to exercise option to these rules before 31st December 1978 and therefore continues to be governed by the rules applicable to him before 1st November 1956 may be permitted to exercise an option to be governed by these rules from 1st July 1985. Such option should be exercised on or before 31st December 1985. On exercise of such an option he shall be eligible to entitlement of leave under these rules contained in this part from 1st July 1985.

Note - The leave accounts of all the Government servants who opt to this part under this proviso will be closed at the end of 30th June 1985 and leave calculated according to the old rules (which were applicable to them prior to 30th June 1985 and the leave so found to be at their credit at the end of June 1985 according to the old rules) will be carried forward for being availed of later subject to the maximum limits prescribed in the old rules. Leave due from 1st July 1985 will be calculated according to the new rules and the total leave at credit (calculated according to the old leave rules upto 30th June 1985 and according to new rules thereafter) will be permitted to be availed of subject to the maximum limits prescribed under these rules (vide rule 120).]

²[Provided further that any person referred to in the preceding four provisos who had failed to exercise option to these rules before 31st December 1985 and therefore continues to be governed by the

1. Inserted by No.FD 25 SRS 85 dated 15-7-85(wef 1-7-1985)

2. Inserted by No.FD 43 SRS 90 dated 1-4-1991 (w.e.f. 1-4-1991)

rules applicable to him before 1st November 1956 may be permitted to exercise an option to be governed by these rules from 1st April 1991. Such option should be exercised on or before 30th June 1991. On exercise of such an option, he shall be eligible to entitlement of leave under these rules contained in this part from 1st April 1991.

Note - The leave accounts of all the Government servants who opt to this part under this proviso will be closed at the end of 31st March 1991 and leave calculated according to the old rules (which were applicable to them prior to 31st March 1991 and the leave so found to be at their credit at the end of March 1991 according to the old rules) will be carried forward for being availed of later, subject to the maximum limits prescribed in the old rules. Leave due from 1st April 1991 will be calculated according to the new rules and the total leave at credit (Calculated according to the old leave rules upto 31st March 1991 and according to new rules thereafter) will be permitted to be availed of subject to the maximum limits prescribed under these rules (vide rule 120).]

Explanation:- The option under the proviso should be exercised by making a declaration in writing and should be communicated by the Government servant concerned the Head of his office if he is a non-gazetted Government servant and to the Accountant General, Karnataka, if he is a Gazetted Government servant. The declaration when received from a non- gazetted Government servant should be countersigned by the Head of the office and pasted in the Service Book of the Government servant concerned. It will be the responsibility of a Government servant opting to be governed by these rules to ensure that the receipt of his declaration is acknowledged by the Accountant General, Karnataka, or by the Head of his office, as the case may be.

Note:- The leave accounts of all the Government servants who opt to this part will be closed at the end of September 1957 and leave calculated according to the old Rules, which were hitherto applicable to them and found to be at credit at the end of September 1957 according to the old Rules will be carried forward to their credit, for being availed of later subject to the maximum limits prescribed in the old Rules. Leave due from 1st October, 1957 will be calculated according to the New Rules, and the total leave at credit (calculated according to the old Rules upto 1st October 1957 and according to the New Rules thereafter) will be permitted to be availed of subject to the maximum limits fixed under these Rules (vide Rule 120).

106. In these rules:-

(i) "Leave" includes Earned leave, Half pay leave, Commuted Leave, Leave not due and extraordinary leave.

(ii) "Earned Leave" means leave earned in respect of periods spent on duty.

(iii) "Half pay Leave" means leave earned in respect of completed years of service.

(iv) "Earned Leave Due" means the amount of earned leave and privilege leave on full pay to the credit of an officer on the 30th September, 1957 under the Old Rules in force on that day, plus the amount of earned leave calculated, as prescribed in Rule 112, Rule 113 or Rule 115 as the case may be, diminished by the amount of the earned leave taken after the 30th September 1957.

¹[Provided that in respect of persons who elected to opt for the new rules with effect from 1st August 1962 "Earned Leave Due" means the amount of Earned Leave and privilege leave on full pay to the credit of an officer on the 31st July 1962 under the old rules, in force on that day, plus the amount of earned leave calculated, as prescribed in Rule 112, Rule 113 or Rule 114 as the case may be, diminished by the amount of the earned leave taken after the 31st July 1962:

Provided further in respect of persons who elected to opt for the new rules with effect from 1st September 1972 "Earned Leave Due" means the amount of earned leave and privilege leave on full pay to the credit of an officer on 31st August 1972 under the old rules in force on that day, plus the amount of earned leave calculated, as prescribed in Rule 112, Rule 113 or Rule 114 as the case may be, diminished by the amount of earned leave taken after 31st August 1972:

Provided also that in respect of persons who elected to opt for the new rules with effect from 1st January 1978 "Earned Leave Due" means the amount of earned leave and privilege leave on full pay to the credit of an officer on 31st December 1977 under the old rules in force on that day, plus the amount of earned leave calculated as prescribed in Rule 112, Rule 113 or Rule 114 as the case may be, diminished by the amount of the earned leave taken after 31st December 1977.]

1. Inserted by No. FD 91 SRS 78 dated 8-2-80 (wef 28-2-80).

¹[Provided further that in respect of persons who elected to opt for the new rules with effect from 1st July, 1985 “Earned Leave Due” means the amount of earned leave and privilege leave on full pay to the credit of a Government servant on 30th June 1985 under the old rules in force on that day, plus the amount of earned leave calculated as prescribed in Rules 112 or 113 as the case may be, diminished by the amount of the earned leave taken after 30th June 1985.

²[Provided further that in respect of persons who elected to opt for the new rules with effect from 1st April 1991 “Earned Leave Due” means the amount of Earned Leave and Privilege Leave on full pay to the credit of a Government Servant on 31st March 1991 under the old rules in force on that day, plus the amount of earned leave calculated as prescribed in Rule 112 or 113 as the case may be, diminished by the amount of the earned leave taken after 31st March 1991.]

(v) “Government” means the Government of Karnataka.

(vi) “Commuted Leave” means leave taken under sub-rule (c) of Rule 114.

(vii) “Half-Pay Leave Due” means the amount of leave on half-pay or half-average salary at credit on 30th September, 1957 under the Old Rules Plus the amount of half-pay leave calculated as prescribed in Rule 114 for the service after the 30th September, 1957, diminished by half-pay leave (both due and not due) taken after 30th September, 1957.

³[Provided that in respect of persons who elected to opt for the new leave rules with effect from 1st August 1962, “Half pay leave Due’ means the amount of leave on half average salary at credit on 31st July 1962 under the old rules plus the amount of half pay leave calculated as prescribed in Rule 114 for the service after 31st July 1962, diminished by the half pay leave (both due and not due) taken after 31st July 1962:

Provided further that in respect of persons who elected to opt for the new leave rules with effect from 1st September 1972, “Half-pay leave due” means the amount of leave on half average salary at credit on 31st August 1972 under the old rules plus the amount of

1. Inserted by No. FD 25 SRS 85 dated 15-7-85 (wef 1-7-1985)

2. Inserted by No. FD 43 SRS 90 dated 1-4-1991 (wef 1-4-1991)

3. Inserted by No. FD 91 SRS 78 dated 8-2-1980 (wef 28-2-1980)

half pay leave calculated as prescribed in rule 114 for the service after 31st August 1972 diminished by the half pay leave (both due and not due) taken after 31st August 1972:

Provided also that in respect of persons who opt for the new leave rules with effect from 1st January 1978, "Half pay leave due" means the amount of leave on half average salary at credit on 31st December 1977 under the old rules plus the amount of half pay leave calculated as prescribed in rule 114 for the service after 31st December 1977 diminished by the half pay leave (both due and not due) taken after 31st December 1977.)

¹[Provided further that in respect of persons who opt for the new rules with effect from 1st July 1985 "Half pay leave due" means the amount of leave on half average salary at credit on 30th June 1985 under the old rules plus the amount of half pay leave calculated as prescribed in rule 114 for the service after 30th June 1985 diminished by the half pay leave both due and not due) taken after 30th June 1985.]

²[Provided further that in respect of persons who opt for the new rules with effect from 1st April 1991 "Half pay leave due" means the amount of leave on half average salary at credit on 31st March 1991 under the old rules plus the amount of half pay leave calculated as prescribed in rule 114 for the service after 31st March 1991 diminished by the half pay leave (both due and not due) taken after 31st March 1991.]

(viii) "Completed years of service" and "One Year's Continuous Service" means continuous service of the specified duration and includes periods spent on duty as well as on leave including extraordinary leave.

(ix) "Old Rules" means the leave rules applicable to a Government servant immediately before 1st day of October, 1957.

³[(x) 'Vacation Department' means a department or a part of the department to which regular vacations are allowed.]

⁴[106-A:- ⁵[A Government servant who absents himself from duty without leave will not be entitled to any salary for the days of

1. Inserted by No. FD 25 SRS 85 dated 15-7-1985 (wef 1.7.1985).

2. Inserted by No. FD 43 SRS 90 dated 1-4-1991 (wef 1.4.1991)

3. Inserted by No. FD 91 SRS 78 dated 8-2-1980 (wef 28-2-1980).

4. Inserted by No. FD 178 SRS 59 dated 26-8-1959 (wef 3-9-1959).

5. Amended by No. FD 178 SRS 59, dated 13-11-1959 (wef 19-11-1959).

absence and the period of such absence shall be debited to his leave account as though it were half-pay leave to the extent such leave is due and as extra-ordinary leave to the extent the period of half pay leave falls short of the period of such absence unless leave is granted by a competent authority for the days of such absence.] Absence from duty of a Government servant without leave granted by a competent authority, will also render such Government servant liable to disciplinary action for misconduct except where the Government servant establishes to the satisfaction of the authority competent to sanction leave that he was unable to join duty for reasons beyond his control.]

¹[Note 1- when a Government servant has attended office late after the expiry of the grace period of ²[ten minutes] from the appointed time of commencement of office but before 2.00 p.m. he shall forfeit casual leave for half-a-day on each day of such late attendance. If however, the Government servant concerned has no casual leave at his credit, he shall forfeit a day's earned leave or any other kind of leave due and admissible to him for each day of such late attendance.]

³[Note 2- Where a day's duty of a Government servant is divided into two parts, unauthorised absence for any one part shall entail forfeiture of half a day's pay and allowance.]

⁴[106-B(1) No Government servant shall be entitled to any leave under these Rules in respect of absence from duty in pursuance of a strike.

(2) Absence from or cessation of duty by a Government servant on account of participation in a strike shall entail lapse of all kinds of leave at his credit.

Explanation:- For purposes of this rule. the expression "strike" shall have the same meaning as in the Karnataka State Civil Services (Prevention of Strikes) Act, 1966 and includes refusal or abstention from doing work though physically present at the place of duty by resort to pendown strike or stay-in-strike or other method].

107. Leave cannot be claimed as of right. Discretion is reserved to the authority empowered to grant leave to refuse or revoke leave at any time according to the exigencies of the Public Service.

1. Substituted by No.FD 166 SRS 74 dated 18-3-1975 (wef 17-4-1975).

2. Amended by No.FD 14 SRS 82 dated 1-5-1982 (wef 13-5-1982).

3. Inserted by No. FD 12 SRS 65 dated 5-8-65 (wef 28-1-64)

4. Inserted by No. FD 32 SRS 65 dated 18-1-67

¹[108. Unless Government, in view of the special circumstances of the case, determines otherwise, an officer who remains absent from duty without leave ²[for a period of four months or more] may be liable to be dismissed or removed from service ³[after following the procedure laid down in the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.]

109. Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave (except casual leave).

⁴[110 xxx]

111. Subject to the provisions of Rule 107 ⁵[xxx]an officer may at any time be granted the whole or any part of the earned leave due to him.

⁶[112(1) A Government servant other than a person serving in an vacation Department shall be entitled to earned leave of thirty days in a calendar year.

(2) The leave account of every Government servant shall be credited with earned leave in advance in two instalments of fifteen days each on the 1st January and 1st July every year.

⁷[(3) The leave at credit of a Government servant at the close of the previous half year shall be carried forward to the next half year, subject to the condition that the leave so carried forward plus the credit for the half year does not exceed two hundred and forty days.]

⁸[Provided that where the earned leave at the credit of a Government servant as on the last day of December or June, is 240 days or less but more than 225 days, the advance credit of 15 days earned leave on first day of January or July to be afforded in the manner indicated under sub-rule (2) shall instead of being credited in their account be kept separately and first adjusted against the earned leave that the Government servant avails during that half year and

1. Substituted by No.FD 57 SRS 65 dated 15.6.68(wef 11.7.68)

2. Amended by No.FD 57 SRS 65 dated 12-11-1968

3. Amended by No.FD 38 SRS 69 dated 21-5-1969

4. Deleted by No.FD 42 SRS 84 dated 30.11.1984 (wef 2.8.84)

5. Deleted by No.FD 42 SRS 84 dated 30.11.1984 (wef 2.8.84)

6. Substituted by No.FD 91 SRS 78 dated 8.2.80 (wef 28.2.80)

7. Substituted by No.FD 9 SRS 87 dated 15.5.87 (wef 21.5.87)

8. Inserted by No. FD 2 SRA 93 dated 22-2-1995 (wef 1-7-1995)

the balance, if any, shall be credited to the leave account at the close of the half year, subject to the condition that balance of said earned leave plus leave already at credit do not exceed the maximum of 240 days.]

(4) Earned leave shall be credited to the leave account of a Government servant at the rate of two and a half days for each completed calendar month of service in the half of the calendar year in which he is appointed.

(5)(i) The credit for the half year in which a Government servant is due to retire or resigns from service shall be afforded at the rate of two and a half days for each completed calendar month of service upto the date of retirement or resignation.

(ii) When a Government servant is removed or dismissed from service or dies while in service, the credit of earned leave shall be allowed at the rate of two and a half days for each completed calendar month of service upto the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies while in service.

¹[(6) If a Government servant has taken any Extraordinary Leave and/or some period of his absence like suspension has been treated as *dies non* or non-duty in a half year, the credit to be afforded to his earned leave account at the commencement of the next half year shall be reduced by 1/10th of the period of such Extraordinary Leave and/or dies-non or, non-duty, subject to a maximum of 15 days.

Explanation:- In the case of the Government servant who is placed under suspension, the credit to be afforded to his earned leave account at the commencement of the next half year shall be reduced by 1/10th of the period of suspension. If the period of suspension is subsequently treated as duty or leave other than extraordinary leave, the earned leave account shall be recast.]

(7) While affording credit of earned leave fractions of a day shall be rounded off to the nearest day.

(8) If a Government servant is on leave on the last day of any half year he shall be entitled to the credit of earned leave on the first day of the succeeding half year provided the authority competent to grant him leave has reason to believe that the Government servant will return to duty on its expiry.

1. Substituted by No.FD 12 SRS 85 dated 10.6.1985 (wef 11.7.1985)

(9) Subject to the provisions of rule 107 and rule 110 the maximum earned leave that may be granted at a time shall be-

(a) One hundred and twenty days to a Government servant employed in India, or

(b) One hundred and eighty days to a Gazetted Officer if the entire leave so granted or a portion thereof which is not less than sixty days is spent outside India.

¹[(c) Two hundred and forty days leave preparatory to retirement.]

Note :- The provision of sub-rule (1) and sub-rule (2) shall apply to calculation of leave corresponding to earned leave under the old rules, applicable to a Government servant before 1st November 1956, in respect of those who continue to be governed by those rules.

¹[(d) A Government servant may be permitted by the authority competent to grant leave to take leave preparatory to retirement to the extent of earned leave due, not exceeding two hundred and forty days.]

(10) Between the 1st July 1976 and 30th June 1978. the foregoing provisions of this rule shall be applicable with the following modifications, namely:-

(a) the credit of earned leave afforded shall be 30 days and 31 days in alternate calendar years. This shall be done in two instalments 15 days on the 1st January and 1st July every year except that on 1st July of an even year the credit shall be sixteen days.

(b) If a Government servant has during any half year taken leave other than earned leave, the credit to be, afforded to his earned leave account at the commencement of the next half year shall be reduced by one-eleventh of such leave.]

²[113. Earned Leave to Government servants serving in Vacation Department-(1)(a) The leave account of a Government servant serving in vacation department shall be credited in advance with earned leave in two instalments of 5 days each on the first day of January and July of every Calendar year.

1. Substituted by No. FD 9 SRS 87 dated 15-5-1987 (wef 21-5-1987)

2. Inserted by No. FD 2 SRA 93 dated 22-2-1995.(wef 1.7.1995)

(b) If a Government servant serving in vacation department has availed of any extraordinary leave and/or some period of absence has been treated as dies-non during a half year the credit to be afforded to his leave account at the commencement of the next half year shall be reduced by 1/30th of the period of such leave and/or dies-non subject to a maximum of 5 days.

(c) The credit for the half year in which a Government servant serving in vacation department is appointed/ceases to be in service shall be allowed at the rate of 5/6th day for each completed month of service which he had rendered or is likely to render in the half year in which he is appointed/ceases to be in service.

(2) Subject to provisions of sub-rule (1), a Government servant serving in vacation department shall not be entitled to any earned leave in respect of duty performed in any year in which he avails himself of the full vacation.

(3)(a) In respect of any year in which a Government servant avails himself of a portion of vacation, he shall be entitled to earned leave in such proportion of 30 days as the number of days of vacation not taken bears to the full vacation:

Provided that no such leave shall be admissible to a Government servant not in permanent employ or quasi-permanent employ in respect of the first year of service.

(b) If, in any year a Government servant does not avail himself of any vacation, earned leave shall be admissible to him in respect of that year under rule 112.

Explanation :- For the purpose of this rule, the term 'year' shall be construed as a period of twelve months of actual duty in a vacation department.

Note 1:- A Government servant entitled to vacation shall be considered to have availed himself of a vacation or a portion of a vacation unless he has been required by general or special order of a higher authority to forego such vacation or portion of a vacation.

Provided that if he has been prevented by such order from enjoying more than fifteen days of the vacation, he shall be considered to have availed himself of no portion of the vacation.

Note 2:- When a Government servant serving in a vacation department proceeds on leave before completing a full year of duty, the earned leave admissible to him shall be calculated not with reference to the vacations which fall during the period of actual duty

rendered before proceeding on leave but with reference to the vacation that falls during the year commencing from the date on which he completes the previous year of duty.

Note 3:- In the case of a Government servant serving in vacation department the earned leave if any, admissible under sub-rule (3) will be in addition to the earned leave admissible under sub-rule (1).

(4) Vacation may be taken in combination with or in continuation of any kind of leave under these rules ;

Provided that the total duration of vacation and earned leave taken in conjunction, whether the earned leave is taken in combination with or in continuation of other leave or not, shall not exceed the amount of earned leave due and admissible to the Government servant at a time under rule 112.

(5) The earned leave under this rule at the credit of a Government servant at the close of the previous half year, shall be carried forward to the next half year subject to the condition that the leave so carried forward plus the credit for the half year does not exceed the maximum limit of 240 days.

(6)(a) A Government servant transferred from a vacation department to a non-vacation department shall be entitled to earned leave at the rate of 5/6th day for every completed month of service from the half calendar year preceding such transfer till the date of transfer, from the date of transfer, he shall be entitled to earned leave under the rules applicable to the employees of non-vacation department.

(b) The credit of half pay leave for the half year in which a Government servant is transferred from a vacation department to non-vacation department shall be at the rate of 5/3 days per completed calendar month upto the end of the calendar year. From the commencement of the next half calendar year, the half pay leave shall be credited in advance in two instalments of ten days each on the first day of January and July of every calendar year, as the case may be.

7(a) A Government servant transferred from a non-vacation department to a vacation department shall be entitled to earned leave under the rules as applicable to persons of non-vacation department till the date of such transfer. From the date of transfer till the end of half calendar year, he shall be entitled to earned leave at the rate of 5/6th day for every completed month of service.

(b) If a Government servant is transferred before rendering a completed year of service in the non-vacation department from the date of last anniversary till the date of transfer, he shall be entitled to half pay leave at the rate of 5/3 days for every completed month of service.]

¹[114. ²[(1) The half pay leave account of every Government servant (other than a government servant serving in a vacation department covered by rule 113 of the said rules) shall be credited with half pay leave in advance, in two instalments of ten days each on the first day of January and July of every calendar year.

(2)(a) The leave shall be credited to the said leave account at the rate of 5/3 days for each completed calendar month of service which he is likely to render in the half year of the calendar year in which he is appointed.

(b) The credit for the half year in which a Government servant is due to retire or resigns from the service shall be allowed at the rate of 5/3 days per completed calendar month upto the date of retirement or resignation.

(c) When a Government servant is removed or dismissed from service or dies while in service, credit of half pay leave shall be allowed at the rate of 5/3rd days per completed calendar month upto the end of the calendar month preceding the calendar month in which he is removed or dismissed from service or dies in service.

(d) The period of suspension treated as dies-non or non-duty shall not be reckoned as service for the purpose of these rules.

(3) The leave under this rule may be granted on medical certificate or on private affairs.

Provided that in the case of Government servant not in permanent employ or quasi-permanent employ, no half pay leave shall be granted unless the authority competent to grant leave has reasons to believe that the Government servant will return to duty on its expiry except in the case of a Government servant who has been declared completely and permanently incapacitated for further service by a medical authority.]

1. Substituted by No.FD 91 SRS 78 dated 8-2-80 (wef 28-2-80)

2. Amended by No. FD 2 SRA 93 dated 22-2-95 (wef 1-7-95).

(4) Commuted leave not exceeding half the amount of half pay leave due may be granted on a medical certificate or on private affairs subject to the following conditions namely.-

(a) the authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry;

(b) when, commuted leave is granted, twice the amount of such leave shall be debited against the half pay leave due;

(c) the maximum commuted leave on private affairs that may be granted at a time shall be 120 days. If commuted leave on private affairs is combined with earned leave, the total period should not exceed 180 days.

(5) Where a Government servant who has been granted commuted leave resigns from service or at his request permitted to retire voluntarily without returning to duty, the commuted leave shall be treated as half pay leave and the difference between the leave salary in respect of commuted leave and half pay leave shall be recovered:

Provided that no such recovery shall be made if the retirement is by reason of ill-health incapacitating the Government servant for further service, or in the event of his death.

(6) Save in the case of leave preparatory to retirement, leave not due may be granted to a Government servant in permanent employ subject to the following conditions, namely.-

(a) the authority competent to grant leave is satisfied that there is reasonable prospect of the Government servant returning to duty on its expiry;

(b) leave not due shall be limited to half pay leave he is likely to earn afterwards;

(c) leave not due during the entire service shall be limited to a maximum of 360 days out of which not more than 90 days at a time and 180 days in all may be otherwise than on medical certificate;

(d) leave not due shall be debited against the half pay leave the Government servant may earn subsequently:

Provided that in case of a temporary Government servant who is suffering from tuberculosis, leprosy, cancer or mental illness, leave not due may be granted for a period not exceeding 360 days

during his entire service subject to fulfilment of conditions in clauses (a), (b) and (d) of this rule and following further condition, namely:-

(i) the Government servant has put in a continuous service of not less than one year;

(ii) the post from which the Government servant proceeds on leave is likely to last till his return to duty; and

(iii) that the request for grant of such leave is supported by a medical certificate in the form prescribed in rule 182 issued by the Civil Surgeon of the District or the District Medical Officer or a Specialist in the concerned disease, not lower in rank than a Civil Surgeon/District Medical Officer and the certificate specifies that the Government servant has reasonable chances of recovery on the expiry of the leave recommended;

(7)(a) Where a Government servant who has been granted leave not due resigns from service or at his request is permitted to retire voluntarily from service without returning to duty the leave not due shall be cancelled, his resignation or retirement taking effect from the date on which such leave commenced and the leave salary already paid shall be recovered;

(b) Where a Government servant who having availed himself of leave not due returns to duty but resigns or retires from service before he has earned such leave he shall be liable to refund the leave salary to the extent the leave has not been earned subsequently:

Provided that no leave salary shall be recovered under the foregoing clauses of this sub-rule if the retirement is by reason of ill-health incapacitating the Government servant for further service or the Government servant is compulsorily retired under rule 285 or in the event of his death.

(8) For the purpose of this rule and rule 117, a Government servant who has rendered not less than five years of continuous service excluding the service as a local candidate and periods of suspension adjudged as penalty shall be considered as belonging to Permanent employ provided the Departmental Competent authority certifies that there is no prospect of his reversion or discharge.

¹[115, 116 xxx]

117(a) Extra-ordinary leave may be granted to any officer in special circumstances-

1. Deleted by No. FD 91 SRS 78 dated 8-2-80 (wef 28-2-80)

(i) when no other leave is by rule admissible; or

(ii) when other leave is admissible but the officer concerned applies in writing for the grant of extra-ordinary leave.

¹[(b) unless Government in view of the exceptional circumstances of the case otherwise determines, no Government servant who is not in permanent employ or quasi-permanent employ shall be granted extra-ordinary leave on any one occasion in excess of the following limits:-

(i) three months without medical certificate;

(ii) six months for common ailment where the Government servant has completed a continuous service of not less than one year on the date of expiry of leave of the kind due and admissible under these rules, including extra-ordinary leave of three months under clause (1) above and his request for such leave is supported by a medical certificate as required by these rules;

(iii) eighteen months, where the Government servant, who has completed a continuous service of not less than one year, including extra-ordinary leave of three months under clause (i) is undergoing treatment for cancer/mental illness/ pulmonary tuberculosis /pleurisy of tubercular origin/tuberculosis of any part of the body /leprosy, in Government institution or at his residence through such institution and his request for such leave is supported by a medical certificate in the form prescribed in rule 182 issued by the Civil surgeon of the District or the District Medical Officer, or a Specialist in the concerned disease, not lower in rank than a Civil Surgeon/District Medical Officer and the certificate specifies that the Government servant has reasonable chances of recovery on the expiry of the leave recommended;

(iv) two years for under-graduate/graduate/post-graduate courses and three years for doctorate courses, where the Government servant has completed a continuous service of not less than three years on the date of expiry of leave of the kind due and admissible under the rules, including the extra-ordinary leave of three months under clause (i) and applies for the leave for prosecution of higher studies, having a close bearing on his sphere of duty, provided that prior approval of Government is taken before sanctioning the leave.]

1. Substituted by No. FD 91 SRS 78 dated 18.2.1980 (w.e.f. 28.2.1980)

(c) Where a Government servant, who is not in permanent employ or quasi permanent employ, fails to resume duty on the expiry of the maximum period of extra-ordinary leave granted to him or where such a Government servant who is granted lesser amount of extraordinary leave than the maximum amount admissible remains absent from duty for any period, which together with the extra-ordinary leave granted exceeds three months. he shall, unless Government in view of the exceptional circumstances of the case otherwise determine, ¹[be liable to be dismissed or removed from service] ²[after following the procedure laid down in the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.]

(d) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

³[118(1) A Government servant who proceeds on earned leave is entitled to leave salary equal to the pay drawn immediately before proceeding on such leave.

Note:- 'Pay' for this purpose means the pay as defined in sub-rule (32) of rule 8 of these rules and the rate at which it is admissible immediately before the date of commencement of leave.

(2) Notwithstanding anything contained in the foregoing sub-rule, a Government servant may surrender a portion of earned leave and receive a cash equivalent of the leave salary therefor in accordance with the rules made in Annexure 'C'.

(3) A Government servant on half pay leave or leave not due shall be entitled to leave salary equal to half the amount specified in sub-rule (1).

(4) A Government servant on commuted leave shall be entitled to leave salary equal to the amount specified in the sub-rule (1).

(5) A Government servant on extra-ordinary leave is not entitled to any leave salary.

⁴[118-A (1) (a) Where a Government servant retires on attaining the normal age of retirement under the terms and conditions governing his service, the authority competent to grant leave shall suo-moto issue an order granting cash equivalent of leave salary for earned leave, if any, at the credit

1. Substituted by No.FD 57 SRS 65 dated 15-6-68

2. Substituted by No.FD 38 SRS 69 dated 21-5-1969

3. Substituted by No. FD 91 SRS 78. dated 8-2-80 (wef 28.2.80)

4. Substituted by No. FD 9 SRS 87 dated 15-5-1987 (wef 21-5-1987)

of the Government servant, subject to a maximum of two hundred and forty days.

(b) The cash equivalent under clause (a) shall be calculated as follows and shall be payable in one lumpsum as a one-time settlement. No house rent allowance or city compensatory allowance shall be payable:

Basic pay admissible on the date of retirement+Dearness Allowance admissible thereon on that date	No. of days of unutilised earned leave at credit on the date of retirement, subject to a maximum of 240 days
---	--

Cash equivalent = _____X

30

(2) The authority competent to grant leave may withhold whole or part of the cash equivalent of earned leave in the case of a Government servant who retires from service on attaining the age of retirement, while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is a possibility of some money becoming recoverable from him on conclusion of the proceedings against him. On conclusion of the proceedings, he will become eligible to the amount so withheld after adjustment of Government dues. if any.

(3)(a) Where the service of a Government servant has been extended in the interest of public service beyond the date of his retirement, he may be granted-

(i) during the period of extension, any earned leave due in respect of the period of such extension plus the earned leave which was at his credit on the date of his retirement, subject to a maximum of 120 days/ 180 days as the case may be, as prescribed under clause (a) and (b) of sub-rule (9) of Rules 112.

(ii) after expiry of the period of extension, cash, equivalent in the manner provided in sub-rule (1) in respect of earned leave at his credit on the date of retirement, plus the earned leave earned during the period of extension, reduced by the earned leave availed of during such period, subject to a maximum of 240 days.

(b) The cash equivalent payable under sub-clause (ii) of clause (a) of this sub-rule shall be calculated in the manner indicated in clause (b) of sub-rule (1) above.

(4) A Government servant who retires by giving notice to Government or who is retired by Government by giving him notice or pay and allowances in lieu of such notice in accordance with the provisions of rule 285, may be granted, suo-motto by the authority competent to grant leave, cash equivalent of the leave salary in respect of earned leave at his credit, subject to a maximum of 240 days.

¹[(4)(A) Where a Government servant is compulsorily retired as a measure of penalty under the provisions of Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 and the disciplinary authority has not imposed any reduction in the amount of his pension (including gratuity) under rule 218 of the rules, the authority competent to grant leave shall suo motto issue an order granting cash equivalent of leave salary for earned leave, if any, at the credit of the Government servant, on the date of such retirement, subject to a maximum of two hundred and forty days.]

(5) In case a Government servant dies while in service, the cash equivalent of the leave salary in respect of earned leave at the credit of the deceased Government servant on the date of his death, subject to a maximum of 240 days shall be paid to his family.

(6) A Government servant who is declared by a medical authority to be completely and permanently incapacitated for further service may be granted suo-motto, by the authority competent to grant leave, cash equivalent of leave salary in respect of earned leave due and admissible on the date of his invalidation from service, subject to a maximum of 240 days.]

(7) The cash equivalent payable under sub-rule (4) ¹[(4) (a),] (5) and (6) shall be calculated in the manner indicated in clause (b) of sub-rule (1) above.

119. ²[In respect of Government servants governed by these rules, leave account should be maintained in Form 1. The leave at credit on the date immediately preceding the date with effect from which a Government servant has elected to be governed by the rules in this part (hereinafter in this rule called the said date) should be

1. Inserted by No. FD 39 SRS 88 dt. 18-3-89 (w.e.f. 6-4-89).

2. Substituted by FD 91 SRS 78 dt. 8-2-1980 (w.e.f. 28-2-1980)

noted on the top page of the page containing the leave accounts. Such leave and the leave availed of by the Government servant after the said date should be noted in it separately and not mixed up with the leave earned after the said date.

120. In respect of Government servants as who have, in pursuance of the option exercised under the provisions of rule 105 or the provisions thereunder, elected to be governed by the rules in this part with effect from the 1st day of August 1962 or the first day of October 1972 or the first day of January 1978, as the case may be, hereinafter in this rule called the 'said date' the following provisions shall be applicable.

I. In the case of Government servants allotted to the new State Of Mysore from the States of Bombay, Hyderabad, Coorg and Madras.

(1) Bombay Leave Rules:

(i) Old Leave rules: Leave on average pay.

The maximum leave on average pay at a time will be limited to four months; It may be extended up to eight months, If the leave in excess of four months is spent out of India or the leave in excess of four months is supported by Medical Certificate but is not leave preparatory to retirement.

(ii) Revised Leave Rules:

(a) Earned Leave: Earned leave will be added to earned leave earned from the said date (upto the prescribed maximum limit).

(b) Half pay leave due: This will be added to half pay leave earned from the said date.

(2) The Madras Leave Rules, 1933:

The following method shall be adopted in calculating the unearned leave (i.e., leave on private affairs and leave on Medical Certificate) at the credit of the Government servant on the date immediately preceding the said date:

Calculate the ratio between the period of completed years of service put in by the Government servant to the date immediately preceding the said date and the total period of completed years of service he would put in if he would retire at the age of superannuation (55 years). Calculate the amount of unearned leave at the same ratio and deduct the leave availed of to the date immediately preceding the said date. The balance will be the amount of unearned leave

(half pay leave due) at the credit of the Government servant on the said date. If the leave already taken exceeds the amount that would thus be admissible, the excess should be shown in red ink, in the leave account and debited against half pay leave that would be earned for each completed year of service from the said date.

This principle is applicable also to other cases where leave is not based on a fixed fraction of the service rendered.

II. In the case of Government servants allotted to the New State of Mysore from the Old State of Mysore eligible for leave under the Mysore Services Regulations.

(a) Privilege leave:- This will be added to "Earned Leave" due from the said date (subject to the prescribed maximum limit).

During the period of privilege leave availed of on or after the said date (as earned leave) the leave salary should not be less than the "salary" as on the date immediately preceding the said date.

Note:- In the case of temporary Government Servants who had put in a service of one year as on the said date, the amount of privilege leave due up to the date immediately preceding the said date will be calculated at 1/11th of the period of duty as per the Leave Rules in Mysore Service Regulations and the amount of earned leave due will be calculated at 1/22nd of the period of duty as per the Leave Rules in this part from the said date, till the date of completion of a service of one year.

(b) Leave on half average Salary:- This will be added to "Half pay leave due".

Note 1. Temporary Government servants who have put in a service of less than 5 years as on the said date may be given credit furlough leave on half average pay calculated with reference to their service as on the date immediately preceding the said date, and carried forward for availment after the said date subject to the limit prescribed in the New Leave Rules.

Note 2. According to Article 207, Mysore Service Regulations (old), Average salary will be granted during Furlough due for a total Period not exceeding one year in the whole service, (six months at a time which can be extended upto eight months on Medical certificates) twice the period of Furlough leave on Average salary being debited to the leave account in terms of leave on half average salary.

The employees of the old Mysore State will be permitted to avail the Furlough Leave on average salary, which was at credit on the date immediately preceding the said date on or after the said date, subject to the prescribed maximum limits. The total of furlough on average salary (Old Rules) and of commuted leave (New Rules) should not exceed one year, during the whole service, if the Government servant had earned leave on average pay for at least 120 days on the date immediately preceding the said date.

If the leave earned is less, the maximum limit will stand correspondingly reduced.

Leave on half average salary during the whole service (other than privilege leave or earned leave) should not exceed three years.

Note 3- Government servants of the old Mysore State can be granted furlough leave on average salary which was at their credit on the date immediately preceding the said date, preparatory to retirement, subject to the prescribed limit.]

¹[xxx]

SECTION III - EXAMINATION LEAVE

130. The rules in this Section regulate the, grant of leave to enable Government servants to appear at examinations.

131. Examination leave may be affixed or prefixed to earned leave; except as herein provided, no kind of leave, except half pay leave on medical certificate, may be granted in continuation of Examination leave.

132. A Government servant while absent from his office or from his station to attend an obligatory Departmental Examination is, considered to be on duty.

133. Leave may not be given to a Government servant to prepare for examination or for recreation after examination. A reasonable time including the day or days of examination, should be allowed for the journey to and from the place of examination and nothing more.

134. A Government servant permitted to present himself at any examination which must be passed before he is eligible for higher

1. Deleted by No.FD 163 SRS 58 dt. 4-12-58 (w.e.f. 1-1-1959).

appointment in any branch of the public service, may under the orders of his immediate departmental superior be allowed leave of absence for the number of days which is actually necessary to enable him to attend the examination, that is, the number of days required for travelling from his station to the place of examination and back, and the number of days which the examination itself will occupy. During this absence no deduction will be made from the allowances of the Government servant unless the Head of the Office finds such deduction necessary to enable him to make arrangements for carrying on the work. Such leave should not be allowed more than twice for each standard of examination.

¹[*Exception:-* A Government Servant appearing for the examinations like Subordinate Accounts Service and Treasury Head Accountants, Examination held only at Bangalore Centre, may be allowed leave of absence for the number of days which is actually necessary to enable him to attend the examination and for the period required for travelling to Bangalore and back to his place of duty. for the first three attempts irrespective of whether he appears for the whole examination or a particular part or parts comprised therein.]

²[134-A. For purposes of the rules contained in this section as well as clause (d) of sub-rule (15) of rule 8 of these rules, an examination or test is deemed to be obligatory, if it is prescribed as a condition precedent for allowing increments or promotion, or for confirmation. Examination Leave is not leave in the normal sense. To get the benefit of duty to appear for an obligatory examination, the Government servant concerned shall obtain permission to be away from office. Such permission shall be given only twice in respect of each such obligatory test or departmental examination, subject to the provisions of the Exception below rule 134 of these rules. Where such absence cannot be treated as duty, the Government servant has to apply for such kind of leave as is due and admissible to him.]

SECTION IV - MATERNITY LEAVE

³[135:-(1) A female Government servant may be granted maternity leave by an authority competent to grant leave for a period

1. Inserted by No. FD 97 SRS 68, dated 2-9-68.

2. Inserted by No. FD 55 SRS 79 dated 30-10-79 (wef 8-11-79)

3. Substituted by No. FD 9 SRS 86 dated 19-9-86 (wef 25-9-86).

of ¹[135 days] from the date of its commencement. During such period, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(2) Maternity leave may also be granted in case of miscarriage or abortion including abortion induced under the Medical Termination of Pregnancy Act 1971 (but not threatened abortion), subject to the conditions that:-

(a) the leave does not exceed six weeks; and

(b) the application for leave is supported by a medical certificate from a Registered Medical Practitioner.

(3) Maternity leave under sub-rule (1) or (2) above shall not be admissible to a female Government servant who has two or more living children.

(4)(a) Maternity leave may be combined with vacation or any other kind of leave. Such leave not exceeding sixty days may be granted without production of medical certificate.

(b) Leave in further continuation of leave granted under clause (a) of sub-rule (4) may be granted in the case of illness of the female Government servant subject to production of a medical certificate from the Authorised Medical Attendant. Such leave may also be granted in case of illness of a newly born baby, subject to production of a medical certificate from the Authorised Medical Attendant to the effect that the condition of ailing baby warrants personal attention and that her presence by the baby's side is absolutely necessary.

(5) the maternity leave shall not be debited against the leave account]

²[135A. Leave to female Government servant on adoption of a child :- A female Government servant on her adopting a child, may be granted leave of the kind due and admissible (including commuted leave without production of Medical Certificate for a period not exceeding 60 days and leave not due) upto one year or till the adopted child attains the age of one year whichever is less subject to the condition that such female Government servant should not have two living children at the time of adoption.]

1. Substituted by No. FD 4 SRA 99 dated 2.6.2000 (wef 1.1.1999)

2. Inserted by No. FD 2 SRA 93 dt. 22-2-95 (wef 1-7-95)

¹[SECTION IV-A - PATERNITY LEAVE

135B.(1) A male Government servant may be granted paternity leave during the confinement of his wife by an authority competent to grant leave for a period of fifteen days from the date of its commencement.

(2) During such leave period, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(3) It shall not be admissible to a male Government servant who has two or more living children.

(4) It shall not be debited to the leave account; it may be combined with any other kind of leave except casual leave.

(5) It cannot be encashed or merged with earned leave.

(6) It may not be normally refused.]

SECTION V - SPECIAL DISABILITY LEAVE

136(1) Subject to the conditions hereinafter specified, Government may grant special disability leave to a Government servant. ¹[whether permanent or temporary] who is disabled by injury intentionally inflicted or caused in, or in consequence of the due performance of his official duties or in consequence of his official position.

(2) Such leave shall not be granted unless the disability manifests itself within three months of the occurrence to which it is attributed and the person disabled acted with due promptitude in bringing it to notice. But the Government if they are satisfied as to the cause of the disability may permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause.

²[(3) The period of leave granted shall be such as is certified by the Authorised Medical Attendant of the Government servant concerned to be necessary. It shall not be extended except with the certificate of that authority and shall in no case exceed 24 months.]

1. Inserted by No. FD 4 SRA 99 dated 2-6-2000 (wef 1.1.1999)

2. Amended by No. FD 18 SRS 61 dated 6-5-61 (wef 18-5-61)

(4) Such leave may be combined with leave of any other kind.

(5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date but not more than twenty-four months of such leave shall be granted in consequence of any one disability.

(6) Special disability leave will count as duty in calculating service for pension but it will not count as service for leave. It will not be regarded as interrupting service for leave under the ordinary rules, nor as diminishing the amount of such leave at the Government servant's credit nor as part of the maximum leave admissible to him except that commuted leave taken under Rule 114 (c) will be reckoned as half-pay leave.

¹[(7) Leave salary during such leave shall-

(a) for the first 120 days of any period of such leave, including a period of such leave granted under sub-rule(5), be equal to leave salary while on earned leave; and

(b) for the remaining period of such leave, be equal to the leave salary during half pay leave:

Provided that a Government servant may, at his option be allowed leave salary as in clause (a) for a period not exceeding another 120 days, and in that event the period of such leave shall be debited to his half pay leave account.]

(8) In the case of a person to whom the Workmen's Compensation Act applies, the amount of leave allowance payable under this Rule shall be reduced by the amount of compensation payable under that Act.

137. Government may extend the application of the provisions of Rule 136 to a Government servant ¹[whether permanent or temporary] who is disabled by injury accidentally incurred in or in consequence of the due performance of his official duties or in consequence of his official position or by illness incurred in the performance of any particular duty which has the effect of increasing his liability to illness or injury beyond the ordinary risk attaching to

1. Substituted by No. FD 65 SRS 80 dated 18-11-1980 (wef 27-11-1980)

the civil post which he holds. The grant of this concession is subject to the following further conditions:-

(a) that the disability, if due to disease must be certified by ¹[the Authorised Medical Attendant of the Government servant concerned] to be directly due to the performance of the particular duty, and

¹[(b) that if the Government servant has contracted such disability during service otherwise than with a Military force, it must be in the opinion of Government so exceptional in character ¹[xxx.....] and

²[(c) that the period of absence recommended by an Authorised Medical Attendant may be covered in part by leave under this rule and in part by any other kind of leave, and that the amount of special disability leave granted on leave salary equal to that admissible on earned leave shall not exceed 120 days.]

138. Temporary employees of the Livestock Farms of the Veterinary Department who are incapacitated for work from injuries received in the execution of their legitimate duties (provided the injuries are not due to any negligence on their part) may be granted leave with allowance upto 30 days by the Director of Animal Husbandry in Karnataka on the strength of a medical certificate granted by a District Medical Officer.

SECTION VI - OTHER KINDS OF LEAVE

139. Special leave not exceeding 15 days for every half-year may be granted to a Government servant of the Medical Department who handles radium. The interval between two such periods of special leave should not be less than six months. The leave is not allowed to accumulate.

The leave allowances payable during this special leave are those admissible during earned leave. The period spent on special leave counts for half-pay leave but not for earned leave.

1. Inserted by No. FD 18 SRS 61 dated 6-5-61 (wef 18.5.61)

2. Substituted by No. FD 65 SRS 80 dated 18-11-1980 (wef 27-11-80)

¹[xxx]

²[Note 2:- The above leave may be treated as similar to earned leave for purposes of increments and pension].

³[Note 3:- The following staff of the Virus Diagnostic Laboratory, Shimoga and the Kyasanur Forest Disease Control Unit Sagar who have to handle infectious material and are subject to risk may be allowed Special Leave under this rule.

1. Virus Diagnostic Laboratory, Shimoga

(i) Assistant Director of Public Health

(ii) Research Assistant

(iii) Scientific Assistants (Two)

(iv) Senior Laboratory Technicians (Two)

(v) Animal Attendants (Seven)

(vi) Peons

2. Kyasanur Forest Disease Control Unit, Sagar

(i) Medical Officer of Health

(ii) Junior Health Inspectors

(iii) Driver

(iv) Cleaner]

140. Rangers and Foresters, forest Guards and Clerks of the Forest Department working in the Ranges mentioned below may be given a special locality leave of one month on full pay for every year in addition to earned leave to enable them to have a change of place to recoup their health. The grant of this leave should not involve extra cost and the work of officers on leave should be arranged to be looked after by those of a neighbouring Range:-

[Range Offices.]

1. Kakankote
2. Ainurmarigudi
3. Begur
4. Heggadadevanakote

1. Deleted by No.FD 241 SRS 71 dated 28-12-71

2. Inserted by No. FD 153 SRS 59, dated 7-7-59 (wef 1-4-58).

3. Inserted by No. FD 135 SRS 68, dated 2-9-68 (wef 13-6-61).

5. Muthodi
6. Thadasa
7. Manjarabad
8. Sivesvar
9. Sacrebyle
10. Umblebyle
11. Choradi
12. Koppa Range (Chikmagalur District)
13. Kallurkatte
14. Agumbe Range
15. Mudigere
16. Lakkavalli
17. Narasimharajapura
18. Hebbe Range

FORESTERS ONLY

1. Maddur (Gundlupet Range)
2. Bandipur
3. Anechowkur
4. Veeranahosahalli
5. Koppa (Mysore District)
6. Settihalli
7. Hanagere
8. Kumbi Forester
9. Talaguppa

Note 1:- The above leave may be treated as similar to earned leave for purposes of leave salary, increments, half-pay leave and pensions.

Note 2:- The leave may not be combined with leave other than earned leave but the grant of special locality leave should not result in extra cost.

Note 3:- The leave may not be accumulated beyond a period of one month.

¹[xxx]

1. Deleted by No FD 9I SRS 78 dated 8-2-80 (wef 28-2-80)

CHAPTER XII - SUBSIDIARY RULES

Conditions of Grant

143. If in the interest of the Public Service, all applications for leave cannot be complied with, authority competent to sanction leave will have full discretion in deciding which should be granted, and in so doing, it may take into consideration the following circumstances:-

(1) The Government servants who can, for the time being, be conveniently spared.

(2) The leave due to various competing applicants.

(3) The amount and character of the previous continuous service that they have rendered.

(4) The fact that a Government servant was compulsorily recalled from the leave last enjoyed by him.

(5) The fact that a Government servant has been refused leave in the public interests.

¹[144. Leave shall not be granted to a Government servant whom a competent punishing authority has decided to dismiss, remove or compulsorily retire from Government Service].

²[145. A Government servant appointed as a probationer is entitled to leave as a temporary Government servant].

146. "Apprentice" means a person deputed for training in a trade or business with a view to employment in Government service who draws pay at monthly rates from Government during such training but is not employed in or against a substantive vacancy in the cadre of a department.

Leave on medical certificate on half average pay not exceeding one month may be given to an apprentice in each year of apprenticeship.

Extraordinary leave without allowance may be given for a period not exceeding two months on each occasion and this may be combined with leave on half average pay.

1. Substituted by No. FD 58 SRS 58 dated 8-4-1958 (wef 1-4-1958)

2. Inserted by No. FD 55 SRS 80 dated 23-5-1980 (wef 5-6-1980)

147. Part-time Government servants are not entitled to any other kind of leave except casual leave which shall be limited to fifteen days in each calendar year in non-vacation departments and ten days in vacation departments.

148. A Section-writer or a Press servant paid under the piece work system will come under the service rules of the Press.

149. Earned leave is not allowed to a Government servant employed in an establishment the duties of which are not continuous, but are restricted to certain fixed periods in each year.

150. Re-employed pensioners who are granted either salary or honorarium may be allowed earned leave ¹[as per rule 112].

²[Note:- The authority competent to grant leave may grant, cash equivalent of earned leave earned by the re-employed Government servant during the period of re-employed and at his credit on the date of termination of the period of re-employment. The cash equivalent payable under this rule shall be calculated in the manner indicated in clause (b) of sub-rule (1) of Rule 118-A of the rules].

Service counting for Leave

151. A Government Servant who is discharged on reduction of establishment from, or resigns the Public Service, and is reemployed after an interval, cannot without the permission of the authority sanctioning the re-employment, count his former service towards leave.

152. A Government servant who is dismissed or removed from the Public Service but is reinstated on appeal or revision is entitled to count his former service for leave.

³[152-A. A Government servant employed while on refused leave under rule 110, earns leave under rule ¹[112] in respect of the period of employment running concurrently with refused leave and the leave so earned may be granted as terminal leave under the Note below Rule 150].

1. Substituted by No. FD 91 SRS 78, dated 8-2-1980 (wef 28-2-1980)

2. Substituted by No. FD 9 SRS 87, dated 15-5-1987 (wef 21-5-1987)

3. Inserted by No. FD 140 SRS 68, dated 15-1-1969.

Earned Leave (Vacation Department)

¹[153]

154. ²[A Judicial Officer (Gazetted) who is exercising jurisdiction in both Civil and Criminal cases in a combined court, may be permitted to avail himself of the summer vacation. If he does not avail of the summer vacation, he will be entitled to earn earned leave under the ordinary rules.

Exception:- A Judicial Officer (Gazetted or non-gazetted) exercising jurisdiction only in criminal cases is not entitled to avail himself of summer vacation. He is entitled to earn earned leave under the ordinary rules].

¹[155.

156.

157.]

Commencement and end of Leave.

158. Ordinarily, leave begins on the day on which the transfer of charge is effected, or if charge is transferred afternoon, on the following days. Similarly, such leave ordinarily ends on the day preceding that on which charge is resumed, or if charge is resumed afternoon, on that day. But if a Sunday or one or more Gazetted holidays fall on the day immediately preceding that on which the leave begins or on the day on which the leave ³[xxx] between two appointments ends, a Government servant may leave his station at the close of the day before or return to it at the end of such holidays, provided his departure or return does not involve: -

(i) the immediate transfer of a Government servant from or to another station, or the loss of his appointment by a Government servant appointed temporarily to the service.

(ii) the taking over of money, unless, subject to the condition that the departing Government servant remains responsible for the money in his charge. Government specially allows transfer of charge to take place before or after the holidays.

1. Amended by No. FD 2 SRA 93 dated 22-2-1995 (wef 1-7-1995)

2. Deleted by No. FD 48 SRS 60 dated 23-8-1960 (wef 1-9-1960)

3. Amended by No. FD 87 SRS 59 dated 5-8-1959 (13-8-1959)

¹[If holidays are as above prefixed to leave, the leave and the consequent re-arrangement of allowances, if any, take effect from first day after the holidays on which the office is open for business, and if holidays are affixed to leave, the leave is treated as having terminated on, and the re-arrangement of allowances, if any, takes effect from the day on which the Government servant would have resumed charge had holidays not followed the leave].

Note 1 - In cases in which the application of the above rules as to prefixing and affixing holidays to leave is doubtful or inequitable, Government shall decide which Government servant shall be held to have been in charge and to whom the salary of the office for the Sunday or holiday shall be paid.

Note 2 - For the purpose of this Rule, the office is regarded as closed for business only on Sundays and Gazetted holidays.

Explanatory Note:- The intention of the above Rule is that Sunday and Gazetted holidays may be affixed and suffixed ¹[xxx] to leave ¹[xxx].

As regards the regulation of pay and allowance during holidays prefixed and /or suffixed to leave, pay and allowances during such holidays are to be granted as if the Government servant concerned is on duty.

²[Note 3 - Prefixing and suffixing holidays to leave under this rule shall be allowed automatically except in cases where for administrative reasons permission for prefixing or suffixing any holiday to leave is specifically with-held and mentioned in the order sanctioning the leave.

Note 4 - In the case of leave on medical certificate, the prefixing/suffixing of leave shall be determined with reference to the date of issue of Medical Certificate keeping in view the instructions issued in O.M. No. FD 178 SRS 68, dated 23rd November 1968.]

Return to Duty

159(a) A Government servant on leave may not return to duty more than fourteen days before the expiry of the period leave granted to him unless he is permitted to do so by the authority which granted him leave.

1. Amended by No. FD 87 SRS 59 dated 5-8-1959 (wef 13-8-1959)

2. Amended by No. FD 91 SRS 78 dated 8-2-1980 (wef 28-2-1980)

(b) Notwithstanding anything contained in sub-rule (a) a Government servant on leave preparatory to retirement shall be precluded from withdrawing his request for permission to retire and from returning to duty, save with the consent of the authority empowered to appoint him.

160. No Government servant who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness in the prescribed form. The authority sanctioning leave, may require a similar certificate in the case of any Government servant who has been granted leave for reasons of health, even though such leave was not actually granted on a medical certificate ¹[The medical certificate of fitness may be in the following form:-

We the members of the Medical Board

I.....Civil Surgeon /Staff Surgeon/Authorised Medical Attendant, /Registered Medical Practitioner of do hereby certify that We/I have carefully examined Shri/Smt /Kumariwhose signature is given below, and find that he/she has recovered from his/her illness and is now fit to resume duties in Government Service. We/I also certify that before arriving at this decision, We/I have examined the original medical certificate(s) and statement(s) of the case (or certified copies thereof) on which leave was granted or extended and have taken these into consideration in arriving at our/my decision.

Members of the Medical Board

Signature of the
Government Servant.

(1)

(2)

(3)

Civil Surgeon/Staff Surgeon/
Authorised Medical Attendant
/Registered Medical Practitioner.]

1. Inserted by No.FD 76 SRS 75, dated 18/22-3-1976 (wef 19.8.1976)

¹[161. A Government servant on leave may be recalled by the authority sanctioning leave to duty before the expiry of his leave only if such recall is considered necessary in public interest. Such recall shall be compulsory and the Government servant shall be entitled, if the leave from which he is recalled is in India, to be treated as on duty from the date on which he starts for the station to which he is ordered and to draw -

(a) travelling allowance in accordance with the provisions of rule 554 for the journey, and

(b) leave salary until he joins the post at the same rate at which he would have drawn it but for the recall to duty.]

Overstaying Leave

²[162. ³[A Government servant who remains absent after the end of his leave is entitled to no leave salary for the period of such absence and that period shall be debited to his leave account as though it were half pay leave to the extent such leave is due and as extraordinary leave to the extent the period of half pay leave falls short of the period of such absence, unless the leave is extended by a competent authority] Absence from duty after the expiry of leave, will render a Government servant liable to disciplinary action for misconduct except where the Government servant establishes to the satisfaction of the authority competent to sanction leave that he was unable to join duty for reasons beyond his control.

⁴[XXX)

²[163 - 164 xxx]

Combination, Extension and Commutation of Leave

165. The authority competent to sanction leave may. -

(1) grant to a Government servant any kind of leave admissible under these Rules (including Extraordinary leave without allowance) in combination with any other kind of leave so admissible or in continuation of leave of any other kind already taken.

-
1. Substituted by No. FD 91 SRS 78. dated 8-2-1980 (wef 28-2-1980)
 2. Amended by No. FD 178 SRS 59. dated 26-8- 1959 (wef 3-9-1959)
 3. Amended by No. FD 178 SRS 59. dated 13-11-1959 (wef 19-11-1959)
 4. Deleted by No. FD 44 SRS 77. dated 31-5-1978 (wef 19-9-1974)

¹[Note 1 - Earned leave already sanctioned and availed of prior to 29th January 1971, shall not be permitted to be converted into commuted leave/half pay leave].

²[Note 2 - Earned leave already sanctioned and availed of on and after 29th January 1971 shall not be permitted to be converted into commuted leave/half pay leave].

(2) commute the whole or any portion of any leave granted under these rules retrospectively into any other kind of leave which was admissible when the original leave was granted, and

(3) commute retrospectively periods of absence without leave into leave without allowances.

Note- Extraordinary leave without allowances cannot be converted retrospectively into leave on medical certificate, but leave may be given on medical certificate in continuation of extraordinary leave without allowances.

Explanatory Note - Casual leave once utilised cannot be commuted retrospectively into leave of any other kind at a later date after the return of the Government servant to duty. In the case, however, of a Government servant who avails of casual leave and before return to duty applies for earned leave or other leave, the casual leave already applied for should be treated as cancelled, and the leave sanctioned will have effect from the date the Government servant concerned ceased to perform his duties.

Leave after the date of Compulsory Retirement

166. ³[xxx]. In cases where the extension of service has been granted by the competent authority, the Heads of Departments are authorised to grant leave (either refused before superannuation or earned during the period of extension) upto 120 days in the aggregate to the non-gazetted Government servants without reference to Government.

³[Note - The refusal of leave should be only on account of exigencies of service (vide Rule 110) and with the prior approval of Government].

-
1. Inserted by No.FD 195 SRS 72, dated 23.3.1973(wef 29.1.1971)
 2. Inserted by No.FD 55 SRS 77, dated 7.11.1977 and FD 73 SRS 79 dated 12.2.1980 (wef 8.12.1977)
 3. Amended by No.FD 13 SRS 64, dated 13.3.1964 (wef 16.5.1964)

167. In the case of a superannuated pensioner of another Government re-employed in State service, the leave refused to him by that Government prior to his attaining the age of superannuation should run concurrently with the period of re-employment, but the refused leave cannot be sanctioned in continuation of the date of expiry of the term of re-employment.

Employment, during Leave

168. Save in very exceptional circumstances, no Government servant should be granted leave whether with or without allowances, to allow of his practising at the Bar or pursuing any other profession or calling.

169. A Government servant who is already on leave may not take service or accept any employment ¹[(including the setting up of a private professional practice as accountant, consultant or legal or medical practitioner)] which involves the receipt of a fee or honorarium, without obtaining the previous sanction of Government, provided that when the Government servant is non-gazetted, the special permission of the authority empowered to appoint him is sufficient authority for the acceptance of such temporary employment.

Note 1. - This Rule does not apply to the acceptance of fees for literacy work or for service as an examiner or to similar employment, nor does it apply to acceptance of foreign service which is governed by the Rules in Chapter XXVI.

²[Note 2. - This Rule does not also apply where a Government servant has been allowed to take up a limited amount of private practice and receives fees therefor as part of his conditions of service e.g., where a right of private practice has been granted to a Medical Officer.]

Note 3. - (a) If a Government servant who has proceeded on leave preparatory to retirement before the date of superannuation is required for further service in any department of Government in or outside India, and he is agreeable to return to duty he will be recalled to duty and the unexpired portion of his leave from the date of his rejoining duty will be cancelled. The leave so cancelled will be treated as leave refused and subject *to the provision of Rule 166, it may be granted from the date of superannuation of the Government servant. Such recall will be treated as optional for the purpose of Rule 161.*

1. Inserted by No. FD 228 SRS 59 dated 6-10-1959 (wef 15-10-1959)

2. Substituted by No. FD 85 SRS 59 dated 8-4-1959 (wef 30-4-1959)

¹[(b) No permission for taking up private employment during leave preparatory to retirement shall be granted. If a Government servant is re-employed in Government service or is permitted to take up employment in Public Sector Undertakings /Statutory or non Statutory bodies/Corporations/ Government Companies which are owned or controlled by Government or in which Government have major financial interest, he may continue to enjoy his leave concurrently with such employment subject to the following:-

(i) The Government servant shall be entitled to leave salary to which he is entitled in the normal course].

²[(ii) During such employment his claim to dearness and other compensatory allowances, if any, admissible will be regulated with reference to his pay. These allowances will neither be admissible on leave salary, nor will the leave salary be taken into account in calculating them].

³[(iii) The increment falling due during the period of refused leave granted under Rule 110 may be released provided he has been re-employed in the same post or a post carrying identical scale of pay unless specifically withheld by an order of the competent authority. The pay including the increment so accrued shall be taken into account for regulation of pay under Rule 313 (b) in cases where the person is continued on re-employment beyond the date of expiry of the refused leave].

¹[(c) A Government servant while on refused leave under rule 110 or terminal leave under rule 150 and permitted to take up employment during such leave shall be entitled to draw leave salary and allowances specified in clause (b) of this note].

Allowances

170. Fixed travelling allowance is not admissible during leave and may be drawn by the substitute.

1. Substituted by No.FD 91 SRS 80.dated 8-2-1980 (wef 28-2-1980)

2. Inserted by No.FD 54 SRS 60 dated 23-6-1960 (wef 30-6-1960)

3. Inserted by No. FD 83 SRS 69, dated 13-4-1970.

¹[171. The drawal of ² [House Rent Allowance, Compensatory-cum-House Rent Allowance or City Compensatory Allowance] by a Government Servant during leave shall be regulated as stated below:-

(1) A Government servant shall be entitled to draw ²[House Rent Allowance, Compensatory-cum-House Rent Allowance or City Compensatory Allowance] during the leave at the same rate at which he was drawing this allowance before he proceeded on leave. For this purpose leave means the entire leave (including extraordinary leave) if it does not exceed four months and the first four months of leave if the actual duration of the leave exceeds that period. ³[A Government servant on leave preparatory to retirement and/or refused leave shall also be entitled to draw these allowances at the same rate at which he was drawing before proceeding on leave, for the duration of such leave not exceeding 120 days/four months, or for the first 120 days/four months, if the duration of such leave exceeds this limit]. When vacation or holidays are combined with leave, the entire period of vacation or holidays and leave shall be taken as one spell of leave. Unless in any case it be otherwise expressly provided in these rules joining time shall be added to the period of four months.

³[XXX]

Note 2 - The drawal of this allowance during periods of vacations whether combined with leave or not shall be regulated in the same manner as during leave.

⁴[Note 3 - The grant of House Rent Allowance, Compensatory-cum-House Rent Allowance or City Compensatory allowance to the Government servants who are originally granted leave on medical grounds or otherwise but do not join duty after expiry of such leave owing to death/invalidation during such leave, shall be regulated under Note- 1].

(2) The limit of four months shall be extended to eight months for the purpose of grant of this allowance in the case of Government servants suffering from T.B., Cancer or other ailments during the period of their leave taken on medical certificates when such certificates are in the forms prescribed under Rules 179, 182 and 189 of these rules. It is immaterial whether the leave is on medical

1. Amended by No. FD 22 SRS 67, dated 7-12-1967.

2. Amended by No. FD 82 SRS 69, dated 24-9-1969, (wef 1-4-1969)

3. Amended by No. FD 119 SRS 75, dated 13/16-2-1976 (wef 19-2-76)

4. Inserted by No. FD 206 SRS 74, dated 7-7-1975 (wef 7-8-1975)

certificate from the very commencement or is in continuation of other leave as defined in sub-rule (1). The question whether this allowance may be paid to an officer suffering from T.B., Cancer or other ailments during leave on medical certificates exceeding eight months shall be decided by Government.

(3) Drawal of this allowance during the period of leave in excess of first 4 months shall be subject to furnishing the following certificate:-

“The Government servant concerned continued, for the period for which House Rent Allowance, Compensatory-cum-House Rent Allowance or City Compensatory Allowance is claimed to reside at the same station from where he proceeded on leave”]

172. A Government servant on earned leave may draw his tentage on the conditions prescribed for House Rent in Rule 171.

173. Local allowance granted for the unhealthiness of the locality may be drawn during the period of earned leave. Local allowance granted for other purposes may be drawn during the period of earned leave provided there is no extra cost to Government.

¹[xxx]

²[173-A. Non-practising allowance sanctioned to Resident Medical Officers and the teaching staff in the Medical Colleges may be drawn during the periods of leave with allowances not exceeding 4 months or 120 days or during the first 4 months or 120 days of leave in excess of 4 months or 120 days taken at a time provided that the Government servant is likely to return after the expiry of the leave, to the same post or to another post carrying non-practising allowance and provided further that he is not engaged in any private practice during the period of the leave and there is no extra cost to Government by payment of the allowance to the Government servant on leave].

³[This allowance is also admissible during leave to the doctors, the Administrative Medical Officer and the Superintendent of the Employees' State Insurance Hospital working under the Employees' State Insurance Scheme].

1. Deleted by No. FD 53 SRS 62 dated 12-2-1963 (wef 1-8- 1961)

2. Inserted by No. FD 123 SRS 62 dated 16-1-1963 (wef 4-2-1963)

3. Inserted by No.FD 169 SRS 71 dated 23-2-1972.

¹[173-B. Project Allowance may be drawn during leave not exceeding two months or during the first two months of leave exceeding two months at a time;

Provided that the allowance may be drawn for a further period of two months if the leave taken in excess of the first two months is on Medical Certificate.

Note 1 - For purposes of this Rule, leave means leave with allowance of any kind but does not leave preparatory to retirement].

²[Note 2 - Project allowance may be drawn during leave if the Government servant certifies that he continued to incur the whole or a considerable part of the expenditure for which the allowance is granted for the period for which the allowance is claimed].

³[173-C. Nursing Superintendents, Grade I and II, Theatre Sisters, Sister Tutors and Nurses and Midwives including Probationary Nurses may be allowed to draw Uniform and Ration allowance during any kind of leave except leave preparatory to retirement for a period not exceeding 120 days or 4 months as the case may be.

173-D. The subordinate staff (of and below the rank of Inspectors) in several branches including the Fire Services of the Police Department, who are in receipt of Dress/Uniform Allowance may be allowed to draw such allowance during earned leave except leave preparatory to retirement].

1. Inserted by No.FD 197 SRS 59 dated 27-5-1964 (wef 1-8-1961)

2. Substituted by No.FD 27 SRS 68 dated 15-6-1968 (wef 11-7-1968).

3. Inserted by No.FD 91 SRS 78 dated 8-2-1980 (wef 28-2-1980).

CHAPTER XIII - PROCEDURE RELATING TO LEAVE GENERAL RULES

174(a) The leave account of a Gazetted Government servant shall be maintained by, or under the direction, of the Audit Officer responsible for the audit of his pay.

(b) The leave account of a non-gazetted Government servant shall be maintained, and the entries therein attested, by the head of the office in which he is employed.

175. An application for leave or for an extension of leave must be made through the immediate departmental superiors (if any) to the authority competent to grant such leave or extension¹[in Form 1-A].

²[Provided that no such application shall be necessary-

(1) When a Government servant makes a request for extension of leave, by a letter with necessary particulars, or

(2) When the authority competent to sanction leave comes to know that a Government servant is absent from duty due to illness or that a Government servant has died.]

176. A Government servant returning from leave is not entitled in the absence of specific orders to that effect to resume as a matter of course the post which he had before going on leave. ³[He must return to the station from where he proceeded on leave and report to the authority under whom he was serving before he proceeded on leave unless there are any orders to the contrary.] He must if necessary also submit to such delay as may be unavoidable in the interest of public service.

Note - Controlling Officers should provide for the expected return of government servant from leave by seeing that the Government servant to be relieved are at headquarters in due time to give over charge.

177. Medical officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the Government servant concerned will ever be fit to resume his duties. In such cases the opinion that the Government servant is permanently unfit for Government service should be recorded in the medical certificate.

1. Inserted by No. FD 151 SRS 6 1, dated 5-1-1962

2. Inserted by No. FD 36 SRS 81, dated 11-5-1982 (wef 20-5-1982)

3. Substituted by No. FD 41 SRS 65, dated 22-1-1966 (wef 15-3-1966).

178. Every certificate of a Medical Committee or a medical Officer recommending the grant of leave to a Government servant must contain a proviso that no recommendation contained in it shall be deemed to be evidence of a claim to any leave not admissible to the Government servant under terms of his contract or of the rules to which he is subject.

Note:- In all cases where half pay leave "not due" is granted to a Government servant, the Medical Officer granting the medical certificate should specifically state therein that as far as can be reasonably foreseen by him there is every likelihood of the Government servant returning to duty and continuing in service for a specified number of years. Such a certificate is necessary to enable the sanctioning authority to grant or refuse leave 'not due' basing his judgement on the medical opinion so furnished.

In the case of Government servants suffering from tuberculosis not admitted to a Sanatorium, the medical certificates as above granted by the Medical Officers may be accepted and in the case of those admitted to a Sanatorium, the certificate granted by the Medical officer Incharge of the Sanatorium may be accepted.

MEDICAL CERTIFICATE-GAZETTED GOVERNMENT SERVANTS

179. An application from a Government servant for leave or extension of leave on medical certificate must be accompanied by a certificate in the following form: -

Medical certificate for Gazetted Government servants

¹[Statement in the case of Shri/Smt (who is/not under orders of transfer)]

(Name to be filled in by the applicant in the presence of the Surgeon or authorised medical attendant).

Appointment.....

Age.....

Service.....

Previous periods of leave of absence on

Medical Certificate.....

Habits.....

Disease.....

I, Surgeon at (or of..... attending the.....

Medical Officer.

case hereby certify that.....is in a bad state of

1. Substituted by No.FD 126 SRS 75 dated 18/23-3-1976 (wef 19-8-1976)

health, and I.....solemnly and sincerely declare that, according to the best of my judgement, a period of absence from duty is essentially necessary for the recovery of his health and recommend that he may be grantedmonths' leave with effect from¹[In my opinion it is/it is not necessary for the Officer to appear before a Medical Board].

Date.....

Surgeon or Medical Attendant.

The.....

¹[Note:- This sentence should either be modified by scoring out the irrelevant words or altogether scored out according as the period of leave recommended is up to two months exceeds that period].

180. With the cognizance of the Head of his office or, if he is himself the Head of his office, of the Head of his department, the applicant must, except in the cases provided for In Rules 182 and 183, present himself with two copies of the statement of his case at the seat of Government or at such other place as may be appointed by Government where a Committee of Medical Officers can be assembled under the orders of the Director of Medical Services and when practicable, presided over by him, and obtain a certificate as follows:-

'We do hereby certify that, according to the best of our professional judgement, after careful personal examination of the case we consider the health of C.D. to be such as to render leave of absence for a period ofmonths absolutely necessary for his recovery.

181. Be for a deciding whether to grant or refuse the certificate, the Committee may, in a doubtful case, detain him under professional observation during a period not exceeding fourteen days. In that case it should grant to him a certificate to the following effect:

'C.D. having applied to us for a Medical Certificate recommending the grant to him of leave we consider it expedient, before granting or refusing such a certificate, to detain C.D. under professional observation for days.'

182. In cases in which Heads of departments are satisfied that the grant of leave to a Gazetted Government servant on account

1. Inserted by No. FD 74 SRS 63 dated 30-11-1963 (wef 18-12-1963)

of illness is necessary, a certificate from the Civil Surgeon of the District or the District Medical Officer in the following form will suffice:-

“I, A. B. Civil Surgeon, District/District Medical Officer, after careful personal examination of the case hereby certify that.....is in a bad state of health and I solemnly and sincerely declare that according to the best of my judgment the leave of absence for a period of.....months from.....(date) to.....(date)..... from the date of relief is essentially necessary for the recovery of his health and recommend that he may be grantedmonths’ leave.”

183. If the state of the applicant’s health is certified by a Medical Officer in charge of a station to be such as to make it inexpedient to present himself at any place in which the Medical examination is to be conducted, the authority competent to grant the leave may accept in lieu of the certificate prescribed in Rule 180, a certificate from any two Medical Officers. The certifying officers need not belong to the State.

Note 1 - A Medical certificate from the District Medical Officer of the Station countersigned by the Deputy commissioner of the district may be accepted in exceptional cases in which Government considers it impracticable or undesirable to insist on the production of a certificate signed by two Medical Officers.

¹[Note 2 - Notwithstanding anything contained in this Rule, the authority competent to sanction leave may dispense with the procedure laid down in Rule 180,

(i) When the leave recommended by the Authorised Medical Attendant Is for a period not exceeding two months, or

(ii) the applicant is undergoing treatment in a Hospital as an indoor patient and the leave is recommended by the Medical Officer in charge of the case in the Hospital not below the rank of Civil Surgeon or Surgeon for the period of hospitalisation or convalescence, provided that such a Medical Officer certifies that in his opinion it is unnecessary for the applicant to appear before a Medical Committee].

184. Gazetted Government servant serving in places outside district headquarters may be granted leave on medical certificate on the strength of certificate of a registered medical practitioner countersigned by the Civil Surgeon or the District Medical Officer,

1. Substituted by No. FD 135 SRS 61. dated 15/16-12-1961

who may visit the patient if for any reason he considers this course advisable. This Rule will be only applicable when the Government servant requiring leave is too ill, or unable for other reasons regarded as sufficient by his immediate superior to come to headquarters to undergo examination by the Civil Surgeon or the District Medical Officer.

185. The grant of a Medical certificate does not in itself confer upon the Government servant concerned any right to leave. The certificate should be forwarded to the authority competent to grant the leave, and the orders of that authority should be awaited.

186. When any Government servant is granted leave on medical certificate, the authority granting the leave should specify the fact in its order to enable the Audit Officer to make the necessary entry in the leave salary certificates.

Medical Certificates - Non-Gazetted Government servants

187. Application for leave on Medical certificate must be accompanied by a certificate from the applicant's medical attendant. The certificate should distinctly state the nature of the illness, its symptoms, causes and duration and the period of absence from duty considered to be absolutely necessary for the restoration of the applicant's health. It should be countersigned by the District Medical Officer of the District where the applicant resides.

Subject, however, to the following rules; the authority sanctioning the leave may accept a certificate from the applicant's Medical Attendant without such countersignature'-

¹[1. The term 'Medical Attendant' in this Rule includes Honorary Medical Officers, Honorary Assistant Medical Officers, Vaidyas and Hakims].

2. Certificates given by a Vaidya or a Hakim may be accepted for short periods of leave not exceeding fifteen days, at the discretion of the Head of the office.

3. Certificates given by Assistant Surgeons Class-II in Government service and Registered Medical Practitioners whose names are entered in the Register of the Medical Council may be accepted for periods of leave not exceeding two months.

1. Substituted by No, FD 132 SRS 61, dated 19/22-12-1961

4. Certificates given by Medical Graduates in Government service and Registered Medical Practitioners who hold any of the following qualifications may be accepted for periods of leave exceeding two months but not exceeding six months: -

M.B.B.S. of the Mysore or any other University.

L.R.C.P.

M.R.C.S

M.R.C.P

F.R.C.S.

M.D.

¹[B.S.A.M. (Bangalore, Mysore and Karnataka Universities.)

B.A.M.S. (Bangalore, Mysore and Karnataka Universities.)

B.U.M.S. (Bangalore University), (Unani).

M.D (Ayurveda) (Bangalore University and Gujarat University).

D. Ay.M. (Mysore and Banaras Hindu University).

H.P.A/M.S.A.M. (Gujarat University)]

5. For periods of leave in excess of six months, the countersignature of the District Medical Officer should ordinarily be obtained except in cases where the authority sanctioning the leave does not think it necessary on account of the certificate having been given by a medical attendant holding high qualification such as F.R.C.S., M.R.C.P. and M.D.

Note - In the case of female officers, Government may either dispense with countersignature of the District Medical Officer or authorise such countersignature by doctors of their own sex.

188. The countersigning officer may, at his discretion require the applicant to appear before him, unless it appears from the certificate of his Medical Attendant that he is too ill to bear the journey in which case, such officer may, after careful investigation of the case, either countersign the certificate or refuse to do so, as he thinks fit. In such a case, he may get the Government servant concerned examined by the nearest medical subordinate and obtain a report before he decides on countersigning the certificate. No certificate should be submitted for countersignature without the cognizance of the Head of the applicant's office, or if the applicant be himself the Head of his office, without immediate report to the Head of his department.

1. Inserted by No. FD 5 SRS 80 dated 14-5-1980 (wef 22-5-1980)

¹[189. The Certificate shall be in the following form: -

I after careful personal examination of the case hereby certify that ²[Shri/Smt (who is/is not under orders of transfer) whose signature/thumb impression is given below] is suffering from..... and I consider that a period of absence from duty ofwith effect from tois absolutely necessary for the restoration of his/her health.

Signature and Designation
of Medical Attendant.

(Government Medical officer of
the rank of the Civil Surgeon
/Gazetted Assistant Surgeon
/Registered Medical Practitioner
with his Registration number)

Signature of the Applicant
Left hand thumb impression of the
Applicant (in the case of illiterates)
Taken in my presence this.....day of ... 19..

Signature and Designation
of Medical Attendant.

Medical History

(The nature of illness, symptoms, causes and duration should be specified)

Signature and Designation
of Medical Attendant.

Note- The Head of the Office should, before sanctioning or recommending leave, satisfy himself that the thumb impression recorded in the Certificate and the Service Register do not differ in the case of illiterates.]

SANCTION OF LEAVE Gazetted Government Servants

190. In cases of emergency, a Gazetted Government servant may be allowed to proceed on leave by the authority competent to grant him leave, but leave may not be finally sanctioned to him until

1. Substituted by No. FD 87 SRS 62 dated 20-11-1962 (wef 6-12-1962).

2. Amended by No. FD 126 SRS 75 dated 18/22-3-1976 (wef 19-8- 1976)

a report as to the admissibility of the leave has been obtained from the Audit Officer.

191. Any leave, other than special disability leave, admissible under these rules may be granted to a Gazetted Government servant by a competent authority on receipt of the report referred to in Rule 190.

1. A Gazetted Government servant applying for leave should quote the Rules under which he considers himself entitled to the leave.

2. Application of a Gazetted Government servant for leave of absence should be sent through the Controlling Authority to the Audit Office which will forward it to the authority competent to sanction the leave with the necessary certificate regarding the title to the leave applied for, recorded on the application, which will be ¹[In form I-A].

Note - A non-gazetted Government servant who is proceeding or has proceeded on leave while officiating in a Gazetted post should be treated as a Gazetted Government servant irrespective of whether, but for his going on leave, he would have continued to officiate in the Gazetted post, or not, and whether on the expiry of his leave he would return to his gazetted post or not.

²[The application should be sent in duplicate to the Audit Office in order that it may retain one copy in its office for reference at a later date].

192(a) After obtaining a report from the Audit Officer upon the title of the applicant to the leave applied for, Government may grant any leave admissible under these Rules.

³[Note -The High Court of Karnataka may grant leave ⁴[(including leave preparatory to retirement)] to Officers in the cadre of District Judges and other Sub-ordinate Judicial Officers, after ascertaining the title to leave from the Accountant General, Karnataka, Bangalore.

(b) In the case of Gazetted Government servants Government may, with or without restrictions, delegate its powers of granting leave conferred by sub-rule (a), to any officer who, in its opinion, can

1. Substituted by No. FD 131 SRS 58 dated 11-9-1958.

2. Inserted by No.FD 131 SRS 58 dated 11-9-1958.

3. Inserted by No. FD 72 SRS 69 dated 22-8-1969.

4. Amended by No. FD 72 SRS 69 dated 14-10-1969.

judge of the expediency of granting the leave and can without reference to higher authority make the necessary arrangements during the leave.

Note- Government may at any time withdraw the powers delegated under this sub-rule.

(c) A Government servant acting under sub-rule (b) must first obtain a report from the Audit Officer that the leave is admissible. If he grants the leave, he must communicate his orders to the Audit Officer by insertion in the Gazette or otherwise. In delegating its powers of granting leave in accordance with sub-rule (b), Government will decide whether either the grant or the refusal of the leave should be reported to it.

¹[(d) The Authority competent to sanction leave other than special disability leave specified in column (1) of the table below, may sanction leave other than special disability leave in respect of sub-ordinate Government servants holding the posts in the scales of pay specified in column (2) thereof to the maximum duration specified therein.

Authority competent to sanction leave other than special disability leave	Posts in the scale of pay of		
(1)	(2)		
	Rs.7400-13120 and above	Rs.5575-10620 and above but below Rs.7400-13120	Rs.2500-3850 and above but below Rs.5575-10620
Heads of Departments	4 months	6 months	Full Powers
Divisional level officers	3 months	4 months	Full powers
District level officers	2 months	3 months	Full powers
Sub divisional officers	-	2 months	Full powers
Taluk level officers	-	-	Full powers]

Note 1 - Superintending Engineers of Circles in the Public Works Department are empowered to grant earned leave to Assistant Engineers and Sub-Engineers up-to a period of one month if no substitute is required.

Note 2 - Deputy Commissioners of Sales Tax are empowered to grant earned leave up to one month to assistant Sales-Tax Officers, subject to the condition that no substitute is required.

¹[Note 3 - The minimum period required or claiming charge allowance shall be one month ²[xxx].

³[Note 4 - In the case of leave on average pay of earned leave, the authority competent to sanction leave may calculate the amount of leave admissible to the officer with reference to the eligibility certificate received from the Audit Officer on the previous occasions and the leave earned and utilised thereafter and issue provisional sanction without waiting for the admissibility report from the Audit Officer. The Audit Officer on receipt of the provisional sanction shall after verification issue leave salary slip in respect of leave due and for the rest of the period, if any, request the authority competent to sanction leave to modify the sanction, if necessary. He shall also immediately send to the authority competent to sanction leave, a leave eligibility certificate in respect of that Officer].

⁴[Note 5 - In determining the authority competent to sanction leave under this rule, the period of earned leave surrendered for purposes of encashment shall not be taken into account].

⁵[Note 6 - Leave not availed, within thirty days of its sanction expires and a fresh sanction is necessary for availing the leave].

193. Leave to a Government servant appointed by the High Court is granted by the Chief Justice subject, in the case of Gazetted Government servants, to the report of the Audit Officer, that the officer is entitled to the leave.

1. Inserted by No. FD 58 SRS 58 dated 8-4-1958 (wef 1-4-1958)

2. Amended by No. FD 17 SRS 60 dated 25-4-1960 (wef 1-4-1958).

3. Inserted by No. FD 52 SRS 66 dated 22-8-1967.

4. Inserted by No. FD 55 SRS 73 dated 4-11-1974 (wef 2-6-1973).

5. Inserted by No. FD 91 SRS 78 dated 8-2-1980 (wef 28-2-1980)

Non- Gazetted Government Servants

194. Any leave, other than special disability leave, admissible under these rules may be granted to a non-gazetted Government servant by the authority whose duty it would be to fill up his post if it were vacant or by any other competent authority.

195. Before leave is sanctioned to a non-Gazetted Government servant, the authority sanctioning the leave should either consult the leave account or his service book, and satisfy himself that the leave is admissible, or obtain a certificate to that effect from the officer entrusted with the attestation of the entries in the leave account or the service book.

196(a) Government have delegated to the Heads of Departments the power of granting leave to non-gazetted Government servants of their departments. ¹[as specified in rule 192 (d)] They are also empowered to fill up temporarily leave vacancies of non-gazetted Government servants.

(b) Acting or in charge arrangements may also be made in such vacancies. No acting allowance will be admissible in such arrangements when the period of leave does not exceed ten days. The minimum period required for claiming charge allowance shall be one month ²[xxx].

³[Note - Sanction of Government should be obtained where the in-charge arrangement is proposed to be continued beyond four months].

(c) The Audit Officer is not required to furnish any report on the title to leave of an applicant who is not a gazetted Government servant.

⁴[Note 1 - Leave (earned leave, half pay leave, commuted leave, and extraordinary leave) up to two months may be sanctioned by the Head of the Office (Gazetted). Heads of Offices (Gazetted) may also make incharge or acting arrangements in vacancies caused due to the grant of leave upto two months, provided the period of leave granted is not less than one month.

1. Amended by No FD 4 SRA 99 dated 2-6-2000

2. Deleted by No.FD 17 SRS 60, dated 25-4-1960 (wef 1-4-1958).

3. Inserted by No.FD 17 SRS 60, dated 23-4-1960 (wef 17-2-1960).

4. Substituted by No.FD 100 SRS 59, dated 20-10-1959 (wef 29-10-1959).

In other cases (where there are non-gazetted Heads of Offices) leave upto two months, and leave in excess of two months in all cases may be sanctioned either by the appointing authority for that category of posts or by the authority who is empowered to full up such leave vacancies.

Larger powers delegated to individual officers under special orders of Government will continue to be in force].

¹[Note 2 - When the application is for study leave out of India or other leave specifically granted for purposes of study out of India, the authority sanctioning the leave should obtain a certificate of admissibility from the Accountant General before sanctioning the leave].

²[Note 3 - In determining the authority competent to sanction leave under this rule, the period of earned leave surrendered for purpose of encashment shall not be taken into account].

1. Inserted by No.FD 134 SRS 59, dated 8-9-1959 (wef 14-9-1959)

2. Inserted by No.FD 33 SRS 79, dated 5-9-1979 (wef 13-9-1979)

CHAPTER XIV

PAYMENT OF LEAVE ALLOWANCES

When payable

197. Leave allowances are payable after the end of each calendar month.

¹[Exception-1 :- A Government servant who is granted Earned leave preparatory to retirement under rule 110 shall be paid in lumpsum the amount equivalent to leave salary and allowances admissible during such leave as one time settlement at the commencement of leave.

Exception-2 :- The earned leave during re-employment (including re-employment on contract basis) may be allowed to be availed of as terminal leave even though it may not have been formally applied for and refused and the amount equivalent to leave salary and allowances payable shall be paid in lumpsum as one time settlement. The same principle applies in respect of refused leave granted under rule 110.]

198. When leave is sanctioned with retrospective effect or when one kind of leave is commuted retrospectively into any other kind of leave admissible under these rules after the lapse of one year from the date of relief, the leave allowances shall not become payable without the sanction of Government.

Note :- Government have delegated to Heads of Departments the power of sanctioning the disbursement of leave allowance under this rule to non-gazetted Government servants of their departments.

Instructions :-

A question has been raised as to whether the concurrence of the Finance Department should be obtained to sanction the payment of leave allowances when leave is sanctioned with retrospective effect to the Gazetted Officers. The question has been examined and it has been decided that the Administrative Secretariat Departments may sanction such payments without the concurrence of the Finance Department. They should however ensure that the delay in sanctioning leave was unavoidable and the sanction of leave is in accordance with the rules. (O.M. No. FD 110 SRS 68 dt. 9-7-1968)

1. Inserted by No. FD 91 SRS 78 dated 8-2-1980 (w.e.f. 28-2-1980).

GAZETTED GOVERNMENT SERVANTS

¹[199(a) The leave salary of a Gazetted Government servant should be drawn from the treasury from which his pay was being drawn immediately before proceeding on leave, but ²[where the leave exceeds one hundred and twenty days,] he cannot begin to draw it without producing a leave salary certificate from the Audit Officer who audited his pay before he proceeded on leave. The officer concerned should make his own arrangements, where necessary, for getting his leave salary remitted to him.

(b) In a case, where a period of leave is followed by transfer, such portion of the leave salary as could not be drawn at the old station may be drawn at the treasury from which the pay in respect of the new post is drawn.]

²[Exception :- The cash equivalent of leave salary payable to the beneficiary specified in sub-rule (3) of Rule 118-A shall not be paid without an authorisation from the Audit office.]

200. If a Gazetted Government servant signs his bill himself, he must either appear in person at the place of payment, or furnish a life certificate signed by a responsible officer of Government, or some other well-known and trustworthy person. If he draws his allowances through an authorised agent, the agent whether he has or has not a power of attorney, must either furnish a life certificate as aforesaid, or execute a duly stamped bond to refund overpayments. A life certificate may be given periodically, a duly stamped bond being given to cover intermediate payments not supported by the life certificate.

³[Exception :- In all such cases, as explained below, life certificate as contemplated in this rule, need not be insisted upon:-

(i) When the arrears of leave salary are drawn by Gazetted officer after he has resumed duty.

(ii) When the leave salary is claimed in the same bill as the duty pay of the period following that of leave salary, and

(iii) When the report of taking over charge after the expiry of leave has already been sent to the Treasury Officer.]

1. Substituted by No. FD 69 SRS 61 dated 23-10-1961

2. Amended by No. FD 91 SRS 78 dated 8-2-1980 (w.e.f. 28-2-1980)

3. Inserted by No.FD 91 SRS 60 dated 12-8-1960 (w.e.f. 25-8-1960)

¹[Note :- When separate bills for leave salary, vacation pay, etc., relating to different periods are presented and paid simultaneously, it is not necessary to furnish separate 'Life Certificate' for the different periods but only one certificate in respect of date of presentation of the bills should be enough.]

201. The production of a life certificate is not required when leave-salary is drawn through agents who have executed a general bond of indemnity with Government for drawing the leave-salary, pension, etc., of their constituents.

Note 1 :- A Government servant or any other individual cannot be constituted an "agent" for the purposes of this rule.

Note 2 :- The proper stamp duty upon bonds executed under this Rule is that chargeable upon indemnity bonds according to the law relating to stamp duty in force in the area in which the bond is executed.

²[202. The leave salary shall be drawn in rupees in India, except in the case of Government servants proceeding outside India on study leave or any other type of leave granted specially for the purpose of study.

When payment of leave allowance is made outside India, rupees are converted into sterling at current rates of exchange fixed for the adjustment of financial transactions. If any payment is made, at a different rate, or otherwise erroneously, it should be adjusted in subsequent payments.

Note :- Payment of leave salary outside India will be arranged for through the Accountant General, Karnataka.]

203. If the leave of a Gazetted Government servant is extended or commuted, the Head of the Department must communicate it to the Audit Officer. He should also communicate any other circumstances connected with the leave which may be required to be known to the Audit Officer who passes the leave allowances of the Government servant.

³[204 to 205 x x x]

1. Inserted by No. FD 52 SRS 65 dt. 30-12-1965 (w.e.f. 7-2-1966)

2. Substituted by No. FD 279 SRS 59 dt. 15-7-1960 (w.e.f. 21-7-1960)

3. Amended by No. FD 69 SRS 61 dt. 23-10-1961.

NON-GAZETTED GOVERNMENT SERVANTS

206. The leave allowances of a non-gazetted Government servant on leave can be drawn only at the treasury where his salary is paid, and under the signature of the Head of his office who is responsible for any overcharges; no other security is required.

¹[In a case where a period of leave is followed by transfer, such portion of the leave salary as could not be drawn at the old station, may be drawn at the treasury from which the pay in respect of the new post is drawn.]

1. Amended by No. FD 69 SRS 61 dated 23-10-1961.

PART IV - ORDINARY PENSION

CHAPTER XV

GENERAL RULES

The rules in this part supersede the Karnataka Pension Rules 1957 and the Karnataka Commutation of Pension Rules 1957, which came into force from 1st September 1957, and all claims under the above said Rules pending on the date of coming into force of this Part, will be dealt with in accordance with the corresponding provisions of this Part.

207(a). The option under sub-clause (iii) or (iv) of clause (c) of sub-rule (1) of Rule 2 shall be exercised ¹[before the first day of July 1959] and in the case of any Government servant retiring from service ²[xxx] at any time before the date of his retirement from service.

²[Note 1:- In the case of Government servants in service on 31st December 1959, time for exercising the said option is extended up to ³[30th June 1961]

⁴[Note 2:- In the case of Government servants in service on the 30th June, 1961, time for exercising the said option is extended up to 30th September, 1962.]

⁵[Note 3:- In the case of Government servants in service on the 30th September 1962, time for exercising the said option is extended up to the 30th September, 1963.]

⁶[Note 4:- In the case of Government servants in service on the 30th September, 1963, time for exercising the said option is extended up to the 31st March 1964.]

⁷[Note 5:- In the case of Government servants in service on the 31st March 1964 time for exercising the said option is extended up to the 31st December, 1964.]

⁸[Note 6:- In respect of retirement or death while in service of Government Servants on or after 1st September 1968, the pension

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1. Substituted by No.FD 59 SRS 59 dated 24-2-1959 (w.e.f. 5-3-59)
 2. Amended by No.FD 41 SRS 60 dated 6-7-1960 (w.e.f. 14-7-1960)
 3. Amended by No.FD 36 SRS 61 dated 20-3-1961.
 4. Inserted by No.FD 73 SRS 62 dated 10-9-1962 (w.e.f. 2-2-1962)
 5. Inserted by No.FD 48 SRS 63 dated 6-6-1963 (w.e.f. 27-6-1963)
 6. Inserted by No.FD 4 SRS 64 dated 1-2-1964 (w.e.f. 17-2-1964)
 7. Inserted by No.FD 55 SRS 64 dated 25-8-1964 (w.e.f. 18-9-1964).
 8. Inserted by No. FD 69 SRS 66 dated 10-10-1968.

rules in this part shall apply unless the Government servant has exercised option to be governed by the Pension Rules applicable to him before 31st August 1969.]

The option should be exercised by making a declaration in writing and should be communicated by the Government servant to the Head of his office if he is a non-gazetted Government servant and to the Accountant General, Karnataka if he is a gazetted Government servant. The declaration of a non-gazetted Government servant should be attested and countersigned by the Head of the Office and pasted in the Service Book of the Government servant concerned. An entry should also be made in the Service Book that the Government servant is governed by the Rules in this (Part IV) by virtue of the declaration made by him. It will be responsibility of a Government servant opting to be governed by these rules, to ensure that the receipt of the declaration is acknowledged by the Accountant General, Karnataka, or by the Head of the Office, as the case may be; provided that no person ordered to be retired from service under the rules applicable to him at the time when such order was made, shall be entitled to exercise such option.

(b) Notwithstanding the date of commencement of these rules the Government shall have power by order to extend the benefit of these rules to Government servants or their families in cases of retirement or death on or after 1st November 1956.

208. Pension includes a gratuity. Except where the term "Pension" is used in contradistinction to "Death cum Retirement Gratuity", "Pension" includes "Death cum Retirement Gratuity" also.

209. Unless in any case it be otherwise expressly provided in these rules, an authority competent to grant a pension may sanction the grant of any pension admissible under these rules to any Government servant who is borne on its establishment.

210. In any case in which a pension is not admissible under any specific provision of these rules, Government may sanction the grant of a pension, which shall not, save in the most exceptional circumstances, exceed Rs. 1[1055] a month or of a gratuity not exceeding the equivalent of the value of such pension, if the grant is not inconsistent with the general spirit of these rules.

1.Substituted by No. FD 4 SRA 99 dated 2.6.2000 (w.e.f.1-4-1998)

211. A Government servant transferred to foreign service shall not be permitted, while he remains in the foreign service to receive a pension on voluntary retirement from Government service. For the purpose of this Rule retirement shall be considered to be voluntary if the Government servant is not required to retire but retires on retiring pension before he is compelled to retire under the rules relating to compulsory retirement.

¹[212 xxx]

²[213(1). Future good conduct shall be an implied condition of every grant of pension. The pension sanctioning authority may, by order in writing withhold or withdraw a pension or part thereof whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of grave misconduct:

Provided that no order shall be passed under this clause by an authority subordinate to the authority competent to make an appointment to the post held by the pensioner immediately before his retirement from service.

(2) Where a pensioner is convicted of a serious crime by a court of law, action under clause (1) shall be taken in the light of the judgement of the court relating to such conviction.

(3) In a case not falling under clause (2), if the competent authority under clause (1) considers that the pensioner is prima facie guilty of grave misconduct, it shall, before passing an order under clause (1).

(a) Serve upon the pensioner a notice specifying the action proposed to be taken against him and the ground on which it is proposed to be taken and calling upon him to submit within fifteen days of receipt of the notice or such further time not exceeding fifteen days as may be allowed by the said authority, such representation as he may wish to make against the proposals; and

(b) take the representation, if any, submitted by the pensioner under clause (a) into consideration.

(4) Where the authority competent to pass an order under clause (1) is the Government, the Public Service Commission shall be consulted before passing the order.

1. Omitted by No. FD 100 SRS 83 dated 3-1-1985

2. Substituted by No. FD 117 SRS 68, dated 27-11-1968.

(5) An appeal against an order under clause (1) passed by any authority other than the Governor, shall lie to the Governor and the Governor shall, in consultation with the Public Service Commission, pass such orders on the appeal as he deems fit.

Explanation :- In this rule, the expression "serious crime" includes a crime involving an offence under the Official Secrets Act, 1923 (Central Act 19 of 1923) and the expression "grave misconduct" includes the communication or disclosure of any secret official code or password or any sketch, plan, model, article, note, document or information such as is mentioned in Section 5 of the said Act (which was obtained while holding office under the Government) so as to prejudicially affect the interests of the general public or the security of the State.]

¹[214 ²[(1)(a) Withholding or withdrawing pension for misconduct or negligence.-

The Government reserve to themselves the right of either withholding or withdrawing a pension or part thereof, whether permanently or for a specified period, if in any departmental or judicial proceedings, the pensioner is found guilty of grave misconduct or negligence during the period of his service including the service under a foreign employer and the service rendered upon re-employment after retirement.

(b) Recovery of pecuniary loss from pension:

The Government reserve to themselves the right of ordering recovery from a pension, the whole or part of any pecuniary loss caused to the Government or to a foreign employer under whom the Government servant has worked on deputation or otherwise. If in any departmental or judicial proceedings, the pensioner is found guilty of grave negligence during the period of his service, including the service rendered upon re-employment after retirement:

Provided that the Public Service Commission shall be consulted before any final orders are passed:

Provided further that where a part of pension is withheld or withdrawn, the amount of pension shall not be reduced below the amount of minimum pension prescribed under the rules.]

(2)(a) The departmental proceedings referred to in sub-rule (1), if instituted while the Government servant was in service whether

1. Substituted by No. FD 100 SRS 83 dated 3-1-1985 (w.e.f. 10-1-1985)

2. Substituted by No. FD 36 SRS 90 dated 10-10-1990 (w.e.f. 18-10-90)

before his retirement or during his re-employment, shall, after the final retirement of the Government servant, be deemed to be proceedings under this rule and shall be continued and concluded by the authority by which they were commenced in the same manner as if the Government servant had continued in service:

Provided that where the departmental proceedings are instituted by an authority other than Government, that authority shall submit a report recording its findings to the Government.

(b) The departmental proceedings, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment.

(i) shall not be instituted save with the sanction of the Government.

(ii) shall not be in respect of any event which took place more than four years before such institution, and

(iii) shall be conducted by such authority and in such place as the Government may direct and in accordance with the procedure applicable to departmental proceedings in which an order of dismissal from service could be made in relation to the Government servant during his service.

(3) No judicial proceedings, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment, shall be instituted in respect of a cause of action which arose or in respect of an event which took place, more than four years before such institution.

(4) In the case of a Government servant who has retired on attaining the age of superannuation or otherwise and against whom any departmental or judicial proceedings are instituted or where departmental proceedings are continued under sub-rule (2), a provisional pension as provided in Rule 214A shall be sanctioned.

(5) Where the Government decided not to withhold or withdraw pension but orders recovery of pecuniary loss from pension, the recovery shall not ordinarily be made at a rate exceeding one third of the pension admissible on the date of retirement of a Government servant.

(6) For the purpose of this rule,-

(a) departmental proceedings shall be deemed to be instituted on the date on which the statement of charges is issued to the Government servant or pensioner, or if the Government servant has been placed under suspension from an earlier date, on such date: and

(b) judicial proceedings shall be deemed to be instituted-

(i) in the case of criminal proceedings, on the date on which the complaint or report of a police officer, of which the Magistrate takes cognisance is made; and

(ii) in the case of civil proceedings, on the date the plaint is presented in the court.]

¹[214A(1) Where any departmental or judicial proceedings is instituted under rule 214, or where a departmental proceedings is continued under clause (a) of the proviso thereto against an officer who has retired on attaining the age of compulsory retirement or otherwise, he shall be paid during the period commencing from the date of his retirement to the date on which, upon conclusion of such proceeding, final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying service up to the date of retirement, or if he was under suspension on the date of retirement up to the date immediately preceding the date on which he was placed under suspension; but no gratuity or death-cum-retirement gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders thereon.

(2) Payment of provisional pension made under clause (1) shall be adjusted against the final retirement benefits sanctioned to such officer upon conclusion of the aforesaid proceeding but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specified period.

¹[Note : xxx]

215. In cases not governed by the provisions of Rule 214, the following rules shall govern the recoveries from pension and compassionate allowances:-

1. Inserted by No. FD 105 SRS 62 dated 2-3-1965.

2. Deleted by No. FD 100 SRS 83 dated 3-1-1985 (w.e.f. 10-1-1985)

(1) A claim may become known and the question of recovery may arise:-

(A) When the calculation of pension is being made and before the pension is actually sanctioned: or

(B) after the pension has been sanctioned.

(2) The claim and the recovery may be one or other of the following:-

(a) Recovery as a punitive measure in order to make good the loss caused to Government as a result of negligence or fraud on the part of the person concerned while he was in service.

(b) Recovery of other Government dues such as over issues of pay, allowances, or leave salary or admitted and obvious dues such as house rent, life insurance premia, outstanding motor car, house building, travelling and other advances.

(c) Recovery of non-Government dues.

(3) In cases falling under clause (1)(A) above, none of the recoveries mentioned in clause (2) (a) to (c) above may be effected by a reduction of the pension about to be sanctioned except in the following circumstances:-

(a) When the service of a Government servant can be held to have been not thoroughly satisfactory, a reduction in the amount of pension may be made ¹[xxx] by a competent authority although no direct penal recovery from pension is permissible.

(b) When the pensioner by request made or consent given has agreed that the recovery may be made ²[provided such recovery is restricted to the amount of pension which has already become payable on the date of the agreement or consent.] If such request is not made or consent is not given by the pensioner, even sums admittedly due to Government such as house rent, outstanding advances, etc., may not be recovered from pension.

In such cases, however, the executive authorities concerned would have to consider whether they should not try to effect the recovery otherwise than from pension, for example, by going to a Court of Law, if necessary.

1. Deleted by No. FD 100 SRS 83 dated 3-1-1985 (w.e.f. 10-1-85)

2. Inserted by No.FD 38 SRS 64 dated 2-12-1964.

(4) In cases falling under clause (1)(B) above, none of the recoveries mentioned in clause (2) (a) to (c) above may be effected by deduction from the pension already sanctioned except at the request or with the express consent of the pensioner: ¹[provided such recovery is restricted to the amount of pension which has already become payable on the date of such agreement or consent.] In cases where the pensioner does not agree to recovery being made even of sums admittedly due to Government, action as indicated in the last sentence of clause (3) may be taken.

²[215-A. ³[Notwithstanding the pension rules applicable to a Government servant,] it is permissible to make recovery of Government dues ⁴[and any pecuniary loss found to have been caused to Government in any departmental or judicial proceedings instituted against such Government servant under rule 214] from the Death-cum-Retirement Gratuity or any other gratuity payable to a Government servant without obtaining his consent and when the Government servant is dead without obtaining the consent of the members of his family.]

⁵[Note :- Where Government dues or the amount of any pecuniary loss assessed against a retired Government servant under rule 214, is recoverable under the above rule from the death-cum-retirement gratuity or any other gratuity payable to him, the pension sanctioning authority may order and draw the death-cum-retirement gratuity to the extent of Government dues pending recovery and remit the amount so drawn to the proper head of account by debit to the Head of account under which death-cum-retirement gratuity would have been debited in the normal course, even though the retired Government servant or in the event of his death, the person eligible to claim to death—cum-retirement gratuity or any other gratuity does not prefer his claim.]

216. In the following cases, no claim to pension is admitted:-

(a) When a Government servant is appointed for a limited time only, or for a specified duty, on the completion of which he is to be discharged;

1. Inserted by No.FD 38 SRS 64 dated 2-12-1964

2. Substituted by No.FD 58 SRS 61 dated 16-6-1961

3. Amended by No.FD 161 SRS 61 dated 13/16-12-1961

4. Amended by No.FD 77 SRS 68 dated 15-7-1968

5. Inserted by No.FD 21 SRS 81 dated 24-8-1981 (w.e.f. 3-9-1981).

(b) When a person is employed temporarily on monthly wages without specified limit of time or duty; but a month's notice of discharge should be given to such a person, and his wages must be paid for any period by which such notice falls short of a month;

(c) When a person's whole time is not retained for the Public Service but he is merely paid for work done for the State.

Note :- This clause applies, among others, to the following Government servants, viz., Advocate-General, Administrator General, Official Trustee, Government Pleaders and Public Prosecutors not debarred from private practice.

(d) When a Government servant holds some other pensionable office he earns no pension in respect of an office of the kind mentioned in clause (c) or in respect of duties paid for by a local allowance:

(e) When a Government servant serves under a covenant which contains no stipulation regarding pension.

217. No pension may be granted to a Government servant dismissed or removed for misconduct, insolvency, or inefficiency, but in cases in which the Government servants so dismissed or removed are deserving of special consideration, compassionate allowances may be granted provided that the allowance granted to any Government servant shall not exceed two-thirds of the pension which would have been admissible to him if he had been retired on medical certificate.

Note 1:- Compassionate Grant may be made on the basis of the maximum of 2/3 of the invalid pension and Death-cum-Retirement Gratuity admissible under the rules, and it need not be limited to 2/3 of invalid pension only. The Compassionate Grant would automatically cease when a Government servant dies and would be replaced by Family Pension.

Note 2:- ¹[The compassionate allowance granted to a Government servant under the above rule shall be treated as pension for the purpose of commutation under these rules.]

²[Note 3:- The amount of compassionate allowance to be granted under this rule, shall be in whole rupees only.]

1. Substituted by No. FD 77 SRS 78 dated 21-12-1978 w.e.f.(4-1-1979).

2. Inserted by No. FD 85 SRS 67, dated 19- 10-1967.

218. A Government servant compulsorily retired from service as a penalty may be granted by the authority competent to impose such penalty, pension at a rate not less than two-thirds of the invalid pension and not more than full invalid pension admissible to him on the date of his compulsory retirement.

¹[Note]:- The intention, is that persons on whom the penalty of compulsory retirement is imposed should ordinarily be granted the full invalid pension and Death-cum-Retirement Gratuity, if any, admissible on the date of compulsory retirement. Where, however, the circumstances of a particular case so warrant, the authority, competent to impose the penalty of compulsory retirement, may subject to the orders of the appellate or revising authority, make such reductions in the pensionary benefits within the limits prescribed, as it may think appropriate. A reduction may be made either in the Death-cum-Retirement Gratuity or in the Pension or in both. ²[The reduction to be made in the pension shall be in whole rupees only.]

[Note 2:- Provisional pension may be authorised immediately after Government servants are compulsorily retired under this rule, withholding, however, the D.C.R.G. till the final pension order is issued.]

219(a) A Government servant cannot earn two pensions in the same office at the same time, or by the same continuous service.

(b) Two Government servant may not simultaneously count service in respect of the same office, except as provided for in ³[Note 2 to Rule 226.]

⁴[219-A (a) Service rendered by an employee belonging to one of the classes mentioned in Note 2 below, after attaining the age of 18 years, which is pensionable under the Military Rules but which terminates before a pension has been earned in respect of it, may at the discretion of Government, be allowed to count, when followed by service qualifying for pension under these rules as part of such service, provided that any bonus or gratuity received in lieu of pension on, or since, discharge from Military Service, shall be, refunded in such number of monthly instalments not normally exceeding 36 and beginning from such date, as in each case the Government may

1. Amended by No. FD 72 SRS 71, dated 23-9-1972

2. Inserted by No. FD 85 SRS 67, dated 19-10-1967.

3. Substituted by No. FD 227 SRS 58 dated 4-10-1958 (w.e.f 1-4-1958).

4. Substituted by No. FD 60 SRS 63 dated 5-12-11963.

decide. Service so allowed to count shall, however, be restricted to service, within or outside the employees unit or department, in India, or elsewhere, which has been paid for from Indian Revenues or for which a pensionary contribution has been received by the Indian Revenues.

(b) Service pensionable under Military Rules which does not terminate before a pension has been earned in respect of it shall not be allowed to count for pension under these rules without the sanction of Government.

Note 1:- An officer, ex-soldier or ex-airman will not be brought under the operation of this Rule as a matter of course. Each case will be decided on its merits, e.g., there may be cases in which it may be open to a claimant for pension to add military service during the Great War to former non-pensionable service in the Army in order to claim the benefit of a Military pension. In such cases it may be to the advantage of the claimant that he should not be brought under the operation of this Rule. The bearing of paragraph 574 of the Pay and Allowance Regulations of the Army in, India, Part II, on the position of soldiers of the Indian Army who re-entered during the Great War deserves consideration in this connection.

Note 2 :- This Rule applies to Indian Commissioned Officers, Non-commissioned Officers and Men of the Indian Army and of the Frontier Constabulary and Militias and to non-combatant departmental and Regimental employees and followers of the supplemental services. It also applies to Warrant and Non-commissioned officers and Men of the British Service and to Warrant Officers and departmental officers of Commissary and Assistant Surgeon classes.

Note 3:- To be eligible for concession in this Rule, the individual concerned should take his discharge from the Army or *Royal Air Force* within 12 months from the date of his confirmation in the appointment pensionable under these rules. This limit may in special cases, be relaxed by the Government.

Note 4:- Employees in the Military Police have the option of counting service under any other rules which would give them a similar or more liberal concession.

Note 5:- Employees who were in service in an appointment pensionable under Civil Rules on 22nd February, 1921, are eligible to count service under the rules which were in force before that date, where these rules are more advantageous, to them.]

¹[Note 6:- The pensionary liability in respect of Military Service (other than War-Service) devolves on the Defence Authorities. Any bonus or gratuity refunded under sub-rule (a) shall, therefore, be credited to the Defence Estimates.]

²[219-B:- Persons who, prior to their appointment against reserved or unreserved vacancies under Government, had rendered satisfactory paid whole time enlisted or commissioned 'war service' between the periods ³[3rd September, 1939 and 31st March 1946,] in the Armed forces of India or similar Forces of a Commonwealth Country ⁴[which did not earn a service pension and /or service gratuity] under the Military, Naval or Air Force Rules shall be allowed to count such "war service" for the purpose of civil pension subject to the following conditions:

(1) Completed years of the said 'War Service' shall be allowed to count up to a maximum of 5 years.

(2) In the case of Services / Posts in which a minimum age is fixed for recruitment no 'war service' rendered below that age shall be allowed to count for pension, and in the case of Services / posts in which no minimum age is fixed, no portion of "war service" rendered before attaining the age of 18 shall be allowed to count for pension.

(3) The addition of 'war service' shall not be included in total service under Rule 245 for the purpose of counting leave as service for pension.

(4) No refund of bonus or gratuity paid to the employees in respect of such 'War service' shall be demanded from the employee.

⁵[Note 1 :- The following types of services shall be treated as "War Service" for purposes of this rule.-

(a) Service of any kind in a unit of formation for service overseas or in any operational areas.

(b) Service in India under Military munitions or stores authorities with a liability to serve overseas or in any operational area.

(c) All other service involving subjection to Naval, Military or Air Force law.

1. Inserted by No.FD 167 SRS 67, dated 27.11.1968

2. Inserted by FD 60 SRS 63, dated 5.12.1963

3. Amended by No.FD 122 SRS 64, dated 22.4.1967

4. Amended by No.FD 167 SRS 67, dated 27.11.1968

5. Substituted by No.FD 52 SRS 64 dated 11-2-1965.

(d) A period of training with a military unit or formation involving liability to serve overseas or in any operational area.

(e) Service in any Civil Defence Organisation specified in this behalf by the Central or the State Government.

(f)(i) Any service connected with the prosecution of the war which a person is required to undertake by a competent authority under provisions of any law for the time being in force, and

(ii) Such other service as may hereafter be declared as war service.

Only whole time service of any of the kinds specified above will be recognised as War Service.]

Note 2 :-The maximum limit of 5 years mentioned in this Rule shall not apply to the war service followed by Civil service without break which is allowed to be counted in full towards civil pension in the case of persons who retire or die on or after 5th December, 1963.]

¹[Note 3 :- The pensionary liability in respect of war service devolves on the State Government. Any service gratuity received from the Defence authority in respect of War service shall be refunded and the same shall be credited to the Consolidated Fund of the State.]

CHAPTER XVI

CONDITIONS OF QUALIFYING SERVICE

SECTION 1 - DEFINITIONS OF QUALIFYING SERVICE

220. A Government servant's service does not qualify till he has completed eighteen years of age.

221. In cases other than those referred to in Rule 220, unless it be otherwise provided by special rule or contract, the service of every Government servant begins when he takes charge of the office to which he is first appointed.

222. The service of a Government servant does not qualify for pension unless it conforms to the following three conditions,-

First - The service must be under Government.

Second - The employment must be substantive and permanent.

Third - The service must be paid for by Government.

These three conditions are fully explained in the following sections.

¹[Note:- Service of Government Servants deputed to work under the Tungabhadra Board is deemed to be service qualifying for pension under this rule.]

SECTION II - FIRST CONDITION

223. The service of a Government servant does not qualify unless he is appointed and his duties and pay are regulated by the Government, or under conditions determined by the Governor. The following are examples of persons excluded from pension by this rule:-

- (1) Servants of a Municipality or a Local Board.
- (2) Servants of Grant-in-aid Schools and institutions.

SECTION III - SECOND CONDITION

224. Service does not qualify unless the Government servant holds a substantive office on a permanent establishment but temporary service will count to the extent indicated in Rule 226.

1. Inserted by No. FD 69 SRS 62 dated 6-3-1968 (Deemed to have been always inserted).

¹[Note 1 :- In the case of a Government servant retiring from service after 31st December, 1959, temporary and / or officiating service under the Government followed without interruption by confirmation in the same or another post, shall count in full as qualifying service provided he held a substantive appointment on a permanent establishment on the date of his retirement except in respect of

(i) Periods of temporary or officiating service in non-personable establishments;

(ii) Periods of service in work-charged establishments;

(iii) Periods of service paid from contingencies.

The proviso that temporary and / or officiating service, should be followed by confirmation may be relaxed by Government in special cases where for valid reasons a Government servant is not confirmed before his retirement or death while in service.]

²[Note 2 :- In respect of cases of retirement or death while in service of Government servants during the period from 1st January 1960 to 31st August 1968, Heads of Departments are authorised to sanction pension where admissible to temporary non-gazetted servants counting the continuous temporary service rendered in regular establishments under Government as qualifying service.]

³[224-A. In respect of retirement or death while in service of Government Servants on or after 1st September 1968, all service under Government whether temporary or permanent shall count.]

225. An establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, is not a temporary establishment. Service in such an establishment including the period during which the establishment is not employed, qualifies; but the concession of counting as service the period during which the establishment is not employed, does not apply to a Government servant who was not on actual duty when the establishment was discharged, after completion of its work, or to a Government servant who was not on actual duty on the first day on which the establishment was again re-employed.

1. Inserted by No. FD 41 SRS 60 dated 6.7.1960

2. Inserted by No. FD 70 SRS 69 dated 27-5-1970

3. Inserted by No. FD 69 SRS 66 dated 10-10-1968

226. A Government servant transferred from a temporary to a permanent appointment can count his service in full in the temporary office, if, though at first created experimentally or temporarily, it eventually becomes permanent.

Half the period of continuous temporary service will count for pension, provided such service is followed by a substantive appointment. If, however, the continuous temporary service prior to confirmation extends to five years or more, the full period will count for pension.

¹[Explanation :- Where the continuous temporary service prior to confirmation is less than five years and a portion of it qualifies for pension under Rule 227, the remaining portion of that temporary service cannot be counted under this Rule. If, however counting of half the full temporary service under this Rule is more advantageous, that benefit may be given in lieu of what is admissible under Rule 227.]

Note 1 :- If any temporary service is interrupted, the interruption should not be condoned under Rule 256 with a view to confer on the officer, a larger benefit than is contemplated under this Rule.

Note 2 :- "Temporary Service" in the rule shall include "Officiating Service" rendered either in a temporary post or a permanent post provided such service is followed by confirmation in a permanent post.

The proviso in the Rule and Note 2 thereunder to the effect that the temporary office should eventually become permanent and temporary service should be followed by substantive appointment to count service for pension, may be relaxed by Government in special cases where for valid reasons a Government servant is not confirmed before his retirement or death while in service.

²[xxx]

Note 4 :- In regard to counting of temporary service under the above Rule the benefit can be given only by taking into consideration the period of duty and leave with allowances. The period spent on leave without allowance has to be omitted for purposes of assessing the benefit accruing under the above Rule.

1. Inserted by No.FD 85 SRS 60 dated 12-7-1960 (w.e.f. 1-4-1958)

2. Deleted by No.FD 72 SRS 63 dated 19-3-1964.

¹[Note 5 :- The provisions of this Rule shall not apply to Government servants retiring from service after 31st December 1959.]

227. A Government servant without a substantive appointment officiating in an office which is vacant, or the permanent incumbent of which does not draw any part of the pay or count service, may, if he is confirmed without interruption in his service count his officiating service.

Note 1 :- The confirmation of the Government servant need not necessarily be in the same appointment in which officiating service is rendered by him.

¹[Note 2 :- The provisions of this Rule shall not apply to Government servants retiring from service after 31st December 1959.]

²[228 xxx]

229. If a Government servant on a permanent establishment is detached on temporary duty, on the understanding that, when the temporary duty ceases, he will return to the permanent establishment, he counts his detached service.

230. The preceding Rule permits the temporary suspension of the second condition of qualifying service which forms the subject of this Section; it does not authorise any relaxation of the first condition (which is the subject of Section II), or the third condition (which is the subject of Section IV) and in particular, must not be understood to countenance any modification of the rules applicable to a Government servant on Foreign Service.

231. A Government servant whose lien on his permanent appointment is suspended counts service in the quasi-permanent appointment he holds at that time for pension and his locum tenens counts service in the provisionally permanent appointment that he holds. The case of a Government servant on Foreign service is governed by rules relating to Foreign Service.

232. If the substantive office of a Government servant is abolished, but the Government servant is, at the time on special duty, or is, on abolition of his office, deputed on special duty, his service on special duty qualifies, but the duty must be special; mere

1. Inserted by No.FD 41 SRS 60 dated 6-7-1960.

2. Omitted by No.FD 25 SRS 80 dated 23-5-1980 (w.e.f. 5-6-1980)

employment in continuation of permanent employment, in a temporary appointment which happens at the time to be vacant, does not qualify.

233. A Section-writer or a press servant, who is paid on piece-work, is treated as having held a substantive office, if

(i) he is employed not casually, but as a member of a fixed establishment; and

(ii) during the last seventy-two months of his actual employment he has been attached to one office uninterruptedly for twenty-four months, or it has not been through his own choice, or misconduct that he has not been so attached.

¹[234. Temporary service in the Survey and Settlement Department if followed by quasi-permanent service will qualify for pension provided that the Government servant is (or was) not engaged on the understanding that he was or would be liable to be discharged after a short period of service.

Exception :- Temporary service on city and pot-hissa survey and phodi survey operation is allowed to count for pension. But in cases where the pay has been fixed including the element of travelling allowance, only the net pay after deducting the travelling allowances should be taken into account for purpose of pension.]

²[234-A. Service rendered in Jagirs by persons allotted to serve in connection with the affairs of the State of Karnataka under Section 115 of the State Re-organisation Act, 1956 from the Former State of Hyderabad shall count for pension provided the Jagir Administrator certifies that the following conditions are fulfilled:-

(i) the system of sanctioning pension was in vogue in the Jagir in which the person was employed;

(ii) the service of the person in the Jagir was whole-time and administrative in nature; and

(iii) the post held by the person in the Jagir was pensionable.

Note :- This rule shall be deemed to have come into force with effect from 1st April 1958 and shall be made applicable also to cases arising after 1st September 1957.]

1. Substituted by No. FD 22 SRS 61 dated 7-9-1961 (w.e.f. 1-4-1958)

2. Inserted by No. FD 27 SRS 64 dated 5-2-1965

235. Government may by general or special order permit service other than pensionable service, for performing which a Government servant is paid from the Consolidated Fund of the State or from a Local Fund, to be treated as, duty counting for pension. In issuing such an order, Government shall specify the method by which the amount of duty shall be calculated and may impose any condition which it thinks fit.

¹[Note:- Wherever pensionable service under Government has been rendered in continuation of service in Local Bodies, District Boards, Municipalities, etc., former State Railways of Mysore and Hyderabad, Central or State Commercial concerns or autonomous Bodies or Organisations set up by the Government of India or, the State Government, the service rendered in such Institutions shall count as qualifying service for pension subject to the following conditions:-

²[(i) Where the service rendered under the institutions referred to above is covered by the Contributory Provident Fund Scheme and the Contribution of such institutions with interest has been drawn by the Government Servant, the amount so drawn shall be credited to Government with interest calculated at 3 per cent per annum for the period from the date of drawing of the Contribution to the date of credit to Government. In case the amount is credited after the retirement of the Government Servant concerned, interest shall be calculated upto the date of retirement of the Government Servant.

(ii) Where the service rendered under such institutions is covered by the Contributory Provident Fund Scheme and contribution of the such institution with interest is continued in the Contributory Provident Fund and transferred to Government account after the absorption of the employee in Government Service, the amount of such contribution with interest accumulated in the Fund shall be credited to Government without calculating any further interest on the aggregate amount (of contribution and interest) as the amount would have been with Government.

(iii) Where the service rendered under the institutions referred to above is not covered by the Contributory Provident Fund Scheme, the Government Servant shall credit to Government Pension Contribution at 1/8 of the pay drawn by him from time to time under

1. Inserted by No. FD 6 SRS 65 dated 5-8-1965 (w.e.f. 1-11-1956).

2. Amended by No. FD 84 SRS 68 dated 5-8-1968

such institutions together with interest at 3 percent per annum calculated on the aggregate of such contributions for the period from the date of his absorption in Government Service to the date of credit to Government. In case the amount is credited after the retirement of the Government Servant, the interest shall be payable for the period from the date of absorption of the Government Servant to the date of his retirement:

Provided that the service to be counted as qualifying service under clause (i), (ii) and (iii) above shall be restricted to the period for which the Government Servant was subscribing to the Contributory Provident Fund or for which pension contribution is received.]

(iv) The Controller, State Accounts Departments, in the case of employees who had rendered service in Local Bodies and a responsible Departmental Officer in the case of employees who had rendered service in other Institutions prior to their service in Government, shall certify the correctness of the amounts credited to the Government. Based on these certificates (to be recorded in the Service Books in the case of Non-gazetted Government Servants) the Accountant-General will admit the service rendered in the Local Bodies or other institutions for purposes of granting the retirement benefits.]

SECTION IV - THIRD CONDITION **Sources of Remuneration**

236. Service which satisfies the conditions prescribed in Sections II and III qualifies or does not qualify, according to the source from which it is paid; with reference to this Rule, service is classified as follows:-

- (a) paid from the Consolidated Fund of the State.
- (b) paid from Local or other Funds specified by Government from time to time.
- (c) paid from funds in respect to which Government holds the position of trustee.
- (d) paid by fees levied by law, or under the authority of Government or by commission.
- (e) paid by the grant, in accordance with Law or Custom, of a tenure in land, or any source of income, or right to collect money.

237. Service paid from the Consolidated Fund of the State qualifies. The fact that arrangements are made for the recovery, on

the part of Government, of the whole, or part, of the cost of an establishment or Government servant does not affect the operation of this principle:

Provided that the establishment or Government servant is appointed, controlled and paid by Government.

Note 1:- In making arrangements for the recovery of cost of establishments, it should not be forgotten that Government has to bear not only the immediate cost but also that of leave allowances and pensions.

Note 2:- The amount to be recovered from the person for whose benefit an additional establishment is created shall be the gross sanctioned cost of the service which will not vary with the actual expenditure of each month. Dearness and High Price Allowances shall also form part of the gross sanctioned cost of the establishment and the whole expenditure on account of these allowances shall be recovered for periods of leave also.

Example:- When Police Officers are entertained at the cost of individuals and corporate bodies, an additional charge of one-fourth of the pay of officers must be defrayed by the persons for whose benefit the officers are employed:

Provided always that this additional charge shall not be made when such officers do not belong to the regular Police, but are only, temporarily engaged their service not counting for pension.

¹[Note 3 :- In the case of Government servants deputed to Commercial Departments, Government Commercial Undertakings or to the Offices of the Boards of Management for Industrial concerns, contribution for their pension and leave allowances shall be recovered at 1/4th of the total emoluments drawn by them in such Commercial Departments, Commercial Undertakings or Offices.]

Exception:- Shanbhogs, Patels and other Village Servants are not entitled to pension although they are paid from the Consolidated Fund of the State.

238. Service paid from funds which Government holds only as a trustee, such as under a Court of Wards or in an attached Estate does not qualify.

Note:- Service paid from the Muzari Establishment Fund qualifies.

1. Inserted by No. FD 7 SRS 64 dated 19-3-1964.

239(a) Service in an office paid only by fees whether levied by a law or under the authority of Government or by a Commission, does not qualify.

(b) Service in an office paid by fees or by commission, in addition to pay from the Consolidated Fund of the State qualifies.

240. Service paid by the grant, in accordance with law or custom, of a tenure in land, or of any other source of income or right to collect money does not qualify.

241. When part of the pensionable service of a Government servant qualifies for pension from the Consolidated Fund of the State and part from Local Funds, his pension is paid and charged according to the Rule of Proportion; it is not admissible to disregard the pensionable Local Funds service and award a pension only for the service paid from the Consolidated Fund of the State; provides that if, under this Rule, less than one-tenth of the pension would be payable from either source, no distribution shall be made; in such cases, the other source shall bear the whole charge.

Note:- In respect of Government servants whose services are lent temporarily to the Local Bodies, e.g., Executive and Assessing Officers, P.W.D., staff of the Engineering Establishment working under the District Boards, etc., and in whose cases Government specifically direct that contributions for pension should be recovered from the Local Bodies instead of debiting the pensionary charges according to the Rule of proportions, the rates of contribution prescribed for Foreign Service shall apply.

¹[241-A:- The pension payable to a Government servant who has rendered service partly in the Palace and partly under the Government shall be regulated as follows:-

(i) in the case of Government servants who retired prior to 1st April 1962, the incidence of pension shall be regulated according to the Rule of Proportions.

(ii) in the case of Government servants retiring from service on or after 1st April 1962, pension contribution shall be recovered in respect of the Palace service at the rates prescribed for foreign service.]

1. Inserted by No. FD 59 SRS 62 dated 1-10-1962

242. Rule 241 will apply only to cases in which the whole pay of the Government servant at any time is charged to a single fund. The pensionary charges of Government servants whose pay is met in shares from more than one source, viz., District Funds, Municipal Funds, or Consolidated Fund of the State or by more than one Municipality in shares, shall, in respect of such period of service be borne entirely by General Revenues, ¹[a contribution of one-eighth] of so much of the salaries of such Government servants as is paid by District or Municipal Funds being recovered and credited annually to Government during that period.

243. The administrators of a Municipality or a Local Fund including the Kolar Gold Fields Sanitary Board may, at their option, with the permission of Government, make a permanent arrangement for contributing for pensions from the Consolidated Fund of the State for its permanent employees or for any specified classes of them, by paying to Government ¹[a contribution of one-eighth of the sanctioned salaries of the several appointments]: provided that in the bills in which the establishment charges are drawn from the treasury, the contribution is added to the establishment bill and paid from the funds of the Municipality or Local Board concerned by transfer credit to the Consolidated Fund of State at the time the establishment bill is cashed. Any default in the payment of the contribution entails forfeiture of the claim against Government. Arrears contributions in respect of either individual Government servants or classes of Government servants proposed with a view to render past service qualifying will not be accepted. When an arrangement of this kind is made, the provision of Rule 241 will not apply to such appointments.

Note 1:- The arrangement contemplated in this Rule will apply in respect of all Municipalities and Local Bodies.

Note 2:- If a Government Servant whose service is reckoned as pensionable under this Rule is transferred to a similar pensionable establishment of another Municipality or Local Fund or to qualifying service under the State Government or vice versa, the transfer will not interrupt the continuity of the service for pension.

Note 3:- ¹[The contribution of one-eighth] will be taken as covering the payment of Death-cum-Retirement Gratuity under these Rules and Compassionate Gratuity under old rules.

1. Amended by No. FD 197 SRS 74 dated 7-9-1975 (w.e.f. 19-3-1974)

Note 4:- Since the contribution is fixed on the basis of details given in the Establishment Returns received from the Local Bodies, the amount recoverable will be communicated by the Audit Office to the Treasury Officer with whom the Local Body has its accounts and he will be asked to effect the necessary adjustments every month at the rate of one-twelfth of the yearly contribution recoverable. If the Establishment Returns are not received promptly from the Local Bodies, the Audit Office will issue instructions for the adjustment of the contribution at the rates for the previous year necessary adjustments being made later to collect the arrears or to refund the excess amount collected as soon as the Establishment Returns are received and the revised rate of contribution fixed.

¹[Contributions need not be recovered in respect of appointments kept substantively vacant for not less than a year. In such cases, where the pension contributions have already been recovered the excess, if any, may be adjusted against the pension contributions due for the subsequent periods.]

²[Note 5 :- The arrangement contemplated in this rule will apply also to the employees of the Mysore University.]

³[Note 6 :- The contribution paid under this Rule shall be rounded off to the nearest rupee, fractions equal to fifty paise or more being rounded off to the next higher rupee.]

1. Inserted by No. FD 8 SRS 70 dated 16-10-1970.

2. Inserted by No. FD 120 SRS 60 dated 10-8-1960.

3. Inserted by No. FD 146 SRS 69 dated 22-6-1970.

CHAPTER XVII - RULES FOR RECKONING SERVICE

Period of Leave

¹[244. Time passed on all kinds of leave with allowances counts as service.

Note- Notwithstanding the provisions of the corresponding rules in the Mysore Services Regulations, Bombay Civil Services Rules, Hyderabad Civil Services Rules, Madras Pension Code and the Civil Service Regulations of the Government of India this Rule shall apply also to Government servants governed by the pension Rules contained in those rules.]

²[244-A. In respect of retirement or death while in Service of Government Servants on or after 1st September 1968, time passed on all kinds of leave shall count as service under all circumstances provided that the maximum period of leave without allowances to be so counted shall be restricted to 3 years in the entire service.]

¹[245 xxx]

246. ¹[xxx] Government may, at its discretion, decide in the case of a Government servant (including a person under training but not actually appointed to Government service) who is selected to undergo a course of training, whether the period shall count as service qualifying for pension.

Note-1. The period of successful training in the Dehra Dun Forest School in continuation of qualifying service and followed by a substantive appointment in the Forest Department counts.

Note-2. Teachers in Government employ passing through a course of instruction in Normal institution with or without a stipend will be permitted to count the time spent in such an institution as service towards pension, notwithstanding that while receiving such instruction they are treated as being absent from their appointments on leave without allowances.

³[xxx]

1. Amended by No.FD 34 SRS 62 dated 10-12-1963.

2. Inserted by No.FD 69 SRS 66 dated 10-10-1968.

3. Deleted by No.FD 161 SRS 69 dated 22-6-1970.

Special additions

¹[247(1) A member of the Bar, ²[who is directly appointed as Munsiff or to a higher post] in the Judicial Department, and whose whole pensionable service is passed in that Department shall, if appointed at an age exceeding 25 years be entitled to reckon as service qualifying for superannuation pension (but not for any other class of pension) the actual period by which his age, at the time of appointment, has exceeded 25 years subject to the proviso that five years shall be the maximum period which can be so added. No officer can claim the benefit of this Rule unless his actual qualifying service at the time he quits Government service is not less than ten years.

²[xxx]

³[(2) A Judicial Officer who is transferred ⁴[to any civil service under the State and whose pensionable service after such transfer is passed in such civil service provided such transfer is made in the interest of public service] shall be entitled to the addition of the period mentioned in sub-rule(1), as if he passed his whole pensionable service in the Judicial Department.

⁵[*Exception:-* The minimum number of years of actual qualifying service necessary to claim the benefit of addition to the service is reduced from ten to five years in the case of members of the Bar who are directly recruited as District Judges or who, though directly recruited as Sub-Judges or to higher posts in the Judicial department, are promoted as District Judges and had service as District Judges of at least five years in all.]

⁴[247A(1) In the case of persons recruited after completing the age of 30 years in consonance with or pursuant to the rules of recruitment or policy or order of Government applicable to such recruitment, there should be added to their qualifying service, a period equal to the difference between the age on their date of birth immediately preceding the date of recruitment and 30 years, subject to a maximum of 8 years.]

1. Substituted by No.FD 232 SRS 59 dated 13-11-1959(wef 1-4-1958)

2. Amended by No. FD 31 SRS 65 dated 13-1-1966.

3. Inserted by No.FD 139 SRS 72 dated 20-11-1972 (wef 21-12-1972).

4. Amended by No. FD 225 SRS 71 dated 12-7-1978 (wef 1-1-1971).

5. Substituted by No.FD 232 SRS 59 dated 13-11-1959 (wef 1-4-1958).

¹[(2) Where a Government servant is allowed to count his service for pension in accordance with rules 219-A and 219-B together with additional qualifying service under this rule the portion of military service or war service exceeding thirty years of age shall be deducted from the addition to qualifying service under this rule.

(3) The addition to qualifying service shall be in terms of completed years and not in terms of months and days.

(4) The addition to qualifying service is also admissible to a Government servant who had rendered qualifying service of less than ten years on the date of retirement or death.

(5) If the Government servant who is in receipt of military pension for the service rendered by him under military service has not been allowed to count his previous military service for a combined pension under the State Government in lieu of military pension, in such cases the addition to qualifying service under sub-rule (1) may be allowed.

(6) When the Government servant ceases to be governed by Triple Benefit Scheme rules and enters Government service by recruitment, the provisions of sub-rule (1) may be extended if it is advantageous to the Government servant in lieu of the period admissible under rule 248.

(7) A member of the Bar who is recruited to Judicial service at an age exceeding 30 years shall be entitled to the benefit under sub-rule (1) or rule 247, but not both.

(8) The addition to qualifying service under this rule may be extended if it is advantageous to the Government servants in lieu of the benefit admissible to him under rule 248.

Provided that the addition of qualifying service under this rule is not admissible to,-

(i) employees governed under rule 235.

(ii) employees governed by Triple Benefit Scheme Rules,
and

(iii) employees borne on work charged establishment absorbed in regular pensionable service.]

¹[248. If an employee of an educational institution which is recognised by Government gets into Government service as a result of either the school being taken over by Government or his securing an appointment according to the rules of recruitment, one-fourth of his service in that institution shall be counted for pension and gratuity subject to the limitation that the period so allowed to be counted shall not exceed three years.]

²[248A.(1) Persons borne on the work-charged establishments of Government either on daily or monthly wages system when appointed to regular pensionable service under Government shall count for pension or gratuity one-fourth of their service rendered on the work-charged establishments subject to a maximum of three years.]

³[Note - In computing work-charged service under this rule, interruptions in the work charged service not exceeding one-tenth of the aggregate of the total work-charged service should be condoned.]

⁴[(2) Persons borne on the work-charged establishments of Government on time-scales of pay who were in Service on 1st July 1978 and have been or are absorbed in regular pensionable service under Government after that date shall count their work-charged service to the extent indicated below, for purposes of pension and gratuity:

(i) For the first ten years - 50% of service.

(ii) For the remaining period - Full service.]

⁵[(3) The provisions of sub-rule (2) above shall also apply to the persons borne on the work-charged establishments on regular time scales of pay who were absorbed in regular pensionable service prior to 1st July 1978 but who were in service on that date.]

(4) In computing work-charged service under sub-rule (2) or sub-rule (3) above, interruptions in the work charged service not exceeding one-tenth of the aggregate of the total work-charged service shall be ignored.]

1. Substituted by No.FD 211 SRS 74 dated 17-11-1976(wef 20-7-1978).

2. Inserted by No.FD 80 SRS 62 dated 24-11-1962.

3. Inserted by No. FD 55 SRS 65 dated 22-6-1966.

4. Inserted by No. FD 56 SRS 81 dated 30-12-1982 (wef 20-1-1983).

5. Inserted by No.FD 41 SRS 83 dated 9-6-1983 (wef 16-6-1983).

¹[248AA. Persons borne on establishments paid from contingencies of Government either on daily or monthly wages system, and appointed to regular pensionable service under Government on or after 1st January 1961 shall count for pension or gratuity half the service paid from contingencies subject to the following conditions:-

(a) Service paid from contingencies should have been in a job involving whole-time employment (and not part-time for a portion of the day).

(b) Service paid from contingencies should be in a type of work or job for which regular posts could have been sanctioned;

(c) The service should have been one for which the payment is made either on monthly or daily rates computed and paid on a monthly basis and which though not analogous to the regular scale of pay should bear some relation in the matter of pay to those being paid for similar jobs being performed by staff in regular establishments,

(d) The service paid from contingencies should have been continuous and followed by absorption in regular employment without a break.

(e) Subject to the above conditions being fulfilled the weightage of past service will be limited to the period for which authentic records of service are available.]

249. When a Government servant is deputed out of State on duty, the whole period of his absence from State counts. When a Government servant on leave out of State is employed or is detained after the termination of his leave, on duty, the period of such employment or detention counts.

Suspensions, Resignations, Breaks and Deficiencies in Service.

²[250. Time passed under suspension pending enquiry into conduct counts in full where, on conclusion of the enquiry, the Government servant has been fully exonerated or the suspension is held to have been wholly unjustified; in other cases, the period of suspension does not count unless the authority competent to pass orders under Rule 99 expressly declares at the time that it shall count, and then it, shall count only to such extent as the competent authority may declare.]

²[251 xxx]

1. Inserted by No.FD 102 SRS 71 dated 3-7-1972

2. Amended by No.FD 105 SRS 62 dated 2-3-1965.

252(a) Resignation of the public service, or dismissal or removal from it for misconduct, insolvency, inefficiency, but not due to age, or failure to pass a prescribed examination entails forfeiture of past service.

¹[Exception:- The provisions of this Rule regarding forfeiture of past service due to resignation of public service shall not apply to the cases of retirement or death while in service of a Government servant on or after the 19th September 1974.]

²[xxx]

³[(b) Resignation of an appointment to take up, with proper permission, another appointment, whether permanent or temporary, service in which counts in full or in part, is not a resignation of public service.]

⁴[xxx]

⁵[252A. xxx]

⁶[253(a) A Government servant who is dismissed, removed or compulsorily retired from Public Service, but is reinstated on appeal or revision, is entitled to count his past service.

(b) The period of break in service between the date of dismissal, removal or compulsory retirement, as the case may be, and the date of reinstatement, and the period of suspension (if any), shall not count unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.]

⁵[254. Unauthorised absence from duty other than the unauthorised absence referred to in rules 106-A and 162 constitutes an interruption of service entailing forfeiture of past services other interruptions in the service of a Government servant shall not entail forfeiture of past service. The period/periods of such interruptions will, not count as service qualifying for pension.

1. Inserted by No.FD 45 SRS 75 dated 29-1-1976 (w.e.f. 19-9-1974).

2. Deleted by No.FD 43 SRS 86 dated 3-4-1990 (w.e.f. 12-4-1990).

3. Substituted by No.FD 212 SRS 59 dated 15-12-1959.

4. Deleted by No. FD 66 SRS 79 dated 15-11-1980. (wef 27-11-1980).

5. Amended by No. FD 140 SRS 73 dated 30-8-1974 (wef 19-9-1974).

6. Substituted by No. FD 16 SRS 59 dated 30-6-1959.

Explanation:- A "strike" as defined in the Karnataka State Civil Services (Prevention of Strikes) Act, 1966 including refusal of abstention from doing work though physically present at the place of duty by resort to pen-down strike or stay-in-strike or other methods shall be deemed to be unauthorised absence from duty for purposes of this Rule.]

255. The authority who sanctions the pension may commute retrospectively periods of absence without leave into leave without allowances.

Condonation of Interruptions and Deficiencies

256. Upon such condition as it may think fit, in each case, to impose, Government may condone all interruptions in service.

Note-1.- Among the conditions that may be imposed, care should be taken to ensure that Government servants are discouraged from quitting government service against the enforcement of discipline or in the expectation that they might get back their pension rights if they re-enter service after a break to suit their convenience.

¹[Note-2.- In respect of Government servants retiring from service after 31st December 1959, Government may condone interruptions in service (either between two spells of permanent or temporary service or between a spell of temporary service and permanent service or vice versa) only in case where the following conditions are fulfilled:-

(i) The interruptions should have been caused by reasons beyond the control of the Government servant concerned.

(ii) Service preceding the interruption should not be less than 5 years duration, and in cases where there are two or more interruptions, the total service, pensionary benefits in respect of which will be lost if the interruptions are not condoned, should not be less than five years;

(iii) The interruption should not be more than of one year's duration. In cases where there are two or more interruptions, the total of the period of all the interruptions that are condoned should not exceed one year.]

1. Substituted by No. FD 23 SRS 61 dated 15.6.1961.

¹[Note-3.- This Rule shall not apply to cases of retirement or death while in service of Government Servants on or after 1st September 1968.]

²[257. Upon any conditions which, it may think fit to impose, the authority competent to sanction the pension of a Government servant may condone a deficiency of three months in his qualifying service. Government may condone a deficiency not exceeding twelve months.]

Note 1.- The word 'deficiency' includes not merely the period by which a Government servant's qualifying service falls short of the minimum length of qualifying service, which would entitle him to a pension but should be read as including the difference between the total amount of his service qualifying for pension and the total length of service necessary to earn the maximum amount of pension admissible under the rules.

Note 2.- This Rule is not intended to be used merely to allow Government servants to retire on full pension voluntarily, a little sooner than they otherwise could.

³[Note 3.- The power conferred under this Rule should be restricted to ensure that where the benefit is given, it is given only to low paid employees i.e. employees whose pay (including all elements in the nature of pay) at the time of retirement did not or does not exceed Rs. 200 per mensem, proceeding on invalid or Compensation Pension.]

⁴[Note 4.- The provisions of this rule shall not apply to Government servants retiring from service after 31st December 1959.]

1. Inserted by No. FD 69 SRS 66 dated 10-10-1968.

2. Substituted by No. FD 23 SRS 61 dated 15-6-1961.

3. Inserted by No. FD 140 SRS 58 dated 25-7-1958.

4. Inserted by No. FD 23 SRS 61 dated 15-6-1961.

CHAPTER XVIII

CONDITIONS OF GRANT OF PENSION SECTION 1 - CLASSIFICATION OF PENSIONS

258. Pensions are divided into four classes, the rules for which are prescribed in the following Sections of this Chapter:-

- (a) Compensation Pensions-see Section II.
- (b) Invalid Pensions - see Section III.
- (c) Superannuation Pension - see Section IV.
- (d) Retiring Pensions-see Section V.

SECTION II - COMPENSATION PENSION

259. If a Government servant is selected for discharge owing to the abolition of a permanent post, he shall, unless he is appointed to another post the conditions of which are deemed by authority competent to discharge him to be at least equal to those of his own have the option-

- (a) of taking any compensation pension or gratuity to which he may be entitled for the service he has already rendered, or
- (b) of accepting another appointment or transfer to another establishment even on a lower pay, if offered, and continuing to count his previous service for pension.

Note-1.- A compensation pension is designed to mitigate hardships caused by loss of office; and a working man who refuses to accept suitable employment even accompanied with some temporary loss of pay clearly does not need compensation.

Note-2.- When a Government servant not holding a substantive post is retrenched owing to reduction of establishment shall, on reappointment, be entitled to count the former service for leave and pension, the break in service, if any, being treated as having been condoned to the extent admissible under the rules.

260. To pension a Government servant still capable of useful service is a waste of public money; before a pension is granted to such a Government servant discharged on abolition of appointment it must be carefully considered whether he cannot be otherwise provided for. The Head of a department, in forwarding an application

for Compensation pension, should invariably state for what reasons it has been found impossible to provide suitable employment for the applicant.

261. Whenever, upon the reduction of an establishment, it is necessary to discharge one or more members thereof, the selection of the Government servants to be discharged should, *prima facie* be so made that the least charge for Compensation Pension will be incurred.

262. The discharge of one Government servant to make room for another better qualified is not abolition of an appointment within the meaning of Rule 259; the abolition must produce a real saving to Government. Particulars of the saving effected should be fully set forth in every application for compensation pension. The saving should always exceed the cost of the pension; otherwise it may perhaps be better to postpone the reduction of establishment or abolition of appointment.

263. A Gazetted Government servant who belongs to the Public Service, apart from his particular local appointment, e.g., a Munsiff, Magistrate, or Amildar cannot obtain a Compensation pension on the abolition of particular appointment.

264. No pension is admissible to a Government servant for the loss of an appointment on discharge after the completion of a specified term of service.

265. No pension may be awarded for the loss of a local or duty allowance [or special allowance].

266. If it is necessary to discharge a Government servant in consequence of a change in the nature of the duties of his office, the case should be referred to Government.

267. If of two appointments held by one Government servant one is abolished and the other retained, and it is desired to give him an immediate pension in respect of the abolished post, the case should be specially submitted to Government.

268. Reasonable notice should be given to a Government servant in permanent employ before his services are dispensed with on the abolition of his office. If in any case such notice is not given at least three months before dispensing with the Government servant's services, and he shall not have been provided with some other employment on the date on which his services are dispensed with, then with the sanction of Government, a gratuity not exceeding his emoluments for the period by which the notice actually given to him

1. Substituted by No.FD 7 SRA 99 dated 29-4-2000 (wef 1-4-1998).

falls short of three months, shall be paid to him in addition to the pension to which he may be entitled under Rule 259; but the pension shall not be payable for the period in respect of which he receives a gratuity in lieu of notice.

Note-1.- The gratuity prescribed in this Rule is not granted as compensation for loss of employment, but only in lieu of notice of discharge with a view to mitigate the hardship caused to a Government servant by the sudden loss of employment. When, therefore, a Government servant discharged without notice is provided with some other employment on the date on which his services are dispensed with, whether that employment be in qualifying or non-qualifying service, he is not entitled to any gratuity.

Note-2.- Unless it contains an express statement to the contrary an order for the abolition of an office or appointment shall not be brought into operation till the expiry of three months after notice has been given to the Government servant, whose services are to be dispensed with on such abolition. The immediate Head of the office or of the Department will be held responsible that there is no unnecessary delay in giving such notice. In the case of a Government servant on leave the order shall not be brought into operation until the leave expires.

Note-3.- 'Emoluments' in this rule means the emoluments or leave allowances (or partly the one, partly the other which the Government servant would be receiving during the period in question had the notice not been given him.

269. A Government servant discharged with a Compensation pension may not without surrendering his pension refuse to accept any appointment which Government thinks fit, within six months from the date of his discharge, to offer to him. The salary of such new appointment must not, however, be less than that necessary to raise his total receipt, to the amount which he received as salary immediately before his discharge, or should the new appointment be such as the Government servant cannot reasonably and equitably be expected to accept.

270. The rule requiring the refund of a compensation gratuity on re-employment applies to a gratuity awarded under Rule 268, if the Government servant is permanently re-employed within three months from the date of notice. But the Government servant need not refund that proportion of his gratuity under this rule which the interval of his non-employment bears to the whole period for which the gratuity is given. If the Government servant is re-employed only

temporarily, he need refund no part of his gratuity; but if such temporary employment is foreseen, the gratuity should be proportionately reduced.

271. Rule 269 applies also to the case of a Government servant entitled to Compensation pension who, upon the abolition of his own appointment, is transferred by competent authority to another appointment. To such a Government servant a Compensation Pension may be simultaneously awarded, subject always to the limitation prescribed by Rule 309.

272. If a Government servant who is entitled to Compensation Pension accepts instead another appointment in the Public Service, and subsequently becomes again entitled to receive a pension of any class, the amount of such pension shall not be less than what he could have claimed if he had not accepted the appointment.

SECTION III - INVALID PENSION

273. An invalid pension is awarded, on his retirement from the Public Service, to a Government servant who by bodily or mental infirmity is permanently incapacitated-

- (i) for the public Service, or
- (ii) for the particular branch of it to which he belongs.

Note-1.- A Government servant discharged on other grounds has no claim under the above Rule even though he can produce medical evidence of incapacity for service.

Note-2.- Rule 260 applies, *mutatis mutandis*, in the case of a Government servant invalidated under clause (ii) of the above Rule as unfit for employment only in some particular branch of the Public Service. Every effort should be made to find for such a Government servant other employment suited to his particular capacity.

Note-3.- If the incapacity is the result of irregular or intemperate habits, no pension can be granted. Otherwise, it is for Government to decide whether the Government servant's incapacity is such as to render it necessary to admit him to invalid Pension.

¹[*Exception-1*.- Heads of Departments may order the retirement on Invalid Pension of all Non-gazetted Government servants appointed

1. Substituted by No. FD 187 SRS 59 dated 20-5-1960 (wef 26-5-1960).

by them or by a lower authority, who by bodily or mental infirmity are permanently incapacitated for the Public Service. Cases of incapacity for the particular branch of Public Service to which a Government servant belongs, vide clause (ii) *ibid*, shall be decided by Government.]

¹[Exception-2.- The Superintendents of Police may order the retirement on Invalid Pension of Head Constables and Police Constable under them, who by bodily or mental infirmity are permanently incapacitated for the Public Service. Cases of incapacity for further service in the Police Department shall invariably be referred to Government for a decision.]

274. If a Government servant applies, while on leave of any kind taken on account of illness, for retirement on the ground of incapacity for further service and dies before producing the certificate prescribed in this section, to support his request for retirement, his case will be dealt with as if he had produced such certificate, provided the Head of the Office certifies that he has no reason to believe that the applicant's illness or death was due to irregular or intemperate habits.

275. If a Government servant applying for an invalid Pension is fifty-five years old or upwards no certificate by a Medical Officer is necessary; it suffices for the Head of the office to certify to the incapacity of the applicant. Otherwise, incapacity for service must be established by a Medical certificate attested by a Medical Officer not below the rank of an Assistant Surgeon, Grade-I, or in the case of persons suffering from mental diseases by a certificate granted by the Superintendent, Mental Hospital, Bangalore.

(a) If the pension applied for exceeds ²[Rs. 800 a month,] a certificate by a single Medical Officer should not be accepted as sufficient, if it is possible without undue inconvenience, to cause the applicant to appear before the ³[Medical Board.]

(b) In no case shall a medical certificate of incapacity for service be granted unless the applicant produces a letter from the Head of his Office or his Department, to show that the latter is aware of his attention to appear before the Medical Officer.

1. Inserted by No. FD 130 SRS 60 dated 26-12-1960 (wef 5-1-1961).

2. Amended by No.FD 46 SRS 88 dated 21-6-1989 (wef 6-7-1989).

3. Substituted by No. FD 20 SRS 70 dated 4-11-1971.

Note-1.- Where the Head of an Office is himself a District Medical Officer, the invalidating certificate should be supported by a medical certificate from a second Medical Officer of similar status nearest to his station.

Note-2.- In the case of a female applicant, the medical certificate of incapacity for service may be granted by Lady Assistant Surgeons in the case of non-gazetted women employees and by Lady Surgeons in the case of gazetted women employees.

Note-3.- In case of retirement due to diseases of the eye, medical certificates granted by ¹[a Doctor with post-graduate qualification of DOMS or MS (Oph) in a Government Hospital,] may be accepted without countersignature of ²[Medical Board.]

276(a) A succinct statement of medical case, and of the treatment adopted, should, if possible, be appended.

(b) If the Examining Medical Officer, although unable to discover any specific disease in the Government servant, considers him incapacitated for further service by general debility while still under the age of fifty-five years, he should give detailed reasons for his opinion, and if possible a second medical opinion should always in such a case be obtained.

(c) In a case of this kind, special explanation will be expected, from the Head of the Office or Department, of the grounds on which it is proposed to invalid the Government servant.

277. A simple certificate that inefficiency is due to old age or natural decay from advancing years, is not sufficient in the case of a Government servant whose recorded age is less than fifty-five years, but a Medical Officer is at liberty, when certifying that the Government servant is incapacitated for further service by general debility, to state his reasons for believing the age to be understated.

278. ³[(a) The form of the Medical Certificate to be given respecting a Government servant applying for pension shall be in the following form:-

⁴[Certified that I/We have carefully examined A.B. son of C.D.....in the.....His age is by his own statement.....years, and by appearance about.....years. I/We consider A.B. to be

1. Substituted by No. FD 90 SRS 78 dated 17-1-1979 (wef 25-1-1979)

2. Substituted by No. FD 20 SRS 88 dated 21-6-1989 (wef 6-7-1989)

3. Substituted by No. FD 167 SRS 59 dated 6-10-1959 (wef 15-10-1959).

4. Amended by No. FD 47 SRS 69 dated 10-7-1969.

completely and permanently incapacitated (i) for further service of any kind, or (ii) for further service in the Department to which he belongs, (retain clause (i) or (ii) as the case may be) in consequence of.... (here state disease or cause). His incapacity does not appear to me/us to have been caused by irregular or intemperate habits.].

Note - If the incapacity is the result of irregular or intemperate habits the following will be substituted for the last sentence:

is directly

'In my/our opinion his incapacity _____
has been accelerated or
due to _____
_____ irregular or intemperate habits.
aggravated by

(If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made).

'I am/We are of opinion that A.B. is fit for further service of a less laborious character than that which he has been doing (or may after resting for..... months be fit for further service of a less laborious character than that which he has been doing.)

(b) The object of the second alternative certificate of partial incapacity is that a Government servant should, if possible, be employed even on lower pay so that the expense of pensioning him may be avoided. If there be no means of employing him even on lower pay, then he may be admitted to pension, but it should be considered whether in view of his capacity for partially earning living, it is necessary to grant him the full pension admissible under the rules. The principle of Rule 260 must always be carefully borne in mind.

279. Superintendents and Assistant Superintendents of Police should be on their guard against endeavours to retire on invalid pension by officers who are capable of serving longer.

280. Medical Officers should '1[confine] themselves to recommending leave to such policemen as are not likely to benefit by further stay in hospital, and should not certify that a policeman is incapacitated for further service unless they are officially requested to report upon his incapacity for further service.

1. Substituted by No. FD 183 SRS 58 dated 24-10-1958 (wef 1-4-1958).

281. Medical Officers should be specially searching in their examination of the physical unfitness of every applicant for pension and whenever the number of applicants for pensions is large the examination should, if possible, be conducted by two Medical Officers.

282. A Government servant who has submitted under Rule 275, a Medical Certificate of incapacity for further service must not (except for special reasons to be reported to Government) be retained in service pending a decision on his application for pension but he may be given leave at credit for a period not exceeding six months and permitted to retire at the end of that period.

¹[Note- When a Government Servant after submitting a medical certificate of invalidment, is retained in service for a certain period under the provisions of this Rule and thereafter granted leave, the period of such retention in service together with that of such leave should not exceed six months from the date of report of the medical authority.]

²[282A. The pension sanctioning authority shall ensure that the invalid pension and/or Death-cum-retirement gratuity is settled within two months from the date of retirement on invalid pension.

283. A Superannuation pension is granted to a Government servant entitled or compelled, by rule, to retire at a particular age (Vide Rule 95).

³[284 xxx]

SECTION V - RETIRING PENSION

⁴[285.(1) Retiring Pension: - A retiring pension is a pension granted to a Government servant,

(a) who is permitted to retire any time after completion of a qualifying service of not less than ⁵[15 years,] subject to the conditions specified in sub-rule (2) hereunder; or

(b) who is permitted to retire any time on attaining the age of 50 years, subject to the conditions specified under sub-rule (3) hereunder; or

1. Substituted by No. FD 87 SRS 75 dated 16-2-1976 (wef 19-8-1976).

2. Inserted by No. FD 140 SRS 73 dated 30-8-1974 (wef 19-9-1974).

3. Deleted by No. FD 42 SRS 84 dated 30-11-1984 (wef 2-8-1984).

4. Substituted by No. FD 25 SRS 78 dated 23-10-1980 (wef 30-11-1979).

5. Substituted by No. FD 57 SRS 89 dated 27-6-1990 (wef 5-7-1990).

¹[(c) who is retired in public interest any time after completion of 25 years qualifying service or after he has attained the age of 50 years in the case of a Government servant holding a Group A or Group B post and 55 years in the case of a Government servant holding a Group C or Group D post, subject to sub-rule (4) hereunder;]

(2) Conditions governing voluntary retirement of a Government servant on completion of a qualifying service of not less than ²[15 years:]

(i) The Government servant shall give a notice of at least 3 months in writing to the appointing authority;

(ii) The scheme is voluntary, the initiative resting with the Government servant himself;

(iii) Government does not have the reciprocal rights to retire Government servants on its own under this scheme;

(iv) Government servant retiring under this scheme shall be entitled to retiring pension/gratuity;

(v) While granting the retiring pension/gratuity to a Government Servant retiring under this scheme, weightage upto five years shall be given as an addition to the qualifying service actually rendered by him. The grant of such weightage shall, however, be subject to the condition that the total qualifying service after allowing the weightage shall not, in any case, exceed the qualifying service which the Government Servant would have had, if he had retired on attaining the age of superannuation.

(vi) The weightage given under this scheme shall be only an addition to the qualifying service for purposes of pension and gratuity and shall not entitle a Government Servant Retiring Voluntarily to any notional fixation of pay for purposes of calculation Pension and Gratuity.

(vii) The amount of Pension/Gratuity, to be granted shall be subject to the right of the Government or any competent authority to make reduction therein in accordance with the provisions of the Rules, if his service is not satisfactory.

(viii) The scheme of voluntary retirement shall not be applicable to Government Servants who have been or who are

1. Substituted by No. FD 28 SRS 87 dated 8-8-1988 (wef 18-8- 1988).

2. Substituted by No. FD 57 SRS 89 dated 27-6-1990 (wef 5-7- 1990).

absorbed in autonomous bodies/public sector undertakings, etc., in accordance with the provisions of G.O. No. FD 70 SRS 77, dated 27th October 1977.

(ix) A notice of less than three months may be accepted by the appointing authority in deserving cases, with the prior approval of Government.

(x) A notice of voluntary retirement may be withdrawn subsequently only with the approval of the appointing Authority provided that the request for such withdrawal is made within the intended date of retirement and the Government Servant is in a position to establish that there has been a material change in the circumstances in consideration of which the notice was originally given.

(xi) The voluntary retirement shall not become effective merely on the ground that a notice to that effect has been given by the Government Servant unless it is duly accepted by the appointing authority. Such acceptance may be generally given in all cases except those-

(a) in which disciplinary proceedings are pending or contemplated against the Government Servant concerned for the imposition of any of the penalties specified in clauses (v) to (viii) of Rule 8 of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, or

(b) in which prosecution is contemplated or may have been launched in Court of Law against the Government Servant concerned.

Where it is proposed to accept the notice of voluntary retirement in such cases, prior approval of Government in case of Gazetted Government Servants and of the Head of the Department in case of Non-Gazetted Servants should invariably be obtained.

(xii) A Government Servant who has given notice under clause (1) of this sub-rule may be granted leave due and admissible to him, not extending beyond the date on which he attains the age of superannuation, even though such leave extends beyond the date on which he retires on the expiry of the notice. But the leave salary admissible in respect of leave extending beyond the notice period shall be reduced by the amount of pension and pension equivalent of Death-cum-Retirement Gratuity, as the effective date of retirement is the date immediately following the expiry of the notice period.

(xiii) Orders permitting a Government Servant to retire under clause (a) of sub-rule (1) shall not be issued until after the fact that he has put in a qualifying service not less than ¹[15 years] has been verified in consultation with the Accountant General.

(xiv) The term “appointing authority” referred to in this sub-rule means appointing authority as defined in clause (a) of Rule 2 of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

¹[(xv) A Government servant who has voluntarily retired under this scheme after having put in a qualifying service of not less than 15 years shall not be eligible to seek direct recruitment to any service under the State Government.]

(3) Conditions governing voluntary Retirement of Government Servants after attaining the Age of 50 years.

(i) The Retirement of a Government Servant on attaining the age of 50 years is subject to the conditions specified under Clauses (i), (iv), (vii), (ix), (x), (xi), (xii), and (xiv) of sub-rule (2) mentioned above.

(ii) The quantum of pension and Death-cum-Retirement Gratuity admissible to a Government Servant permitted to retire as above shall be proportionate to the length of his qualifying service and calculated in accordance with the provision of Chapter XIX of the Rules.

(iii) The provisions of this sub-rule shall come into force from the date of their publication in the Official Gazette.

(4) Retirement of a Government Servant in public interest under the orders of Government:

²[(i) Government may, by order, retire-

(a) A Government servant in Group A or Group B service post, who is working in a substantive quasi-permanent or temporary capacity, or who, is in a Group C post service in a substantive capacity, but officiating in a Group A or Group B post or service after he has attained the age of 50 years or after he has completed 25 years of qualifying service, and

(b) in any other case after he has attained the age of 55 years or after he has completed 25 years of qualifying service, if the

1. Inserted by No. FD 57 SRS 89 dated 27-6-1990 (wef 5-7-1990).

2. Substituted by No. FD 28 SRS 87 dated 8-8-1988 (wef 18-8-1988).

retirement is in their opinion necessary in the public interest, provided that the Government servant concerned shall either be given a notice of three months before the date of retirement or if he is ordered to retire forthwith be permitted to draw, every month in lieu of pension for the period of three months, from the date of such retirement, a sum equivalent to the salary which he was drawing immediately before the date of retirement. Any increment which accrues to him during the said period shall be paid to him and the said period for which he draws such salary shall be treated as duty.]

(ii) salary for this purpose will include ¹[special allowance], dearness allowance, house rent allowance., city compensatory allowance, Uniform Allowance, Deputation allowance, Foreign Service Allowance and any other allowance, except Conveyance allowance and the Fixed Travelling Allowance. If the service of the Government servant who is on deputation or on foreign service for a specified period on specified terms and conditions, are withdrawn to his parent department before orders are passed under this sub-rule, no deputation or foreign service allowance will be paid.

(iii) Retirement under this sub-rule is not permissible after, issue of an order under clause (c) of Rule 95 of the rules.

(iv) Orders Retiring a Government Servant under this sub-rule, any time after his completion of 25 years of qualifying service shall not be issued until after the fact that he has put in a qualifying service of not less than 25 years has been verified in consultation with the Accountant-General.

(v) The quantum of pension and Death-cum-Retirement Gratuity admissible to a Government Servant who is retired under this sub-rule shall be proportionate to the length of his qualifying service and calculated in accordance with the provisions of Chapter XIX of the Rules.

(vi) The amount of pension/gratuity to be granted shall be subject to the right of the Government or any competent authority to make reduction therein in accordance with the provisions of the rules, if his service is not satisfactory.

(vii) The provisions of this sub-rule shall come into force from the date of their publication in the Official Gazette.]

286. A Government servant holding two or more separate appointments may not, save with the express sanction of Government, resign one or more of such appointments on a pension, without retiring from the public service altogether.

1. Substituted by No. FD 7 SRA 99 dated 29-4-2000 (wef 1-4-1998)

There is no objection to his being relieved from one or more of such appointments at any time without being compelled to leave the service altogether but in such a case, any pension admissible to him for service in the offices from which he is relieved will be deferred until he finally retires.

CHAPTER XIX

AMOUNT OF PENSION

SECTION I - GENERAL RULES

¹[287. The amount of pension that may be granted is determined by the length of service. Fractions of a year are not taken into account in the calculation of any pension admissible to a Government servant retiring on or before 31st December 1959. In the case of Government Servants retiring after 31st December 1959 fractions of a year less than six months should be ignored and fractions of six months or more taken as one year for purposes of computing the length of qualifying service under Rules 291 and 292.

²[Note.- The amount of pension shall be expressed in whole rupee and where the pension calculated according to the rules contains a fraction of a rupee, it shall be rounded off to the next higher rupee.]

³[Explanation:- The provisions of this note apply to all classes of pension granted under various sets of rules including compassionate allowance but do not apply to gratuity sanctioned under various sets of rules, or to the capitalized value of commuted portion of pension.]

⁴[287A. In respect of Government servants retiring from service on or after 1st April 1963, fractions of a year equal to six months and above shall be treated as a completed six monthly period for the purpose of calculation of any pension admissible to such a Government servant.]

288. A pension is fixed in rupees and not in sterling even though it is to be paid in England.

⁵[289 xxx]

Limitations

290. A Government servant entitled to pension may not take a gratuity instead of pension.

SECTION II - AMOUNT OF PENSION

291. The amount of Superannuation, Retiring, Compensation

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1. Substituted by No. FD 41 SRS 60 dated 6-7-1960 (wef 14-7-1960).
 2. Amended by No. FD 30 SRS 67 dated 15-3-1967.
 3. Inserted by No. FD 51 SRS 67 dated 29-7-1967 (wef 15-3-1967).
 4. Inserted by No. FD 41 SRS 60 dated 1-4-1963.
 5. Deleted by No. FD 100 SRS 83 dated 3-1-1985.

and invalid Pension and Compensation and invalid Gratuity will be the appropriate amount noted below :-

Completed years of Qualifying service		Scale of Gratuity or pension	Maximum Pension in Rupees per annum
(a) Gratuity			Rs.
1.	1	month's emoluments	
2.	2	do	
3.	3	do	
4.	4	do	
5.	$4\frac{3}{4}$	do	
6.	$5\frac{1}{2}$	do	
7.	$6\frac{1}{4}$	do	
8.	7	do	
9.	$7\frac{3}{4}$	do	
(b) Pension			
10.	10/80ths of average emoluments		2,250
11.	11/80ths	do	2,475
12.	12/80ths	do	2,700
13.	13/80ths	do	2,925
14.	14/80ths	do	3,150
15.	15/80ths	do	3,375
16.	16/80ths	do	3,600
17.	17/80ths	do	3,825
18.	18/80ths	do	4,050
19.	19/80ths	do	4,275
20.	20/80ths	do	4,500
21.	21/80ths	do	4,725
22.	22/80ths	do	4,950
23.	23/80ths	do	5,175
24.	24/80ths	do	5,400
25.	25/80ths	do	5,625
26.	26/80ths	do	5,850
27.	27/80ths	do	6,075
28.	28/80ths	do	6,300
29.	29/80ths	do	6,525
30.	and above 30/80ths	do	6,750

¹[291-A. In respect of Government servants retiring from service on or after 1st April 1963, the amount of Superannuation, Retiring, Compensation and Invalid pension and Superannuation, Compensation and Invalid Gratuity will be the appropriate amount noted below :

1. Inserted by No.FD 41 SRS 60 dated 1-4-1963

AMOUNT OF PENSION

Completed six monthly periods of qualifying service		Scale of Gratuity or Pension	Maximum Pension (in Rupees per annum)
(a) Gratuity			Rs.
1.	$\frac{1}{2}$	month's emoluments	
2.	1	do	
3.	$1\frac{1}{2}$	do	
4.	2	do	
5.	$2\frac{1}{2}$	do	
6.	3	do	
7.	$3\frac{1}{2}$	do	
8.	4	do	
9.	$4\frac{3}{8}$	do	
10.	$4\frac{3}{4}$	do	
11.	$5\frac{1}{8}$	do	
12.	$5\frac{1}{2}$	do	
13.	$5\frac{7}{8}$	do	
14.	$6\frac{1}{4}$	do	
15.	$6\frac{5}{8}$	do	
16.	7	do	
17.	$7\frac{3}{8}$	do	
18.	$7\frac{3}{4}$	do	
19.	$8\frac{1}{8}$	do	
(b) Pension			
20.	10/ 80ths of average emoluments		2,250
21.	$10\frac{1}{2}$ / 80ths	do	2,362
22.	11/ 80ths	do	2,475
23.	$11\frac{1}{2}$ / 80ths	do	2,587
24.	12/ 80ths	do	2,700
25.	$12\frac{1}{2}$ / 80ths	do	2,812
26.	13/ 80ths	do	2,925
27.	$13\frac{1}{2}$ / 80ths	do	3,037
28.	14/ 80ths	do	3,150
29.	$14\frac{1}{2}$ / 80ths	do	3,262
30.	15/ 80ths	do	3,375
31.	$15\frac{1}{2}$ / 80ths	do	3,487
32.	16/ 80ths	do	3,600
33.	$16\frac{1}{2}$ / 80ths	do	3,712
34.	17/ 80ths	do	3,825
35.	$17\frac{1}{2}$ / 80ths	do	3,937
36.	18/ 80ths	do	4,050

37.	18 $\frac{1}{2}$ / 80ths	do	4,162
38.	19/ 80ths	do	4,275
39.	19 $\frac{1}{2}$ / 80ths	do	4,387
40.	20/ 80ths	do	4,500
41.	20 $\frac{1}{2}$ / 80ths	do	4,612
42.	21/ 80ths	do	4,725
43.	21 $\frac{1}{2}$ / 80ths	do	4,837
44.	22/ 80ths	do	4,950
45.	22 $\frac{1}{2}$ / 80ths	do	5,062
46.	23/ 80ths	do	5,175
47.	23 $\frac{1}{2}$ / 80ths	do	5,287
48.	24/ 80ths	do	5,400
49.	24 $\frac{1}{2}$ / 80ths	do	5,512
50.	25 / 80ths	do	5,625
51.	25 $\frac{1}{2}$ / 80ths	do	5,737
52.	26/ 80ths	do	5,850
53.	26 $\frac{1}{2}$ / 80ths	do	5,962
54.	27/ 80ths	do	6,075
55.	27 $\frac{1}{2}$ / 80ths	do	6,187
56.	28/ 80ths	do	6,300
57.	28 $\frac{1}{2}$ / 80ths	do	6,412
58.	29/ 80ths	do	6,525
59.	29 $\frac{1}{2}$ / 80ths	do	6,637
60.	30/ 80ths	do	6,750

¹[Note - In the case of Government servants retiring on Superannuation, Retiring, Compensation or Invalid Pension on or after 1st December 1964, the amount of pension admissible shall be subject to a minimum of Rs. 20 per month] ²[inclusive of the Dearness Allowance (temporary increase in pension.)]

³[291-AA. In respect of Government servants retiring from service on or after 1st February, 1968, the amount of Superannuation, Retiring, Compensation, and Invalid pension and Superannuation, Compensation and Invalid Gratuity will be the appropriate amount noted below.

1. Inserted by No.FD 17 SRS 64 dated 19-8-1965 (w.e.f. 1-12-1964)

2. Amended by No.FD 126 SRS 67 dated 5-3-1968 (w.e.f. 1-12-1964)

3. Inserted by No. FD 114 SRS 67 dated 8-4-1968.

AMOUNT OF PENSION

Completed six monthly periods of qualifying service		Scale of Gratuity or Pension	Maximum Pension (in Rupees per annum)
		(a) Gratuity	Rs.
1.	$\frac{1}{2}$	month's emoluments	
2.	1	do	
3.	$1\frac{1}{2}$	do	
4.	2	do	
5.	$2\frac{1}{2}$	do	
6.	3	do	
7.	$3\frac{1}{2}$	do	
8.	4	do	
9.	$4\frac{1}{2}$	do	
10.	5	do	
11.	$5\frac{1}{2}$	do	
12.	6	do	
13.	$6\frac{1}{2}$	do	
14.	7	do	
15.	$7\frac{1}{2}$	do	
16.	8	do	
17.	$8\frac{1}{2}$	do	
18.	9	do	
19.	$9\frac{1}{2}$	do	
		(b) Pension	
20.	10/ 80ths of average emoluments		2,700
21.	$10\frac{1}{2}$ / 80ths	do	2,835
22.	11/ 80ths	do	2,970
23.	$11\frac{1}{2}$ / 80ths	do	3,105
24.	12 / 80ths	do	3,240
25.	$12\frac{1}{2}$ / 80ths	do	3,375
26.	13 / 80ths	do	3,510
27.	$13\frac{1}{2}$ / 80ths	do	3,645
28.	14 / 80ths	do	3,780
29.	$14\frac{1}{2}$ / 80ths	do	3,915
30.	15 / 80ths	do	4,050
31.	$15\frac{1}{2}$ / 80ths	do	4,185
32.	16 / 80ths	do	4,320
33.	$16\frac{1}{2}$ / 80ths	do	4,455
34.	17 / 80ths	do	4,590
35.	$17\frac{1}{2}$ / 80ths	do	4,725

36.	18/ 80ths	do	4,830
37.	18 $\frac{1}{2}$ / 80ths	do	4,995
38.	19/ 80ths	do	5,130
39.	19 $\frac{1}{2}$ / 80ths	do	5,265
40.	20/ 80ths	do	5,400
41.	20 $\frac{1}{2}$ / 80ths	do	5,535
42.	21/ 80ths	do	5,670
43.	21 $\frac{1}{2}$ / 80ths	do	5,805
44.	22/ 80ths	do	5,940
45.	22 $\frac{1}{2}$ / 80ths	do	6,075
46.	23/ 80ths	do	6,210
47.	23 $\frac{1}{2}$ / 80ths	do	6,345
48.	24/ 80ths	do	6,480
49.	24 $\frac{1}{2}$ / 80ths	do	6,615
50.	25 / 80ths	do	6,750
51.	25 $\frac{1}{2}$ / 80ths	do	6,885
52.	26/ 80ths	do	7,020
53.	26 $\frac{1}{2}$ / 80ths	do	7,155
54.	27/ 80ths	do	7,290
55.	27 $\frac{1}{2}$ / 80ths	do	7,425
56.	28/ 80ths	do	7,560
57.	28 $\frac{1}{2}$ / 80ths	do	7,695
58.	29/ 80ths	do	7,830
59.	29 $\frac{1}{2}$ / 80ths	do	7,965
60.	30/ 80ths	do	8,100

Note - The amount of pension admissible shall be subject to a minimum of Rs. 20 per month inclusive of Dearness Allowance (temporary increase in pension.)]

¹[291-B.(1) In respect of Government servants retiring from service with effect from any date after 1st January 1977 the amount of superannuation, retiring, compensation and invalid pension or service gratuity in cases where the qualifying service is less than ten years will be the appropriate amount noted below.

1. Inserted by No.FD 80 SRS 78 dated 18-6-1980 (w.e.f. 1-1-1977)

Completed six monthly periods of qualifying service		Scale of Gratuity or Pension	The amount of DCRG as multiple of the month's emoluments
1.	$\frac{1}{2}$	month's emoluments	
2.	1	do	
3.	$1\frac{1}{2}$	do	
4.	2	do	
5.	$2\frac{1}{2}$	do	
6.	3	do	
7.	$3\frac{1}{2}$	do	
8.	4	do	
9.	$4\frac{1}{2}$	do	
10.	5	do	3.00
11.	$5\frac{1}{2}$	do	3.30
12.	6	do	3.60
13.	$6\frac{1}{2}$	do	3.90
14.	7	do	4.20
15.	$7\frac{1}{2}$	do	4.50
16.	8	do	4.80
17.	$8\frac{1}{2}$	do	5.10
18.	9	do	5.40
19.	$9\frac{1}{2}$	do	5.70
20.	15/80	do	6.00
21.	15.5/80	do	6.30
22.	16/80	do	6.60
23.	16.5/80	do	6.90
24.	17/80	do	7.20
25.	17.5/80	do	7.50
26.	18/80	do	7.80
27.	18.5/80	do	8.10
28.	19/80	do	8.40
29.	19.5/80	do	8.70
30.	20/80	do	9.00
31.	20.5/80	do	9.30
32.	21/80	do	9.60
33.	21.5/80	do	9.90
34.	22/80	do	10.20
35.	22.5/80	do	10.50
36.	23/80	do	10.80
37.	23.5/80	do	11.10
38.	24/80	do	11.40
39.	24.5/80	do	11.70
40.	25/80	do	12.00

41.	25.5/80	do	12.30
42.	26/80	do	12.60
43.	26.5/80	do	12.90
44.	27/80	do	13.20
45.	27.5/80	do	13.50
46.	28/80	do	13.80
47.	28.5/80	do	14.10
48.	29/80	do	14.40
49.	29.5/80	do	14.70
50.	30/80	do	15.00
51.	30.3/80	do	15.15
52.	30.6/80	do	15.30
53.	30.9/80	do	15.45
54.	31.2/80	do	15.60
55.	31.5/80	do	15.75
56.	31.8/80	do	15.90
57.	32.1/80	do	16.05
58.	32.4/80	do	16.20
59.	32.7/80	do	16.35
60.	33/80	do	16.50

(2) Notwithstanding anything contained in the provisions of the foregoing sub-rule,

(i) the amount of pension admissible to any retired Government servants shall be subject to a minimum of Rs. 120 per month and a maximum of Rs. 1,000 per month; and

(ii) the amount of the Death-cum-Retirement Gratuity admissible shall not exceed thirty thousand rupees in any case.

(3) In the case of a Government servant who retired prior to the 1st day of November 1968 and who is in receipt of pension, an amount equal to fifteen percent of the sum of the original pension sanctioned to him (before commutation, if any) and the entire amount of dearness allowance admissible thereon as on the 31st day of December 1976 shall be added to such sum and the total amount so computed shall represent the amount of pension admissible to such persons with effect from the 1st January 1977. This benefit shall also be admissible to the beneficiaries mentioned in Government Orders No. FD (SPL) 361 PET 72, dated 15th April 1974 and No. FD (SPL) 258 PET 74, dated 25th February 1976.

(4) In the case of a Government Servant who retired prior to the 1st day of January 1977, but after the 1st day of November 1968 and who is in receipt of pension, an amount equal to ten percent of the sum of the original pension sanctioned to him (before

commutation, if any) and the entire amount of dearness allowance admissible thereon as on the 31st day of December 1976 shall be added, to such sum and the total amount so computed shall represent the amount of pension admissible to such persons with effect from the 1st day of January 1977.

(5) Pension admissible under sub-rule (3) and sub-rule (4) shall be subject to a minimum of Rs. 120 per month.

(6) Notwithstanding the increase in pension admissible in sub-rule (3) and sub-rule (4), a commutation of pension in respect of the pensioner concerned shall be made only on the basis of the original pension without reference to the dearness allowance or increase in the pension.

(7) A Government servant retiring after 1st January 1977 may prefer to draw in lieu of the pensionary benefits admissible under sub-rule (1), the following namely:

(a) the monthly pension calculated according to the provisions of the rules as in force prior to 1st January 1977 without reference to the revised pay scales introduced under the Karnataka Civil Services (Revised Pay) Rules, 1976;

(b) the dearness allowance admissible on such monthly pension as on 31st December 1976;

(c) the increase in pension referred to in sub-clause (3); and

(d) the Death-cum-Retirement Gratuity as calculated with reference to the rules in force prior to 1st January 1977 and without reference to the revised scales of pay introduced under Karnataka Civil Services (Revised Pay) Rules, 1976.

Note-. The request for such preference should be sent to the Accountant-General along with the pension records for the sanction of pension and death-cum-retirement gratuity. In cases where such pension records for the sanction of pension and death-cum-retirement gratuity are sent to the Accountant-General before 1st January 1977, and in cases of gazetted Officers, the preference should be communicated so as to reach the Accountant-General not later than the 1st March 1977.

(8) The dearness allowance sanctioned to pensioners prior to the 1st day of January 1977 shall cease to be payable on refixation of pension under the foregoing provisions of this rule except those of sub-rule (7).]

¹[291-C. The minimum pension including dearness allowance

thereon at the rates admissible to Government servants shall also be admissible with effect from 1st April 1976 to the pensioners of the following categories who retired from service prior to 1st November 1956 from the former States of Hyderabad, Bombay or Madras or Jagirs, Paighas etc., taken over by those Governments and who are drawing pensions in the Treasury in this State as on 1st April 1976.

- (1) Recipients of Compassionate Pensions,
- (2) Recipients of Family Pensions,
- (3) Recipients of Jahgir/Paigha Pensions Salarjung, Asmansahi etc.,
- (4) Recipients of Retiring Pensions,
- (5) Recipients of service Pensions
- (6) Recipients of Extraordinary Pensions

Provided further that the minimum pension shall be Rs. 120 per month with effect from 1st January 1977 as specified in rule 291 of these rules.

291D.(1) In respect of Government Servants, in service on the 29th February 1980 or retiring from service on or after that date, the amount of superannuation/retiring/compensation/ invalid pension shall be determined as follows:

	Amount of Monthly Pension
(a) (i) Upto first Rs. 1,000 of average emolu- ments for pension	50% of average emoluments
(ii) Next Rs. 500 of average emoluments for pension	45% of average emoluments
(iii) Balance of average emoluments for pension	40% of average emoluments

OR

(b) Pension admissible as per the rates prescribed under Rule 291-B(1) *ibid*, whichever is higher, subject to a maximum of Rs. 1,500.

(2) The amount of pension arrived at on the basis of slabs prescribed under clause (a) of sub-rule (1) above is related to the maximum qualifying service of 30 years. For Government servants, who at the time of retirement have rendered a qualifying service of ten years, or more but less than 30 years, the amount of their pension will be such proportion of the maximum admissible pension as the qualifying service rendered by them bears to the maximum qualifying service of 30 years.]

292. ¹[(i) A Government servant who has completed five years' qualifying service may be granted an additional gratuity not exceeding the amount specified in sub-rule (iii) when he retires from service and is eligible for a gratuity or pension under Rule 291. If the Government servant dies before the gratuity is actually paid the gratuity may be paid in the following manner: -

(1) to the person or persons on whom the right of receiving the gratuity is conferred under Rule 302; or

(2) If there are no such persons, in the manner indicated in sub-rule (ii) below:-

(ii) If a Government servant who has completed five year's qualifying service dies while in service, a gratuity not exceeding the amount specified in sub-rule (iii) may be paid to the person or persons on whom the right to receive gratuity is conferred under Rule 302 or, if there are no such persons, it may be paid in the manner indicated below:-

(1) If there are one or more surviving members of the family as in items (a), (b), (c) and (d) of sub-rule (i) of Rule 302, it may be paid to all such members, other than any such members who is a widowed daughter, in equal shares.

(2) If there are no such surviving members of the family as at (1) above, but there are one or more surviving widowed daughters and/or one or more surviving members of the family as in items ²[(e), (f), (g), (h) and (i)] of sub-rule 302, the gratuity may be paid to all such members in equal shares.]

1. Substituted by No. FD 156 SRS 58 dated 14-8-1958 (wef 28-8-1958).

2. Amended by No. FD 168 SRS 67 dated 8-4-1968.

(iii) ¹[(a) In the case of Government servants who died/die on or after 1st January 1977 the amount of gratuity shall be as indicated in rule 291-B.] In the event of death of a Government servant while in service, the gratuity will be subject to a minimum of 12 times the emoluments of the Government servant at the time of his death.

²[(b) Notwithstanding anything contained in clause (a), in respect of a Government servant retiring from service after 31st December 1959, the amount of gratuity will be ten-twentieths of his 'emoluments' for each completed year of qualifying service subject to a maximum of fifteen times the 'emoluments'. In the event of death of a Government servant on and after 31st December, 1959, while in service, the said gratuity will be subject to a minimum of twelve times his emoluments at the time of death:]

³[Provided that in respect of Government servants retiring on or after 1st April, 1963, the amount of gratuity will be one-fourth of the 'Emoluments' of a Government servant for each completed six monthly period of qualifying service subject to a maximum of 15 times the 'Emoluments'. In the event of death of a Government servant while in service, the gratuity will be subject to a minimum of 12 times the 'Emoluments' of the Government servant at the time of his death, provided that in no case it shall exceed ³[Rs. 22,500].

⁴[Provided further that in the case of retirement or death of Government Servants while in service on or after 1st February 1968 such gratuity shall not exceed Rs. 24,000:]

⁵(iv) If a Government servant who has become eligible for a pension or gratuity under Rule 291 dies after he has retired from service, and the sums actually received by him at the time of death on account of such gratuity or pension together with the gratuity granted under sub-rule (1) and the commuted value of any portion of pension commuted by him are less than the amount equal to twelve times his emoluments, a gratuity equal to the deficiency may be granted to the person or persons specified in sub-rule (ii).]

1. Inserted by No. FD 80 SRS 78 dated 18-6-1980 (wef 1-1-1978).

2. Inserted by No. FD 80 SRS 78 dated 18-6-1980 (wef 1-1-1978).

3. Inserted by No. FD 41 SRS 60 dated 1-4-1963.

4. Amended by No. FD I 14 SRS 67 dated 8-4-1968.

5. Substituted by No. FD 66 SRS 59 dated 20-5-1959 (wef 4-6-1959).

Note-1.- For purposes of calculating the 'sums' actually received by a pensioner under the above rules, the dearness allowance already drawn by him, in addition to pension and gratuity, shall also be taken into consideration.

¹[Note-2.- These rules do not prohibit the grant of Death-cum-Retirement Gratuity/Family Pension to the family of a Government servant who commits suicide.]

²[292-A. In the event of death of a Government servant before completing five years qualifying service, the family of the deceased Government servant shall be eligible to receive a gratuity equal to six times the emoluments of the Government servant at the time of his death provided that in the case of death occurring in the first years of service, the gratuity admissible shall be equal to two months' emoluments.

³[292-AA. In the event of death of a Government servant while in service on or after 1st July, 1986 the Death Gratuity shall be admissible from 1st July, 1986 or from the date of death as the case may be at the following rates :-

Sl. No.	Length of Qualifying Service	Rate of Gratuity
1.	Less than one year	Two times the emoluments
2.	One year or more but less than five years	Six times the emoluments
3.	Five years or more but less than twenty years	Twelve times the emoluments
4.	Twenty years or more	Half the emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments provided that the amount of Death Gratuity shall in no case exceed rupees one lakh.]

1. Inserted by No. FD 16 SRS 60 dated 2-2.1960 (wef 11-2-1960).

2. Inserted by No. FD 24 SRS 63 dated 10-6-1963 (wef 1-7-1963).

3. Inserted by No. FD 1 SRA 97 dated 23-4-1998 (w.e.f. 15.10.1988)

292-B. The following provisions shall govern the grant of Death/Retirement/Terminal Gratuity for purely temporary employees, in the event of death while in service or retirement or retrenchment or invalidment:

A. Terminal gratuity:- A temporary Government servant who retires on superannuation or is discharged on account of retrenchment or is declared invalid for further service, will be eligible for a gratuity at the rate of 1/3rd of a month's pay for each completed year of service provided that he had completed 5 years' continuous service at the time of retirement/discharge/ invalidment:

¹[Provided that if he has completed not less than ten years continuous service at the time of retirement /discharge/invalidation, he will be eligible for a gratuity at the rate of one month's pay for each completed year of service, calculated on the basis of the average of last twelve months' pay drawn by him.]

B. Death gratuity:- The family of a temporary Government servant who dies while in service will be eligible for a death gratuity on the scale and subject to the conditions specified below:

(a) On death after completion of one year's service but before completion of three years' service, a gratuity equal to one month's pay.

(b) On death after completion of three years' service but before completion of five years' service, a gratuity equal to two month's pay.

¹[(c) On death, after completion of five years' service but before completion of ten years' service, a gratuity equal to three months' pay.

(d) On death after completion of not less than ten years continuous service a gratuity equal to one months' pay for each completed year of service calculated on the basis of the average of last twelve months' pay drawn by the deceased.]

Note- 1. 'Pay' for the purpose of determining the amount of terminal/death gratuity under this Rule will mean only basic pay, and also dearness Pay in the case of those who retain the 'existing scales of pay' at the time of relinquishing service or of death as the case may be. It will not include ²[special allowance], personal pay and other emoluments classed as 'pay'. In case the person concerned was on leave with or without allowance immediately before retirement/discharge/invalidment/death. Pay for this purpose will be, pay which he drew before, proceeding on such leave provided that the benefit of increase in pay not actually drawn due to increment or promotion to a post carrying a higher rate of pay falling during leave not exceeding 120 days of earned leave or the first 120 days of such earned leave exceeding 120 days only will also be taken into account.

³[Note- 2.- The term 'Service' for the purpose of grant of terminal/death gratuity under this rule shall include all periods spent on duty as well as on leave with allowance.]

1. Amended by No. FD 83 SRS 66 dated 17.7.1967.

2. Substituted by No. FD 7 SRA 99 dated 29-4-2000 (wef. 14-1998)

3. Inserted by No. FD 24 SRS 63 dated 28-12-1964.

Note-3.- (i) The grant of gratuity under this Rule will be subject to the service rendered by the Government servant concerned being held by the authority competent to appoint him, to be approved and satisfactory.

(ii) No gratuity will be admissible :-

(a) in a case where the Government servant concerned resigns his post or is removed/dismissed from public services;

(b) to a probationer or other Government servant discharged for failure to pass the prescribed test or examination; and

(c) to a re-employed pensioner.

¹[Note-4.- The maximum amount of gratuity admissible under this Rule shall be 12 months' pay or Rs. 12,000 whichever is less.

Note- 5.- The grant of gratuity under Part B of this Rule shall not debar a person from the benefits of the Karnataka Government Servants (Family Pension) Rules, 1964 and the provisions of Rule 10 of the said Rules shall also apply to him.]

²[Note-6.- This Rule shall not apply to cases of retirement or death while in service of Government Servants on or after 1st September 1968.]

³[292-C. **Debarring a person from receiving gratuity:** (1) If a person, who in the event of death of a Government servant, while in service is eligible to receive gratuity in terms of rule 292 is charged with the offence of murdering the Government servant or for abetting in the commission of such an offence his claim to receive his share of gratuity shall remain suspended till the conclusion of the criminal proceedings instituted against him.

(2) If on the conclusion of the criminal proceeding referred to in sub-rule (1) the person concerned-

(a) is convicted for the murder or abetting in the murder of the government servant, he shall be debarred from receiving his share of gratuity which shall be payable to other eligible members of the family, if any;

1. Amended by No. FD 83 SRS 66 dated 17-7-1967.

2. Inserted by No.FD 69 SRS 66 dated 10-10-1968.

3. Inserted by No. FD 7 SRS 91 dated 13-6-1991 (wef 4-7-91).

(b) is acquitted of the charge of murdering or abetting in the murder of the Government servant, his share of gratuity shall be payable to him.

(3) The provisions of sub-rules (1) and (2) shall also apply to the undisbursed gratuity referred to in clause (x) of rule 302.

292-D Lapse of Death-cum-retirement gratuity: Where a government servant dies while in service or after retirement, without receiving the amount of gratuity and leaves behind no family and-

(a) has made no nomination, or

(b) the nomination made by him does not subsist the amount of death-cum-retirement gratuity payable in respect of such Government servant under rule 292 shall lapse to Government; Provided that the amount of death gratuity/ retirement gratuity be payable to the person in whose favour a Succession Certificate in respect of the gratuity in question has been granted by a Court of Law].

293. The emoluments for the purpose of rule 292 will be subject to a maximum of Rs.1500 per mensem and means the emoluments as defined in Rule 296 which the Government servant was receiving immediately before retirement (death) provided that if the emoluments of a Government servant have been reduced during the last three years of service, otherwise than as a penalty 'average emoluments' as defined in rule 297 ¹[or 297B] may, at the discretion of the authority which has the power to sanction the gratuity under this section, be treated as emoluments.

¹[Note 1. The emoluments for the purpose of Rule 292 will be subject to a maximum of Rs.1800/- per mensem in the case of retirement or death of Government servants while in service or after 1st February, 1968].

²[Note 2. The emoluments for the purpose of rule 292 will be subject to a maximum of Rs.2500 per month in the case of retirement after 1st January, 1977 or death of Government servant while in service on or after 1st January, 1977].

1. No. FD 80 SRS 78 dated 18-6-1986 (wef 3-7-1980)

2. No. FD 114 SRS 67 dated 8-4-1968.

¹(293-A. For the purpose of calculation of Death-cum-Retirement Gratuity, the term “emoluments” means the emoluments as defined in Rule 296 which the Government Servant was receiving immediately before his retirement or death or the average emoluments as defined in rule 297-B, whichever is more.

Exception:- Where the emoluments of Government servant have been reduced during the last ten months of his service as a measure of penalty, only such reduced emoluments last drawn by him immediately before his retirement or death shall be taken into account for calculating the Death-cum-Retirement Gratuity admissible to him.]

²[293-B. In case of Government servant who has completed not less than ten six monthly periods of qualifying service, the amount of retirement Gratuity payable after 1st July, 1986, shall be at the rate equal to one fourth of the emoluments for each completed six monthly period of qualifying service subject to a maximum of sixteen and half times the emoluments and subject to a maximum of one lakh rupees. The monetary benefit of retirement or death gratuity shall be admissible from 1st July, 1986 or from the date of retirement or death, as the case may be. With effect from Twenty Eight, November, 1995, amount of death-cum-retirement gratuity shall be subject to a maximum of rupees two lakhs and fifty thousand.]

SECTION III - FAMILY PENSION

294(i) A family pension not exceeding the amount specified in sub-rule (ii) may be granted to the family of a Government servant who dies whether while still in service or after retirement, after completion of not less than 20 years qualifying service, for a period of ten years;

Provided that the period of payment of family pension will in no case extend beyond a period of 5 years from the date on which the deceased Government servant retired or on which he would have retired on a superannuation pension in the normal course, according as the death takes place after retirement or while the officer is in service.

Note-1.- In the case of a Government servant who dies while on extension of service, the expression “date on which he would have retired on superannuation pension in the normal course” in the

1. Inserted by No. FD 49 SRS 82 dated 11-8-1982 (wef 1-7-1981).

2. Amended by No. FD 1 SRA 97 dated 23.4.1998 (w.e.f. 15.10.1998)

said proviso shall mean the date upto which extension of service has been sanctioned to him before his death.

¹[Note-2.- In the case of a Government servant who dies while on leave preparatory to retirement on a retiring pension, the period of five years for the purpose of the grant of family pension should be reckoned from the date on which the officer would have retired on a superannuation pension in the normal course and not the intended date of retirement on a retiring pension which did not, however, actually come about.]

²[Note-3.- Sanctions to retention in service or extension of service which have not been communicated or have not become operative before the death of a Government servant should be taken into account while computing the period of tenability of family Pension under the proviso to this rule.]

(ii) The amount of family pension will be-

(a) in the event of death while in service, one-half of the superannuation pension which would be admissible to the Government servant had he retired on the date following the date of his death, and

(b) in the event of death after retirement, half the pension sanctioned for him at the time of retirement:

³[Provided that the amount of family pension will be subject to a maximum of Rs. 150 per mensem, and a minimum of Rs. 30 per mensem:]

⁴[Provided further that as from the 1st April 1973, the amount of family pension shall be subject to a minimum of Rs. 40 per mensem:]

⁵[Provided that the amount of family pension shall be, subject to a minimum of ninety rupees per month with effect from 1st January 1977.]

In case where a Government servant mentioned in clause ⁶[(b)] had commuted a part of his pension before his death, the uncommuted value of that part of pension will be deducted from the family pension calculated as above.

1. Inserted by No. FD 146 SRS 60 dated 23-9-1960 (wef 6-10-1960).

2. Inserted by No. FD 139 SRS 60 dated. 8-6-1961 (wef 15-6-1961).

3. Substituted by No. FD 32 SRS 70 dated 13-4-1971 (wef 1-10-1970).

4. Inserted by No. FD 48 SRS 73 dated 4-11-1974 (wef 1-4-1973).

5. Inserted by No. FD 80 SRS 78 dated 18-6-1980 (wef 1-1-1977).

6. Substituted by No. FD 287 SRS 58 dated 4-12-1958 (wef 1-4-1958).

Government will also be prepared to consider, in exceptional circumstances, the award of family pension to families of Government servants who may die after completing less than 20 years' qualifying service but not less than 10 years' qualifying service.

¹[Note - In order to enable Government to satisfy itself that the conditions of 'exceptional circumstances' for the award of family pension is fulfilled in such cases, the following information should be furnished to Government:-

(i) the amount received (or receivable) by the family of the deceased officer by way of Insurance, Provident Fund and Death-cum-retirement gratuity;

(ii) the pay (indicating separately the officiating pay and other emoluments in the nature of pay), the officer was in receipt of at the time of his death;

(iii) the number of children left behind, if any, with their ages and the classes in which studying.]

(iii) 'Family' for the purpose of this Section will be as defined in sub-rule (i) of Rule 302.

(iv) No pension will be payable under this Section-

(a) to a person mentioned in clause (b) of sub-rule (v) without production of reasonable proof that such person was dependent on the deceased Government servant for support,

(b) to an unmarried female member of a Government servant's family, in the event of her marriage;

(c) to a widowed female member of a Government servant's family in the event of her re-marriage;

(d) to a brother of a Government servant on his attaining the age of 18 years;

(e) to a person who is not a member of Government servant's family;

(v) except as may be provided by a nomination under sub-rule (vi)-

(a) a pension sanctioned under this Section will be allowed-

1. Inserted by No. FD 180 SRS 58 dated. 23-9-1958 (wef 2-10-1958).

(i) ¹[to the surviving widow or if there are more widows than one, to all of them in such manner as Government may deem fit,] if the deceased is a male Government servant or to the husband if the deceased is a female Government servant:

(ii) failing a widow or husband, as the case may be, to the eldest surviving son;

(iii) failing (i) and (ii), to the eldest surviving unmarried daughter;

(iv) these failing, to the eldest widowed daughter; and

(b) in the event of no pension becoming payable under clause (a), pension may be granted-

(i) to the father:

(ii) failing the father, to the mother:

(iii) failing the father and the mother, to the eldest surviving brother below the age of 18;

(iv) failing (i) to (iii), to the eldest surviving unmarried sister;

(v) failing (i) to (iv), to the eldest surviving widowed sister;

²[(vi) A Government servant shall, soon after his confirmation in Government service, make a nomination in Form 6 indicating the order in which the pension sanctioned under this Section should be paid to the members of his family; and to the extent that it is valid, the pension shall be payable in accordance with such nomination provided the persons concerned are eligible on the date from which the pension may fall due to receive the pension under the provision of sub-rule (iv). In case the person concerned does not satisfy the requirements of the said sub-rule, the pension shall be granted to the person next lower in the order. The provisions of sub-rules (vi)(b), (viii) and (ix) of rule 302, will apply in respect of nominations under this sub-rule.]

(vii) ³[(a) Except as provided in sub-clause (a) of sub-rule (v), a pension awarded under this Section will not be payable to more

1. Substituted by No. FD 42 SRS 61 dated 14-7-1961 (wef 20-7-1961).

2. Substituted by No. FD No.FD 37 SRS 60 dated 15-3-1960 (wef 24-3-1960).

3. Substituted by No. FD 162 SRS 61 dated 13/16-12-1961.

than one member of a Government servant's family at the same time.]

(b) If a pension awarded under this Section ceases to be payable before the expiry of the period mentioned in sub-rule (i), on account of death or marriage of the recipient or other causes, it will be re-granted to the person next lower in the order mentioned in sub-rule (v), or to the person next lower in the order shown in the nomination made under sub-rule (vi) as the case may be, who satisfies the other provisions of this Section.

(viii) A pension sanctioned under this Section will be tenable in addition to any extraordinary pension or gratuity or compensation that may be granted to the members of a Government servant's family under any other rules.

(ix) No dearness allowance is admissible in respect of the Family Pensions sanctioned under this Rule.

¹[294-A. In respect of widow/minor children actually in receipt of family pension on 30th November 1964 under rule 294 or the corresponding rules in the Pension Rules contained in the Mysore Service Regulations/Bombay Civil Services Rules/ Hyderabad Civil Service Rules/Civil Service Regulations of the Government of India, the period of eligibility for the drawal of family pension shall be extended upto (i) the date of death or remarriage whichever is earlier, in the case of widows; and (ii) the date of attaining majority in the case of children (until marriage, if earlier, in the case of daughters).

The rate of pension shall be determined as under:-

(i) For the period for which family pension is admissible under the pension Rules applicable, pension shall be paid at the rates admissible under those rules ²[subject to a minimum of Rs. 30 per month.]

(ii) For the extended period, the rate of pension shall be

²[(a) Rupees thirty per month, if the family pension previously admissible is less than Rs. 30 per month.]

(b) equal to half the family pension admissible previously subject to a minimum of ²[Rs. 30] p.m; where the family pension is more than ²[Rs. 30] per month.

1. Inserted by FD 17 SRS 64 dated. 19-8-1965 (wef 1-12-1964).

2. Amended by No. FD 32 SRS 70 dated 13-4-1971 (wef 1-10-1970).

Note -1. This rule shall apply also to wives and minor children of Government servants who retired before 1st December 1964 and on whose death subsequent to this date (but within five years from the date of retirement) the widows/minor children become entitled to family pension under rule 294 or the corresponding rules in the pension rules contained in the Mysore Services Regulations/Bombay Civil Services Rules/Hyderabad Civil Services Rules/Civil Service Regulations of the Government of India.

Note-2. (i) Grant of Family Pension to minor children in the event of death of the widow:- In the event of death or remarriage of the widow during the extended period, the family pension will cease to be payable to any other member (including minor children) of a Government servant's family. The intention is that during the period of admissibility, re-grant of family pension will be in terms of the pension Rules contained in the M.S.Rs./B.C.S.Rs./H.C.S.Rs./C.S.Rs. of the Government of India. After this period there will be no re-grant.

(ii) Grant of family pension to the next minor child if the first one attains majority:- In a case where a minor son/daughter in receipt of a family pension under the pension rules contained in the M.S.Rs./B.C.S.Rs./H.C.S.Rs./C.S.Rs. of the Government of India continues to be minor after the date of normal admissibility, and attains majority during the extended period, the family pension is not payable to the next minor child.

(iii) Sanction for the revised family pension :- For the extension of the family pension, after the period of admissibility is over, the Audit Officer will authorise further extension by revising the Family Pension Payment Order. No fresh sanction is necessary.]

¹[Note-3. The age of attaining majority for purposes of this rule shall be 18 years for boys and 21 years for girls.]

²[Note-4. The family pension admissible under clause (1) and sub-clauses (a) and (b) of clause (ii) of this rule shall be subject to a minimum of Rs.40 per mensem with effect from 1st April, 1973.]

³[Note-5. The family pension plus dearness allowance admissible under clause (i) and sub-clause (a) and (b) of clause

1. Inserted by No. FD 34 SRS 67 dated 6-7-1967.

2. Inserted by No. FD 48 SRS 73 dated 4.11.1974 (w.e.f. 1-4-1973)

3. Inserted by No. FD 80 SRS 78 dated 18-6-1980 (w.e.f. 1-1-1977)

(ii) of this rule as on 31st December, 1976 shall be treated as family pension subject to a minimum of Rs. 90 per month with effect from 1st January, 1977.]

¹[294-B.(i) In respect of Government servants, who retired before 1st December, 1964, their families shall, irrespective of the set of Pension Rules by which the Government servants are governed, be eligible for the family pension subject to the following conditions:-

(a) The pensioner himself/herself had made an application to the Accountant-General, Karnataka, Bangalore, together with three attested copies of his/her joint passport size photograph with his/her, wife/husband, a statement showing details of his 'family' i.e., wife/husband as the case may be and minor children indicating the date of birth of each member, praying for the benefit of this rule, ²[on or before 31st December. 1974.]

³[(b) if such a pensioner had credited to Government an amount equal to 25 per cent of the pension sanctioned to him/ her for a period of two years, subject to a maximum of Rs. 3,600, either in lumpsum, or if he has expressed his willingness to the amount being deducted from his pension regularly in 24 monthly instalments. In cases of death after the first instalments is deducted, the balance of instalments shall be deducted every month from the Family Pension admissible under this rule.

Note - The benefit derivable under this sub-rule, shall be extended also to the cases of death of pensioners occurring on or after the 2nd September, 1968 but before the last date for applying to the Accountant General as provided for in clause (a) above, either without applying for the benefit of this Rule or after so applying but either before crediting entire amount prescribed in sub-clause (b) in lumpsum or before the deduction of the first instalment, provided the beneficiary either credits the entire amount in lumpsum or agrees to the deduction of the amount due in 24 monthly instalments from the Family Pension admissible under this Rule.]

(ii) "Family" for the purpose of this Rule will be as defined in Rule 7 of the Karnataka Government Servants (Family Pension) Rules, 1964, with reference to the position existing on the date of this amendment.

1. Inserted by No. FD 66 SRS 68 dated 2-9-1968.

2. Substituted by No. FD 77 SRS 74 dated 20-7-1974 (w.e.f. 1-1-1974)

3. Substituted by No. FD 169 SRS 74 dated. 13-2-1975 (w.e.f. 2-9-1968).

¹[xxx]

(iii) Family pension under this rule shall be sanctioned to the family of the deceased pensioner in the order as prescribed in Rule 8 of the Karnataka Government Servants (Family Pension) Rules, 1964.

(iv) The Family Pension granted under this Rule shall be paid as laid down in Rule 9 of the Karnataka Government Servants (Family Pension) Rules, 1964.

(v) ²[The amount of family Pension will be half the pension sanctioned to the pensioner subject to a maximum of Rs. 150 per mensem and minimum of Rs. 30 per mensem:]

³[(i) Provided that with effect from 1st April, 1973, the amount of family pension shall be subject to a minimum of Rs. 40 per mensem:]

⁴[(ii) Provided that with effect from 1st January 1977 the amount of family pension shall be subject to a minimum of Rs. 90 per month.]

(vi) The Family Pension under this rule is in lieu of other Family Pension, if any admissible.

(vii) No Dearness Allowance will be admissible on the Family Pension.

(viii) Sanction for the Family Pension:-The Audit Officer will effect recoveries and also indicate the amount of family pension in the Pension Payment Order. No fresh sanction is necessary.

The Treasury Officer will make payment to the widow or widower on receipt of the death certificate of the pensioner. If the family pension is payable to a minor through his/her guardian, the guardian will apply to the Audit Officer on behalf of the minor child, with two copies of the photograph and other necessary documents. A fresh pension payment order will be required to be issued in such cases.]

1. Deleted by No. FD 4 SRS 89 dated 22-6-1991 (wef 4-7-91).

2. Substituted by No.FD 32 SRS 70 dated 13-4-1971 (w.e.f. 1-10-1970)

3. Inserted by No.FD 48 SRS 73 dated 4-11-1974 (wef 1-4-1973).

4. Inserted by No. FD 80 SRS 78 dated 18-6-1980 (wef 1-1-1977)

¹[294-C (1) The benefit of family pension under Rule 294-B shall be extended, with effect from 1st April 1975, to the families of the following categories of Government servants and pensioners including those who have received or are receiving family pension under Rule 294-A. In the case of every Government servant who died while in service prior to 1st November 1956, the family will be eligible for the benefits under this rule even if he had rendered immediately prior to his death a continuous service of 5 years in a pensionable post,

(i) Government servants of the former ²[State of Mysore] who-

(a) expired prior to 1st November 1956 while in service in any of the areas of those States which formed part of the territory of the New State of Mysore on 1st November 1956;

OR

(b) retired prior to 1st November 1956 from service in any of the areas of those States which formed part of the territory of the New State of Mysore on 1st November 1956 and died prior to 1st November, 1956;

OR

(c) retired prior to 1st November 1956 and were drawing their pension on 1st November 1956 in any of the treasuries situated in the new State of Mysore. (Now Karnataka).

(d) retired prior to 1st November 1956 and whose claims for pension were outstanding immediately before 1st November 1956;

OR

(e) were on leave preparatory to retirement on 31st October 1956.

Provided in cases (d) and (e) they either have drawn even once or draw in future, their pension in any of the treasuries situated in the State of Karnataka.

Note -I- The benefit of the rule is admissible even if they have had their pension transferred to other audit circle for the sake of convenience or do so in future.

1. Inserted by No. FD 80 SRS 78 dated 18-6-1980 (wef. 1-4-1975)

2. Substituted by No. FD 1 SRA 93 dated 19-8-1993 (wef 21-10-93)

[Note-II. The applications for the benefit of Family Pension pending on the commencement of the Karnataka Civil Services (Amendment) Rules, 1991, shall be forwarded to the respective States for disposal.]

(ii) Government servants who-

(a) retired after 31st October 1956 and before 1st December 1964; and

(b) died after 31st October 1956 and before 2nd September, 1968.

(iii) Government servants who retired or died while in service on or after 1st December 1964 but who have specifically opted to a set of pension rules other than the Karnataka Government servants (Family Pension) Rules, 1964;

(iv) Government servants who, after 31st October 1956, died while in service.

(2) The benefit of family pension shall also be extended to the family of a Government Servant, who, before his death was in receipt of compassionate allowance. This sub-rule shall be effective from 1st April 1979.

(3) In any case of death while in service, the family of the Government servant will be eligible for the benefits under this rule only if the Government Servant has rendered a total qualifying service of not less than one year on the date of his death.

(4) The payment of family pension in all the cases referred to above will be subject to the condition that-

(a) the pensioner or his family credits to Government an amount equal to 25 per cent of the pension sanctioned to him/ her for a period of two years subject to a maximum of Rs. 3,600; or

(b) the pensioner expresses willingness to this amount being deducted from the pension regularly in 24 monthly instalments; or

(c) the family of the deceased expresses willingness for the deduction from the family pension regularly in monthly instalments of the entire amount specified in clause (a) above or the balance due.

(5) Family for the purpose of this rule will be as defined in Rule 7 of the Karnataka Government Servants (Family Pension) Rules, 1964.

(6) Application for the grant of family pension under this rule shall be made to the Accountant-General Karnataka, Bangalore, by the pensioner himself/herself, if alive, or by the members of the family, together with three attested copies of his/ her joint passport size photograph with his wife/her husband, a statement showing details of the members of his/her family i.e., wife, husband, as the case may be, and minor children indicating the date of birth of each member; in cases of death while in service and in the cases of pensioners who are not alive, if there is no joint photograph with the member of the family claiming the family pension, the claimant's photographs may be furnished instead of the joint photographs.

(7) (i) Family pension under this rule shall be sanctioned to the family of the deceased in the order prescribed In Rule 8 of the Karnataka Government Servants (Family Pension) Rules, 1964,-

(ii) The family pension granted under this rule shall be paid as laid down in Rule 9 of the Karnataka Government Servants (Family Pension) Rules, 1964,

(iii) The amount of family pension will be-

(a) in the case of death after retirement, half the pension which was sanctioned to the pensioner and

(b) in the case of death while in service, half the superannuation pension which would have been admissible if he/ she had retired on the date following the date of death; and in cases where such superannuation pension would not have been admissible, the minimum family pension admissible from time to time.

The family pension is subject to a maximum of Rs. 150 per mensem and minimum of Rs. 40 per mensem.

Provided that the minimum family pension including dearness allowance as on 31st December 1976 shall be Rs. 90 per mensem with effect from 1st January 1977.

(iv) The family pension under this rule is in lieu of other family pensions, if any, admissible.

(8) According to condition (a) in rule 294-B (i) of the Karnataka Civil Services Rules the applications for the benefit of

family pension under that rule had to be preferred to the Accountant-General on or before 31st December 1974. In all such cases the time limit is hereby extended beyond 31st December, 1974 and there will be no time-limit for preferring such applications.]

295. Notwithstanding the option exercised by a Government servant in the matter of the pension rules to be applied to him, Government may, in cases of death of the Government servant, while in service, allow to the family of the deceased Government Servant, death gratuity and family pension, not exceeding those admissible in accordance with these rules, in lieu of the compassionate allowance, etc., which would be payable in accordance with the pension rules applicable to the Government servant concerned if the latter is found to be inadequate for the family of the deceased Government servant.

SECTION IV-ALLOWANCES RECKONED FOR PENSION Emoluments and Average Emoluments

¹[296. In respect of retirement or death while in service of Government Servants on or after first day of July, 1993, the term "Emoluments" for the purpose of this Chapter means, the Basic pay drawn by the Government servant in the scale of pay applicable to the post on the date of retirement or death and includes the following, but does not include pay and allowance drawn from a source other than the Consolidated Fund of the State,-

(a) Stagnation increment, if any, granted to him above the maximum of the scale of pay;

(b) Additional increment, if any, granted to him above the maximum of the scale of pay in accordance with the provisions of Rule 6 of the Karnataka Civil Services (Services & Kannada Language Examination) Rules, 1974;

(c) Personal pay, if any, arising out of fixation of pay in the Karnataka Civil Services (Revised Pay) Rules, issued by Government from time to time and classified as pay in the respective revised pay rules;

(d) Special pay attached to all posts in a cadre i.e., Stenographers including junior Stenographers, Typists including Senior Typists, Drivers including Senior Drivers and Lift Attenders.

1. Substituted by No. FD 6 SRA 96 dated 31.10.1996 (w.e.f. 1.7.1993)

Note:- (a) Basic pay means the pay drawn in the time scale of pay applicable to the post immediately before retirement or death.

(b) Stagnation increment means the Stagnation increment granted according to the orders issued by the Government.]

¹[296B. In respect of retirement or death while in service of Government servants after 1st December 1985, the term "Emoluments" for the purpose of pension shall include -

(a) Basic Pay;

(b) Stagnation Increment;

(c) Personal pay granted above the maximum of the time scale of pay;

(d) Portion of Dearness Allowance which is specifically ordered by Government to be taken into account for calculation of emoluments for pension as per G.O.No. FD 9 SRS 85(l), dated 30th September 1985;

(e) Interim Relief sanctioned in G.O.No. FD 36 SRP 85, dated 27th July 1985;

(f) Special Pay allowed to all the posts in a cadre as for example - Special pay attached to the posts of Stenographers Typists, Drivers.

Note:- (a) Basic pay means the pay drawn in the time scale of pay applicable to the post immediately before retirement or death;

(b) Stagnation increment means the Stagnation increment granted according to the orders issued by Government;

(c) Personal pay means the pay granted above the maximum of the time scale of pay namely;

(1) Stagnation increment granted above the maximum of the time scale of pay,

(2) Additional increment granted above the maximum of the time scale of pay on account of the provisions contained in Rule 6 of the Karnataka Civil Services (Services & Kannada Language Examination) Rules, 1974; and

1. Substituted by No. FD 6 SRA 96 dated 31.10.1996 (w.e.f. 3.11.1996)

(3) Personal pay arising out of fixation of pay in the Karnataka Civil Services(Revised Pay) Rules, issued by the Government from time to time and classified as pay in the respective revised pay rules.

296C. In respect of retirement of Government servants prior to 1.12.1985, the term “emoluments” for the purpose of claiming the benefit of revision of pension in terms of the simplified pension formula specified in G.O.No. FD (Spl) 5 PET 86, dated 20.3.1986, shall include the following items only -

- (a) Basic Pay;
- (b) Stagnation Increment;
- (c) Personal pay granted above the maximum of the time scale of pay;
- (d) Portion of Dearness Allowance which had already been reckoned for calculation of pensionary benefits at the time of retirement;
- (e) Special Pay allowed to all the posts in a cadre as for example - Special pay attached to the posts of Stenographers, Typists, Drivers etc.

Note:(a) Basic pay means the pay drawn in the time scale of pay applicable to the post immediately before retirement;

(b) Stagnation increment means the Stagnation Increment granted according to the orders issued by Government;

(c) Personal pay means the pay granted above the maximum of the time scale of pay namely -

(1) Stagnation increment granted above the maximum of the time scale of pay;

(2) Additional increment granted above the maximum of the time scale of pay on account of the provisions contained in Rule 6 of the Karnataka Civil Services (Services & Kannada Language Examination) Rules, 1974; and

(3) Personal pay arising out of fixation of pay in the Karnataka Civil Services (Revised Pay) Rules, issued by the Government from time to time and classified as pay in the respective revised pay rules.

296D. In respect of retirement on superannuation of Government servants prior to 1.12.1985, the term “Emoluments”

for the purpose of claiming the benefit of revision of pension in terms of the simplified pension formula specified in G.O.No. FD (Spl) 5 PET 86, dated 19.1.1994 and 20.4.1994 shall include the following items only -

- (a) Basic Pay;
- (b) Stagnation Increment;
- (c) Personal pay granted above the maximum of the time scale of pay;
- (d) Portion of Dearness allowance which had already been reckoned for calculation of pensionary benefits at the time of retirement;
- (e) Special pay allowed to all the posts in a cadre as for example - Special pay attached to the posts of Stenographers, Typists, Drivers;
- (f) Interim Relief sanctioned in G.O.No. FD 36 SRP 85, dated 27.7.1985.

Note:- (a) Basic pay means the pay drawn in the time scale of pay applicable to the post immediately before retirement;

(b) Stagnation increment means the Stagnation Increment granted according to the orders issued by Government;

(c) Personal pay means the pay granted above the maximum of the time scale of pay namely -

(1) Stagnation increment granted above the maximum of the time scale of pay;

(2) Additional increment granted above the maximum of the time scale of pay on account of the provisions contained in Rule 6 of the Karnataka Civil Services (Services & Kannada Language Examination) Rules, 1974; and

(3) Personal pay arising out of fixation of pay in the Karnataka Civil Services (Revised Pay) Rules, issued by the Government from time to time and classified as pay in the respective revised pay rules.

296E:- In respect of Government servants who retire from service after 1.7.1986 or die while in service on or after 1.7.1986, the term "Emoluments" for the purpose of calculating retirement and death benefits and family pension shall mean the basic pay

drawn by the Government servant in the scale of pay applicable to the post on the date of retirement or death and shall also include -

(a) Stagnation increment, if any, granted to him above the maximum of the scale of pay;

(b) Additional increment, if any, granted to him above the maximum of the scale of pay in accordance with the provisions of Rule 6 of the Karnataka Civil Services (Services & Kannada Language Examination) Rules, 1974;

(c) Personal pay, if any, granted to him under sub-rule (3) of Rule 7 of the Karnataka Civil Services (Revised Pay) Rules, 1987; and

(d) Special pay attached to all posts in the cadre i.e., Stenographers including Junior Stenographers, Typists including Senior Typist, Drivers including Senior Drivers and Lift Attenders.

Note:- (a) Basic pay means the pay drawn in the time scale of pay applicable to the post immediately before retirement or death;

(b) Stagnation increment means the Stagnation increment granted according to the orders issued by the Government.

296F:- In respect of the Government servants who retire from service or die while in service on or after 1.11.1992, the term "Emoluments" for the purpose of calculating retirement and death benefits and family pension shall mean the basic pay drawn by the Government servant in the scale of pay applicable to the post on the date of retirement or death and shall also include -

(a) Stagnation increment, if any, granted to him above the maximum of the scale of pay;

(b) Additional increment, if any, granted to him above the maximum of the time scale of pay on account of the provisions contained in Rule 6 of the Karnataka Civil Services (Services & Kannada Language Examination) Rules, 1974;

(c) Personal pay, if any, granted to him under sub-rule (3) of Rule 7 of the Karnataka Civil Services (Revised Pay) Rules, 1987; and

(d) Special pay attached to all posts in the cadre i.e., Stenographers including Junior Stenographers, Typists including Senior Typists, Drivers including Senior Drivers and Lift Attenders.

(e) Interim Relief sanctioned in G.O.No. FD 36 SRP 92, dated 16.10.1992

Note:- (a) Basic pay means the pay drawn in the time scale of pay applicable to the post immediately before retirement or death;

(b) Stagnation increment means the Stagnation increment granted according to the orders issued by the Government.]

297. The term 'average emoluments' means the average calculated upon the last three years of service.

Note (1) If, during the last three years of his services, a Government servant has been absent from duty on leave with allowances, or having been suspended, has been reinstated without forfeiture of service, his emoluments for the purpose of ascertaining the average, should be taken at what they would have been had he not been absent from duty or suspended; provided always that his pension must not be increased on account of increase in pay not actually drawn.

¹[If a Government servant is promoted in a substantive or provisionally substantive capacity to a post carrying a higher rate of pay or earns an increment which is not withheld during the period of earned leave not exceeding 120 days or leave on average pay not exceeding four months or the first four months of any period of leave on average pay in excess of four months. he will be entitled in respect of the period on the above leave to count the pay which he would have drawn had he remained on duty, as 'Emoluments' ² [xxx] even though the increase of pay due to promotion is not actually drawn under the leave rules applicable to the Government servant.]

³[The concession of counting the increment which would have been drawn but for the Government servant proceeding on leave towards 'Emoluments' under this Rule, is applicable also to cases where an increment falls due during the period of 'refused leave' granted under Rule 110 ⁴[or during the period of privilege leave or leave on average pay upto four months or of the first four months of leave on average pay, if the leave is in excess of four months in cases of refused leave granted under the leave rules applicable to the Government servant] and is not withheld.]

1. Inserted by No. FD 137 SRS 59 dated 8-9-1959 (wef 1-4-1958).

2. Amended by No. FD 14 SRS 62 dated 9-3-1962 (wef 1-4-1958)

3. Inserted by No. FD 166 SRS 62 dated 13-10-1960 (wef 20-10-1960).

4. Amended by No. FD 188 SRS 60 dated 1-12-1960 (wef 8-12-1960)

¹[The provision made in the second sub-paragraph shall be deemed to have come into force with effect from 1st April, 1958.]

(2) If during the last three years of his service a Government servant has been absent from duty on leave without allowances (not counting for pension); or is suspended under such circumstances that the period of suspension does not count as service, the periods so passed should be disregarded in the calculation of the average, an equal period before the three years being included.

(3) Excepting as provided in Notes 1 and 2, only emoluments actually received can be included in the calculation. For example, when a Government servant is allowed to count time retrospectively towards increase of pay, but does not receive retrospectively the intermediate periodical increments, these intermediate increments are not reckoned in the calculation.

(4) In the case of Section-writers and Press servants, whose service qualifies for pension 'Average Emoluments' means the average earnings of the last seventy-two months.

(5) This rule applies in the case of a press servant remunerated by a fixed rate of pay if his pay is met from the grant for piece work.

(6) Overtime earnings of press servants paid at piece work rates may be taken into account in calculating average emoluments under this Rule; but such earnings must be excluded in reckoning the average emoluments of press employees who draw pay at fixed rates.

(7) If, during the last seventy-two months of his service a Press servant has been for some periods on fixed pay and for other periods a piecework employee, overtime earnings may be taken into account in calculating pension, only for the periods during which he was remunerated at piece-work rate.

(8) A Government servant, who was holding a post in a temporary or officiating capacity before proceeding on leave preparatory to retirement, and is confirmed in such a post at any time during the currency of his leave preparatory to retirement, shall be eligible to count his substantive emoluments, although not actually drawn by him, for computing pension.

1. Inserted by No.FD 188 SRS 60 dated 6-1-1961.

This concession is applicable also to cases where a Government servant holding a post in a temporary or officiating capacity without holding a substantive post, is confirmed in such a post at any time during the currency of his leave preparatory to retirement.

¹[297-A. In respect of retirement or death while in service of Government Servants on or after 1st September 1968 the term 'Average Emoluments' means the average calculated upon the last twelve months of service.]

²[Note-1. If during the last year of service a Government servant has been absent from duty on leave (with or without allowances) counting as service for pension or having been suspended has been reinstated without forfeiture of service, his emoluments for the purpose of ascertaining the average, should be taken at what they would have been had he not been absent from duty or suspended; provided always that his pension must not be increased on account of increase in pay or on account of special pay not actually drawn. In respect of such leave availed of by a Government servant holding officiating/temporary appointments during the last year of his service, the officiating pay or special pay shall count as emoluments only if it is certified that he would have continued to hold the higher officiating/ temporary appointment or the post carrying the special pay, had he remained on duty.

If a Government servant is promoted in a substantive or provisionally substantive capacity to a post carrying a higher rate of pay or earns an increment which is not withheld during the period of earned leave not exceeding 120 days or leave on average pay not exceeding 4 months or the first 4 months of any period of leave on average pay in excess of 4 months he will be entitled in respect of the period of the above leave to count the pay which he would have drawn had he remained on duty as 'emoluments' even though the increase of pay due to promotion is not actually drawn under the leave rules applicable to the Government servant.

The concession of counting the increments which would have been drawn but for the Government servant proceeding on leave towards emoluments under this rule is applicable also to

1. Inserted by No. FD 69 SRS 66 dated 10-10-1968.

2. Inserted by No. FD 50 SRS 69 dated 21-10-1971.(wef 1-9-1968)

cases where an increment falls due during the period of refused leave granted under Rule 110 or during the period of privilege leave on average pay upto 4 months or of the first 4 months of leave on average pay, if the leave is in excess of 4 months, in case of refused leave granted under the leave rules applicable to the Government servant and is not withheld.

Note -2. The provisions of Notes 2 to 8 below Rule 297 shall apply in all other respects, substituting one year for three years, wherever relevant.]

¹[297-B. In respect of retirement or death while in service of Government servants after 1st January 1977, the term 'Average Emoluments' means the average calculated upon the last ten months of service.]

²[297C. In respect of retirement or death while in service on or after 1st July 1986, the minimum pension shall be Rs.390/- per month and the maximum pension shall be Rs.3450/- per month and the monetary benefit of the increase if any shall be admissible from first July, 1987 or from the date of retirement whichever is later in respect of following kinds of pension namely:-

- (i) Superannuation Pension:
- (ii) Retiring Pension:
- (iii) Invalid Pension:
- (iv) Compensation Pension:
- (v) Compassionate Allowance.]

³[297-D. In respect of retirement or death while in service on or after 1st April 1998, the minimum pension shall be Rs.1055/- per month and the maximum pension shall be Rs.10610/- per month and with effect from 1st February, 1999 maximum pension shall be Rs.11,610 per month in respect of following kinds of pension namely:-

- (i) Superannuation Pension:
- (ii) Retiring Pension:
- (iii) Invalid Pension:
- (iv) Compensation Pension:
- (v) Compassionate Allowance.]

1. Inserted by No. FD 80 SRS 78 dated 18-6-1980 (w.e.f. 1-1-1977).

2. Inserted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998).

3. Inserted by No. FD 4 SRA 99 dated 2-6-2000 (w.e.f. 1.4.1998)

Net Emoluments taken

298. Any part of a Government servant's pay or emoluments which is specially intended to provide for expenses incidental to his duty, must be excluded. The following are examples of the operation of this Rule:-

(1) When a Government servant's pay is intended partly to cover the expense of his providing or keeping a house or a conveyance, his pay must be taken only at what it would be if it was not intended to cover such expense. When a water -carrier's pay includes provisions for a bullock, his pay must be taken at what it would be if he were not required to keep a bullock.

(2) When a consolidated pay specially includes Tentage of Travelling Allowance, or House allowance. these must be deducted.

299(a). When service on temporary duty counts for pension under Rule 229 the pay of the permanent appointment held by the officer and not that drawn in respect of temporary duty, is taken into consideration in determining the amount of pension.

(b) But in the case of an officer deputed on abolition of appointment to special duty (Rule 232), or of an officer who when his appointment was abolished was on special duty, the full allowances are counted.

Combination of Appointments

300. If a Government servant has held more than one appointment, in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he held each office separately and alone. The consolidated pension thus admissible is subject to the limitations prescribed in Rule 291.

301. A Government servant is not entitled for service in an office conjointly with another office, to any pension which would not have been admissible to him if he had held the office separately and alone.

SECTION V - NOMINATIONS

(DEATH-CUM-RETIREMENT GRATUITY)

302(i) 'Family' for the purpose of this rule will include the following relatives of the Government Servant, namely: -

- (a) wife, in the case of a male Government servant,
- (b) husband, in the case of female Government servant,
- (c) sons ¹[including step children and adopted children,]

²[(d) un-married and widowed or divorced daughters,]

²[(e) brothers below the age of 18 years and unmarried or widowed or divorced sisters,]

³[(f) Father} including adoptive parents in case of indivi-
(g) Mother} duals whose personal law permits adoption]

¹[(h) married daughters, and

(i) children of predeceased son.]

⁴[xxx]

⁴[Note - 1] (c) and (d) will include an adopted son or an adopted daughter only if under the personal law of the Government servant adoption is legally recognised as conferring the status of a natural child. If in any case, the Audit Officer feels a doubt as to whether the personal law confers such a status, he may refer the matter to the Advocate General for Karnataka and act in accordance with his opinion.

⁵[(ii) A Government servant shall, soon after confirmation in Government service, make a nomination conferring on one or more persons the right to receive any gratuity that may be sanctioned under sub-rules (ii) and (iv) of Rule 292:

1. Amended by No. FD 107 SRS 60 dated 3-8-1960.

2. Amended by No. FD 23 SRS 62 dated 20-6-1962 & 22-9-1962

3. Amended by No. FD 58 SRS 65 dated 22-4-1966.

4. Amended by No. FD 168 SRS 60 dated 9-1-1961 (wef 19- 1-1961)

5. Substituted by No. FD 37 SRS 60 dated 15-3-1960 (wef 24-3-1960).

Provided that if, at the time of making the nomination, the Government servant has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

Exception:- Where a Government servant has no family, the nomination can be made in favour of any person who is not a member of his family or in favour of a body of persons, whether incorporated or not. Similarly, where the Government servant has only one member in his family in whose favour the original nomination should be made, the alternate nomination can be made in favour of any person who is not a member of his family or in favour of a body of persons, whether incorporated or not.]

(iii) If a Government servant nominates more than one person under sub-rule (ii), he shall specify in the nomination the amount of share payable to each of the nominees in such manner as to cover the whole amount of the gratuity.

(iv) A Government servant may provide in a nomination-

(a) in respect of any specified nominee that in the event of his predeceasing the Government servant the right conferred upon that nominee shall pass to such other members of the Government servant's family as may be specified in the nomination.

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein.

(v) The nomination made by a Government servant who has no family shall become invalid on his subsequently acquiring family.

¹[(va) Every nomination made by the Government servant before his marriage, shall automatically become invalid after his marriage and the nomination shall be deemed to have been made in favour of the husband or the wife as the case may be.]

(vi)(a) Every nomination shall be in such one of the Forms 2 to 5 as may be appropriate in the circumstances of the case.

²[xxx]

1. Inserted by No. FD 2 SRA 96 dated 10.1.1997 (w.e.f. 30.1.1997)

2. Deleted by No. FD 43 SRS 61 dated 26-7-1961.

(b) A Government servant may at any time cancel a nomination by sending a notice in writing, to the appropriate authority, provided that the Government servant shall, alongwith such notice, send a fresh nomination made in accordance with this Rule.

¹[Note - While a nomination as also any change therein will normally be made by a Government servant during his service in accordance with this clause, he may be allowed to make a fresh nomination or change his earlier nomination after retirement if such a contingency arises.]

(vii) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (iv) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of that sub-rule, or sub-rule (v), the Government servant shall send to the appropriate authority a notice in writing formally cancelling the nomination, together with a fresh nomination made in accordance with this Rule.

(viii) Every nomination made, and every notice of cancellation given by a Government servant under this Rule, shall be sent by the Government servant to his Accounts Officer in the case of a gazetted Government servant and to the Head of his Office in the case of a non-gazetted Government servant. Immediately on receipt of a nomination from a non-gazetted Government servant the Head of the Office shall countersign it indicating the date of receipt and keep it under his custody.

(ix) Every nomination made, and every notice of cancellation given by a Government servant shall, to the extent that it is valid, take effect on the date on which it is received by the authority mentioned in sub-rule (viii).

²[(x) When a Government servant fails to make a nomination before his retirement, the gratuity may be paid in the event of his death before receiving payment, to surviving members of his family in the manner provided by Rule 292 (ii).]

1. Inserted by No. FD 101 SRS 60 dated 11-7-1960 (wef 21-7-1960).

2. Inserted by No. FD 12 SRS 59 dated 28/30-1-1959 (wef 5-2-1959).

CHAPTER XX
RE-EMPLOYMENT OF PENSIONERS
SECTION II - GENERAL RULES

303.(a) No Government servant may retire with the view of being re-employed, and drawing pension in addition to pay, whether in Government service or in the service of any Local Fund.

(b) When a person who was formerly in Government employ is re-employed, whether temporarily or permanently in Government service or in the service of a Local Authority, it shall be incumbent on him to declare the amount of any gratuity, bonus or pension received by him on retirement. The authority re-appointing him shall 'specifically state in the order of reappointment whether any deduction is to be made from pension or salary as required by the rules of this Chapter and shall communicate a copy of the order to the Audit Officer.

Note - 1. The principle of this Rule applies in the case of continued employment on retirement from Government service. The amount of the pension to be declared is that sanctioned originally i.e., it shall be inclusive of any amount that may have been commuted.

Note-2. The above provisions shall also apply to persons who were formerly in the Civil or Military employment of the Government of India or any State Government and re-employed in Karnataka State Service after retirement.

¹[304(1) If a pensioner who, immediately before his retirement was a gazetted Government servant, wishes to accept any commercial employment before the expiry of two years from the date of his retirement, he shall obtain the previous sanction of the Government to such acceptance.]

Provided that a Government servant who was permitted by the Government to take up a particular form of commercial employment during his leave preparatory to retirement or during refused leave shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(2) subject to the provisions of sub-rule (3), the Government may, by order in writing, on an application in the form annexed to this rule made by a pensioner, grant, subject to such conditions, if any, as it may deem necessary; permission or refuse, for reasons to be recorded in the order permission, to

1. Substituted by No. FD 14 SRS 77 dated 22-3- 1979 (wef 5-4-1979).

such pensioner to take up the commercial employment specified in the application.

(3) In granting or refusing permission under sub-rule (2) to a pensioner for taking up any commercial employment, the Government shall have regard to the following factors namely;

(a) In nature of the employment proposed to be taken up and the antecedents of the employer;

(b) Whether his duties in the employment which he proposes to take up might be such as to bring him into conflict with Government;

(c) Whether the pensioner while in service had any such dealing with the employer under whom he proposes to seek employment as might afford a reasonable basis for the suspicion that such pensioner had shown favours to such employer;

(d) Whether the duties of the commercial employment proposed involve liaison or contract work with Government departments;

(e) Whether his commercial duties will be such that his previous official position or knowledge or experience under Government could be used to give the proposed employer an unfair advantage;

(f) the emoluments offered by the proposed employer; and

(g) any other relevant factor.

(4) Where the Government grants the permission applied for subject to any conditions or refuses such permission, the applicant may, within thirty days of the receipt of the order of the Government to that effect, make a representation against any such conditions or refusal and the Government may make such orders thereon as it deems fit;

Provided that no order other than an order cancelling or modifying such condition or granting such permission without any conditions shall be made under this sub-rule without giving the pensioner making the representation an opportunity to show cause against the order proposed to be made.

(5) If any pensioner takes up any commercial employment at anytime before the expiry of two years from the date of his retirement without the prior permission of the Government or commits a breach of any condition subject to which permission to take up any commercial employment has

been granted to him under this rule, it shall be competent for the Government to declare by order in writing and for reasons to be recorded therein that he shall not be entitled to the whole or such part of the pension and for such period as may be specified in the order;

Provided that no such order shall be made without giving the pensioner concerned an opportunity of showing cause against such declaration:

Provided further that in making any order under this sub-rule, the Government shall have regard to the following factors, namely:-

- (i) the financial circumstances of the pensioner concerned,.
- (ii) the nature of, and the emoluments from, the commercial employment taken up by the pensioner concerned; and
- (iii) any other relevant factor.

(6) Every order passed by the Government under this rule shall be communicated to the pensioner concerned.

(7) In this rules:-

(a) the expression 'commercial employment' means:-

(i) an employment in any capacity including that of an agent, under a company, co-operative society, firm or individual engaged in trading, commercial, industrial, financial or professional business and includes also a directorship of such company and partnership of such firm but does not include employment under a body corporate, wholly or substantially owned or controlled by the Government.

(ii) setting up practice either independently or as a partner of a firm, as adviser or consultant in matters in respect of which the pensioner-

(A) has no professional qualifications and the matters in respect of which the practice is to be set up or carried on, are relatable to his official knowledge or experience, or

(B) has professional qualifications but the matters in respect of which such practice is to be set up as are likely to give his clients an unfair advantage by reason of his previous official position, or

(iii) has to under take work involving liaison or contact with the offices or officers of the Government: .

Explanation:- For the purposes of this clause 'employment under a co-operative society' includes the holding of any office, whether elective or otherwise, such as that of President. Chairman, Manager, Secretary, Treasurer and the like, by whatever name called in such society.

(b) the expression 'date of retirement', in relation to a Government servant re-employed after retirement, without any break, either in the same or in another Class I or Class II post under the Government or in any other equivalent post under any other State Government or Central Government, means the date on which such Government servant finally ceases to be so re-employed in Government service.

ANNEXURE

Form of Application for Permission to accept Commercial Employment within a Period of two years after retirement.

1. Name of the officer (in block letters)

2. Date of retirement.

3. Particulars of the Department/Offices in which the officer served during the last five years preceding retirement (with duration)

Name of Department/Office	Post held	Duration	
		From	To

4. Post held at the time of retirement and period for which held.

5. Pay scale of the post and the pay drawn by the officer at the time of retirement.

6. Pensionary benefits.

Pension sanctioned (Commutation, if any should be mentioned)	Gratuity, if any

7. Details regarding commercial employment proposed to be taken up:

- (a) Name of the Firm/Company/Co-operative Society, etc.
- (b) Whether the official had during his official career, any dealings with the firm/etc.
- (c) Duration and nature of the official dealings with the firm.
- (d) Name of job/post offered,
- (e) Whether post was advertised, if not how was offer made.
- (f) Description of the duties of the job/post.
- (g) Does it involve liaison/contact work with Government departments.
- (h) Remuneration offered for post/job.

8. Any information which the applicant desires to furnish in support of his request.

Station:

Date:

Signature of the Officer.]

305. (a) Employment under a Government outside the State after retirement:- A. pensioner who wishes to accept any employment under a Government outside the State, should obtain the prior sanction of Government. No pension shall be payable to a pensioner who accepts such an employment without the previous sanction of Government in respect of any period for which he is so employed or such longer period as Government may direct.

(b) A Government servant permitted to take up a particular form of employment under a Government outside the State during his leave preparatory to retirement, shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

(c) The term 'employment under a Government outside the State' shall include employment under any Government other than the Government of Karnataka or under a Local Authority or Corporation or any other Institution or organisation which functions under the supervision or control of a Government outside the State, ¹[though such employment is at a place situated within the State.]

1. Inserted by No. FD 17 SRS 76 dated 12-1-1979 (wef 25-1-1979).

(d) The following certificate shall invariably be furnished In the Pension voucher form by all Pensioners who Immediately before retirement were holding appointments under Government:

“I declare that I have not accepted any employment under a Government outside the State.”

OR

“I declare that I have accepted employment under Government outside the State after obtaining the previous sanction of Government.”

306. The attention of every Government servant who is employed should be especially called to the provisions of this Chapter by the authority re-employing him, and whenever he becomes aware of such an appointment, by the Audit Officer: but the failure of such authority to do this will not be admitted as a ground for condoning any breach of the Rules contained in this Chapter.

307. A Government servant who has obtained a compensation gratuity, if re-employed in qualifying service, may either retain his gratuity in which case his former service will not count for future pension, or refund it and count his former service.

308. The intention to refund must be stated immediately on re-employment; but the refund may be made by monthly instalments of not less than one-third of the Government servants' Pay and also not less than the whole gratuity divided by the number of months which have elapsed since the end of the service for which the gratuity was given. The right to count previous service does not revive till the whole amount is refunded.

309.(a) A Government servant who has obtained compensation pension, if re-employed, may retain his pension in addition to his pay, provided that, if he is re-employed in a Government establishment or in an establishment paid from a Local Fund, the Pension shall remain wholly or partly in abeyance, if the sum total of the pension and the pay on re-employment exceeds the pay in the appointment on abolition of which the pension was given

Note -1. Once the amount of pension has been fixed in conformity with the above condition, the Government servant shall be entitled to receive the benefits of increments in his new

scale or promotion to another scale or post without a further corresponding reduction in pension nor shall the amount of pension so fixed be varied during leave.

Note -2. When a Government servant not holding a substantive post is retrenched owing to reduction of establishment, he shall, on re-appointment, be started at the minimum of the grade pay of the post to which he is appointed. He will however count the previous service rendered as a regularly appointed candidate.

(b) If his re-employment is in qualifying service he may either retain his pension (subject to the proviso above stated), in which case his former service will not count for future pension or cease to draw any part of his pension and count his previous service. Pension immediately drawn need not be refunded.

Note - A Government servant counts his previous service under clause (b), if on re-employment his pension remains wholly in abeyance under the proviso to clause (a).

310. In the case of a section-writer or press servant who is re-employed, the pay of the appointment abolished is taken at the average earnings of the last six months of employment.

311. If a Government servant does not, within three months from the date of his re-employment, exercise the option conceded by Rule 309 of ceasing to draw pension and counting his former service, he may not thereafter do so without the permission of Government.

312. There is no bar to the re-employment of a Government servant who has regained health after obtaining invalid pension, or if a Government servant is invalidated as being incapacitated for employment in a particular branch of the service to his reemployment in some other branch of the service. The rule in such a case as to refunding gratuity, drawing pension, and counting service, is the same as in the case of re-employment after Compensation pension.

313.¹[(a) Pensioners in receipt of superannuation or retiring pensions shall not ordinarily be re-employed in service paid from the Consolidated Fund of the State or a Local Fund. In case of necessity, which should be on strong public grounds, such pensioners may be re-employed or the term of their re-employment extended with the sanction of Government in each

1. Amended by No. FD 3 SRS 62 dated 10-1-1962.

case. Government may delegate this power to the Major Heads of Departments specified in Appendix I, subject to such conditions as they may deem fit.]

(b) The pay to be allowed on re-employment is subject to the following conditions all of which must be satisfied:-

(i) Pay on re-employment plus pension (including pension equivalent of death-cum-retirement gratuity or gratuity in lieu of pension) should not exceed the substantive pay in a permanent post but not pay in a temporary post drawn before retirement or the officiating pay in cases ¹[where the ²officiating post has been held] for not less than one year immediately prior to retirement.]

³[Note - 1 The personal pay granted during the fixation of initial pay on or after 1st January 1957, in the new scales of pay and on account of the grant of stagnation increments thereafter should be treated as forming part of the substantive or officiating pay, as the case may be, of the Government servant concerned for the purpose of this sub-clause. The condition prescribed in sub-clause (iii) of this Rule should also be deemed to have been relaxed in such cases]

⁴[Note -2 In the case of re-employed pensioners retired prior to 1st January, 1961, the pay drawn before retirement shall, for the purpose of this Rule, include a portion of the Dearness Allowances drawn by them prior to retirement not exceeding the amount noted below.

				Portion of Dearness Allowance counting as part of pay Rs.	
1.	When the Basic pay last drawn did not exceed Rs.80			25	
2.	When it exceeded Rs.80 but did not exceed Rs.	100		30	
3.	do	100	do	150	35
4.	do	150	do	250	40
5.	do	250	do	300	45
6.	do	300	do	500	50
7.	do	500	do	800	55
8.	do	800	do	854	54 to
Rs. 1 (that is on amount which with the basic Pay would make up Rs. 855)]					

1. Amended by No. FD 64 SRS 61 dated 17-11-1962.

2. Substituted by No. FD 78 SRS 66 dated 29-12-1966.

3. Inserted by No. FD 144 SRS 60 dated 29-4-1961. (wef 29-4-1961).

4. Inserted by No. FD 17 SRS 62 dated 28-3-1962. (wef 1-1-1961).

¹[Note - 3. In the case of a Government Servant who has officiated continuously in more than one post in different grades immediately prior to his retirement, the pay which he would have drawn in the post which would have been held by him for more than a year but for his promotion to a higher post or posts shall be taken as officiating pay for determining the pay admissible on re-employment.]

² [Note - 4. In the case of persons retiring from service before attaining the age of 55 years and re-employed under the State Government on or after 1st July 1964, the pension as shown below shall be ignored in following their pay on re-employment;

(a) In the case of pension not exceeding Rs. 50 per mensem, the actual pension;

(b) In other cases, the first Rs. ³[125] of the pension.

In the case of persons who were re-employed prior to 1st July 1964 but continued on re-employment on 1st July 1964. pay may be fixed on 1st July 1964 on the basis of these provisions as if they have been re-employed for the first time from 1st July 1964.]

⁴[Note - 5. In the cases of Government servants who retired on or after 1st November 1968 and who have been re-employed. the pay drawn immediately before their retirement, shall for purposes of Rule 313 (b) (i) of the Karnataka Civil Services Rules, include.

(a) Where the retirement has taken place on or after 1st January 1968 but before 1st April 1974 the portion of dearness allowance treated as additional basic pay in G.O. No. FD 25 SRP (1) 71 dated 29th January 1971:

(b)(i) Where the retirement has taken place on or after 1st April 1974 but before 1st January 1977 the dearness allowance as on 1st April 1973 sanctioned in G.O. No. FD 19 SRP (2) 73 dated 22nd June 1973 and ordered as counting for pension in G.O. FD 2 SRP (3) 74. dated 29th March 1974.

(ii) Where the Government servant has elected to retain the scales of pay applicable to him as on 31st December 1976

1. Inserted by No. FD 44 SRS 67 dated 7-7-1967 (wef 1-4-1958 and also applicable to cases arising on or after 1-9- 1957).

2. Inserted by No. FD 51 SRS 64 dated 24-11-1967.

3. Substituted by No. FD 63 SRS 78 dated 12-1-1979 (wef 25-11-1978).

4. Inserted by No. FD 104 SRS 76 dated 21-12-1978 (wef 15-4-1978).

according to the proviso to rule 5 of the Karnataka Civil Services (Revised Pay) Rules 1976 and the retirement takes place while he held such scale, the dearness allowance as on 1st April 1973 sanctioned in G.O. No. FD 19 SRP (2) 73 dated 22nd June 1973 and ordered as counting for pension in G.O. No. FD 2 SRP (3) 74. dated 29th March 1974.]

¹ [xxx]

(iii) Pay on re-employment. plus pension (including pension equivalent of death-cum-retirement gratuity or gratuity in lieu of pension) should not exceed the maximum of the time-scale of the post in which the Government servant is re-employed.

(iv) ²[Special allowance] can be drawn in addition to pay on re-employment provided (1) the total of pension and pay on re-employment plus ²[Special allowance] is restricted to the substantive pay last drawn or officiating pay last drawn ²[where such officiating pay has been drawn for not less than one year immediately prior to retirement] plus ²[Special allowance] last drawn, and (2) the ²[Special allowance] is attached to the post in which he is re-employed.

³[Note - If any ²[Special allowance] is granted to a Government servant on re-employment without attaching it to the post, such ²[Special allowance] may be allowed to be drawn in addition to the pay fixed under this clause. If at the time of retirement the Government servant was in receipt of a ²[Special allowance] not attached to the post, only such portion of the ²[Special allowance] as has been counted for purpose of pension shall be taken into account in determining the pay last drawn prior to retirement provided such ²[Special allowance] was drawn continuously for atleast one year before retirement.]

⁴[(bb) The pay of pensioners re-employed on contract basis shall be governed by special orders of Government.]

Instructions:

It has been represented to Government by some of the Officers who have been appointed on contract basis, that the Accountant-General is not authorising them to draw Dearness Allowance at the admissible rates because the terms of contract do not provide for the payment of any Dearness Allowance in

1. Deleted by No. FD 44 SRS 67 dated 7-7-1967 (wef 1-4-1958 and also applicable to cases arising on or after 1-9-1957.

2. Substituted by No. FD 7 SRA 99 dated 29.4.2000 (wef 1.4.1998)

3. Amended by No. FD 64 SRS 61 dated 17-11-1962.

4. Inserted by No. FD 63 SRS 62 dated 7-8-1962

certain cases. It is the intention of the Government that the Dearness Allowance at the rates admissible from time to time to regular Government servants may be allowed also to officers reemployed on contract basis. Government therefore, direct that in all such cases, whether or not the terms of contract specifically provide for the payment of Dearness and other Compensatory Allowances the same may be allowed at the rates sanctioned to Government Servants from time to time, to the contract officers in addition to the pay fixed in the terms of contract. (G.O. No. FD 57 SRS 67 dated 5th May 1967).

(c) Once the pay on re-employment is fixed, the Government servant shall be entitled to receive the benefits of increments even though the total of pension, including pension equivalent of death-cum-retirement gratuity or gratuity in lieu of pension, and pay, exceeds the substantive pay (officiating pay or pay in a temporary post if he is re-employed) in the same post drawn before retirement, but it should not exceed the maximum of the time-scale of the post in which he is re-employed.

(d) Where on re-employment, pension is not held in abeyance, increments accruing after re-employment should be based on the consolidated pay i.e., pay on re-employment plus pension (including pension equivalent of death-cum-retirement gratuity or gratuity in lieu of pension).

314. A pensioner of any class may, with the sanction of Government be employed without loss of pension provided that the employment is bona fide temporary, lasting for not more than a year.

315. The fixation of pay on re-employment of pensioners drawing part-time allowances may be regulated according to the principles enunciated in Rule 313: the officer may be permitted to retain his pension subject to the condition that his part-time allowance on reemployment plus pension shall not exceed the pay at the time of retirement.

316.(a) In the case of a pensioner who is re-employed in Government service or in the service of a Local Authority, and who commuted a portion of his pension after such re-employment, the amount of pension which the pensioner is entitled to draw under the rules in this section shall be amount to which he would have been entitled had there been no commutation. less the amount commuted.

(b) In the case of a pensioner, a portion of whose pension has been commuted before re-employment, the original

amount of the pension should be taken into consideration in fixing the total receipts during re-employment or continued employment and not merely the un-commuted pension.

(c) In the case of a re-employed pensioner whose pension is held wholly in abeyance during such re-employment and who commutes a portion of his pension during this period, his pay during re-employment shall be reduced by the amount of pension commuted with effect from the date on which the commutation becomes absolute. In the case of a pensioner whose pension is held partly in abeyance during such re-employment, and who, during this period, commutes a portion of his pension in excess of the portion actually drawn, his pay during re-employment shall be reduced, with effect from the date on which the commutation becomes absolute by an amount representing the difference between the portion of pension commuted and the portion of pension drawn until the commutation.

317. Retirement under the Contributory Provident Fund Scheme:- When a Government servant governed by the Contributory Provident Fund Rules is re-employed in the same or a similar post under Government or in an establishment paid from a Local Fund, his pay should be so fixed that such pay together with the pension equivalent of the Government contribution and Interest thereon credited to this Provident Fund shall not exceed the pay last drawn by him before retirement, the 'Pension Equivalent' being calculated by adopting the table of commuted value of pension.

Note - The pension equivalent in these cases will be calculated on the basis of the age of the officer on the date of final retirement from service. If, however, the age on the date of retirement falls between two whole number of years the pension equivalent may be calculated on the basis of the age on the next birth-day.

SECTION II - PENSION FOR NEW SERVICE

318. A Government servant who, having been discharged with a pension is subsequently re-employed may not count his new service for a separate pension. Pension if any, is admissible only for the new service combined with the old the whole being counted as one service.

319.(1) If a Government servant who has obtained a Compensation or Invalid pension is re-employed in pensionable service and retains the pension, the pension or gratuity

admissible for his subsequent service is subject to the following limitation namely, that the gratuity or the capital value of the pension shall not be greater than the difference between the value of the pension that would be admissible at the time of the Government servant's final retirement, if the two periods of service were combined, and the value of the pension already granted for the previous service.

¹[(2) Where, a person in receipt of minimum pension from the Government of India has been appointed as a direct recruit, in accordance with the rules of recruitment, in the State Civil Service,-

(a) the pension admissible to him on his retirement from service shall be calculated in accordance with the provisions of these rules but shall not be subject to the minimum pension prescribed by or under these rules,

(b) the family pension admissible to his family in the event of his death, shall be calculated in accordance with the provisions of these rules or the Karnataka Government Servants (Family Pension) Rules, 1964, if applicable, but shall not be subject to the minimum family pension prescribed by or under the said rules.)

320.(a) If a gratuity received for the earlier service has not been refunded, gratuity or pension as the case may be allowed of the subsequent service on condition that the amount of such gratuity or the present value of such pension calculated according to the table of commuted value of pensions plus the amount of the previous gratuity shall not exceed the amount of gratuity or the present value of the pension that would have been admissible had the gratuity received for earlier service been refunded.

(b) If the amount of such gratuity or the present value of such pension, plus the amount of the previous gratuity, exceeds the amount of gratuity or the present value of the pension that would have been admissible if the gratuity received for the earlier service had been refunded, the excess must be disallowed.

1. Inserted by No. FD 3 SRS 79 dated 8-2-1980 (wef 21-2-1980).

CHAPTER XXI

APPLICATIONS FOR AND SANCTION OF PENSIONS

¹[321.(1) The Head of the Office shall obtain from the retiring non-gazetted Government servant the particulars in Form 1 B one year before the date of his retirement.

(2) A Gazetted Government servant shall submit the particulars in Form 1B one year in advance of his retirement to the Accountant General who shall build up his pension records. In respect of Gazetted Government servants whose pay and allowances are not authorised by the Accountant General but are drawn by the Head of the Office procedure specified in sub-rule (1) shall be followed.

(3) The particulars mentioned in Form 1B shall be sent along with other pension documents to the Accountant General atleast two months before the date of retirement of the Government servant.

(4) In cases of retirement on retiring pension under rule 285 the particulars mentioned in Form 1B shall be obtained after the date of receipt of issue of notice by the Government servant for such retirement or in cases of retirement on payment of salary in lieu of notice immediately after the issue of orders thereof.

(5) In case where the retiring Government servant fails to furnish the particulars in Form 1B the Head of the Office shall send the pension papers to the Accountant General with all other available documents and information immediately from the date of retirement with an indication that the retiring Government servant has failed to give the required particulars in the Form 1B and that the pensionary benefits may be authorised at the treasury in the place in which the Government servant was working at the time of retirement. The Accountant General shall authorise the pensionary benefits accordingly. The treasury officer shall make payment subject to local identification.

(6) The Accountant General (Accounts and Entitlement) shall send to the Government and the respective Heads of Department on 31st January and 31st July each year a list of Gazetted Officers who are due to retire within next twelve to eighteen months indicating against each name whether the service books of the particular officer is available or not.

1. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

(7) The Head of the Department shall on receipt of the list immediately arrange to obtain the service register wherever wanting. He shall forward the service register and the particulars in Form 1B to the Accountant General within one month from the date of receipt of the list. Thereafter the Head of the Department shall enquire with the Accountant General once in a quarter whether any particulars are required by him for processing of pension papers. He shall ensure that the intimation of pension entitlement is received from the Accountant General atleast three months before the date of retirement and arrange for the communication of the sanction of the Head of the Department or Government, as the case may be, for pension to the Accountant General two weeks before the date of retirement. He shall also be responsible for forwarding the departmental no due certificate to the Accountant General along with the sanction. In respect of Government servants who are promoted to the gazetted cadre in the last year of their service the Head of the Department shall, immediately after such promotion forward to the Accountant General their service registers and the particulars in Form 1B without waiting for the list of retiring Gazetted Government servants. The Accountant General shall send the intimation of issue of final pension payment orders 15 days in advance of the date on which the Government servant is due to retire (so that the retiring Government servant will have his pension payment on the date of his retirement) and also a copy to the Head of the Department. Head of the department shall watch the receipt of this intimation. The pension case has to be shown as pending and pursued till the issue of pension payment order.]

322. All authorities dealing with applications for pensions under these Rules should bear in mind that delay in the payment of pensions involves particular hardship. It is essential to ensure, therefore, that a Government servant begins to receive his pension on the date on which it becomes due.

Note.- There are cases in which certain sums are due to Government from a Government servant at the time of his retirement, e.g., over issue of pay, allowances or leave salary, or admitted or obvious dues such as house rent, life insurance premia, outstanding balance of various advances. etc. These sums cannot be recovered from the pension of a Government servant without his consent. Authorities sanctioning pension should therefore ensure that these outstanding sums are brought to the notice of the Government servant concerned with the least possible delay, and that he is requested to pay up the dues before formally sanctioning the final pension. It is emphasised

that, while these recoveries should be made before the pension is finally sanctioned, care should be exercised to ensure that there is no avoidable delay either in informing the Government servant concerned of the total amount due by him to Government or in sanctioning the final pension after this amount has been recovered.

323. Every Officer competent to sanction pension should obtain in ¹[May and November each year,] from the subordinate officer, a list of Government servants under him due to retire within two years (which can easily be complied from the annual return of establishment, in the case of non-gazetted servants and from the Civil list in the case of gazetted servants}, and specially watch that pension papers are forwarded to the Audit Office in all these cases in advance as prescribed by obtaining a report about them from their subordinates, month after month, and by insisting on any undue delay being satisfactorily explained. ²[District Officers of the Department shall ensure the prompt settlement of pension claims in the subordinate offices under their jurisdiction. For this purpose, when the pension records are forwarded by the Head of the Office to the Accountant General a copy of the forwarding letter shall be endorsed to the District Officer also under their jurisdiction to enable him to make suitable entries in the watch Register maintained by him. The Accountant General will also endorse a copy of the letter authorising pensionary benefits to the concerned District Officer to enable him to complete the entries in the Watch Register maintained by him. The monthly return in Form 21 should be sent by all District Principal Officers of all Departments.]

¹[Note :- The list of retiring Government servants shall be sent to Government in the Finance Department and to the Audit Office as prescribed in sub-rule (2) of rule 96.]

³[323-A. The Audit Officer shall send to every Gazetted Officer a copy of Rules 321, 325 and 327 one year in advance of the date on which the Officer attains his age of superannuation, or as soon as possible before the date from which he has formally sought permission to retire, if earlier, with the remark that there is likely to be delay in the commencement of his pension if he does not submit a formal application as soon as the rules permit.]

1. Amended by No. FD 140 SRS 73 dated 30-08-1974 (w.e.f. 19-9-1974)

2. Substituted by No. FD 1 SRA 97 dated 23.4.1998 (w.e.f. 15.10.1998)

3. Inserted by No. FD 15 SRS 63 dated 28-03-1963.

324. Every officer competent to sanction pension should hold responsible one of his assistants for seeing the pension cases pending in the several offices under his control are disposed of promptly and got finally settled with the least possible delay.

325. Questions affecting the pension or pensionable service of a Government servant which for their decision depend on circumstances known at the time shall be considered as soon as they arise.

Any question which for its decision depends on possible circumstances that may arise in future or on hypothetical conditions may be raised discussed as soon as the permissible period for submission of formal application for pension under Rule 321 begins.

326. The application of a non-gazetted Government servant shall be submitted to the authority competent to sanction his pension. If such authority is not the head of the office in which the applicant is serving, the application shall be submitted through such head, who shall attach to it the applicant's service book or service roll, as the case may be.

¹[327(1). A gazetted officer shall submit his formal application for pension one year in advance of the date of superannuation to the Accountant General who shall build up his pension records in Form 7 and intimate to Government in the Administrative Department concerned in the Secretariat through the Head of the Department the title to service gratuity or pension and DCRG admissible at least three months before the date of retirement of the officer for issuing sanction to service gratuity/ pension and DCRG.

(2) The Accountant General shall undertake the work of preparing pension papers in Form 7 one year before the date on which the Government servant is due to retire on superannuation or the date on which he proceeds on leave preparatory to retirement, whichever is earlier. This work shall not be delayed till the Gazetted officer actually submits his application for pension.

(3) Soon after receipt of the intimation referred to in sub-rule (1), from the Accountant General, the Head of the Department shall certify in Form 7-A, whether the character, conduct and past service of the officer are such as to entitle him

1. Substituted by No. FD 140 SRS 73 dated 30-08-1974 (wef 19-9-1974)

to full pension and then forward it to the administrative department concerned in the Secretariat.

Note :- Entries in Form 7-A in respect of Heads of Department and Secretaries to Government shall be made by the Chief Secretary under the orders of Government.

(4) The Administrative Department concerned in the Secretariat shall forward Form 7-A with the sanction to pension / gratuity and DCRG duly recorded therein together with the facts, if any, having a bearing on pension and DCRG, to the Accountant General under intimation to the Finance Department within one week from the date of retirement of the Gazetted Officer.

(5) Sanction will be assumed by the Accountant General if nothing is heard within a period of two weeks from the date of retirement of the Government servant either from the Head of the Department or the Administrative Department concerned in the Secretariat.]

328. ¹[xxx]

²[329.(a) In the case of a Government servant no longer in active service, a last pay certificate shall be obtained before making final payment of pension / gratuity.

Exception:- Notwithstanding the provisions of this clause, in cases where a surety bond or a cash deposit has been obtained or a suitable portion of DCRG has been withheld towards any demand remaining unassessed or unrealised for any reasons on the date of retirement of the Government servant, the Accountant General need not wait for the receipt of the last pay certificate before making final payment of pension / gratuity.

(b) Government, in the case of Gazetted Officers, and Head of the Department or a Gazetted Officer subordinate to him not lower in rank than the principal District Officer of the Department ³[xxx] in the case of non-gazetted officer, shall be competent to sanction pensions. Such authority shall, after due consideration of the facts of the case and having due regard to the provisions of rule 289, record its orders in Form 7-A as to whether the service has been satisfactory and is approved for

1. Deleted by No. FD 69 SRS 66 dated 10-10-1968.

2. Substituted by No. FD 140 SRS 73 dated 30-8-1974 (wef. 19-9-1974)

3. Amended by No. FD 203 SRS 74 dated 22-4-1975 (w.e.f. 19-9-74)

the grant of full pension admissible under the rules, or whether the service has not been thoroughly satisfactory and what reduction should, for that reason, be made from the full pension and/or gratuity admissible under the rules. The pension sanctioning authority shall keep a copy of Form 7-A before forwarding it to the Accountant General.

Note :- The power vested in the Chief Secretary to Government under this clause will be exercised by the Deputy Secretary to Government, General Administration Department provided that no order regarding reduction in the amount of pension is made without the prior approval of the Chief Secretary.]

¹[329-A. As soon as a Government servant completes twenty-five years of service the Audit Officer concerned in the case of a Gazetted Government servant or the Head of Office, in consultation with the Audit Officer concerned, in the case of a non-gazetted Government servant, shall in accordance, with ²[the rule 330] verify the service rendered by such Government servant, determine the qualifying service and communicate to him the period of qualifying service so determined.

Provided that any such verification shall be subject to final verification of qualifying service which shall be made at the time of retirement of the Government servant.]

³[330. ¹[xxx] The Head of the Office shall ¹[xxx] prepare a statement of the applicant's services in the second page of Form 7 and arrange to verify them according to the following procedure:-

(i) All the information procurable from the Service Book of the Government servant shall first be gathered. The information thus received shall then be forwarded to the Audit Officer concerned along with the statement and his service book ¹[xxx] for verification. ¹[xxx] The Audit Officer shall check the statement and return the records.]

(ii) If there is any discrepancy, the Audit Officer shall detail the nature of such discrepancy; for instance, that the post which the applicant is stated to have filled during a certain period is shown in the Audit Office records to have been filled by another person. The authority submitting the statement shall settle such discrepancy to the satisfaction of the Audit Officer before allowing the disputable service to count for pension.

1. Amended by No. FD 140 SRS 73 dated 30-8-1974 (w.e.f. 19-9-1974)

2. Amended by No. FD 57 SRS 76 dated 11-7-1977 (w.e.f. 28-7-1977)

3. Amended by No. FD 50 SRS 69 dated 21-10-1971

(iii) If the service claimed cannot be wholly verified from the records of the Audit Office, reference shall be made to the head of office in which the applicant is shown to have served during the period in doubt, unless the services in question have already been verified and a certificate of verification recorded in the service book.

¹[(iv) If any portion of service rendered by a Government servant is not capable of being verified in the manner specified in clauses (i), (ii) and (iii), the applicant shall file a written statement on plain paper stating that he had in fact rendered that period of service and shall at the foot of the statement make and subscribe to a declaration as to the truth of that statement shall in support of such declaration, produce all documentary evidence and all information which is in his power to produce or furnish.]

Note 1:- The power to admit service verified under this clause may be exercised by all subordinate authorities that are empowered to sanction pension under these Rules.

Note 2:- The Heads of departments should be careful in giving certificates to their subordinates removed from service, to state the whole truth in respect of character and cause of dismissal or resignation of appointment, as the suppression of true reason for which the subordinate had been removed from his appointment may obviously be injurious to the interests of the public service.

Note 3:- The documents produced as ¹[documentary evidence] as certificates such as those given by an officer to the subordinate on his leaving the office and the testimony of contemporary Government servants referred to above, should actually have been issued during the period for which the service of an officer is declared to be unverifiable. Certificates etc., given by retired Gazetted officers after the lapse of several years should not be accepted as proper evidence.

Exception :- In the case, however of employees of the Electrical Department who entered service in the department prior to 1936 and whose pension cases have to be settled in the absence of records prior to that date, and in the cases of those whose service records were destroyed in the accident that occurred at Sivanasamudram in 1944, certificates granted by

1. Substituted by FD 97 SRS 67 dated 12-12-1967.

retired Gazetted officers even after the lapse of years, may as a special case, be accepted when they are countersigned by the Chief Electrical Engineer of Karnataka in token of his being satisfied that the retired Gazetted officers were actually in the service of the Electrical Department.

¹[331 xxx]

332.(a)(i) ¹[The Head of the office shall undertake the work of preparation of pension records twelve months before the retirement of the Government servant.] This should be done irrespective of the fact whether a formal application for pension has been received from the Officer or not. If at the time the application in Form 7 is drawn up, a formal application from the officer has not yet been received, entries against items 14, 16, 17 and 18 on the first page of Form 7 shall not be filled up at the stage. The relevant entries shall be made soon after the formal application is received. However, if by the time the formal application is received the application in Form 7 has already been sent to the Audit Officer, the formal application shall immediately be forwarded to the Audit Officer who will complete the necessary entries.

²[(ii) The Head of the Office shall also follow directions contained ³[in Rule 327(2).] If the application is for an Invalid Pension the requisite medical certificate shall be attached to the application.

Note.- If the medical examination of the applicant was not conducted on the date on which he ceased to perform duty, the authority competent to sanction the pension may accept a medical certificate bearing a later date.]

(iii) In any case in which it becomes necessary to resort to the procedure prescribed in sub-clause (iv), Rule 330, he shall record on the application the exact nature of the investigation made and the conclusions arrived at.

(b) He shall then arrange, with the application, all the documents relied upon for the verification of the service claimed in such manner that they can be conveniently consulted, and forward them together with the Government servant's service book or service roll, through the authority empowered to sanction the pension to the Audit Officer with a forwarding letter in the form given in Form 11.

1. Amended by No. FD 140 SRS 73 dated 30-8-1974 (w.e.f. 19-9-1974)

2. Substituted by No. FD 69 SRS 66 dated 10-10-1968

3. Inserted by No. FD 50 SRS 69 dated 21-10-1971

¹[(c) The Authority competent to sanction the pension shall then check the pension papers with reference to his own office records and then forward the pension papers duly according sanction to pension and Death-cum-Retirement Gratuity in Form 7-A to the Audit Officer at least ²[3 months] before the date on which the Government servant is due to retire. In case the pension records cannot thus be sent in time, the pension sanctioning authority shall sanction payment of anticipatory service gratuity / pension / Death-cum-Retirement Gratuity in terms of Rule 341 and note below Rule 348 and record the details of such sanction in the service book of the retired Non-Gazetted Government servant. The pension records shall then be finalised and forwarded to the Audit Officer with the least possible delay after duly recording sanction in Form 7-A.]

³[Note :- The pension sanctioning authorities shall not authorise any anticipatory payments unless they have with them the service book of the Government servant concerned;

(d) The Audit Officer shall assume sanction to the pension and DCRG if such sanction is not received by him within two weeks from the date of retirement of the Government servant provided the pension records are otherwise complete in all respects.]

333. The documents which should accompany the application for pension other than a Family pension are enumerated below.

- (1) Application for pension in the prescribed form.
- (2) Invalid certificate (if the claim is for invalid pension.)
- (3) Service book duly completed.
- (4) Statement of service showing the period verified.
- (5) Memo of average emoluments.
- (6) Last pay of certificate.
- (7) A copy of the first and second pages of application for pension duly attested.

1. Inserted by No. FD 50 SRS 69 dated 21-10-1971

2. Substituted by No. FD 40 SRS 89 dated 23-6-1989 (w.e.f. 13-7-1989).

3. Inserted by No. FD 140 SRS 73 dated 30-8-1974 (w.e.f. 19-9-1974)

(8)(a) Two specimen signatures duly attested ¹[or two slips bearing the left hand thumb and finger impressions (in the case of persons who are illiterate and cannot sign their names)]

(b) Two certified copies of passport size photograph in addition to (a) above.]

(9)(a) Declaration from the pensioner regarding non-receipt of any pension or gratuity required under the note below Rule 327.

(b) Declaration from the pensioner regarding grant of Anticipatory Pension and anticipatory Death-cum-Retirement Gratuity if some delay is anticipated in the verification of his service.

²[xxx]

³[335.(1) On receipts of the pension papers passed on to him under the provisions of Rules 329 or 332, the Audit Officer shall apply the requisite checks and record his audit encasement in Form 7, showing the total period of qualifying service which has been verified and accepted for the grant of pension and / or gratuity, the amount and the date from which it / they is / are admissible, etc. If the pension is payable in his circle of audit he shall thereafter prepare the pension payment order on the basis of the orders of the pension sanctioning authority and the audit encasement but ⁴[shall not issue it ⁵[earlier than thirty days] from the date of retirement of the Government Servant.] The fact of issue of the pension payment order shall be promptly reported to the pension sanctioning authority, and the pension papers no longer required, returned to him. ⁶[The application in Form 7 shall be retained for record in the Audit Office.]

(2) If the pension is to be paid in another circle of audit, the Audit Officer shall send a copy of the pension application

1. Amended by No. FD 123 SRS 60 dated 9-11-1960 (wef 17-11-1960)

2. Deleted by No. FD 50 SRS 69 dated 21-10-1971.

3. Amended by No. FD 56 SRS 60 dated 11-1-1961 (wef 1-4-1961)

4. Amended by No. FD 140 SRS 73 dated 30-8-1974 (wef 19-9-1974)

5. Amended by No. FD 11 SRA 93 dated 26-2-1994 (wef 24-3-1994)

6. Inserted by No. FD 131 SRS 61 dated 30-12-1961.

with the orders of the sanctioning authority and his audit enfacement, along with the last pay certificate if received, to the Audit Officer of that circle, ¹[not earlier than thirty days] from the date of retirement of the Government servant] who shall, prepare the necessary pension payment order and take further action as indicated in clause (1) above.

Note :- If the pension papers are plainly incorrect or incomplete, the Audit Officer shall return them promptly for correction or explanation.

(3) The Audit Officer shall record briefly in the column reserved in Form 7, his reasons for disallowing any service claimed. Any other disallowances should be recorded in the audit enfacement on the third page with reasons therefor.]

²[335-A. The pension sanctioning authority shall furnish to the Audit Officer demi-officially, by registered post, the facts, if any, having a bearing on the pension and DCRG, within a week from the date of retirement of the Government servant.

The pension sanctioning authority shall be held personally responsible for any loss caused to Government by his omission to inform, within the prescribed period, the Audit Officer about the facts having a bearing on the pension and DCRG of the Government servant.]

³[335-B. The pension sanctioning authorities shall maintain a watch register in two parts in Form No. 11A, review it on the first of every month and ensure that the time limits prescribed in Rules 282-A, 329-A, 332, 332 (a) (i) and (c), 335-A and 347-A are strictly adhered to. The fact of despatch of the service records / pension records / information shall also be indicated in the monthly return due to the Finance Department.]

⁴ [xxx]

338.(1) Should the amount of pension granted to a Government servant be afterwards found to be in excess of that to which he is entitled under these Rules he shall be called upon to refund such excess.

⁵[For this purpose the Government servant concerned shall be served, with a notice by the pension sanctioning authority, requiring him to refund the excess payments within a

1. Amended by NO.FD 11 SRA 93 dated 26-2-1994 (w.e.f. 24-3-1994)

2. Amended by No. FD 140 SRS 73 dated 30-8-1974 (w.e.f. 19-9-1974)

3. Inserted by No. FD 29 SRS 75 dated 19-8-1975 (w.e.f. 23-10-1974)

4. Deleted by No. FD 56 SRS 60 dated 11-1-1961 (w.e.f. 1-4-1961).

5. Inserted by No. FD 128 SRS 60 dated. 31- 10- 1961 (w.e.f. 10-11-1961)

period of two months from the date of receipt by him of the notice. On his failure to comply with the notice, the pension sanctioning authority shall order that such excess payments shall be adjusted by short payments of pension in future in one or more instalments, as the authority may order.]

¹[Note :- The above procedure shall be applicable also to the recovery of excess payments of family pension from the legal heirs or members of the family of the deceased Government servant.]

²[2(a) In case where a portion of qualifying service at the end has remained unverified at the time of issue of the pension payment order by the Audit Officer, due to the fact that the pension application was sent to the Audit Officer before his date of retirement, the Audit Officer will authorise the pension provisionally in the first instance.

(b) If, after the pension application in form 7 has been forwarded to the Audit Officer, any event occurs which has a bearing on the amount of pension admissible, the fact shall be promptly reported to the Audit Officer by the pension sanctioning authority. If no such event has occurred, a report to that effect together with a certificate as to the satisfactory nature of the service rendered by the Government servant after the pension application was originally forwarded, shall be sent to the Audit Officer within a week from the date on which the Government servant retires. At the same time details of any Government dues outstanding against the Government servant and the steps taken to safeguard the interest of the Government in this behalf shall also be intimated to the Audit Officer.]

³[xxx]

⁴ [xxx]

339.(a) If, in any case. any interpretation of the rules is involved or if any indulgence not provided for by the rules is proposed, the head of the department should submit the case, with his opinion and recommendation to Government.

(b) Until the orders of Government are received, a recommendation for any special indulgence should never be communicated directly or indirectly, to the Government servant concerned.

1. Inserted by No. FD 1 SRS 63 dated 5-3-1963

2. Amended by No. FD 56 SRS 60 dated 11-1-1961 (w.e.f. 1-4-1961).

3. Amended by No. FD 18 SRS 77 dated 3-8-1978 (w.e.f. 10-8-1978)

4. Amended by No. FD 46 SRS 62 dated 10-10-1962.

(c) An application in the prescribed Form should accompany every special recommendation made under this Rule.

340. When special circumstances appear to justify a departure from the rules laid down regarding ordinary pensions, Government may grant an arbitrarily fixed sum rather than any exact proportion of the amount to which the rules may afford a claim.

ANTICIPATORY PENSIONS

¹[341. (a) When a Government servant is likely to retire before his pension can be finally assessed and settled, ²[the Accountant General in the case of Gazetted Officers and the authority competent to sanction pension in the case of Non-Gazetted Officers] shall sanction the disbursement of pension to which, after the most careful summary investigation that he can make without delay, he believes the Government servant to be entitled. ²[The bill in respect of anticipatory pension of a Non-Gazetted Government Servant shall be preferred in ³[(Form KTC 46-B.)]

(b) The disbursement of pension under clause (a) shall be subject to revision on the completion of the detailed investigation and enquiries if any. If the amount of pension granted to a Government servant be afterwards found to be in excess of that to which he is entitled under the rules, he shall be called upon to refund such excess. For the purpose of recovering the excess, if any, the procedure laid down in rule 338 (1) shall be followed.

(c) If ²[the Accountant General in the case of Gazetted Officers and the authority competent to sanction pension in the case of Non-Gazetted Officers] thinks it likely that in a case contemplated in this Rule the Government servant would be entitled to gratuity only, he may sanction the disbursement of not more than three fourths of the amount of such probable gratuity to which after the most careful summary investigation that he can make without delay, he believes the Government servant to be entitled.

1. Substituted by No. FD 65 SRS 63 dated 16-4-1964.

2. Amended by No. FD 50 SRS 69 dated 21-10-1971

3. Amended by No. FD 51 SRS 78 dated 3-11-1978 (w.e.f. 9-11-1978).

If the amount of gratuity disbursed proves to be larger than the amount found actually due upon completion of the inquiries, the gratuitant shall not be required to refund any excess actually disbursed to him, except as provided in Chapter XX.

(d) The payment of anticipatory pension should be so arranged that it is not delayed beyond the first day of the month following the month in which the Government servant is due to retire.

(e) Production of a last pay certificate is not necessary for the disbursement of Anticipatory pension / Gratuity and Anticipatory Death-cum-Retirement Gratuity and commuted value based on Anticipatory Pension. To enable the ¹[Accountant General] to know the date from which the Anticipatory payments should commence, a communication as contemplated in clause (3) of Rule 338 should be sent to him.]

¹[Note 1:- The anticipatory pension/service gratuity sanctioned under this Rule shall not exceed 75 per cent of the amount calculated by the Pension Sanctioning Authority as due to the retiring Non-Gazetted Government servant (after taking into account the amount due to Government from him in the case of anticipatory service gratuity). The anticipatory pension shall be sanctioned by the pension sanctioning authorities for a period of six months from the date of retirement which may be extended in individual cases with the approval of the Accountant General. Copies of such sanctions accorded by the pension sanctioning authorities should be endorsed to the Audit Officer and the Drawing and Disbursing Officer under whom the retiring Non-Gazetted Government servant was serving at the time of retirement. The Drawing and Disbursing Officer will draw the anticipatory pension on a separate bill form for each pensioner and disburse it to the pensioner in cash or by remittance by Money Order or Bank Draft, if so desired by the pensioner, the commission charged being borne by the Department as contingent expenditure.

²[Note 2 :- The Pension Sanctioning Authority shall be the Drawing and Disbursing Officer in respect of Local Bodies.]

³[342 xxx]

⁴[343 xxx]

1. Amended by No. FD 50 SRS 69 dated 21-10-1971
 2. Inserted by No. FD 82 SRS 73 dated 7-9-1973
 3. Deleted by No. FD 69 SRS 66 dated 10-10-1968
 4. Deleted by No. FD 65 SRS 63 dated 16-4-1964.

DEATH-CUM-RETIREMENT GRATUITY

344. When the gratuity is payable to the Government servant on his retirement:- On receipt of the certificate of the Accountant General the competent authority who will be the same as the authority competent to sanction the pension of the Government servant concerned, may formally sanction the gratuity.

¹[If the Government servant dies before receiving payment, the amount will be payable in the manner indicated in sub-rules (i) and (ii) of Rule 292.]

Note :- The procedure prescribed in Rule 336 in regard to the provisional payments of pensions may be followed in the case of provisional payment of Death-cum-Retirement Gratuity also.

²[345. If the Government servant has executed a nomination in the prescribed form and the nomination subsists, the Head of the Department / office should on receipt of the report of the death of the Government servant draw up the particulars of the deceased Government servant and the statement of the services rendered by him, in the first and second pages of Form 7. If there is no nomination or if the nomination does not subsist, the gratuity is payable only in the manner indicated in Rule 292 and in such cases the Head of the Department/Office need draw up the particulars of the deceased Government servant and the statement of the services rendered by him only on receipt of an application for the gratuity in Form 9 from or on behalf of the persons entitled to receive the gratuity. The application for gratuity, the particulars of the deceased Government servant and the statement of the services rendered by him along with orders of the pension sanctioning authority in Annexure I to Form 9 and other relevant documents will be forwarded to the Accountant General who after applying the requisite checks and recording the audit encasement will authorise payment of the amount of the gratuity on the authority of the sanction already recorded by the pension sanctioning authority on the application.]

1. Substituted by No. FD 156 SRS 58 dated 14-8-1958 (w.e.f. 28-8-1958)

2. Substituted by No. FD 58 SRS 62 dated 17-11-1962.

¹[345-A. When a person who was entitled to receive death-cum-retirement gratuity on the death of a Government servant dies before getting the payment:

The eligibility of a person to receive the amount or share of death-cum-retirement gratuity should be determined with reference to the facts as they stand on the date of death of a Government servant and any subsequent event (e.g., remarriage of a widow, marriage of an unmarried daughter, sister, etc.,) will not affect that entitlement. If, however, a person who was entitled to receive death-cum-retirement gratuity on the date of death of a Government servant, dies before getting the payment, the amount or share of gratuity should be re-distributed in the manner indicated below:-

(a) In cases of 'no nomination', the amount or share of the gratuity admissible to the person concerned should be distributed in equal shares among the surviving eligible members of the family of the deceased Government servant.

(b) If the person concerned was a nominee, the right to the amount or share of death-cum-retirement gratuity will pass on to the alternate nominee or nominees. In case there is no alternate nominee, the amount or share of gratuity should be paid in equal shares to the co-nominees of the person concerned, if any, and failing that it should be distributed in equal shares among the surviving eligible members of the family of the deceased Government servant as in (a) above.]

²[345-B. Payment of death-cum-retirement gratuity to a minor;

(1) Where no valid nomination subsists-

(i) ³[Where, however, there is no surviving parent or the surviving parent is a Muslim Lady, payment of death-cum-retirement gratuity to the extent of Rs.3000 (or the first Rs.3,000 where the amount payable exceeds Rs.3,000) in favour of a minor may be made to his / her guardian, without the production of a formal guardianship certificate but subject to the production of an indemnity bond with suitable sureties to the satisfaction of the sanctioning authority. The balance in excess of Rs.3,000 if any, shall be payable on the production of a certificate of guardianship.

1. Substituted by No. FD 43 SRS 61 dated 26-7-1961 (w.e.f. 26-7-1961)

2. Amended by No. FD 249 SRS 59 dated 19-2-1960 (w.e.f. 26-2-1960)

3. Amended by No. FD 37 SRS 61 dated 13-9-1962.

Note 1:- The competent authority sanctioning payment under this sub-rule, should also require the person, who comes forward to claim payment on behalf of the minor, to satisfy him by an affidavit that he is in charge of the property of the minor and is looking after it, or that if the minor has no property other than the gratuity, the minor is in his custody and care.]

¹[Note 2 :- The indemnity bond required to be produced by a guardian of a minor shall be executed in Form 8-A. The stamp duty payable on the indemnity bond will be borne by Government. The indemnity bond shall be executed on any durable plain paper and shall be signed by the Obligor and the Surety / Sureties or their respective attorneys appointed by power(s) of attorney. It shall be accepted on behalf of the Governor by an officer duly authorised under Article 299(1) of the Constitution.]

(ii) When a share is payable to widowed minor daughters, production of a guardianship certificate would be necessary.

(iii) If, in a rare case, the wife herself happens to be a minor, the death-cum-retirement gratuity payable to her shall be paid to the person producing the guardianship certificate.

(iv) When there are no surviving members of the family as in items (a), (b), (c), and (d) of sub-rule (i) of Rule 302 and the death-cum-retirement gratuity becomes payable to a minor brother or a minor unmarried sister, the payment should be made to the father or in his absence, the mother of the beneficiary except in a case where the mother happens to be a Muslim lady. In this case too, if there is no surviving parent or the surviving parent happens to be a Muslim lady, the payment will have to be made to the person producing the guardianship certificate. If any share is payable to a widowed minor sister the production of guardianship certificate would be necessary.

(2) Where a valid nomination subsists,-

(i) Where the nomination is in respect of one or more of the members of the family, the procedure laid down in sub-rule (1) to this Rule shall apply.

(ii) Where there is no family, the nomination in favour of an illegitimate child, a married daughter or a married sister shall also be valid.

1. Inserted by No. FD 9 SRS 66 dated 30-6-1966.

If the nominee is an illegitimate child, share will be payable to the mother and, in her absence the production of a guardianship certificate would be necessary. If the share is payable to a married-minor girl the share will be payable to the husband.

¹[Note. The term 'surviving parent' used in this Rule does not include surviving 'step-mother'.)

346. When the gratuity is payable in cases of death within five years from the date of retirement under rule 292 (iv)- in such a case the service of the Government servant would have been verified, and in other respects the procedure indicated in Rule 345 above may be followed.

FAMILY PENSION

²[347. Two types of cases may arise in connection with family pension, namely, cases where the pension is payable in accordance with the nomination executed by the Government servant /pensioner and cases where it is payable to the person mentioned in sub-rule (v) of Rule 294. In cases where the pension is payable to a person in the order mentioned in the nomination, the head of the Office/Department should, on receipt of the death report of the Government servant/ Pensioner direct the nominee to submit an application in Form No. 9. If there is no such nominee and an application in Form 9 is received from a person mentioned in sub-rule (v) of Rule 294, the Head of Office/Department may make such enquiries as may be necessary to ascertain whether the pension is payable to the applicant or to any other person mentioned in the aforesaid sub-rule. If the applicant is a person mentioned in clause (b) of that sub-rule, the head of the Office./ Department should satisfy himself by making such enquiries as may be necessary that the applicant was dependent on the Government servant / pensioner for support. The Head of Office / Department should then draw up the particulars of the deceased and the statement of services rendered by him in the first and second pages of Form 7. The application for family pension in Form 9, the particulars of the deceased Government servant and the statement of services rendered by him along with the orders of the pension sanctioning authority in Annexure II to Form 9, and other relevant documents will be forwarded to the Accountant-General who after applying the requisite checks and recording

1. Inscribed by FD 154 SRS 60 dated 5-10-1960.

2. Substituted by No. FD 58 SRS 62 dated 17-11-1962.

the audit enforcement will authorise payment of the family pension specifying in the family pension payment order, the period for which the pension is payable and also indicating the event, if any, on the happening of which the payment should be stopped. In the matter of identification of the recipient of the family pension, the Treasury Officer will exercise the necessary checks. If the person to whom the family pension has been sanctioned dies or becomes ineligible for the pension before the expiry of the period for which the pension is otherwise tenable, the pension may be regranted to the next person eligible to receive it for the unexpired portion of that period and the foregoing procedure should be followed in such cases also. ¹[If a family pension is payable to a minor, it shall be paid to the surviving parent, except in the case where the surviving parent happens to be a Muslim lady, without insisting upon the production of a guardianship certificate from a Court of Law. Where, however, there is no surviving parent it shall be paid to a guardian appointed by the Deputy Commissioner of the district in which the minor pensioner is residing. But where the surviving parent happens to be a Muslim lady, payment shall be made to the person producing a guardianship certificate obtained from a competent Court of Law. In such cases a descriptive roll (in duplicate) of the person who may be authorised to receive payment should accompany the application in Form 9.

Note 1 - The payment to the guardian appointed by the Deputy Commissioner shall be made subject to the production of an indemnity bond by such guardian with suitable sureties to the satisfaction of the sanctioning authority and after the solvency of the guardian and / or sureties is verified by the Deputy Commissioner once a year during the period of the payment.

Note 2 - The term 'surviving parent' used In this Rule does not include surviving step-mother.]

²[347-A. The pension sanctioning authority shall ensure that the family pension and D.C.R.G. are settled in favour of the beneficiaries within two months from the date of death of the Government servant.]

1. Substituted by No. FD 37 SRS 61 dated 18-1-1963.

2. Inserted by No. FD 140 SRS 73 dated 30.8.1974 (wef 19.9.1974).

¹[347-B.The Audit Officer shall assume sanction to the Family Pension and the Death-cum-Retirement Gratuity, if such sanction is not received by him within two months from the date of death of the Government servant, provided the pension records are otherwise complete in all respects.]

²[348. When a Government servant who is entitled to Death-cum-Retirement Gratuity is likely to retire before the amount of the gratuity can be finally assessed and settled in accordance with the procedure mentioned above, the Accountant General in the case of Gazetted officers and the authority competent to sanction pension in the case of Non-Gazetted officers may sanction the disbursement of not more than three-fourths of the net amount of gratuity to which, after the most careful summary investigation that he can make without delay duly taking into account all dues to Government, such as House Building Advance, House Purchase Advance, Motor Cycle Advance he believes the Government servant to be entitled on the basis of his continuous temporary and permanent service. In the event of death of the Government servant, similar payment of gratuity, may also be authorised in the appropriate proportion to the nominee(s) or in case of no nomination to the member(s) of his family in accordance with the relevant orders issued from time to time as the case may be.

Anticipatory family pension may be paid only when the Accountant General in the case of Gazetted officers and the authority competent to sanction pension in the case of non-Gazetted Government servants is satisfied that the qualifying service as verified upto the date of sanction to such pension is not less than twenty years qualifying service and the amount of such pension does not exceed three-fourths of the amount admissible on the basis of the qualifying service verified upto the date of sanction.

For the payment of anticipatory family pension and anticipatory Death-cum-Retirement Gratuity the procedure prescribed in Rule 341 regarding the payment of anticipatory pension may be followed.]

³[349.xxx]

1. Inserted by No. FD 78 SRS 75 dated 16.2.1976 (wef 19.8.1976).

2. Substituted by No. FD 26 SRS 75 dated 8.12.1975.

3. Deleted by No.FD 56 SRS 60 dated 11.1.1961 (wef 1.4.1961).

350. The Accountant General will then communicate to the Officer who is to pay the pension or gratuity, the authority to make the payment; in the case of a pension such authority will be a Pension Payment Order.

351. A gratuity is paid in a single sum and not by instalments, on receipt of the Accountant General's authority.

352. A gratuity may, at the discretion of Government, on the application of the recipient be converted either into a life annuity or into a temporary life annuity or into an annuity payable for a fixed number of years with remainder to the annuitant's heirs in case of his death.

The amount of the life annuity or temporary life annuity will be determined by the table of commuted value of pensions (Rule 380).

353. Government will not permit the conversion of a gratuity into life annuity, or temporary life annuity, unless the expectation of life of the Government servant be reported by competent medical authority to be equal to the average.

CHAPTER XXII

PAYMENT OF PENSION

354. Apart from special order, a pension is payable from the date on which the pensioner ceased to be borne on the establishment.

Note - The pension of a Government servant who, under Rule 268, has received gratuity in lieu of notice, is not payable for the period in respect of which the gratuity is paid.

355. The preceding Rule applies to ordinary, and not to special cases. If, under special circumstances, a pension is granted long after a Government servant has retired, retrospective effect should not be given to it without the special orders of Government; in the absence of such special orders, such a pension will take effect only from the date of sanction.

¹[356. The procedure to be followed at the treasuries for payment of pensions is laid down in Chapter VIII of the Karnataka Treasury Code, Volume-1.]

¹[357 to 364]

365. All Pensions payable by Government are fixed in rupees and are payable in India. Government do not undertake to pay any pension outside India nor can pensions be transferred from India to outside India ²[xxx].

¹[366 to 374]

375. If a Government servant dies before actually retiring or being discharged, his heirs have no claim to anything in respect to the pension of the Government servant except as provided in rules.

Explanation:- A Government servant dying after the production of a medical certificate of incapacity for further service, and after being relieved of the duties shall be deemed to have been discharged for the purpose of this Rule even if he had not been actually retired.

1. Amended by No. FD 49 SRS 63 dated 18.9.1963.

2. Deleted by No. FD 30 SRS 62 dated 29.3.1963.

CHAPTER XXIII COMMUTATION OF PENSIONS

376. The rules in this Chapter shall apply to all Civil pensions paid by the Government of Karnataka to persons in respect of whose pensions the Governor of Karnataka is competent to make rules under the proviso to Article 309 of the Constitution of India.

¹[They shall also apply to the following classes of pensions:-

(1) Civil Pensions drawn by retired Government servants of the Ex-Bombay, Ex-Hyderabad and Ex-Madras States who retired from service prior to 1st November, 1956 but were drawing their pensions immediately before that date at one of the treasuries situated in the territories specified in Section 7 of the States Reorganisation Act, 1956. ²[xxx].

(2) Civil Pensions drawn by retired Government servants who were allotted to this State under Section 115 of the States Reorganisation Act, 1956, but who retired from service under the pension rules applicable to them prior to 1st November, 1956.

(3) Civil Pension drawn by retired Government servants of Ex-Mysore State.

Note - The Commutation rules in the Civil Service Regulation, the Mysore Service Regulations, the Bombay Civil Service Rules, the Hyderabad Civil Services Rules, and the Madras Pension Code which were applicable to the classes of pensions mentioned in 1 to 3 above till 31st December 1960 will not apply to them from 2nd January, 1961 (the date from which these amendments come into effect) except to the extent indicated in Exception 2 below Rule 377(1).]

377. ³[(1) Subject to the conditions hereafter specified, the authority competent to sanction pension may sanction the commutation for a lump payment of a portion not exceeding one third of any pension which has been or may be granted to any person under the rules provided that-

⁴[xxx]

1. Inserted by No. FD 207 SRS 60 dated 28.12.1960 (wef 2.1.1961).

2. Amended by No. FD 137 SRS 61 dated 17.11. 1961 (wef 28.12.1960).

3. Amended by No. FD 108 SRS 75 dated 24.10.1975 (wef 1.11.75).

4. Deleted by No. FD 48 SRS 79 dated 14.11.1979 (wef 1.1.77).

(i) a Government servant against whom judicial or departmental proceedings have been instituted or a pensioner against whom any such proceedings have been instituted or continued under Rule 214 shall not be permitted to commute any part of his pension during the pendency of such proceedings; and

(ii) a Government servant to whom a provisional pension has been sanctioned under Rule 214-A or a Government servant to whom an anticipatory pension has been sanctioned under Rule 341, shall not be permitted to commute any part of such provisional or anticipatory pension.

Exceptions:- (a) In the case of persons who have retired under old-pension rules which did not provide for Death-cum-Retirement Gratuity benefits, the portion of pension commutable is limited to one-half of their pension.

(b) In the case of those whose pensions were regulated under rules that were applicable to them prior to 1st November 1956, the residual limits of Pension after commutation, prescribed in the relevant rules as they stood on 31st October 1956 will continue to apply, wherever they are less than Rs.20 per month.

Note - Employees of the palace, a portion of whose pension is debitable to the Consolidated Fund of the State, may commute a portion of their pension paid from the Consolidated Fund, if it is not more than one-third of the entire pension, or to the extent of a third of the entire pension, subject to the other conditions under these rules being fulfilled.]

(2). Notwithstanding anything contained in sub-rule (1) '[the authority competent to sanction pension may, in his discretion,] refuse commutation of pension, in the case of a pensioner who has been guilty to grave misconduct which in their opinion would have justified the withholding of his pension under the pension Rules (Rule 213).

²[Note -xxx]

¹[378. In respect of the pensioners residing outside the State who desire to get medically examined at a place outside the State, Government in the Finance Department shall be the authority competent to sanction commutation of pension.]

1. Amended by No. FD 108 SRS 75 dated 24.10.1975 (wef 1.11.1975).

2. Deleted by No. FD 27 SRS 80 dated 22.5.1980 (wef 4.1.1979).

¹[Provided that an application for commutation of pension under sub-rule (9) of rule 383 shall be sent to the Accountant General under registered post Acknowledgement Due.]

379.(1) On receipt of an application for commutation, the ²[sanctioning authority] shall transmit to the applicant a copy of the Accounts Officer's certificate of the lumpsum payable on commutation in the event of his being reported by such medical authority as the sanctioning authority may prescribe to be a fit subject for commutation; and shall at the same time instruct him to appear for examination before the said medical authority within three months from the date of its order, or if he has applied for commutation in advance of the date of his retirement, within three months of that date but in no case earlier than the actual date of retirement. This intimation shall constitute administrative sanction to commutation, but shall lapse if the medical examination does not take place within the period prescribed in the sanctioning order. If the applicant does not appear for examination before the said medical authority within the prescribed period, the sanctioning authority may, at his discretion renew administration sanction for a further period of three months without obtaining a fresh application for commutation of pension. ²[The applicant may withdraw his application by written notice despatched to the ³[sanctioning authority] at any time before medical examination is due to take place, but this option shall expire on his appearance before a medical authority:]

Provided that if the medical authority directs that his age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may withdraw his application by written notice despatched ²[to the Accountant General] within two weeks from the date on which he receives intimation of the revised sum payable on commutation, or if this sum is already stated in the sanctioning order, within two weeks from the date on which he receives intimation of the finding of the medical authority;

And if the applicant does not withdraw in writing his application within the said period of two weeks he shall be deemed to have accepted the sum offered.

1. Inserted by No. FD 68 SRS 77 dated 16.10.1978 (wef 4.2.1978).

2. Amended by No. FD 207 SRS 60 dated 28.12.1960 (wef 2.1.1961).

3. Amended by No. FD 108 SRS 75 dated 24.10.1975 (wef 1.11.1975).

¹[(2) Subject to the provisions contained in sub-rule (3) and subject to the provisions relating to the withdrawal of an application contained in the proviso to sub-rule (1) of this rule the commutation shall become absolute, that is, the pensioner shall become entitled to receive the commuted value, on the date on which the Medical Board/Authority signs medical certificate. Payment of the commuted value shall be made as expeditiously as possible, but in the case of an impaired life, no payment shall be made until either a written acceptance of the commutation has been received or the period within which the application for the commutation may be drawn has expired. The reduction in the amount of pension on account of commutation shall become operative from the date of receipt of the commuted value of the pension by the pensioner, or three months after the issue, by the Accountant General, of the Authority asking the pensioner to collect the commuted value of the pension, whichever is earlier. This date will be entered in both the halves of the Pension Payment Order by the Treasury Officer under intimation to the Accountant General.]

²[Note 1 - The applicant who has clearly indicated his intention to commute the maximum amount of his pension or expresses the amount proposed to be commuted as a fraction or percentage of the full and final pension, within the maximum permissible limit, and ³[has been] allowed to commute such fraction or percentage of the anticipatory or the provisional pension sanctioned to him on the earlier occasion, shall neither be required to apply afresh nor to produce a fresh certificate of medical examination for commutation of the difference between the fraction or percentage of the final pension and the anticipatory or provisional pension. As the commutation in such cases is payable in two instalments - one out of the anticipatory or provisional pension and the other after final assessment of the pension - the report from the Audit Officer will have to be called for in Part II of Form 12 for commutation of Civil Pension twice. A fresh sanction of the administrative authority for the difference of the commuted value i.e., the maximum value accrued, minus value commuted provisionally shall be necessary, regard, however, being had to the need for further medical examination as in Note 2 below.

1. Substituted by No. FD 68 SRS 77 dated 16.10.1978 (wef 4.2.1978).

2. Inserted by No. FD 185 SRS 60 dated 14.3.1961 (wef 23.3.1961).

3. Amended by No. FD 108 SRS 75 dated 24.10.1975 (wef 1.11.1975).

Note 2 - A person who is allowed provisionally to commute a portion of his pension not exceeding Rs. 25 and who anticipates that the final amount of pension that he would be entitled to commute might exceed Rs.25 shall indicate, that fact in his application in case he desires to commute a sum exceeding Rs. 25. The sanctioning authority shall in such cases arrange for medical examination as if the amount to be commuted exceeds Rs. 25. In case such fact is not indicated the Government servant shall be permitted, on finalisation of the amount of his pension, to commute the difference between the amount of pension originally commuted and Rs.25 without further medical examination, if the original amount commuted together with the difference referred to does not exceed Rs.25. If the same exceed Rs.25, the commutation of any further sum, if admissible, shall be treated as fresh commutation and allowed subject to examination by a Medical Board.

The date on which the Medical Board sign the medical report shall be the date of effect for the difference of the amount for the portion of pension to be commuted for which the medical examination is conducted.]

¹[Note 3 - In the case of an impaired life, where the applicant dies after the medical examination but before the expiry of the period prescribed for the withdrawal of the application for commutation, the commutation shall be deemed to have become absolute for the purpose of Rule 382, on the date on which the Medical Authority signed the medical certificate.]

(3) If the applicant makes any statement found to be false within his knowledge or wilfully suppresses any material fact in answer to any question written or oral, put to him in connection with his medical examination, the sanctioning authority may cancel the sanction at any time before payment is actually made; and such a statement or suppression may be treated as grave misconduct for the purpose of Rule 213.

380. The lumpsum payable on commutation shall be calculated in accordance with the table of present values printed below. For the purpose of this rule the age in the case of impaired lives shall be assumed to be such age, not being less than the actual age, as the certifying medical authority may direct. In the event of the table of present values applicable to an applicant having been modified between the date of

1. Inserted by No. FD 53 SRS 64 dated 27.4.1965 (wef 13.5.1965).

administrative sanction to commutation and the date on which commutation is due to become absolute payment shall be made in accordance with the modified table, but it shall be open to the applicant if the modified table is less favourable to him than that previously in force to withdraw his application by notice in writing despatched within fourteen days of the date on which he receives notice of the modification.

**¹[COMMUTATION TABLE
COMMUTATION VALUES FOR A PENSION OF
RE 1 PER ANNUM**

Age next birthday	Commutation value expressed as number of years' purchase	Age next birthday	Commuted Value expressed as number of years' purchase
	Rs. P.		Rs. P.
17	19.28	52	12.66
18	19.20	53	12.35
19	19.11	54	12.05
20	19.91	55	11.73
21	18.01	56	11.42
22	18.81	57	11.10
29	18.70	58	10.78
24	18.59	59	10.46
25	18.47	60	10.13
26	18.34	61	9.81
27	18.21	62	9.48
28	18.07	63	9.15
29	17.93	64	8.82
30	17.78	65	8.50
31	17.62	66	8.17
32	17.46	67	7.85
33	17.29	68	7.53
34	17.11	69	7.22
35	16.92	70	6.91
36	16.72	71	6.60
37	16.52	72	6.30
38	16.31	73	6.01
39	16.09	74	5.72
40	15.87	75	5.44
41	15.64	76	5.17
42	15.40	77	4.90

1. Substituted by No. FD 34 SRS 71 dated 14.6.1971 (wef 1.9.1971).

Age next birthday	Commutation value expressed as number of years' purchase	Age next birthday	Commuted Value expressed as number of years' purchase
43	15.15	78	4.65
44	14.90	79	4.40
45	14.64	80	4.17
46	14.37	81	3.94
47	14.10	82	3.72
48	13.82	83	3.52
49	13.54	84	3.32
50	13.25	85	3.13]
51	12.95		

381. The lumpsum shall be payable at the Treasury or Bank at which the pension is being or is to be drawn.

382. If the pensioner dies on or after the day on which commutation became absolute but before receiving the commutation value, this value shall be paid to his heirs.

383. The following regulaions governing procedure for the commutation of pensions are for abservance in all cases in which applications for commutation of pension are made under these rules.

Note.- For the propose of commutation of pension, if two different Governments are concerned a Government servant shall be deemed to be under the administrative control of the Government (other than the Central Government) to which the payment of commuted value of his pension will be charged and the application for commutation shall be disposed off by that Government according to the procedure rules framed for its own servants. In cases in which the commuted value of a pension divisible between the Central Government is wholly chargeable to the Central Government, the application for commutation should be decided by the State Government, to which the pension is partly chargeable. If however an application for commutation is made before the date on which the pension is sanctioned, the Government under which the applicant was last permanently employed shall be the Government competent to dispose of his applicatioin in accordance with the procedure rules prescribed for its own servants. The lumpsum payable on commutation to the Government Servant who have

served under more than one Government when the commutation tables applied by the different Government are not identical shall be calculated according to the commutation table of the Government under whose rule making control they are at the time of retirement. In the case of Government Servants who are temporarily lent by one Government to another, the commutation shall be according to the table of the lending Government and in the case of those who are permanently transferred from one Government to another, it shall be according to the table of the Government to which their services have been permanently transferred.

¹[(1) Every Government servant shall, while giving particulars of pension in Form 1B declare his intention or otherwise of commutation of pension not exceeding one third thereof from the date from which pension commences.

(2) In cases where application for pension are not accompanied by such a declaration for commutation of pension Accountant General will presume that the retired Government servant has opted the maximum commutation permissible according to rules and act accordingly.

(3) The declaration given shall be final and shall not be allowed to be changed thereafter. A retired Government servant who has declared his intention to commute a portion of pension less than $\frac{1}{3}$, also shall not be allowed any further commutation thereafter.

(4) A retired Government servant who has declared his intention to forego commutation shall not be entitled to any further commutation thereafter.

(5) A retired Government servant who in the declaration has opted to commute a portion of pension exceeding one third thereof shall be entitled to commute only one third of his pension and the Accountant General shall act accordingly.

(6) A retired Government servant against whom departmental enquiry or judicial proceeding is pending shall not be allowed the benefit of commutation of pension till such time he is sanctioned final pension after the conclusion of the inquiry or proceeding as the case may be. In such cases the declaration

1. Substituted by No. FD 34 SRS 71 dated 14.6.1971 (wef 1.9.1971).

or deemed declaration shall be considered after the conclusion of the enquiry or proceeding and commuted value as admissible from the date of commencement of the pension shall be authorised by the Accountant General.

(7) A retired Government servant who is paid anticipatory pension shall not be eligible for commutation of such anticipatory pension. After he is sanctioned final pension, the declaration made or deemed to have been made, shall be considered and the admissible commuted value as admissible on the date of commutation shall be authorised by the Accountant General.

(8) No separate sanction is necessary for the authorisation of commuted value of pension. The Accountant General shall authorise the commuted value of pension along with final pension.

(9) The reduction in monthly pension on account of commutation under this rule shall be operative from the date of receipt of commuted value by the pensioner or three months after the issue of authority by the Accountant General asking pensioner to collect the commuted value of pension, whichever is earlier.

(10) In case of a retired Government servant who has become entitled to the commutation of pension and who dies before receipt of the commuted value, the amount shall be paid to the heirs of the deceased.]

[383-A. (1) The portion of pension commuted by a retired Government servant shall be restored to him, as indicated below:

(a) Where a retired Government servant has commuted a portion of his pension on or before 31st July 1966 and attained the age of 70 years or more as on 31st July 1980, that portion shall be restored to him with effect from 1st August 1980;

(b) Where a retired Government servant has commuted a portion of his pension on or before 31st July 1966 and has not attained the age of 70 years as on 31st July 1980, that portion shall be restored to him from the first day of the month following the month in which he attains the age of 70 years;

1. Inserted by No. FD 79 SRS 80 dated 19.5.1981 (wef 1.8.1980) (These rules shall apply to all persons who are governed by the provisions of the rules contained in Chapter III of the Karnataka Civil Services Rules, in accordance with the provisions of Rule 376 *ibid.*)

(c) Where a retired Government servant has commuted a portion of his pension on or after 1st August 1966, that portion shall be restored to him from the first day of the month following the month-

(i) in which a period of 14 years has elapsed from the date of such commutation; or

(ii) in which he has attained the age of 70 years, whichever is later.

¹[(d) Where a retired Government servant has commuted a portion of pension before 1st July, 1986 as well as to those retiring on or after 1st July, 1986 the portion of his commuted pension shall be restored to him from the first day of the month following the expiry of a period of fifteen years from the date of commutation.

(e) Where a retired Government servant who had commuted a portion of his pension prior to seventeenth August, 1987 may if it is advantageous to him, get the benefit of restoration of the commuted portion after fourteen years from the date of commutation or on attaining the age of seventy years or from 1st August, 1980 whichever is later.]

(2) The restored portion of pension shall not be permitted to be commuted again.]

PART -V CHAPTER XXIV EXTRAORDINARY PENSION

¹[384 to 395 xxx]

1. Inserted by No. FD 1 SRA 97 dated 23.4.1998 (wef 15.10.1998)

1. Repealed by No. FD 84 SRS 79 dated 21.8.1980.

PART VI
CHAPTER XXV - MAINTENANCE OF RECORDS OF SERVICE
SECTION I - GAZETTED GOVERNMENT SERVANTS

396.(1) A record of the service of each gazetted Government servant shall be maintained by the Audit Officer who audits his salary or who accounts for the contribution recovered from the foreign employer in the case of an officer lent to Foreign Service.

(2) When a non-gazetted Government servant is officiating in a gazetted post, his service book should be kept by the Head of the Office to which he permanently belongs, but when he is confirmed in such a post his service book should be forwarded to the Audit Officer who maintains the record of his services.

¹[Exception:- Where a non-gazetted Government servant is appointed or promoted to officiate in a gazetted post during the last year of his service, the Service Book shall be forwarded to the Accountant General, Karnataka, Bangalore immediately on such appointment or promotion, with all the relevant entries made therein up to the date of such appointment or promotion.]

SECTION II - NON-GAZETTED GOVERNMENT SERVANTS

397. A Service Book in Form 18 is supplied to every Government servant on his first appointment. It shall be maintained for a Government servant from the date of his first appointment to Government Service (Whether permanent, temporary or officiating). It must be kept in the custody of the Head of the office in which he is serving, and transferred with him from office to office.

Note :- No uniform rule can be laid down regarding the language in which Service Books should be written. But in an office the Head of which is acquainted with English, that language should, as far as is convenient, be used.

Note 2:- Service Books are supplied by the Government Central Book Depot, their value being paid by the department requiring them, from the contingent grant.

1. Inserted by No. FD 40 SRS 70 dated 29-4-1971.

¹[The Government Treasuries have been authorised to obtain from the Director of Printing, Stationery and Publications. copies of Service Books on indents and sell Service Books for cash to Government and other offices requiring service Books, the sale proceeds being credited to 'XLV-Stationery and Printing' in the TreasuryAccounts.]

Maintenance of Service Books

398. Every step in a Government servant's official life (including temporary and officiating promotions of all kinds, the date on which the period of probation is satisfactorily completed, increments and transfers and leave of absence taken) should be regularly and concurrently recorded in the Service Book, each entry being duly verified with reference to departmental orders, pay bills and leave statements and attested by the Head of the Office. If the Government servant is himself the Head of an Office, the attestation should be made by his immediate superior. If the Head of the office has a gazetted assistant, he may delegate the duty of attesting the entries to such an assistant. There should be no erasure or overwriting and all corrections should be neatly made and properly attested. Any special test or examination passed by the Government servant should be entered in the Service Book together with a reference to the number and date of the Notification directing the publication of the names of the successful candidates in that test, and the part and date of the Gazette in which the Notification was published. The Head of the office should invariably give necessary particulars of pensionable service with a view to enable the Audit Office to decide later on by reference (merely to such particulars whether the temporary or officiating service will qualify for pension or not ; for example, in the case of officiating service, the nature of the vacancy in which the Government servant officiated and in the case of temporary service, whether the temporary post was subsequently made permanent and the period for which the post has been continued should be stated. As soon as a temporary post has become permanent, action should be taken to determine the Officer/Officers who would count the temporary service rendered in any post for pension under the Pension Rules. Similarly, in the case of temporary service or service in an officiating capacity, it should be verified, as soon as an Officer has become permanent what portion of his temporary and

1. Inserted by No. FD 153 SRS 58 dated 6-8-1958 (w.e.f. 14-8-1958).

officiating service would count for pension under the Pension Rules. In all such cases a note should simultaneously be recorded in the Service Book of the Government Servant concerned over the signature of the Audit Officer indicating the period or periods which would count for pension under the Pension Rules. The Head of the Office should initiate action in this matter and should finalise it in consultation with the Audit Officer.

¹[Note:- Whenever the certificate mentioned in ²[Note 1 to clause (b)] of Rule 53 is issued by the competent Administrative Authority, a very concise entry such as “certificate under ²[Note 1 to Rule 53 (b)] of the Karnataka Civil Services Rules, issued for the period from..... to..... should also be recorded after the entry regarding leave, in the Service Book.]

399. Personal certificates of character should not, unless it is so directed by Government, be entered in the Service Book.

400. When a Government Servant is reduced to a lower post, dismissed or removed from service or suspended from employment or subjected to any other penalty, the reason for the reduction, dismissal, removal or suspension or other penalty, as the case may be, should always be briefly stated thus:-

“Reduced for inefficiency”, “Reduced owing to revision of establishment, etc.” The Head of the Office should make efficient arrangements for these entries being made with regularity. The duty should not be left to the non-gazetted Government servant concerned.

Copies of all orders regarding reduction, dismissal, removal, suspension or other penalty should be filed with the Service Book.

³[Note:- An entry regarding “censure” would not be necessary in the Service Book, but such entry should be recorded in the Confidential Rolls.]

1. Inserted by No. FD 182 SRS 58 dated 17-10-1958 (w.e.f. 30-10-1958).

2. Amended by No. FD 62 SRS 68 dated 17-5-1968

3. Inserted by No. FD 41 SRS 69 dated 21-5-1969.

401. In cases where Government servants are reinstated in service, after suspension, compulsory retirement, removal or dismissal from service, specific declaration as to whether the previous service rendered by the Government servant counts for pension or not, should be recorded in the Service Book and attested by the Head of the Office (quoting reference to the order of the competent authority).

402. Non-Pensionable service should be distinctly shown as such in column 2 of the Service Book. When an officer is transferred from an aided educational institution to Government Educational Institution, the total service in the Aided Institution and the portion of the service, if any, that will be allowed to count for pension should be ascertained and recorded in the Service Book at the time of appointment to Government service.

403. The entries in the leave accounts should be attested by the Head of the office.

404. The declarations of Government servants exercising their option regarding scales of pay, leave rules, pension rules or other rules regulating the conditions of service should be pasted in the service books themselves with dated signature of the Head of the office.

405. The date of birth should be verified with reference to the documentary evidence and a certificate recorded to that effect stating the nature of document relied on.

406. Finger prints of the Government servant should be recorded in the column "Personal marks of identification" in the service book itself in the case of Government servants who are not literate. The impression should not be taken on separate slips of paper and pasted to the service book.

¹[407. It shall be the duty of every Head of Office to initiate action to show the service books to the Government Servants under his administrative control every year and to obtain their signatures therein in token of their having inspected the service books. A certificate to the effect that he has done so in respect of the preceding financial year should be submitted by him to his next Superior Officer by the end of every September.

1. Substituted by No. FD 35 SRS 67 dated 18-5-1967.

The Government servants shall inter alia ensure before affixing their signatures, that their services have been duly verified and certified as such. In case of a Government Servant on foreign service his signature shall be obtained in his service book after the Audit Officer has made therein necessary entries connected with his foreign service.]

408. When a non-gazetted Government servant is transferred, whether permanently or temporarily, from one office to another, the necessary entry of the nature and reason of the transfer should be made in his service Book in the office from which the officer is transferred and the book, after being duly verified upto date and attested by the Head of that office, should be transmitted to the Head of the office to which the officer has been transferred, who will henceforward have the book maintained in his office. If the Head of the latter office should find any error or omission in the book on receipt, he should return it to the forwarding officer for the purpose of having the error rectified or the omission supplied before the book is taken over by him. The Service book should not be made over to the non-gazetted officer who has been transferred nor should it be given to him when proceeding on leave.

¹[Note:- In cases where transfer also involves permanent transfer of the Government servant from the audit control of one Audit Officer to that of another, the qualifying service for purposes of pension rendered up to the date of the transfer, should be got verified and a certificate to that effect recorded in the service book by the audit officer concerned before the service book is forwarded to the office where the services of the Government servant are transferred.]

The non-gazetted service of a permanent gazetted officer should similarly be verified and certified by the concerned Audit Officer before his service book is forwarded to the Accountant General concerned.]

²[In the case of temporary/officiating Government servants who are permanently transferred from the audit control of one audit officer to that of another the temporary/officiating service rendered up to the time of last permanent transfer of audit control, should be got verified and certified by the audit officer(s) concerned, soon after confirmation of the Government servant in a permanent post. Action in this regard should be

1. Inserted by No. FD 46 SRS 60 dated. 15-6-1960 (w.e.f. 23-6-1960)

2. Inserted by No. FD 184 SRS 60 dated. 7-12-1960 (wef 15-12-1960)

initiated by the head of the office in which the Government servant is working at the time when the confirmation orders are issued.]

¹[409. When a non-Gazetted Government servant is transferred to Foreign Service the Head of the office or Department should send his Service Book to the Audit Officer who will return it after noting therein, under his signature, the orders sanctioning the transfer to Foreign Service and those of retransfer there from and other particulars connected thereto. On the Officer's proceeding on leave from Foreign Service, the Head of office or Department should make entries under his signature in the Service Book in that regard and get the same attested by the Audit Officer in token of verification of these entries as and when the Service Book is sent to Audit Office for making entries in respect of other matters such as transfer to and retransfer from Foreign Service etc.

Note 1:- No entries except those relating to leave (including surrender of earned leave) made in the Service Book of a Government servant on Foreign service can be attested by any officer, other than the Audit Officer. The entries made in respect of leave (including surrender of earned leave) should be signed by the Head of Office or Department and then got attested by the Audit Officer in token of verification of these entries as and when the Service Book is sent to Audit Office for making entries in respect of other matters.]

Note 2 :- The fact of recovery of leave and pension contribution should be got recorded in the Service Book, by the Audit Office, in the case of Government servants transferred to Foreign Service.

410.(1) The Service Book should not be returned to the Government servant on retirement, resignation or discharge from service.

²[Note:- xxx]

1. Substituted by No. FD 23 SRS 75 dated 27-11-1975 (w.e.f. 11-12-1975)

2. Deleted by No. FD 8 SRS 90 dated 20-3-1990 (w.e.f. 5-4-1990)

(2) When the service of a Government servant is terminated by removal or dismissal, his Service Book should be retained for a period of five years or until the Government servant's death, whichever is earlier, after which it will be destroyed. A similar procedure should be followed in the case of a Government servant whose probation is terminated. The Head of the office in which he was last employed should retain the Service Book in such cases.

(3) When the service of a Government servant is terminated by resignation or discharge without fault and no pension is given to him, his Service Book should be retained for a period of five years from the date of his resignation or discharge. In the event of his death within the period of five years, the Service Book should be retained for a period of six months only from the date of his death.

(4) The Service Book of a Government servant who has been dismissed, removed or compulsorily retired and who is afterwards reinstated should on requisition be returned to the head of the office in which he is re-employed.

(5) A Similar course should be adopted when a Government servant has been discharged without fault or resigns and is subsequently re-employed.

¹[411. xxx]

Verification

412. Ministerial heads of Sections in each office should maintain the service registers of Government servants serving under them up-to-date; Gazetted Assistants to Heads of Officers or of Departments should check the Service Register once a quarter and furnish a certificate to the Head of Office or Department, as the case may be . ²[The Service Books should be taken for verification once a year by the Head of the Office who, after satisfying himself that the service of the Government servants concerned and the upto date residential address of the members of his family are correctly recorded in his Service Book in conformity with these rules, should record therein a certificate in the following words over his signature.

1. Deleted by No. FD 62 SRS 68 dated. 17-5-1968.

2. Substituted by No. FD 117 SRS 74 dated. 31-12-1974 (wef 13-2-1975).

Verified the services from pay bills, acquittance rules and similar records (to be specified by reference to which the verification was made) and also the residential address of the members of the family upto date'.]

Note 1 :- The annual verification is an important item of work and has to be done by the Head of the Office generally. In cases where the number of Service Books to be handled in an office is very large (namely, more than fifty), the verification may be delegated to one or more gazetted assistants, the number of service registers to be examined by the Head of the Office being not less than five percent of the total number of Service Books.

Note 2:- Verification of the Service Registers in the Secretariat shall be done by the Superintendent in charge of the Administration Section. The Under Secretary Administration shall examine personally at least 10 percent of Service Registers and the Deputy Secretary at least 5 percent.

413. The Head of the office in recording the annual verification should in the case of any portion of service that cannot be verified from office records, distinctly state that for the accepted periods (naming them), a statement in writing by the officer as well as a record of the evidence of his contemporary employees is attached to the Book.

414. The Heads of Offices and Departments should attach to their salary bills for 1[May] each year a certificate to the effect that the Service Registers of officials in their offices have been duly verified in accordance with the prescribed rules and found to be correct.

Periodical Inspection

415. It is the duty of Government servants inspecting subordinate offices to inspect the Service Books maintained there. They should see that they are maintained upto date, that entries are properly made and attested, that verification has been properly carried out and the necessary statement and evidence secured and verification certificates have been properly recorded by the Heads of the Offices.

1. Substituted by No. FD 281 SRS 59 dated 30-12-1959 (wef. 14-1-1960).

PART VII

CHAPTER XXVI-FOREIGN SERVICE RULES

416. These rules shall apply to those Government servants only who are transferred to foreign service after the first day of November, 1957. Subject to the provisions of Rule 418 Government servants transferred before that date will remain subject to the rules in force on the date of transfer.

¹[Note:- The incidence of pay, leave salary, allowances, pensions etc., of Government servants deputed or transferred to or from the Government of India ²[or the Union Territories] or the following State Governments shall be regulated by the provisions of Appendix 3 to Account Code, Volume I:-

- 1.Andhra Pradesh,
- 2.Assam,
- 3.Bihar.
- 4.Gujarat.
- ³[4-A. Jammu and Kashmir,]
- 5.Kerala
- 6.Madhya Pradesh
- 7.Tamil Nadu,
- 8.Maharashtra.
- ³[8-A. Nagaland
- 8-B. Orissa]
- 9.Punjab,
- 10.Rajasthan,
- ³[10-A.Uttar Pradesh and]
- 11.West Bengal.]

⁴[Note 2:- The provisions of Note-1 shall be applicable to a permanent Government Servant of the Government of India (including Union Territories) or Government of Assam, Bihar, Maharashtra, Punjab and Rajasthan, who is appointed to a post under Government of Karnataka or to a permanent Government

1. Substituted by No. FD 21 SRS 59 dated 6-3-1962 (wef I- 11-59)
 2. Amended by No. FD 68 SRS 64 dated 19-2-1965.
 3. Amended by No. FD 29 SRS 67 dated 15-12-1969.
 4. Inserted by No. FD 11 SRS 68 dated. 7-7-1969

Servant of Karnataka appointed to any post under any of the Governments specified above, through open competition, provided the Government servants concerned is not required to resign his previous appointment and the Government under whom he was employed prior to his appointment agrees to retain his lien until he is finally absorbed by the other Government.]

¹[417. xxx]

418. Extension of periods of deputation on foreign service, ending after the date these rules come into force, of Government servants who were transferred to foreign service prior to that date should be treated as fresh transfers and dealt with under these rules.

419.(a) No Government servant may be transferred to foreign service against his will:

²[Provided that this sub-rule shall not apply to the transfer of a Government servant to the service of a body, incorporated or not, which is wholly or substantially owned or controlled by the Government:]

³[Provided further that this sub- rule shall not also apply to the transfer of a Government servant to the service under Government of India or under a Local Authority or a Co-operative Institutions registered under the Karnataka Co-operative Societies Act.]

(b) Subject to the provision of Rule 425, a transfer to foreign service may be sanctioned by a competent authority.

⁴[The tenure of such transfer should not generally exceed five years except under special orders of Government.]

Note 1:- Whenever a Government servant is transferred to foreign service or when the period of foreign service of a Government servant is extended, the authorities competent to sanction transfers to foreign service should stipulate that contributions for pension and leave salary, or for pension alone, as the case may be, will be recoverable at the rates in force from time to time in accordance with the orders of Government.

1. Deleted by No. FD 133 SRS 62 dated 20-12-1962 (wef 27-12-1962).

2. Substituted by No. FD 55 SRS 60 dated 25-4-1960 (wef 5-5-1960).

3. Inserted by No. FD 86 SRS 66 dated 12-12-1966.

4. Inserted by No. FD 210 SRS 74 dated 7-7-1975 (wef 7-8-1975).

Note 2:- A copy of the orders sanctioning a Government servant's transfer to foreign service or an extension of the period of foreign service must always be communicated to him and to the Accountant General, Karnataka, by the authority by whom the transfer is sanctioned. The Government servant himself should without delay communicate a copy to the officer, who audits his pay, and take his instructions as to the officer to whom he is to account for the contribution; he should also report to the later officer the time and date of all transfers of charge to which he is a party when proceeding on, while in and on return from foreign service and furnish from time to time particulars regarding his pay in foreign service, the leave taken by him, his postal address and any other information which that officer may require.

Note 3: - Every Government servant transferred to foreign service should be conversant with the rules relating to foreign service. He should ensure that the rules and orders regulating his pay and other conditions of service while in foreign service are observed and that contributions, if any, are paid regularly.

¹[Note 4: - Wherever the foreign employers have framed travelling allowance rules for their own employees, the Travelling Allowance of Government Servants transferred for service under such foreign employers shall be governed by the rules of the foreign employer concerned in respect of the journeys on transfer to and reversion from foreign service as also for journeys performed during the foreign service in connection with the affairs of the foreign employer. Where there are no Travelling Allowance Rules framed by the foreign employer the Travelling Allowance of Government servants transferred to such foreign service shall be regulated by the rules in the Karnataka Civil Service Rules.]

Note 5 :- In the term of transfer to foreign service, a condition to the effect that the expenditure in respect of any compensatory allowance, (Dearness Allowance, etc.,) for periods of leave taken by Government servants on foreign service while in or at the end of foreign service shall be borne by the foreign employer, should be inserted.

1. Substituted by No. FD 27 SRS 66 dated 7-12-1966 (wef 7-12-1966).

¹[In the case of a Government Servant who is transferred to foreign service while on leave or where a Government Servant avails leave immediately prior to joining service under the foreign employer after having been relieved from Government Service, the expenditure in respect of Compensatory Allowance for the period of such leave shall be borne by Government.]

Note 6:- The foreign employer should in the case of Government servants transferred to foreign service in future or on renewal of existing foreign service agreements, accept full liability for leave salary in respect of disability leave granted on account of a disability incurred in and through foreign service, even though such disability manifests itself after the termination of foreign service. The leave salary charges for such leave should be recovered direct from foreign employers, a condition to that effect being inserted in the terms of transfer to foreign service.

²[Note 7:- The foreign employer should accept full liability for medical charges incurred by the Government servants while in foreign service, to the extent they are entitled for reimbursement of such charges under the Karnataka Governments Servants (Medical Attendance) Rules, ³ [1963].]

420. (1) A Government servant in foreign service will be entitled to revert six months after he has given notice to Government of his wish to revert, but a competent authority may, allow him to revert sooner. A Government servant in foreign service is liable to recall by a competent authority at any time.

⁴[(2) The provisions of sub-rule (1) would not apply to transfer of a Government servant to the services mentioned in the first and second provisions to Clause (a) of Rule 419.]

421. A transfer to foreign service is not admissible unless,-

(a) the duties to be performed after the transfer are such as should, for public reasons, be rendered by a Government servant, and

1. Inserted by No. FD 53 SRS 68 dated 3-10-1968.

2. Inserted by No. FD 250 SRS 59 dated 22-12-1959 (wef 31-12-1959).

3. Amended by No. FD 55 SRS 63 dated 12-8-1963.

4. Inserted by No. FD 76 SRS 78 dated 27-12-1978 (wef 11.1.1979)

(b) the Government servant transferred holds, at the time of transfer, a post paid from the Consolidated Fund of the State or holds a lien on a permanent post, or would hold a lien on such a post had his lien not been suspended.

Note :- The transfer of a temporary Government servant to foreign service is permissible under this Rule.

422. If a Government servant is transferred to foreign service while on leave, he ceases, from the date of such transfer, to be on leave and to draw leave salary.

423. A Government servant transferred to foreign service shall remain in the cadre or cadres in which he was included in a substantive or officiating capacity immediately before his transfer and may be given ¹[subject to the conditions prescribed in the second provision to Rule 60,] such substantive or officiating promotion in those cadres as the authority competent to order promotion may decide. ¹[In giving promotion such authority shall also take into account the nature of work performed in foreign service.]

In any individual case, Government may grant a Government servant such other promotion as they consider he would have got had he not been transferred to foreign service.

²[424. A Government servant in foreign service will draw pay from the foreign employer from the date he relinquishes charges of his post in Government service. Subject to the provisions of Rule 425, the amount of his pay will be fixed by the authority sanctioning the transfer, in consultation with the foreign employer. The period of joining time and the pay admissible during period shall be regulated in accordance with the provisions of sub-rule (4) of rule 76.]

³[Note 1 :- The increments of non-gazetted Government Servants may be drawn by the foreign employer after obtaining an increment certificate from the appropriate authority in the Department from which the Government Servant proceeded on foreign service.]

⁴[Note 2 :- In the case of a Government servant who proceeds on transfer from one foreign employer to another directly on relief from the first foreign employer without reverting

1. Amended by No. FD 52 SRS 62 dated 5-10-62 (wef. 18-10-1962)

2. Substituted by No. FD 66 SRS 79 dated 15-11-1980 (wef 27-11-1980)

3. Inserted by No. FD 28 SRS 68 dated 27-7-1968.

4. Inserted by No. FD 121 SRS 62 dated 19-2-1963 (wef 28-2-1963).

to Government service, the joining time availed of by him shall be treated as service under the second foreign employer and his joining time pay and allowances ¹[and transfer travelling allowances] shall be borne by the second foreign employer.]

²[Note 3 :- See also Note 5 below rule 419]

425. The amount of remuneration to be granted to a Government servant transferred to foreign service in India should be regulated by the following principles;-

(1) When the transfer of a Government servant to foreign service in India is sanctioned the pay which he shall receive in such service must be precisely specified in the order sanctioning the transfer. If it is intended that he shall receive any remuneration or enjoy any concession of pecuniary value in addition to his pay proper, the exact nature of such remuneration or concession must be similarly specified. No Government servant will be permitted to receive any remuneration or enjoy any concession which is not so specified; and, if the order is silent as to any particular remuneration or concession, it must be assumed that the intention is that it shall not be enjoyed.

(2) The following two general principles must be observed by a competent authority in sanctioning the condition of transfer,-

(a) The terms granted to the Government servant must not be such as to impose an unnecessarily heavy burden on foreign employer.

(b) The terms granted must not be so greatly in excess of the remuneration which the Government Servant would receive in Government service, as to render foreign service appreciably more attractive than Government service:

Provided that if his transfer to foreign service involves the assumption of duties and responsibilities of far greater importance than those attached to his post in Government service, his pay in foreign service may be specifically fixed with due regard both to his status and pay in Government service and to the nature of the work for which he is transferred.

1. Amended by No. FD 135 SRS 67 dated 22-11-1967.

2. Inserted by No. FD 53 SRS 68 dated 3-10-1968.

¹[Provided further that the Government servant who continues in foreign services for any period extending beyond five years,-

(a) notwithstanding an option exercised by him to draw his pay in the scale of pay applicable to the post under foreign service, shall, for the period beyond five years draw pay, as would have been admissible to him in the parent department; and

(b) if he has not exercised any option and draws pay in the scale of pay of his parent department, no foreign service allowance shall be, admissible for the said period.]

Instruction 1 :- According to the standard terms of deputation prescribed in G.O. No. FD 60 SRS 65, dated the 15th May 1966, as amended in O.M. No. FD 149 SRS 67, dated the 13th December 1967, a Government employee deputed to foreign service shall have option either to get his pay fixed in the deputation post under this operation of the normal rules or to draw the pay of the post admissible to him from time to time in his parent department plus a foreign service allowance admissible as per G.O. No. FD 15 SRP (1) 70, dated 9th February 1970.

2. With a view to ensuring that no employee who opts to draw the pay in the deputation post receives an abnormal increase in pay over what he would otherwise draw in his parent department Government direct that in no case the pay allowed to the employee under the foreign employer should exceed his pay under Government by more than the amounts shown below:-

(a) for employees in receipt of basic pay of above Rs.750 - 25% of basic pay or Rs.225 whichever is more.

(b) for employees in receipt of basic pay of above Rs.300 upto Rs. 750 - 30% of basic pay or Rs.100 whichever is more.

(c) for employees in receipt of basic pay of/and below Rs. 300 - 33 1/3% of basic pay.

1. Inserted by No.FD 9 SRS 80 dated 2-9-1980 (wef 11-9-1980).

These orders will apply to cases of deputation commencing hereafter. In case of employees already on deputation on the date of issue of this Official Memorandum, these orders will apply from the date of commencement of extension, if any, of the period of deputation.

(O.M. No. FD 223 SRS 71 dated 18th November, 1971).

Instruction 2:- Government are pleased to order that the maximum increase in basic pay that may be allowed to a Government servant who is deputed to foreign service and who has opted or who opts to get his pay fixed in the deputation post be restricted to 15 percent of his basic pay under Government.

The above revision will be effective from 1st June 1978, and will be applicable to all Government servants who are on deputations to foreign service as on 1st June 1978, or who may be deputed to foreign service on or after 1st June 1978.

(G.O.NO. FD 31 SRS 78 dt. 2nd July 1978)

(3) Provided that the two principles laid down in paragraph (2) above are observed, a competent authority may sanction the grant of the following concessions by the foreign employer. Such concessions must not be sanctioned as a matter of course, but in those cases only in which their grant is in accordance with the wishes of the foreign employer and is in the opinion of the competent authority justified by the circumstances. The value of the concessions must be taken into account in determining an appropriate rate of pay for the Government servant in foreign service:-

(a) The payment of contributions towards leave salary and pension under the ordinary rules regulating such contributions.

(b) The grant of travelling allowances under the ordinary travelling allowances rules of Government or under the rules of the foreign employer and of permanent travelling allowance, conveyance allowance and horse allowance.

(c) The use of tents, boats and transport on tour, provided that this is accompanied by a corresponding reduction in the amount of travelling allowance admissible.

(d) The grant of free residential accommodation, which may be furnished, in cases in which the competent authority considers this to be desirable, on such scale as may seem proper to the competent authority.

(e) The use of motors, carriages and animals.

(4) The grant of any concession not specified in paragraph (3) above requires the sanction of Government.

426.(a) While a Government servant is in foreign service, contribution towards the cost of his pension must be paid to the Consolidated Fund of the State, on his behalf.

(b) If the foreign service is in India, contributions must be paid on account of the cost of leave salary also.

(c) Contributions due under sub-rules (a) and (b) above shall be paid by the Government servant himself, unless the foreign employer consents to pay them. They shall not be payable during leave taken while in foreign service.

(d) By special arrangement made under Rule 437 contribution on account of leave salary may be required in the case of foreign service out of India also, the contributions being paid by the foreign employer.

Note:- Pension, throughout this chapter, includes Government contribution, if any, payable to a Government servant's credit in a provident funds.

427.(a) Contributions on account of pension and leave salary should be calculated at the rates noted below:-

	¹ [For leave allowance	for Pension
Gazetted and Non-Gazetted Government Servants.	11 percent of pay drawn under the foreign employer	One-eighth of the Pay drawn under Government from time to time]

¹[Note 1:-xxx]

²[Note 2:- The contribution shall be rounded off to the nearest rupee fractions equal to 50 paise or more being rounded off to the next higher rupee.)

³[Note 3 :- For purposes of recovery of pension contribution under this rule the "Dearness Pay" granted under rule 13 of the Karnataka Civil Services (Revised Pay) Rules, 1961, shall be treated as pay.]

1. Amended by No. FD. 147 SRS 69 dated 25-5-1970

2. Inserted by No. FD 103 SRS 69 dated 12-9-1969.

3. Inserted by No. FD 145 SRS 69 dated 1-8-1970 (wef 1-1-1961).

¹[Note 4 :- The dearness allowance admissible on 1st April, 1973, shall be treated as pay for purpose of recovery of pension contribution under this Rule in cases to deputation of Government servants on or after 1st April 1974 and also in cases where the period of deputation is extended from a date falling on or after 1st April 1974.]

²[Note 5:- Leave salary contributions at the rates prescribed in this clause shall be recovered on Foreign Services Allowance also.]

³[Exception:- In respect of Government servants on deputation to the Municipalities as Executive officers, pension contribution shall be recovered at 1/8 of the pay drawn by them under the Municipalities.]

(b) In return for the contributions, Government accept the charge for the pension, and, if the foreign service is in India, and the leave salary of the Government servant.

²[Note :- Foreign service Allowance shall be paid by Government in respect of leave taken during or at the end of foreign service at the rate at which it was drawn immediately prior to such leave subject to the same conditions as those laid down in sub-rules (1) and (2) of Rule 171 relating to the regulation of House Rent Allowances and City Compensatory Allowance during leave.]

428.(a) The rates of pension contribution prescribed in Rule 427 are designed to secure to the Government servant the pension that he would have earned by service under Government if he had not been transferred to foreign service.

(b) The rates of contribution prescribed in Rule 427 for leave salary or designed to secure to the Government servant leave salary in the scale and under the conditions applicable to him.

⁴[Note:- xxx]

429. Government may remit the contributions due in any specified case or class of cases.

1. Inserted by No. FD 185 SRS 74 dated 7- 7-1975 (wef 1-4-1974).

2. Inserted by No. FD 52 SRS 73 dated 24-12-1973.

3. Inserted by No. FD 53 SRS 72 dated 20-12-1972 (wef 17-8-1965).

4. Deleted by No. FD 147 SRS 69 dated 25-5-1970.

¹[430.(1) Contribution for leave salary or pension which is due in respect of a Government servant in foreign service may be paid annually within fifteen days from the end of each financial year or from the end of foreign service, if the deputation on foreign service expires before the end of financial year and if the payment is not made within the said period, interest must be paid to Government on the unpaid contribution, unless it is specifically remitted by Government, at the rate of two paise per day per Rs. 100 from the date of expiry of the said period of 15 days upto the date on which the contribution is finally paid. The interest shall be paid by the Government servant or by the foreign employer according as the contribution is paid by the former or the latter. This rule applies to all Government servants in foreign service whether in or out of India.

(2) The leave salary and pension contributions should be paid separately as they are creditable to different Heads of accounts and no dues recoverable from Government, on any account, should be set off against these contributions.]

431. Interest on overdue contribution will only be remitted in exceptional circumstances when, for instance, the payment of the contribution has been delayed through no fault of the Government servant or the foreign employer concerned. Interest will not be remitted in consequence of delay on the part of the Audit Officer to make a claim, if the facts on which the claim is based were within the knowledge of the Government servant or the foreign employer concerned.

432. When the contribution falls into arrears the Accounts Officer should bring the fact to the notice of the Government servant in foreign service and claim interest in accordance with Rule 430. If any amount due including interest is not paid within twelve months of its accrual the Accounts Officer should intimate to the Government servant the amount due up-to-date, and inform him that in consequence of the default he has forfeited his claim to pension, or pension and leave salary, as the case may be. In order to revive his claim the Government servant must at once pay the amount due and represent his case to Government who will finally deal with it.

²[Note:- In respect of Government servants transferred temporarily on foreign service terms to Municipalities or Local

1. Substituted by No. FD 52 SRS 79 dated 4-10-1979 (wef 1- 11-1979).

2. Inserted by No.FD 181 SRS 59 dated. 26-12-1962.

Bodies having account with the treasuries, if the contributions for leave salary and pension due on their behalf are outstanding at the close of the Financial year, the Accountant General shall instruct the treasury Officer of the treasury concerned at which the Local Body or Municipality has its account, to transfer from the balance at the credit of the Local Body or Municipality, the amount outstanding towards contribution for leave salary and pension along with penal interest thereon at the rates prescribed in Rule 430 to Government account duly intimating the Local Body or Municipality concerned. Similarly if any portion of the contribution for leave salary and pension due on behalf of the Government servants retiring during the course of the year is outstanding at the time of authorising payment of pension and D.C.R.G., the Accountant General will issue instructions to the Treasury Officer concerned for adjustment of the outstanding contributions and penal interest thereon simultaneously with the issue of authorisation of payment of pension and death-cum-Retirement Gratuity. The procedure prescribed in Rule 409 should be followed in these cases also.]

433. A Government servant in foreign service may not elect to withhold contributions and to forfeit the right to count as duty in Government service the time spent in foreign employ. The contribution paid on his behalf maintains his claim to pension, or to pension and leave salary, as the case may be, in accordance with the rules, of the service of which he is a member. Neither he nor the foreign employer has any right of property in a contribution paid, and no claim for refund can be entertained.

434. A Government servant transferred to foreign service may not, without the sanction of Government, accept a pension or gratuity from his foreign employer in respect of such service.

¹[Note :- ²(a) A Government servant who is on deputation to public Undertakings, which are legally required to pay bonus under the Payment of Bonus Act, 1965, shall be allowed to accept bonus declared by such undertakings;

(b) A Government servant who is on deputation to Public Undertakings, which are not legally required to pay bonus under the Payment of Bonus Act, 1965, but which make

1. Inserted by No. FD 92 SRS 68 dated. 2-11-1968.

2. Substituted by No.FD 73 SRS 83 dated 18-10-1983 (wef 27-10-1983).

ex-gratia payment in accordance with the principles of the Act, shall be allowed to accept the ex-gratia payment declared by such undertakings.]

Explanation:- (i) The term 'Pay' in this Note shall have the same meaning as 'salary or wage' as defined in Section 2(21) of the Payment of Bonus Act, 1965, and shall include pay, ¹[Special allowance], Foreign Service/Deputation Allowance and Dearness Allowance, House Rent Allowance, or Compensatory-cum-House Rent Allowance and Overtime Allowance shall not be taken into account for the purpose.

²[(ii):- xxx]

³[(c) Subject to the provisions contained in Explanation below clause (b), a Government servant on deputation to a Co-operative Society/Institution may accept the ex-gratia award/ bonus declared by such society/Institution provided the Government servant is drawing a fixed pay or pay in the scale of pay prescribed for the post in the Society/Institution and is not in receipt of any deputation allowance.]

435. A Government servant in foreign service in India may not be granted leave otherwise than in accordance with the rules applicable to the service of which he is a member and may not take leave or receive leave salary from Government unless he actually quits duty and goes on leave.

Note 1 :- A Government servant in foreign service is personally responsible for the observance of this Rule. By accepting leave to which he is not entitled under these rules he shall be liable to refund the leave salary irregularly drawn, and in the event of his refusing to refund he shall forfeit his previous service under Government and to cease to have any claim on Government in respect of either pension or leave salary.

Note 2 :- When it comes to the notice of the Accounts Officer that a Government servant in foreign service has accepted leave to which he was not entitled under these rules, he shall require the leave so granted to be commuted into the leave for which the Government is eligible under the rules, and call upon him to refund any leave salary drawn in excess of the amount admissible.

1. Substituted by No. FD 7 SRA 99 dated 29.4.2000 (wef 1.4.1998)

2. Deleted FD No. FD 2 SRS 76 dated 3-8-1976

3. Inserted by No. FD 10 SRS 75 dated 23-3-1976 (wef 12-1-1970).

¹[436. A Government servant in foreign service shall be granted leave (other than leave preparatory to retirement) and paid leave salary therefor by his employer under intimation to the Audit Officer in case of Gazetted Government servants and to the Head of the office in the case of non-Gazetted Government servant, after determining the leave admissible to him. The leave account of the Government servant concerned for this purpose shall, henceforth, be maintained by the Foreign employer on the extracts of the leave account which shall be supplied to him by the Audit Officer in the case of Gazetted Officer and by the Head of the Office. In the case of non-Gazetted Officer at the time of his transfer to Foreign Service. The amount of leave salary so paid by the Foreign employer shall be reimbursed to him on receipt of half-yearly claims from the Foreign employer who will prefer and send the claims by 31st October and 30th April to the Audit Officer in respect of Gazetted Government servant and to the Head of the Department in respect of non-Gazetted Government servant for the period from 1st April to 30th September and from 1st October to 31st March each year. These claims should be duly supported by details of the Government servants on Foreign service, nature and period of leave sanctioned and the rate and the amount of leave salary paid. The Audit Officer or the Head of the parent Department, as the case may be, will verify the claims and arrange payment through Bank Draft within a month from the date of receipt of such claims.]

437.(a) A Government servant in foreign service out of India may be granted leave by his employer on such conditions as the employer may determine. In any individual case the authority sanctioning the transfer may determine before hand, in consultation with the employer, the conditions on which leave will be granted by the employer. The leave salary in respect of leave granted by the employer will be paid by the employer and the leave will not be debited against the Government servant's leave account.

(b) In special circumstances, the authority sanctioning a transfer to foreign service out of India may make an arrangement with the foreign employer under which leave may be granted to the Government servant in accordance with the rules applicable to him as a Government servant, if the foreign employer pays to ²[the State Government] leave contribution at the rate prescribed in Rule 427.

1. Substituted by No. FD 134 SRS 73 dated 4-2-1977 (wef 1-4-1975).

2. Substituted by No. FD 31 SRS 60 dated 7-3- 1960 (wef 24-3-1960).

438. A Government servant in foreign service, if appointed to officiate in a post in Government service, will draw pay calculated on the pay of the post in Government service on which he holds a lien or would hold a lien had his lien not been suspended and that of the post in which he officiates. His pay in foreign service will not be taken into account in fixing his pay.

439. A Government servant reverts from foreign service to Government service, on the date on which he takes charge of his post in Government service. Provided that, if he takes leave preparatory to retirement and the conclusion of foreign service his reversion shall take effect from the date on which he proceeds on leave.

¹[Provided further that in cases where a Government servant on relief from foreign service proceeds on leave before taking charge of his post in Government service, his reversion shall take effect from the date of his relief from foreign service.]

²[Note 1 - A Government servant shall be deemed to have reverted to Government service on the date he reports for duty under Government even though he does not take charge of any specific post.]

¹[Note 1-A - A Government servant, on relief from foreign service, shall ordinarily join a post in Government service, unless, having been prevented from doing so for reasons beyond his control, such as, illness, he is compelled to proceed on leave immediately on relief from foreign service.]

Note 2 - If a Government servant on foreign service applies for leave preparatory to retirement, the foreign employer is not competent authority to sanction or refuse the leave.

³[Note 3 - Where a Government Servant on foreign service under a body corporate, owned or controlled by Government, applies for leave preparatory to retirement, such leave may be granted only if the body corporate is prepared to release him from their employment to enjoy the leave. If he is not so released, the leave should be refused in the interest of public service to the extent admissible under the first proviso to rule 110.]

1. Inserted by No. FD 82 SRS 77 dated. 23-10-1978 (wef 2-11-1978).

2. Inserted by No. FD 37 SRS 63 dated 19-8- 1963.

3. Inserted by No. FD 177 SRS 68 dated 21-5-1969.

440. When a Government servant reverts from foreign service to Government service, his pay will cease to be paid by the foreign employer, and his contributions will be discontinued with effect from the date of reversion.

¹[On such reversion, the Government Servant will draw the pay he would have drawn but for his deputation or his pay will be refixed at what would have been in the post which he held immediately prior to his transfer or in the post which he would have held but for his transfer on foreign service.]

441. When an addition is made to a regular establishment on the condition that its cost, or a definite portion of its cost shall be recovered from the persons for whose benefit the additional establishment is created, recoveries shall be made under the following rules.

(a) The amount to be recovered shall be the gross sanctioned cost of the service, or of the portion of the service, as the case may be, and shall not vary with the actual expenditure of any month.

(b) The cost of the service, shall include contributions at the rates prescribed in Rule 427 and the contributions shall be calculated ²[on the gross sanctioned cost of the service, in respect of the leave salary portion of the contribution and on the average cost of the establishment in respect of the pension portion of the contributions.]

³[(bb) The cost of the service shall be paid within fifteen days from the date of raising the recovery under this Rule, on failure of which an interest at the rate of two paise per day per Rs. 100 shall be levied on the amount due from the date of expiry of the prescribed period of fifteen days up to the date on which the amount is finally paid.)

(c) Government may reduce the amount of recoveries or may entirely forego them.

²[Note 1 - The term 'gross sanctioned cost of the service' used in this Rule means the average cost of the establishment plus Dearness Allowance ⁴[and Dearness-cum-Compensatory-cum-House Rent allowance] appropriate to the average cost, in the absence of specific orders to the contrary.]

1. Inserted by No. FD 43 SRS 67 dated 18-12-1968.

2. Substituted by No. FD 75 SRS 60 dated 5-9-1960 (wef 15-9-1960).

3. Inserted by No. FD 99 SRS 75 dated. 25-8-1977/17-9-1977 (wef 22-9-1977).

4. Amended by No. FD 66 SRS 62 dt. 4-10-1962.

Note 2 - The recoveries on account of pension contribution should not be effected in the case of temporary establishments entertained under this Rule when the persons have not been transferred from Government service but are outsiders temporarily appointed. Cases in which the temporary service eventually becomes pensionable should be met by recovering contribution in arrears under proper authority.

Note 3 - The words "its cost" where they occur for the first time in this Rule refer to "an addition". The underlying intention of the Rule is to cover the cost of the additional establishment sanctioned. ¹[xxx]

442. A Government servant, who is a subscriber to the contributory provident fund, and who is transferred to foreign service, shall pay monthly subscriptions to the Fund. The foreign employer or the officer himself, according to the arrangements made under Rule 426 shall pay, in addition, for the period of active foreign service at such time as Government may prescribe in each case, the prescribed Government contribution to the fund and also leave salary contribution (twelve and a half percent of the pay under Government).

443. The travelling allowance of a Government servant both when proceeding on transfer to foreign service and when reverting to duty under Government shall be borne by the foreign employer.

MISCELLANEOUS

444. Foreign Service is of two kinds. viz.,

First.-The service of a Government servant transferred to service under an employer who is not under the orders of Government and is allowed while in such service to maintain his claim to pension or to leave and pension in the same way as if he were still in the service of Government.

Example:- Government servants lent to other Governments, a Municipality, a District Board or other Local Fund.

Second:- The service of a Government servant employed in connection with the management by Government of estates or funds which they have taken under their control or received in trust, and paid from the revenues of such estates or

1. Substituted by No. FD 75 SRS 60 dated 5-9-1960 (wef 15-9-1960).

from such funds. The service must be strictly connected with the management by Government and appointments existing apart from or continuing after relinquishment of Government control can be made only under the conditions of foreign service of the first kind.

Example:- Government servants lent in connection with the management of private estates under Government management.

445. A Government servant transferred to foreign service remains, subject to the general and disciplinary rules which would have applied to him as a servant of Government, had he not been so transferred.

¹[Note - No Government Servant transferred foreign service, including those deputed to Companies, Boards, etc., should undertake tour of countries outside India without the specific sanction of Government.]

446. The transfer of a Government servant from qualifying service to Foreign service will be made by Government on public grounds and not merely in the private interest of the officer concerned.

Note 1 - Service under a landholder who retains the management of his own estate, is not "foreign Service" for the purposes of these Rules, unless, in an altogether exceptional case, the importance of the estate or its owner is such as to justify the transfer of the services of a Government servant to occupy an important position such as Manager, etc.

Note 2 Heads of Departments are empowered to sanction the deputation of Non-gazetted Government servants under their control to State-owned industrial concerns.

Note 3 - The Chief Engineer of Karnataka is empowered to lend the services of Non-gazetted staff of the Public Works Department to Local Bodies and on other Foreign service subject to the recovery of leave and pensionary contribution at rates prescribed in the Rules and to withdraw the staff, without specific sanction of Government in each case.

Note 4- The rate of recovery of contribution for pension on behalf of employees of other departments working in the Electrical Department will be one eighth of their pay.

1. Inserted by No. FD 65 SRS 69 dated 10-9-1969.

¹[Note 5 - xxx]

Note 6 - In respect of I.A.S. and I.P.S. officers under the administrative control of the State Government and who are on foreign service, the recovery of contribution towards leave and pension will be governed by the rules applicable to officers of the Central services, Class 1.

² [Note 7 - xxx]

³[Note 8 - The Director of Public Instruction in Karnataka Bangalore, is empowered to depute for a period not exceeding five years, the non-gazetted Government Servants of his Department to other Departments, or private agencies, subject to recovery of pensionary and leave contribution etc., in accordance with these Rules.]

⁴[Note 8-A(1) - The Divisional Commissioners are empowered to depute Non-gazetted staff working under them to Local Bodies and Co-operative Societies. They are also empowered to depute Tahsildars to Local Bodies.

(2) The Chief Engineers are empowered to depute Assistant Engineers to the Local Bodies.

(3) The Director of Health Services is empowered to depute officers of the rank of Health Officer-cum-Assistant Surgeon, Class II, and below to Local Bodies.

(4) The Registrar of Co-operative Societies is authorised to depute Non-gazetted staff of his Department to Co-operative Societies within the State.]

⁵[(5) The Commissioner for Survey Settlement and Land Records is empowered to depute Class II Officers and Non-Gazetted staff of his Department to Local Bodies, Board, Factories. etc.]

⁶[(6) The Controller of Weights and Measures in Karnataka, Bangalore, is empowered to depute non-gazetted staff of his Department to the office of the Post-Master General, Bangalore and to the offices of the General Manager, Southern Railway, Headquarters office, Madras and the General Manager,

1. Deleted by No. FD 7 SRS 64 dated 19-3-1964.

2. Deleted by No. FD 69 SRS 62 dated 6-3-1968 (wef 12-6-1958).

3. Inserted by No. FD 98 SRS 58 dated 4-6-1958.

4. Inserted by No. FD 78 SRS 67 dated 12-12-1967.

5. Inserted by No. FD 75 SRS 68 dated 31-5-1968.

6. Inserted by No. FD 151 SRS 68 dated 12-9-1968

South Central Railways, Secunderabad (Andhra Pradesh) in connection with the verification and stamping of Weights and Measures used in the Post and Telegraphs Department and the Railways.]

¹[(7) The Registrar of Co-operative Societies is authorised to depute Class-II Officers of his Department on foreign service terms and conditions to the Co-operative Institutions in the State.]

²[(8) The Director of Agriculture in Karnataka, Bangalore, is empowered to depute the non-gazetted staff working under him to Institutions registered under Societies Registration Act, 1960 such as Small Farmers Development Agencies, Marginal Farmers and Agricultural Labour and Similar other Institutions on foreign service terms and conditions.]

³[The period of deputation should not exceed three years in any case and the order sanctioning the deputation should contain clear instructions as to the regulation of pay and allowances, maintenance of Service Books, amount of leave and pensionary contribution, etc., as provided for in these rules. The extra allowances like Special Pay should be regulated as per specific Government Orders issued from time to time.]

⁴[Note 9 - xxx]

447. Whenever a Government servant is, under these Rules, transferred from qualifying service to Foreign service it must be arranged that he does not forfeit a lien upon, or a right to return to, a substantive office under Government. His locum tenes can hold the appointment only in subordination to such lien by the absentee, but subject to this condition, the locum tenes may be appointed provisionally if the transfer is to duty of a permanent kind.

448. A Government servant so transferred when he returned to Government service is entitled to resume the same position as that in which he left it; if he holds a progressive appointment his foreign service counts towards increments, but he cannot return to acting service under Government without reverting also to his substantive office.

1. Inserted by No. FD 21 SRS 70 dated 10-6-1970.

2. Inserted by No. FD 13 SRS 71 dated 16-3-1971.

3. Inserted by No. FD 78 SRS 67 dated 12-12-1967.

4. Deleted by No. FD 67 SRS 64 dated. 6-7-1967

Note - The object of this rule is to secure to a Government servant the right to resume on his return to Government service the position he held when he left it.

PART VIII - TRAVELLING ALLOWANCE
CHAPTER XXVII - GENERAL RULES

449. This Part shall apply in respect of all claims in respect of journeys and halts made on and after the first day of September 1957 as if they are claims under this Part.

450. Travelling Allowance means an allowance granted to a Government servant to cover the expenses which he incurs in travelling in the interests of the public service.

¹[451²[(1) For the purpose of Travelling Allowance, Government servants shall be classified into the following categories based on pay:-

Category	Pay Range (per month)
I	(a) Rs.10620 and above (b) Rs.9060 and above but below Rs.10620
II	Rs.5850 to Rs.9059
III	Rs.4150 to Rs.5849
IV	Below Rs.4150

(2) They shall be entitled to daily allowance for halts within the State and halts outside the State admissible for the category to which they belong:-

1. Amended by No.FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

2. Amended by No.FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999)

Category to which Govt. servant belongs	Halts within the State			Halts Outside the State	
	Bangalore	Other Cities with Municipal Corporation	Other places within the State	Ahamadabad, Mumbai, Calcutta, Delhi, Ghaziabad, Kanpur, Hyderabad, Lucknow, Chennai, Mussorie, Nagpur, Pune, Simla, Srinagar, Goa, Diu and Daman	Other Places
(1)	(2)	(3)	(4)	(5)	(6)
I	Rs.150	Rs.125	Rs.100	Rs.180	Rs.150
II	Rs.100	Rs.85	Rs.75	Rs.150	Rs.110
III	Rs.85	Rs.75	Rs.60	Rs.125	Rs.85
IV	Rs.60	Rs.55	Rs.50	Rs.85	Rs.60

(3) Special rates of daily allowance for halts in respect of journeys on tour outside the State, in a hotel or other registered establishment providing Boarding and Lodging at Scheduled Tariff shall be as follows,-

Category to which Government servant belongs	Halt at Ahamadabad, Mumbai, Calcutta, Delhi, Ghaziabad, Kanpur, Hyderabad, Lucknow, Chennai, Mussorie, Nagpur, Pune, Simla, Srinagar, Goa, Diu and Daman	Halt at Other Places
(1)	(2)	(3)
I	340	275
II	275	200
III	200	710
IV	150	105]

(4) Air/Railway/Sea/Road Mileage etc., admissible

Category	By Air in Econ omy class through Indian Airlines, Vayu doot only	Railway acco mmoda tion	Accomo dation for journey by Sea or River Steamer	By full Taxi or Own car	By Motor Cycle/ Scooter/ Tanga/ Cycle Rikshaw/ Man driven Rikshaw	Auto Riks haw	Bicycle / Foot
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
				Rs.	Rs.	Rs.	Rs.
I(a)	Within Indian only	Air conditioned or First Class	Highest Class	3.00 per KM	1.00 per KM	2.00 per KM subject to a Minimum of Rs. 4.60	0.30 per KM
I(b)	Within the State only	First Class or Air Conditioned Two tier sleeper	Higher Class	Rs. 3.00 per KM	Rs. 1.00 per KM	Rs. 2.00 per KM subject to a Minimum of Rs. 4.60	Rs. 0.30 per KM

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
II	-	First Class or AC Two tier	If there be two classes on the steamer Higher Class and if there be more than two classes Middle or Second Class	Rs. 3.00 per KM	Rs. 1.00 per KM	Rs. 2.00 per KM subject to a Minimum of Rs. 4.60	Rs. 0.30 per KM
III	-	First Class or AC chair	If there be two classes Lower Class If there be three classes or Middle or Second Class. If there be four classes Third Class	3.00 per KM	1.00 per KM	2.00 per KM subject to a Minimum of Rs. 4.60	0.30 per KM

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
IV	-	II Class Sleeper	Lowest Class	Not admiss ible	Rs 1.00 per KM	Rs 2.00 per KM subject to a minimum of Rs 4.60	Rs 0.30 per KM

(5) In cases where a consolidated pay has been allowed to Government servants inclusive of Dearness Allowance and other allowances, the net pay after deducting the above allowances, has to be taken as pay for regulating travelling allowance under these rules.

(6) Mileage allowance for journeys not involving a change of camp or from Headquarters and back to headquarters on the same day shall be limited to Rs.50 by motor car and Rs.25 by motor cycle/scooter.

(7) Government servants who travel in goods train as escorts for motor cars, other vehicles, tractors and machinery conveyed by that train may be allowed second class railway fare eligible.

(8) Government servants performing journeys in their motor cycles may be allowed mileage as admissible under this rule provided such journey is in public interest.]

452. Government may, for reasons, which should be recorded, order that any Government servant or class of Government servants shall be included in a grade higher or lower than that Prescribed in Rule 451.

453. A Government servant in transit from one post to another ranks in the class to which the lower of the two posts would entitle him.

454. A Government servant on special duty belongs, in the absence of a special order of Government to the contrary, to the class to which he belonged immediately before he was placed on such duty.

455. A Government servant, whose whole time is not retained for the public service or who is remunerated wholly or partly by fees, ranks in such grade as the authority competent to

fill up the appointment, may with due regard to the Government servant specifically declare.

¹[456.xxx]

457. Whenever any person is employed temporarily by competent authority as an extra servant on any establishment he is entitled to travelling allowances under the rules applicable to the Government servants of corresponding rank, permanently employed on that establishment.

458. When a Government servant holds either substantively or in an officiating capacity two or more posts to each of which permanent travelling allowance is attached, he may be granted such permanent travelling allowance, not exceeding the total of all the allowances, as Government may consider to be necessary in order to cover the travelling expenses which he has to incur.

459. A Government servant placed in charge of the current duties of an office is not entitled to the travelling allowance attached to the office except under the special orders of Government.

460. For purposes of regulating the grant of travelling Allowances to re-employed pensioners, the following rules are laid down.

(i) Where the pension is held in abeyance during the period of re-employment the grade of the re-employed pensioner shall be determined in accordance with the pay actually received from time to time.

(ii) Where the pension is allowed to be drawn in addition to pay, the re-employed pensioner should, for purposes of this Rule, be deemed to be in receipt of actual pay equal to his pay on re-employment plus the pension subject to the condition that, if the sum of such pay plus pension exceeds the pay attached to the post, if it is a fixed rate of pay or the maximum pay of the post, if it is on a timescale such excess shall be ignored.

(iii) For the purposes of these rules, the amount of pension to be taken into account will be the amount originally sanctioned, ie., before commutation. if any and will also include the pensionary equivalent of death-cum-retirement gratuity, if any.

1. Omitted by No.FD 8 SRA 99 dated 2.6.2000

(iv) The term pay used in clauses (i) and (ii) shall be deemed to include also honorarium on fixed monthly rates in respect of officers appointed on a contract basis.

461. ¹[No revision of claims of Travelling Allowance is permissible in cases where a Government servant is promoted or reverted or is granted an increased rate of pay with retrospective effect, in respect of the period intervening between the date of promotion or reversion or grant of increased rate of pay and the date on which it is notified unless it is clear that there has been an actual change of duties.]

Note - The provision of this Rule shall apply for the regulation of payment of conveyance allowances also.]

462.(a) For the purpose of calculating travelling allowance, a journey between two stations shall be held to be performed by the shortest of two or more practicable routes, or by the cheapest of such routes as may be equally short; provided that, when they are alternative railway routes and the difference between them in point of time and cost is not great, mileage allowance should be calculated on the route actually used.

(b) The shortest route is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling. In cases of doubt, Government will declare which shall be regarded as the shortest of two or more routes.

(c) Government may, for special reasons which should be recorded, permit mileage allowance to be calculated on a route other than the shortest or cheapest, provided that the journey is actually performed by such route.

Note 1 - Heads of Departments are authorised to declare the shortest route in respect of journeys within the State performed by their subordinates.

Note 2 - Officers performing journeys to Delhi and back on Government work by train may perform such journeys either via Madras or via Guntakal and Bombay.

²[Note 3-xxx]

1. Substituted by No.FD 104 SRS 60 dated 14-11-1960 (wef 24-1-1960)

2. Deleted by No.FD 17 SRS 87 dated 1-8-1987 (wef 27-8-1987).

¹[Note-4. Government servants proceeding on duty from Bangalore to ²[any place in Bidar District and vice versa] are authorised to travel via Hyderabad. For such journeys, Government servants drawing a pay of ³[Rs. 9060] and above are authorised to travel by air between Bangalore and Hyderabad without special sanction of Government.]

⁴[Note 5 - Government servants proceeding on duty from Raichur District to Bidar District and vice-versa are permitted to travel via Hyderabad or via Gulburga.]

⁵[Note 6 - Journeys on duty between Alnawar and Dandeli may be performed by road and mileage or bus fare claimed as per rules for road journeys between places not connected by rail.]

⁶[Note 7 - Government servants proceeding on duty from Bellary to Bidar and vice versa are permitted to travel via Hyderabad.]

⁷[Note 8 - Government servants performing journeys on duty between Bijapur and Bangalore are permitted to travel by rail via Hubli.]

⁸[Note 9-xxx]

⁹[Note 10 - Government servants drawing a pay of ³[Rs.9060] and above performing journey on duty between Bangalore and Gulburga may travel via Hyderabad by Air.]

¹⁰[Note 11 - Government servants performing journeys on duty from,

(a) Honnavar to Bangalore and vice-versa are permitted to travel via Kumta-Sirsi-Siddapur-Talaguppa by road and from Talaguppa to Bangalore by rail.

(b) Kumta to Bangalore and vice versa are permitted to travel via Sirsi-Siddapur-Talaguppa by road and from Talaguppa to Bangalore by rail.]

1. Inserted by No.FD 206 SRS 58 dated 22-9-1958 (wef 2-10-1958).

2. Amended by No.FD 39 SRS 67 dated 7-7-1967.

3. Substituted by No. FD 4 SRA 99 dated 2.6.2000 (wef 1-1-1999).

4. Inserted by No.FD 258 SRS 58 dated 3-11-1958 (wef 13-11-1958).

5. Inserted by No. FD 270 SRS 59 dated 4-1-1960 (wef 14-1-1960).

6. Inserted by No.FD 273 SRS 59 dated 5-1-1960 (wef 14-1-1960).

7. Amended by No. FD 14 SRS 64 dated 22-2-1964.

8. Deleted by No. FD 17 SRS 87 dated 1-8- 1987 (wef 27-8-1987).

9. Inserted by No. FD 3 SRS 66 dated 1-6-1966.

10. Inserted by No.FD 121 SRS 67 dated 7-10-1967

¹[Note 12 Government servants proceeding on duty from Karwar to Bangalore and vice-versa are permitted to travel via Hubli-Haveri.]

²[Note 13 - Journeys between Bangalore and Bombay or vice-versa may be performed either via Guntakal or Miraj, T.A. will be regulated on the basis of the route actually used.]

³[Note 14 - Government servants who are entitled to travel by air performing journey on duty between Bangalore and Karwar may travel by air, via 'Dabolim' airport, Goa.]

⁴[Note 15 - Government servants proceeding on tour or transfer or leave travel concession between Bangalore and Mangalore may be allowed to travel by the newly introduced rail service via Hassan.]

(d) If a Government servant travels by a route which is not the shortest, but which is cheaper than the shortest, his travelling allowance is calculated by the route by which he makes the journey.

(e) Where it is possible to travel by railway, it should be used as the cheaper route and charged for accordingly, except when it is deemed to be in the interests of the public service to make a road journey for purposes of inspection enroute.

(f) For a road journey between places connected by a rail, an officer would be entitled to claim Railway fare on the basis of a first class railway fare alone even though he may be entitled to travel in Air-conditioned class.

⁵[(g) Heads of Departments may perform road journeys between the places connected by rail and claim road mileage both ways, provided the Travelling Allowance bill is accompanied by a statement specifying clearly in the public interest served by the road journey, such as inspection enroute or saving of public time which would not have been served had the journey been made by railway.

1. Inserted by No.FD 81 SRS 68 dated 2-11-1968

2. Inserted by No.FD 22 SRS 72 dated 27-7-1972 (wef 31-8-1972)

3. Inserted by No.FD 84 SRS 77 Dated 1-3-1978 (wef 23-3-1978)

4. Inserted by No.FD 33 SRS 84 dated 25-7-1985 (wef 8-8-1985)

5. Substituted by No.FD 10 SRS 71 dated 15-7-1971(wef 1-4-1971)

(h) The Heads of Departments may also permit their subordinates to perform road journeys between places connected by railway when such journeys are required to be performed in the interest of public service. Road mileage for both forward and return journeys, may be admitted provided prior approval of the Head of the Department is obtained for undertaking such journeys.

Note - The Transport Commissioner and the Executive Staff of the Motor Vehicles Department and such other officers of other Departments as ordered by Government from time to time are permitted to perform journey by road, both forward and return, for inspection enroute between places connected by railway and claim road mileage both ways.]

Explanatory Note:- The power delegated should be exercised only in exceptional cases. In granting this concession, the officers should consider whether any public interest, such as, the saving of public time, inspection work enroute was served by the journey being performed by a route other than the cheapest (railway route), which would not have been served had the officer travelled by the ordinary route, a copy of the order sanctioning the concession, which shall specify the special reasons justifying the same, should accompany the travelling allowance bill.

¹[(i) xxx]

²[(j) Notwithstanding anything contained in clauses (g) and (h), the Transport Commissioner and the Executive Staff of the Motor Vehicles Department and such other officers of other Departments as ordered by Government from time to time are permitted to perform journey by road, both forward and return, for inspection enroute between places connected by railway and claim road mileage both ways.]

463. A journey on transfer begins and ends at the actual residence of Government servant concerned. The point in any station from which a journey other than a journey on transfer is to be held to commence, or at which it is to be held to end, shall be the Chief public office or such other point as may be fixed for the purpose by Government.

1. Deleted by No.FD 10 SRS 71 dated 15-7-1971 (wef 1-4-1971).

2. Inserted by No.FD 26 SRS 65 dated 17-8-1965.

In Bangalore and Mysore Cities, the Public Offices and in other places, the Traveller's Bungalow or Inspection Lodge from which distances are reckoned in the road map issued by the Karnataka Public Works Department will be regarded as the ¹[duty point] fixed by Government for the Purpose of this Rule.

Note 1 - A journey which does not extend beyond the Municipal or other administrative limits of a station is not a journey for the purpose of these Rules.

²[Exception 1:- The provision of the above note shall not apply to journeys on tour ³[or transfer] between Hubli and Dharwar.]

¹[Exception 2:- Mileage may be allowed between Railway Station/Bus Stand and the duty point or vice-versa.]

⁴[Note 2 - The Talakavadi Post Office shall be treated as starting and terminal points, for the staff of the Vaccine Institute Belgaum.]

⁵[Note 3 - Government servants visiting Delhi on duty may be allowed actual taxi charges at the local prevailing rates from the Railway Station to the Karnataka Bhavan and back subject to a maximum of Rs.3 each way for a particular journey to Delhi. When officers travel together, they should make use of one taxi and one of the officers may claim the fare indicating the names of the officers who made use of the taxi along with him.]

⁶[Note-4:- "Duty Point" at head-quarters means the place or office where a Government servant remains on duty, i.e., the place or office of employment at the head quarters. The Duty point for out stations shall be taken to be the place or office visited by the Government Servant on duty. Where there are two or more such points at the out stations, the following shall be taken as the duty point,-

(a) If the Government servant reaches the duty point by rail, steamer or air, the point which is farthest from the railway station, harbour or jetty or the airport, as the case may be; and

(b) If he reaches that Station by road, the point which is farthest from the point where the journey to that station commenced].

1. Inserted by No.FD 174 SRS 72 dated 16-2-1973.

2. Inserted by No.FD 21 SRS 65 dated 6-7-1965.

3. Amended by No.FD 93 SRS 68 dated 23-10-1968.

4. Inserted by No.FD 1 SRS 59 dated 6-1-1959 (wef 15-1-1959).

5. Inserted by No. FD 239 SRS 71 dated 23-2-1972

6. Inserted by No. FD 8 SRA 99 dated 2.6.2000

JOURNEYS OUTSIDE THE STATE¹[464 xxx]**JOURNEYS TO OOTACAMOND**

465.(a) Non-Gazetted Government servants ²[proceeding on duty] to Ootacamond and back shall be entitled to one and a half times the usual rates of daily allowance if they are provided with Government lodging and double the usual rates, if they are required to find their own lodging.

Note - The special allowance referred to above will also be allowed to Gazetted Government servants who proceed to Ootacamond on any public duty under orders.

(b) When a Government servant is permitted for his own convenience to conduct his duties at a hill station, neither he nor any of the establishment which accompanies him is entitled to travelling allowance for the journey to or from the station.

1. Omitted by No.FD 1 SRA 97 dated 23-4-1998 (wef 15-10-98)

2. Substituted by No. FD 2 SRS 60 dated 28-1-1960 (wef 4-2-1960).

CHAPTER XXVIII - MILEAGE ALLOWANCES

466. A mileage allowance is an allowance calculated on the distance travelled which is given to meet the cost of a particular journey.

¹[467. Government may, for special reasons which should be recorded, permit mileage allowance to be calculated on a route other than the shortest or cheapest provided that the journey is actually performed by such route.]

468. The Rules in this chapter prescribe the method of calculating travelling allowance in those cases in which they are regulated by the distance travelled. The succeeding chapter must be referred to for a definition of the circumstances under which the title to the allowances accrues.

TRAVELLING BY RAILWAY

²[469. The scale of railway accommodation admissible for the several classes of Government servants is detailed in Rule 451.

Exception 1:- Government servants borne on the Minister's, Speaker's, Chairman's, ³[Ministers' of State] or Deputy Minister's establishment (other than the Attenders, Jamedars and those falling under last class) will be entitled to travel in first class and claim one single first class railway fare for the journey ⁴[xxx] whenever they accompany the Ministers, Speaker ³[Chairman, Ministers of State or Deputy Ministers] on duty to places outside the State.

Exception 2:- Government servants borne on the Minister's, Speaker's, Chairman's, ³[Ministers' of State] and Deputy Ministers' Establishment and doing duties as Private Secretaries or Personal Assistants, who are not entitled to travel in first class by virtue of their salary, are permitted to travel in first class whenever they accompany the Ministers, Speaker ³[Chairman, Ministers of State or Deputy Ministers] on duty within the State, and to claim a single first class fare ⁴[xxx].

⁵[Exception 3 :- xxx]

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1. Substituted by No. FD 195 SRS 58 dated 17-9-1958 (wef 1-4-58).
 2. Substituted by No. FD 4 SRS 60 dated 2-2-1960 (wef 11-2-60).
 3. Inserted by No. FD 175 SRS 68 dated 27-11-1968 (wef 11-10-68).
 4. Omitted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)
 5. Deleted by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-71).

Exception 4:- The Medical Officer in charge of the Palace Dispensary, Mysore is permitted to travel by Air-conditioned class whenever he accompanies the Governor of Karnataka when travelling outside the State by rail, but he will be paid the actual fare paid by him to the Railway Department ¹[xxx].

²[Exception 5:- The concessions referred to in Exceptions ³[1 and 2] above shall be applicable also to the staff borne or the establishment (other than the Attenders, Jamedars and those falling under the last class) of the Government of Karnataka.]

⁴[Note 1 - Whenever Government servants borne on the Minister's, Speaker's ⁴(Chairman's, Minister's of State or Deputy Minister's) establishment ⁵[and the Security Officers attached to the Chief Minister and the Home Minister] are required to proceed in advance by rail to the place of camp of the minister, Speaker, ⁵[Chairman, Minister of State or Deputy Ministers] outside the State they shall be treated as having accompanied the Ministers, Speaker, ⁵[Chairman, Ministers of State or Deputy Ministers] for purpose of regulation of travelling allowance under Exception 1 ⁷[xxx] of this Rule.

⁶[Note 2 - The provisions of Exceptions ³[1 and 2] above are applicable also to the Security Officers attached to the Chief Minister and the Home Minister.]

⁸[Note 3 - Where there are only - two classes of accommodation in a Railway, Government servants drawing a pay of Rupees three hundred and above and Gazetted Government Servants drawing a pay of Rupees two hundred and above are entitled to travel by the higher class of railway accommodation.]

470. Government may, for special reasons which should be recorded, declare any particular Government servant or class of Government servants to be entitled to accommodation of higher class than that prescribed for his class in Rule 451.

1. Omitted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

2. Inserted by No. FD 13 SRS 66 dated 1-6-1966 (wef 3-3-65).

3. Substituted by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-71).

4. Amended by No. FD 7 SRS 61 dated 24-2-1961 (wef 2-3-61).

5. Amended by No. FD 175 SRS 68 dated 27-11-1968 (wef 11-10-68)

6. Amended by No. FD 134 SRS 61 dated 18-11-1961 (wef 19-5-60).

7. Deleted by No. FD 7 SRS 62 dated 20-2-1962.

8. Inserted by No. FD 37 SRS 64 dated 21-7-1964.

¹[471. xxx]

472. The concessional rates allowed by railway should be availed of by Government servants and the claims of the railway fare should be reduced accordingly.

473. A Government servant who is entitled to travel higher than in the ²[second] class will record in his T.A bill a certificate of having travelled in the class for which Railway fare is claimed thereon.

³[Note - No such certificate shall be insisted upon in respect of Travelling Allowance bill for a journey on transfer.]

474. When a Government servant is entitled to, or is allowed free transit by rail, whether under a free pass or otherwise, his travelling allowance must be reduced by the amount of the fare which but for such free transit, he would have paid.

Note - The deduction made from travelling allowance under this Rule shall ordinarily be for the full number of fares covered by the pass. If the deduction made on any bill is less, the Government servant drawing the bill must attach a certificate that he did not use the pass in respect of the fare or fares for which deduction is not made.

475. When a Government is entitled to travel in a higher class at a lower fare, his travelling allowance must be reduced by the amount by which the fare of the class in which he travels exceeds the fare actually paid.

476. If a Government servant entitled to travel in a higher class by rail travels in ⁴(second class) and pays the extra charges for sleeping accommodation provided by the Railways for second class passengers during night journeys, he may be allowed the fare of the accommodation actually used inclusive of the charges for the sleeping accommodation, provided it does not exceed the fare of the class in which he is entitled to travel.

⁵[xxx]

1. Omitted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

2. Inserted by No. FD 20 SRS 74 dated 25-9-1974 (wef 1-4-74).

3. Inserted by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-71).

4. Substituted by No. FD 20 SRS 74 dated 25-9-1974 (wef 1-4-1974)

5. Deleted by No. FD 274 SRS 71 dated 11-1-1973 (wef 8-2-1973)

JOURNEY BY SEA OR BY RIVER STEAMER

477. ¹[(1). The entitlement of accommodation for journeys within the limits of 'Indian Waters' shall be as specified in Rule 451.]

Note:- The rules in this sub-section are intended to govern only journeys within the limits of 'Indian Waters'.

(2) The mileage allowance admissible to a Government servant is $1\frac{3}{5}$ of the fare of the class in which he is entitled to accommodation. In cases where the Steamer company has two rates of fare, one inclusive and one exclusive of diet, the word 'fare' in this Rule shall be deemed to mean fare exclusive of diet.

Note - The fare charged by the Steamer company, minus the rebate allowed to the Indian passengers who do not partake of the food supplied by the company, represents the fare without diet.

(3) In cases of doubt, or in which owing to the arrangement of classes on a steamer, the provisions of clause (1) of this Rule, if strictly construed, involve hardship, Government may decide, for journeys generally or for particular journeys, to what class of accommodation, a Government servant is entitled; and whether, if a concession is sanctioned, he should be granted the full allowance admissible for the higher class in which he is permitted to travel.

(4) The above rules apply to Government servants who cross a river or arm of the Sea by steamer in the course of a journey, unless such crossing accrues during a Railway journey and the charge for it is included in the Railway fare. In the later case, the crossing is treated as part of the Railway journey.

(5) If suitable accommodation on a Government vessel is offered to a Government servant, he is entitled to only Daily Allowance under Rule 527 and not to mileage allowance. It is not open to him to refuse to accept such accommodation and to draw mileage allowance.

1. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998).

JOURNEYS BY ROAD

478. Travelling by road includes travelling by river otherwise than in a steamer, and travelling by canal.

479. For rates of mileage allowance admissible for road journeys to several classes of officers, see Rule 451.

480. Government may, for special reasons to be recorded, allow to a particular Government servant or class of Government servants mileage allowance at a higher rate than is prescribed in Rule 451.

¹[481. In respect of road marches exceeding 100 kilometres a day, mileage allowance shall be admissible at a uniform rate of Rs. 3.00 per K.M. in respect of journey performed by Motor Car and Rs. 1.00 per K.M. in respect of journey performed by Motor Cycle/Scooter.]

482. Whenever Carts are engaged for the conveyance of office records or tents, the Government servants of the last class accompanying the officer on tour should be provided with accommodation in such carts as a matter of course and no mileage should be charged unless it is not possible to provide such accommodation for them. A certificate should be recorded in the Travelling Allowance bill in the under-mentioned form whenever claims on account of mileage are preferred on their behalf :-

“The Government servants of the last class for whom road mileage is claimed were not given seats in carts paid for by Government as it was not possible to do so for the following reason” (Reason to be clearly specified in each case here).

483. When two or more Government servants travel on duty by the same conveyance, they shall not all be entitled to draw full mileage for the journey, but only one of them may exchange daily allowance for full mileage, the rest drawing only daily allowance under Rule 527. But mileage will be allowed if in any case a Government servant has the necessity to and does take his conveyance also, though he is provided with a seat in another's conveyance or Government conveyance and gives the Certificate in that behalf in the Travelling Allowance bill.

1. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998).

In respect of road journeys between places connected by railway, only the officer providing the conveyance is allowed to exchange his daily allowance for the railway fare, the others accompanying him being entitled only to the daily allowance.

Explanatory Notes:- (1) When a Government servant travels partly in another officer's car and partly in his own car in a single day, he will be allowed mileage for the entire journey (if admissible under Rule 522), when there is absolute necessity for taking his own car, though he is given a seat in another officer's car. Otherwise only Daily allowance for the road journey is admissible.

(2) When a Government servant makes in a single day two journeys from his headquarters or from the camping place, one entirely in another officer's conveyance and another in his own, he will be allowed either mileage (if admissible under Rule 522) for the part of the journey made in his conveyance or Daily allowance for the entire road journey.

(3) When a Government servant makes a road journey in continuation of journey by rail and when he is provided with a seat in another officer's conveyance or in a Government conveyance, he will be allowed for the road portion of the journey half the mileage limited to half Daily Allowance in addition to the usual railway fare for the railway portion of the journey.

(4) When a Government servant makes in continuation of a railway journey, a road journey, partly in another officer's car and partly by other means of conveyance at his own cost, he will be allowed, in addition to railway fare, mileage admissible for the portion of the road journey travelled by other means of conveyance at his own cost or full Daily allowance for the entire journey.

(5)(a) When a Government servant performs a single road journey or a road journey in continuation of a railway journey between places not connected by railway, in a motor conveyance plying regularly for hire and hired by him solely for his use, vouchers for hire charges should invariably be produced for claiming mileage allowance for the journey performed by him in such a conveyance.

(b) In a case where a Government servant travels in the motor car of his relative or friend, only the actual charges incurred by him on petrol and oil for the journeys as evidenced by the vouchers may be drawn subject to the limitation that

these charges do not exceed, the mileage allowance admissible for the journey.

¹[(bb) In a case where a Government servant travels by Taxi or in a vehicle by paying propulsion charges between places connected by Railway the claim may be limited to the actual expenses incurred as evidenced by vouchers or to the railway fare of the class of accommodation to which he is entitled, whichever is less.]

(c) In both the cases mentioned in clauses (a) and (b) above, the Government servant shall furnish the following certificates-

"I certify that the cost of running expenses for travelling in a Car was actually incurred by me and that the claim is limited to the actual expenses or mileage, whichever is less.

I, also certify that I did not perform the road journeys by taking a single seat in a Taxi, motor Omni Bus, or Motor Lorry Plying for hire."

(d) If, however, the places are unconnected by public buses, road mileage may be drawn.

(e) In the cases of Government servants who travel between places not connected by public buses in hired conveyances, the following certificate should invariably be furnished by them while claiming mileage:-

"I certify that the places..... for journeys between which road mileage is claimed at the rates prescribed in Rules 451 and 481 are not connected by public buses. I also certify that the road journeys were not performed by taking a single seat in any public conveyance which plies regularly for hire between fixed points and charges fixed rates and also that the journeys were not performed in any other vehicle without payment of its hire charges or incurring its running expenses."

²[(f) A Government servant performing journey on tour between places not connected by Public Buses, on foot, can claim road mileage at the rates prescribed in Rule 451, provided it is otherwise admissible under Rule 522.]

This Rule shall also apply in cases where the road journey by Government conveyance precedes or is in continuation of the journey by Rail or Private conveyance for which Railway fare is claimed.

1. Inserted by No. FD 88 SRS 75 dated 24-3-1977 (wef 20-7-1978)

2. Inserted by No. FD 275 SRS 59 dated 23.2.1960 (wef 3.3.60)

484. In calculating Travelling Allowance at mileage rates, fractions of a '[kilometre]' shall be omitted; but only in the total of a bill for any one journey and not in the various items which make up the bill.

²[485. (a) All Gazetted Government Servants not owning cars and all non-gazetted Government servants are expected to travel by public buses between places unconnected by railway. They may draw 1 1/2 bus fare each way and daily allowance for halt as admissible under Rule 514.

Note:- Government servants who travel by "Luxury" buses may be allowed the fares of the Luxury buses provided a certificate is recorded in the bill that they have actually travelled by such buses.]

³[(b) xxx]

⁴[(c) Government servants travelling by buses between places connected by Rail will be entitled to the allowance under this Rule or the T.A. admissible had the journey been made by Railway whichever is cheaper.]

⁴[Note 1:- xxx]

⁵[Note 2:- Journeys between places connected by narrow gauge railway may be performed by road and mileage or bus fare claimed, as per rules for road journeys between places not connected by railway.]

⁶[Exception:- The Officers of the Police Department may perform journeys by bus between places connected by railway and draw travelling allowance as for a journey by bus provided a certificate is recorded by the Head of the office that the travel by bus was necessary in the interest of public services.]

(d) Wherever bus warrants are issued, the value of the warrants should be deducted from the Travelling Allowance admissible.

1. Substituted by No. FD 10 SRS 71 dated 15.7.1971 (wef 1.4.71)

2. Substituted by No. FD 122 SRS 71 dated 16.11.1971 (wef 2.12.71)

3. Deleted by No. FD 174 SRS 72 dated 16.2.1973.

4. Substituted by No.. FD 68 SRS 66 dated 10.10.1966 (wef 3.11.66)

5. Substituted by No. FD 194 SRS 68 dated 15.1.1969.

6. Inserted by No. FD 92 SRS 67 dated 29.8.1967.

Exception:- Police Officers performing journeys by motor-bicycles in an emergency are entitled to draw mileage ¹[xxx] under Rules 451 and 481, subject to the furnishing of a certificate in the following form:-

"I certify that I travelled by my own motor-bicycle due to emergency and that neither a public conveyance nor a departmental van or jeep was available for the purpose....."

The above provisions are also applicable to the cases of Health Officers of the Public Health Department when they travel by their own motor cycles during emergency periods such as outbreak of cholera, etc.

²[(e) In respect, however, of journeys on transfer, it is not obligatory for Government servants to travel by public buses only, between places unconnected by railway.]

486. When a non-gazetted Government servant is required by superior authority to travel by special means of conveyance, the cost of which exceeds the Daily Allowance, when daily allowance only is admissible or the mileage admissible the actual cost of transit may be drawn in lieu of Daily Allowance or mileage. The bill for the actual cost of transit must be supported by a certificate by the superior authority and counter-signed by the Controlling Authority, if any stating that the use of the special means of conveyance was absolutely necessary, and specifying the circumstances which rendered it necessary.

³[487.(1)(a) All Government servants drawing a pay of ⁴[Rs.10,620] or above shall be entitled to travel by air for journey on duty within and outside the State.

Exception 1:- Government servants drawing a pay of ⁴[Rs.9060] or above proceeding on duty from Bangalore to any place in Bidar District and vice-versa are authorised to travel by air via Hyderabad.

Exception 2:- Government servants drawing a pay of ⁴[Rs.9060] or above proceeding on duty from Bangalore to Mangalore and vice-versa are authorised to travel by Air.

1. Deleted by No. FD 10 SRS 71 dated 15.7.1971 (wef 1.4.71)

2. Inserted by No. FD 312 SRS 58 dated 21.2.1959 (wef 5.3.59).

3. Substituted by No. FD 51 SRS 80 dated 19.8.1980 (wef 1.9.80).

4. Substituted by No. FD 4 SRA 99 dated 2.6.2000 (wef 1.1.1999)

¹[Exception 3:- Government servants drawing a pay of ²[Rs.9060] and above proceeding on duty from Bangalore to Belgaum and vice-versa are authorised to travel by Air].

¹[Exception 4):- Government servants borne on the establishments of the Ministers, Speaker, Chairman and Ministers of State (other than the Attenders, Jamedars and those falling under the last class) may travel by air outside the State under the express orders of the Minister, Speaker, Chairman and Minister of State, as the case may be, issued with prior approval of the Chief Minister obtained through the Chief Secretary to Government. They may, however, travel by air within the State without such approval but under the express orders of the Minister, Speaker, Chairman and Minister of State, as the case may be.

¹[Exception 5:- Government servants (other than the Attenders, Jamedars and those falling under the last class) borne on the establishment of the Governor of Karnataka may, under the specific orders of the Secretary to the Governor, travel by air both within and outside the State.]

³[Exception 6:- Government Servants (other than Attenders, Jamedars and those falling under the last class) borne on the establishment of the Chief Minister may, under the specific orders of the Chief Minister obtained through Principal Secretary or Secretary to the Chief Minister, travel by Air both within and outside the State.]

Note 1:- Government servants authorised to travel by air at Government expenses, shall travel by air by Economy (Tourist) Class where two classes of accommodation i.e., First Class and Economy (Tourist) Class accommodation, are available on the Airlines.

(b) Notwithstanding the provisions of clause (a) above, Government may, in the interest of public service, authorise any Government servant to travel by air for journeys on duty within or outside the State. But no Government servant, not entitled or authorised to travel by air in accordance with the provisions of the said clause, shall travel by air, except with the prior permission of Government.]

1. Substituted by No. FD 44 SRS 81 dated 4.12.1981 (wef 1-11-1981)

2. Substituted by No. FD 4 SRA 99 dated 2.6.2000 (wef 1.1.1999)

3. Inserted by No. FD 8 SRA 97 dated 10-9-1998 (wef 15-10-1998)

(2) Travel by air means journey performed in the machines of public Air Transport Companies regularly plying for hire. It does not include journeys performed by private Aeroplanes or Air Taxis.

¹[Provided that a journey by a private airlines is permitted where the station to which a Government servant has to visit on official duty is not connected with Indian Airlines / Vayudoot].

²[(3) A Government servant authorised to travel by air is entitled to a mileage allowance equal to one and one-fifth of the standard air fare for the journey, ³[xxx].

⁴[Note:- In cases where the journey between the starting and destination stations is performed by more than one air service or where the return journey is performed on the same day without involving over-night stoppage at the destination station, the entire journey will be treated as a single journey for the purpose of the ceiling of Rs.30 laid down in this sub-rule.

In cases where return journey commences on the same day on which forward journey was undertaken but it is completed on the next day, the return journey shall be deemed to have been performed on the same day.]

(4) If available, return tickets at reduced rates should always be purchased when a Government servant accepts to perform the return journey by air within the period during which a return ticket is available. The mileage allowance for the forward and return journeys when such return tickets are available will however, be the actual cost of return ticket plus two-fifths of the standard air fare for a single journey between the two places ⁴[xxx].

⁵[Note 1:- If the journey is broken at a place on the way and the officer halts to attend to Government work according to the approved programme, the journeys from the place of starting to the place of halt and from the place of halt to the place of destination may be treated as separate journeys for the purpose of incidental fare, even if return tickets are purchased.]

⁶[(5) Travel by air of a Government servant is to be covered by the Group Aviation Personal Accident insurance Policy issued by the Life Insurance Corporation in favour of Government in accordance with the provisions of Rule 32 of the Manual of Contingent Expenditure.]

1. Inserted by No. FD 6 SRA 99 dated 7.4.2000

2. Substituted by No. FD 122 SRS 59 dated 26.5.1959 (wef 11.6.59)

3. Omitted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

4. Inserted by No. FD 53 SRS 65 dated 15.7.1966 (wef 28.7.66)

5. Inserted by No. FD 39 SRS 66 dated 22.12.1966.

6. Inserted by No. FD 28 SRS 77 dated 4.1.1980 (wef 1.3.1970)

Note I:- Government servant authorised to travel by air is allowed road mileage from the point from which a journey is held to commence as defined in Rule 463, to the Booking Office of the Air Transport Companies . ¹[Wherever and whenever the Indian Airlines do not provide transport facilities from their Booking Office to the Airport the Government servant shall be allowed the actual expenditure incurred by him or road mileage, whichever is less from the point at which a journey is held to commence as defined in Rule 463, to the Airport, subject to the production of a Certificate that the Indian Airlines did not provide transport facilities from their Booking Office to the Airport which should invariably be furnished in the Travelling Allowance bill.]

²[Note 2:- xxx]

488. A Government servant who is not authorised to travel by air, but performs a journey by air can draw-

(i) Travelling Allowance admissible under Rule 487,

or

(ii) Travelling allowance for journey by Railway or Road, whichever is less, (i) or (ii).

³[Exception:- xxx]

⁴[489. When a Government servant is required to cancel his journey to be performed by any mode whatsoever, he may be reimbursed by Government an amount equal to the difference between the fare actually paid by the Government servant, including reservation charges, if any and the amount refunded by transport authorities on such cancellation. The reimbursement may be permitted under special sanction subject to satisfying the following conditions namely :-

(i) that the journey was cancelled in the exigencies of public service;

(ii) that the reimbursement is in respect of the amount actually paid by the Government servant to the transport authorities concerned and do not include any money charged by an agent in that behalf, but may include reservation charges;

(iii) that the claim for refund is restricted to the amount had the Government servant booked and cancelled the journey by the shortest route or the authorised route.

1. Inserted by No. FD 102 SRS 74 dated 31.12.1974 (wef 13.2.75)

2. Deleted by No. FD 28 SRS 77 dated 4.1.1980 (wef 1.3.70)

3. Deleted by No. FD 89 SRS 72 dated 21.8.1972 (wef 24.8.72)

4. Substituted by No. FD 113 SRS 76 dated 2.8.1978 (wef 10.8.78)

Note:- Claims for reimbursement of cancellation charges shall be submitted to Government in the Administrative Department concerned for orders in consultation with the Finance Department.]

489-A.(1) If an Airport is situated at a distance of more than ¹[8(eight) Kilometres] from a Government servant's Headquarters and if the Government servant is directed to proceed to the Airport to meet the visiting/departing Minister, high officials or non-officials or distinguished foreign dignitary, or where a senior officer himself proceeds to meet him at the airport in order to discuss matters, connected with his official work, the journeys to and from the Airport can be treated as on official duty justifying the grant of travelling allowance admissible under the rules. Claims for travelling allowance in respect of such journeys should be supported by a certificate from the respective controlling officers that the journeys were undertaken for official purposes and that the staff Car was not available for the use of the Government servant. Officers who are their own controlling officers will themselves record a similar certificate if they propose to claim T.A. for such journeys.

Note 1:- Any such journey performed by a Government servant on his own initiative, essentially as an act of courtesy, cannot be regarded as a journey on duty, and the question of drawal of T.A. for such a journey does not arise.

Note 2:- The above principles are applicable also to journeys undertaken by Government servants to railway stations to meet a Minister or high official.

¹[(2) Government servants visiting Delhi on duty may be allowed actual taxi charges at the local prevailing rates from the airport to the Karnataka Bhavan and back ²[subject to a maximum of ³[one hundred twenty rupees] for a particular journey to Delhi. When officers travel together, they should make use of one taxi and one of the officers may claim the fare indicating the names of the officers who made use of the taxi along with him.]

⁴[489-B. Government servants may claim reimbursement of reservation charges except agency charges paid to a Travel agency, if any paid by them as part of air, bus, railway, sea, river, steamer fare.]

1. Amended by FD 10 SRS 71 dated 15.7.1971 (wef 1.4.71).

2. Amended by No. FD 175 SRS 74 dated 10.7.1974 (wef 1.7.74).

3. Substituted by No. FD 4 SRA 98 dated 23-2-1999 (wef 11-3-1999)

4. Inserted by No. FD 8 SRA 99 dated 2.6.2000

CHAPTER XXIX

TRAVELLING ALLOWANCE FOR JOURNEYS ON TOUR GENERAL

490. The following are the different kinds of travelling allowances which may be drawn in different or special circumstances by Government servants.

- (a) Permanent Travelling allowance,
- (b) Conveyance allowance,
- (c) The actual cost of travelling,
- (d) Daily allowance.
- (e) Mileage allowance.

¹[Note 1:— xxx]

Note 2:— xxx]

491. A permanent monthly travelling allowance may be granted by Government to any Government servant whose duties require him to travel extensively. Such an allowance is granted in lieu of all other forms of Travelling Allowance for journeys within the Government servant's sphere of duty, and is drawn all the year round, whether the Government servant is absent from his headquarters or not.

Note 1:- Officers in receipt of permanent monthly travelling allowance should deduct from the amount drawn each month, the value of the fares for any railway journeys for which they have used a free pass during the month.

²[Note 2:- xxx]

³[Note 3:- Officers in receipt of permanent monthly Travelling Allowance shall furnish a certificate in their monthly pay bill, indicating: (i) the number of days on which they are required to be on tour and make night halts, (ii) the number of days on which they toured, and (iii) the number of days of deficiency, and also deduct proportionate permanent travelling Allowance every quarter in respect of the deficiency in touring or night halts. They shall also furnish with their pay bills for January and July a certificate from their Controlling Officers that the conditions for the drawal of permanent Travelling Allowance have been fulfilled and proportionate cut in permanent

1. Deleted by No. FD 237 SRS 58 dated 9.10.1958 (wef 1.4.1958).

2. Deleted by No. FD 24 SRS 67 dated 17.7.1967.

3. Inserted by No. FD 124 SRS 68 dated 3.10.1968.

Travelling Allowance has been effected wherever necessary.]

492. For the days of the journey performed in Government conveyances, recipients of permanent travelling allowance should deduct half of the permanent travelling allowance for these days, if such days go to make up the period of minimum touring. If however, all or any such days do not go to make up the period of minimum touring, no reduction in the allowance need be made in respect of those days.

Note:- An officer in receipt of Permanent Travelling Allowance should certify in monthly pay bill that no journeys were performed by departmental vehicles during the period for which Permanent Travelling Allowance is claimed or if he has so travelled, he should specify in the bill—

- (a) the number of days on which he has toured;
- (b) the prescribed minimum number of days on which he has to be on tour; and
- (c) the number of days on which he has used a vehicle provided by Government.

493. Government may, by general or special order, permit a Government servant whose sphere of duty extends beyond the limits of a single district, to draw, in addition to permanent travelling allowance, whenever his actual travelling expenses for a duly authorised journey on public duty by public conveyance exceed double the amount of his permanent allowance for the period occupied in such journey, the difference between such double permanent allowance and the allowances calculated for the journey.

494. A Government servant in receipt of a permanent monthly travelling allowance may, when proceeding under proper authority beyond his jurisdiction, exchange for the entire journey including such part of it as is within his jurisdiction his permanent allowance for the allowances admissible under Rule 522, or for Daily Allowance under Rule 500. ¹[This exchange is permissible only for days of journeys and not of halts. In respect, however, of halts at places outside the State, for which no mileage allowance is drawn, daily allowance may be drawn at the rates admissible under Rule 464, subject to other rules governing the grant of daily allowance. The day's allowance to be exchanged for other allowances is 1/30th of the permanent monthly allowance.]

1. Substituted by No. FD 44 SRS 60 dated 15.6.1960 (wef 23.6.60).

¹[Exception:- The Inspecting Officers of the Department of Public Instruction in respect of Fixed Travelling Allowance are eligible, when travelling beyond their jurisdiction under proper authority, to draw travelling allowance under Rules 500 and 522. Provided their touring for the quarter does not fall short of the required number of days. If it falls short, Fixed Travelling Allowance is refundable for the number of days for which they draw travelling allowance under Rules 500 and 522 for travelling beyond their jurisdiction, whichever is less. In order to enable audit to watch the fulfilment of these conditions the Inspecting Officers claiming T.A. under this Exception are required to specify in the bill :-

(i) The number of days on which they are required to tour, and

(ii) The number of days on which they actually travelled.]

²[Note:- A Government servant in receipt of permanent travelling allowance is ineligible to draw both Fixed Travelling Allowance and daily allowance if he halts on duty at a station beyond his sphere of duty. But if that outstation is an expensive locality for which a higher rate of daily allowance is prescribed, he may be allowed to draw the difference between the ordinary and the higher rates of daily allowance.]

³[494A. Where a Government servant who is in receipt of Fixed Travelling Allowance is required to travel in public interest outside the limits of his jurisdiction, he shall be entitled to draw travelling allowance at normal rate in lieu of fixed travelling allowance.]

495. A permanent travelling allowance may not be drawn during leave, or joining time or unless in any case it be otherwise expressly provided in these rules, during any period for which travelling allowance of any other kind is drawn. But save as provided in this Rule, a permanent allowance may, at the option of the officer receiving it, be drawn in lieu of any other travelling allowances admissible under these rules.

Note:- The Inspecting Officers of the Education Department may be allowed Fixed Travelling Allowance for periods of short leave not exceeding 15 days, provided it is not drawn by a substitute and the touring for the quarter does not fall short of the required number of days.

1. Inserted by No. FD 77 SRS 63 dated 1.6.1964.

2. Inserted by No. FD 132 SRS 71 dated 9.2.1973.

3. Inserted by No. FD 8 SRA 99 dated 2.6.2000

CONVEYANCE ALLOWANCE

496. When a Government servant has a large amount of travelling at or within a short distance from headquarters, for which travelling allowance is inadmissible under the Rules for 'Journey on Tour' a monthly conveyance allowance may, under special sanction of Government be granted to him.

"The word conveyance" in this Rule includes a bicycle also.

Note 1:- Assistant Surgeons, Grade-II, on occasions of outbreaks of all epidemics requiring them to be constantly on the move, are entitled to a special conveyance allowance at a rate not exceeding rupees two per day payable on declaration being recorded that such conveyance was maintained. Assistant Surgeons, Grade-I are entitled to an allowance not exceeding rupees three per day for similar work.

Note 2:- Midwives while attending labour cases are not entitled to daily allowances. They will be allowed a conveyance hire of twelve naya paise a mile when they travel within a radius of five miles from their headquarters or beyond that limit to attend labour cases. A bill for conveyance hire under this rule should be supported by a certificate, countersigned by the Assistant Surgeon of a Dispensary to which the Midwife is attached, to the effect that she was not provided with a conveyance at the expenses of the party requiring her services for the journey for which hire is claimed.

497. ¹[(a) Save as provided in clause (c) of this rule, conveyance allowance is drawn all the year round, and is not forfeited during absence from headquarters and may be drawn in addition to any other travelling allowance admissible under these rules, provided the journey in respect of which travelling allowance is claimed extends beyond ²[sixteen kilometres] from the usual place of work at headquarters.]

¹[Note 1:-xxx]

³[Note 2:- (i) A Government servant in receipt of conveyance allowance for the maintenance of a motor car will have to deduct half the proportionate conveyance allowance for each day on which he makes use of Government vehicle either within or outside his headquarters.

1. Amended by No.FD 47 SRS 66 dated 22.8.1967.

2. Amended by No.FD 10 SRS 71 dated 15.7.1971 (wef 1.4.1971)

3. Substituted by No. FD 3 SRS 60 dated. 25.4.1960 (wef 31.12.1959).

(ii) A Government servant in receipt of conveyance allowance for the maintenance of vehicles other than a motor car (i.e., a motor bicycle or a bicycle) should deduct the full conveyance allowance only for the day on which Government vehicle is used and road mileage drawn under Rule 527 and 527-B. Conveyance allowance need not be deducted on the day or days on which a Government servant makes use of Government Vehicle and draws only daily allowance in lieu of mileage.

(iii) The Drawing Officer/Gazetted Officer should furnish in the bill containing claims for conveyance allowance, a certificate to the effect that wherever the Government conveyance was used, proportionate conveyance allowance has been deducted/will be deducted from the Travelling Allowance claims or, in the case of journeys within the headquarters, from the salary bill of the month.

The day's allowance will be calculated at 1/30th of the monthly allowance.]

¹[Note 3:- The officers who are granted conveyance allowance under these rules shall not be entitled to any other-travelling allowance i.e., daily or mileage allowance for journeys up to a distance of ²[16 kilometres] from the usual place of work at headquarters. The travelling allowance for journeys beyond ²[sixteen kilometres] shall be as under:-

(a) if the journey is performed otherwise than in his own conveyance daily allowance and/or mileage allowance admissible under these rules. may be drawn in full;

(b) if the journey is performed by road in his own conveyance either in combination with rail/steamer/air journey or otherwise, the officer may at his option exchange his conveyance allowance at the rate of 1/30th for each day for any travelling allowance i.e., daily allowance and/or mileage allowance admissible to him under these rules.

Note 4:- Travelling allowance i.e., daily and mileage allowance to a Government servant in receipt of bicycle allowance will be regulated as under:-

1. Amended by No.FD 47 SRS 66 dated 22.8.1967.

2. Amended by No.FD 10 SRS 71 dated 15.7.1971 (wef 1.4.1971)

- | | |
|--|--|
| (i) For journey within a radius of ¹ [8 kilometres] from usual place of work at headquarters. | No Travelling Allowance |
| (ii) For journeys beyond a radius of ¹ [8 kilometres] but not exceeding ¹ [16 kilometres] from usual place of work at headquarters.- | |
| (a) If the point falls within the local jurisdiction | No Travelling Allowance |
| (b) If the point falls outside the local jurisdiction | Travelling Allowance admissible under these rules provided the journey is performed otherwise than on a bicycle. |
| (iii) For journeys beyond a radius of ¹ [16 kilometres] from the usual place of work at headquarters | Travelling Allowance admissible under these rules.] |

(b) Conveyance allowance is inadmissible during joining time. Its drawal during leave or deputation is governed by provisions of clause (e) *infra*.

(c) The monthly allowance drawn by the Sub-Engineers, Supervisors, Overseers and Sub-Overseers, on pay exceeding Rs.75 in the Public Works Department as a conveyance allowance, but it is forfeited whenever road mileage ²[xxx] is drawn.

(d) As an exception to clause (b) and (c), the allowance granted to Sub-Engineers, Supervisors, Overseers and Sub-overseers of the Public Works Department and to the undermentioned Government servants of the Electrical Department is continued during joining time, subject to the production of a certificate, that the conveyance was maintained during the period:-

1. Amended by No. FD 10 SRS 71 dated 15.7.1971 (wef 1.4.1971).

2. Deleted by No. FD 136 SRS 58 dated. 7.8.1958 (wef 14.8.58)

1. Transmission Line Inspectors and Sub-line Inspectors.
2. Senior Operators-in-charge of Sub-sections.
3. Line Inspectors, Sub-line Inspectors, Night-Troublemens, Operators in Sub-sections, joining duties, Sub-Line Inspectors, Inspectors and Assistant Inspectors of Government Buildings, Metre Inspectors.
4. Telephone Inspectors.
5. Laboratory Assistants (Senior and Junior).
6. Special Electric Inspectors.
7. Overseers.
8. Store-keepers.
9. Sanitary Inspectors.
10. Work Establishment Staff.
11. Inspectors of Revenue and Cash
12. The Assistant Superintendent of Lines of the Electrical Department.

(e)(i) Conveyance allowance is not admissible during leave, either earned leave or half pay leave, taken preparatory to retirement or when a Government servant is asked to take leave pending enquiries against him.

(ii) ¹[A portion of the allowance not exceeding Rs. 45 in case of a motor car and Rs.10 in case of a motor cycle, granted on the condition that a motor car or motor cycle, as the case may be, maintained may be drawn during earned leave or deputation if,-

(1) the substantive pay of the Government servant during the period of the claim does not exceed ²[Rs.10,100]

(2) the authority sanctioning the leave certifies that the Government is likely, on the expiry of the leave or deputation, to return to the post from which he proceeds on leave or deputation;

(3) the authority sanctioning the leave or deputation certifies that no extra expense is caused to State, and

1. Substituted by No.FD 73 SRS 78 dated 20.3.1979.(wef 1.1.1977)

2. Substituted by No.FD 4 SRA 99 dated 2.6.2000 (wef 1-1-1999)

(4) the Government servant certifies that he continued to maintain the vehicle and incurred the expenditure claimed and that the vehicle was not during that period in use by anybody.

Note 1:- The maximum allowance for a motor cycle is limited to Rs.10.

¹[Note 2:- Subject to a ceiling of Rs. 45 in the case of motor car allowance and Rs.10 in the case of motor cycle allowance, the authority sanctioning the leave or deputation may sanction the full amount claimed under clause (iv) of this Rule or may require the Government servant to satisfy it that he was unable or could not reasonably be expected to avoid or reduce the expenditure and may, if it is not so satisfied, direct that no part of the allowances shall be drawn or that a part only of the amount claimed shall be drawn.]

²[497-A. A Certificate from the Controlling Officer in the following form should be attached to the salary/Establishment bills for the month of January and July which include conveyance allowance:-

“Certified that the conveyance allowance claimed in the pay bill for the month of January/July on account of Shri/Smt/ Shriyuths..... is in order and that the conditions attached to its drawal have been fulfilled.”

DAILY ALLOWANCE

498.(a) A daily allowance is an uniform allowance for each day of absence from headquarters and intended to cover the ordinary daily charges of a Government servant on tour; it is drawn only during absence from headquarters on duty, including the period of halts on duty, or on an authorised holiday, during such absence.

³[Note:- A Government servant who takes casual leave for half a day while on tour, may draw only half the daily allowance admissible under the rules for the day.]

(b) Save as otherwise expressly provided, daily allowance is inadmissible for journeys or halts in the course of journeys, under any other Chapter of these Rules.

1. Inserted by No. FD 24 SRS 60 dated 1.4.1960 (wef 14.4.1960)

2. Inserted by No. FD 295 SRS 58 dated 11.9.1959 (wef 23.7.59)

3. Inserted by No. FD 67 SRS 70 dated 23.10.1970.

¹[(c) For the time spent in journey whether outside or inside the State, Daily Allowance is admissible only at the rates admissible for other places within the State under rule 451.]

499. Official members attending meetings of Councils, Committees or other Bodies constituted under orders of Government will be entitled to draw travelling allowance as for journeys on tour whether the allowances are paid from the State or other funds.

500. For rates of Daily Allowance admissible to several classes of officers see Rule 451.

501. Government may, for reasons which shall be recorded and on such conditions as it may think fit to impose, sanction for any Government servant or class of Government servants, a daily allowance higher or lower than that prescribed in Rule 451, if it considers the allowance so prescribed is inadequate or excessive.

502. Government may, by a special or general order enhance the minimum rates of daily allowance to Government servants when they are deputed for special duties including those connected with Dasara Festivals and Dasara Exhibitions at Mysore.

503. Government may, by general or special order, direct that the ordinary rates of daily allowance or mileage allowance or both shall be increased either in a definite ratio or in any other suitable manner for any or all Government servants travelling in any specified locality in which travelling is unusually expensive.

504. Unless, in any case, it be otherwise expressly provided in these rules, no Government servant is entitled to be provided with means of conveyance by or at the expenses of Government, or to draw as travelling allowance the actual cost or part of the actual cost of travelling.

505. Unless in any case it be otherwise expressly provided in these rules, a Government servant making a journey for any purpose is not entitled to recover from Government the cost of transporting his family or his personal luggage, conveyances, tents and camp equipage.

1. Inserted by No. FD 8 SRA 98 dated 21-11-1999.

JOURNEYS ON TOUR

506. The headquarters of a Government servant shall be in such places as a competent authority may prescribe.

507. A competent authority may define the limits of the sphere of duty of any Government servant.

¹[Note:- The Heads of Departments are authorised to define the limits of the sphere of duty in respect of non-Gazetted Government servants.]

508. A Government servant is on tour when absent on duty from his headquarters either within or, with proper sanction beyond his sphere of duty. For the purpose of this Section, a journey to a hill station is not treated as a journey on tour.

²[Note:- A Medical Officer leaving his station to attend upon the family of a public officer, which he is not bound to attend free of charge as part of his regular duties, is not travelling on duty within the meaning of this Rule.]

509. In case of doubt, a competent authority may decide whether a particular absence is absence on duty for the purpose of Rule 490.

510. A competent authority may impose such restrictions as it may think fit upon the frequency and duration of journeys to be made on tour by any Government servant or class of Government servants.

511. If a competent authority declares that the pay of a particular Government servant or class of Government servants has been so fixed as to compensate for the cost of all journeys other than journeys by rail, within the Government servant's sphere of duty, such a Government servant may draw no travelling allowance for such journeys though he may draw mileage allowance for journeys by rail. When travelling on duty, with proper sanction, beyond his sphere of duty, he may draw travelling allowance calculated under the ordinary rules for the entire journey, including such part of it as is within his sphere of duty.

512. The period of absence from headquarters begins on the day on which the Government servant actually leaves headquarters, and ends on the day on which he returns to them. It is not reckoned by the departure or return of his camp equipage.

1. Inserted by No. FD 37 SRS 59 dated 6.10.1959 (wef 15.10.59).

2. Inserted by No. FD 237 SRS 58 dated 9.10.1958 (wef 1.4.58).

513. No travelling allowance, other than a permanent monthly allowance, is admissible for any day on which a Government servant does not reach a distance exceeding 1[eight kilometres] from headquarters or return thereto from a distance exceeding 1[eight kilometres]. But a Government servant travelling on duty within 1[eight Kilometres] of headquarters is entitled to draw the actual amount spent by him in payment of ferry and other tolls, bus fare or railway fare.

Note:- In cases where a village is less in a straight line, than 1[eight Kilometres] from headquarters, but more than 1[eight kilometres] by the only practicable route to it, travelling allowance may be admitted by the route, but the allowance cannot be granted simply on the ground that a journey exceeding 1[eight kilometres] was performed in visiting several villages, none of which was more than 1[eight kilometres] from head- quarters by the ordinary direct route.

HALTS ON TOUR

514. 1[(1) Daily allowance for halt on tour at an outstation will be calculated on the basis of the period of halt which will begin from the time the forward journey ends at the outstation and will end at the time the return or further journey commences. The rate of daily allowance will be calculated as follows:-

Halt upto six hours - Nil.

Halt exceeding six hours but not exceeding twelve hours - half Daily allowance.

Halt exceeding twelve hours but not exceeding twenty four hours - Full daily allowance.

Halt exceeding twenty four hours - one daily allowance for every 24 hours. For fraction of 24 hours at the end of halt, daily allowance will be calculated as indicated above.

Note 1:- No daily allowance is admissible to a Government servant for stopping at a place for any reason other than performance of Government duty. For example, if the Government servant has to simply stop at a place for rest or for catching the next available train on the following day or for resuming his journey by road towards his destination in continuation of the previous day's journey, no daily allowance is admissible. However, in cases of air journey involving an

1. Substituted by No. FD 10 SRS 71 dated 15.7.1971 (wef 1.4.1971)

overnight halt (either due to non-availability of a connecting service or due to cancellation of the connecting service) at an intermediate station for which the Indian Airlines Corporation does not provide at its cost, any facility for boarding or lodging to the touring Government servants, half daily allowance at the rate applicable to the intermediate station shall be allowed in respect of each such overnight halt, ¹[xxx] provided the touring Government servants concerned certify that the overnight halt was due to non-availability/ cancellation of the connecting service and no facility was provided for boarding and lodging by the Indian Airlines Corporation.

Note 2:- In cases of enforced halts occurring on route on tour journeys necessitated by break-down of communications due to blockade of roads on account of floods, rains, heavy snow-fall, land slide, etc., Government may treat the period of such enforced halts as duty under Rule 8(15). The Government servant concerned may be granted daily allowance at three-fourths of the rate applicable to him at the station in which the enforced halt takes place, for the period of enforced halt excluding the first day of such halt, for which no daily allowance should be allowed.]

²[Note 3:- A Government servant who returns from tour to his headquarters on the same day (i.e., within 24 hours) may draw one daily allowance or exchange it for mileage allowance subject to the provision of Rule 522 but in addition to this allowance, he shall not be allowed to draw daily allowance under this rule even if the halt at an outstation exceeds six hours.

Explanation:- If a Government servant halts at more than one station on the same day the halt at each place may be reckoned separately provided that the sum total of daily allowance admissible for a stay of 24 hours, shall not exceed one daily allowance. The proviso applies only if the halts at more than one station begin and terminate within the duration of 24 hours. In that case only, it is necessary, to ensure that the total daily allowance for halt period for all the stations does not exceed one daily allowance. If the duration of halt at the second station extends beyond 24 hours from the commencement of halt at the first station, the daily allowance admissible for halt at the second station is to be reckoned separately.

1. Omitted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998).

2. Inserted by No. FD 274 SRS 71 dated 11. 1. 1973 (wef 8.2.73).

The period of 24 hours should be calculated from the time of commencement of the forward journey from headquarters to the time of commencement of the return journey from the outstation. The time of commencement should be taken to mean the actual time of departure from the Airport/Railway Station/Bus Stand, etc., as the case may be.]

¹[Note 4:- In the case of a Government servant travelling from Bangalore to Gulbarga or Bidar and vice-versa, via Hyderabad by Air, who halts at Hyderabad for resuming his journey next day, either to Gulbarga/Bidar by road, or to Bangalore by Air may be allowed daily allowance for the halt at Hyderabad at the rates specified in sub-rule (1) provided the Government servant certifies that the halt at Hyderabad was necessitated for avoiding night or early morning (before dawn) road journey.]

(2) A Daily Allowance may not be drawn for more than ten days of a halt at one place except in special cases in which it is established to the satisfaction of Government that the prolonged halt was necessary in the interest of the public service and the Government servant was put to extra expense by his halt after the expiration of the first ten days.

Explanation:- A Government servant who halts for more than ten days at a place may, after he ceases to draw the Daily Allowance, draw travelling allowance under the ordinary rules applicable to him for any journey made on one day from and to the halting place, if he reaches a point more than ²[Eight Kilometres] distant from it. A halt is not interrupted for the purpose of this Rule by an absence on duty from the place of halting for less than three nights.

³[Note - A tour is held to be completed when a Government servant returns to Headquarters even though the return be for less than three nights.]

⁴[515. Government servants of the last class will however be entitled to Daily Allowance at the full rate, for the first 90 days (vide Rule 518).]

516. Government have delegated to the Heads of Departments the powers of sanctioning Daily Allowance

1. Inserted by No. FD 220 SRS 72 dated 11. 1.1973 (wef 8.2.73).

2. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998).

3. Inserted by No. FD 27 SRS 61 dated 20-3-1961 (w.e.f. 30.3.1961).

4. Substituted by No. FD 242 SRS 59 dated 13-11-1959 (w.e.f. 1-1-1959).

¹[for halts exceeding ten but not exceeding thirty days to Non-gazetted Government Servants and for halts not exceeding 15 days to Gazetted Government Servants] of their departments.

Note 1- The following is the list of Government servants who are exempted from the operation of this Rule and Daily Allowance at the rates mentioned in Rule 518 may be passed to them for halts of over ten days at one place without the special sanction of Government.

(i) All officers who are required to be on duty (and not as guests) in connection with the Dasara and other similar functions and Meetings of the Legislature.

(ii) The personal staff of Ministers and the Civil or Assistant Surgeon attached to the headquarters establishment and Secretariat Officers and Officials.

(iii) Sessions Judges and their establishment halting at other stations for the trial of Session cases.

(iv) Local Audit Staff of State Accounts Department and Inspecting Staff of the Electrical Accounts Office.

²[(v) The Surgeon and the Staff of the Mobile Ophthalmic Unit, Mangalore.]

Note 2 - The Chief Conservator of Forests is authorised to countersign T.A. bills of Forest Officers and their establishment in case of continuous halts, of more than ten but not exceeding thirty days at one place.

Note 3 - The Chief Engineer (Electricity) is authorised to sanction Daily Allowance for halts exceeding ten days to Gazetted Government servants of his Department provided that cases of halts exceeding thirty days shall be reported to Government for sanction.

Note 4 - The Director of Mines and Geology is authorised to sanction Daily Allowance for halts of more than ten but not exceeding thirty days at one place in the case of the Gazetted subordinates of his Department. ³[He is also authorised to sanction Daily Allowance for halts exceeding 30 days but not exceeding 90 days at a place in respect of Non-gazetted Government servants, the daily allowance being regulated in accordance with Rule 518.]

1. Substituted by No. FD 74 SRS 69 dated 19-1-1970 (w.e.f. 5-2-1970).

2. Inserted by No. FD 31 SRS 62 dated 18-5-1962.

3. Inserted by No. FD 135 SRS 60 dated 23-9-1960 (wef 6-10-1960)

Note 5 - The Director of Agriculture is authorised to sanction halts exceeding thirty days made by the Tractor Drivers and Helpers of the Agricultural Engineering Section in connection with the ploughing of lands with the departmental tractors.

Note 6 - The Inspector-General of Police is authorised to sanction Daily Allowance for halts exceeding thirty days in respect of Non-gazetted Government servants.

Note 7 - The Advisor to the Government of Karnataka Tuberculosis Sanatorium, Bangalore, is authorised to sanction Daily Allowance for halts outside headquarters exceeding thirty days in respect of the staff of the B.C.G. Vaccination Scheme.

Note 8 - The Deputy Inspectors-General of Police are empowered to sanction Daily Allowance for halts exceeding ten days but not exceeding thirty days, made by Non-gazetted Government servants.

¹[Note 9 - The Chairman, Karnataka Sales Tax Appellate Tribunal, Bangalore, is authorised to sanction Daily Allowance for halts for more than ten days at a place but not exceeding thirty days, in respect of the Gazetted Officers of the Tribunal. The Chairman is also authorised to draw Daily Allowance for halts for more than ten days at a place but not exceeding thirty days, without the special sanction of Government.]

²[Note 10 - The Divisional Officers of the status of Assistant Commissioners and above in the Land Records Department are authorised to sanction Daily Allowance for halts for more than ten days at a place but not exceeding thirty days, in respect of Non-gazetted Government servants.]

³[Note 11- The Conservator of Forests, Working Plans and Development Circle, Bangalore, is authorised to sanction halts exceeding ten days but not exceeding thirty days in respect of Non-gazetted Government servants.]

1. Inserted by No. FD 64 SRS 59 dated 6-6-1959 (wef 18-6-1959)

2. Inserted by No. FD 169 SRS 59 dated 11-7-1959 (wef 30-6-1959)

3. Inserted by No. FD 247 SRS 59 dated 13-11-1959 (wef 31-1-1963)

¹[Note 12 - ²[The Director of Treasuries is] authorised to sanction Daily Allowance for halts for more than 30 days at a place in respect of the leave reservists of the Treasury Department working in the District Treasuries when they are posted to Taluk Treasuries for work. (Daily Allowance being regulated in accordance with Rule 518.)]

³[Note 12-A- The District Treasury Officers are authorised to depute leave reservists in the District Treasuries to any Sub-Treasuries in the District or any officials from one Sub-Treasury to another Sub-Treasury in the District or to District Sub-Treasury to work in the leave vacancies or against other vacancies for a period upto thirty days and to sanction full Daily Allowance for such a period.]

⁴[Note 13 - The District and Sessions Judges and the District Magistrates in-charge of the Criminal Courts in the District (independent charge) may sanction halts in excess of ten days but not exceeding thirty days at a place within their jurisdiction in the case of all Gazetted and Non-gazetted Staff in connection with the trial of Criminal cases or Sessions cases as the case may be.]

⁵[Note 14 - The powers delegated under this Rule to certain Heads of Department to sanction Daily Allowance for halts exceeding 30 days shall remain in abeyance for the duration of the

⁶[Note 15 - The Director of Collegiate Education is authorised to sanction Daily Allowance for halts exceeding 10 days but not exceeding 30 days at Mysore in the case of the Gazetted Officers of his Department engaged on tabulation work of the Mysore University.]

⁷[Note 16 - The Director of Public Instruction is authorised to sanction Daily Allowance for halts exceeding 10 days but not exceeding 30 days at a place in the case of Gazetted Officers of his Department engaged on duties connected with Public Examinations.]

1. Inserted by No. FD 240 SRS 59 dated 20-11-1959 (wef 1-4-1958)

2. Amended by No. FD 17 SRS 65 dated 14-5-1965

3. Inserted by No. FD 79 SRS 75 dated 15-3-1977 (wef 16-6-1975)

4. Inserted by No. FD 15 SRS 62 dated 1-3-1962 (wef 15-3-1962)

5. Inserted by No. FD 7 SRS 63 dated 21-1-1963 (wef 19-11-1959)

6. Inserted by No. FD 35 SRS 63 dated 10-4-1963 (wef 17-11-1962)

7. Inserted by No. FD 26 SRS 64 dated 4-4-1964

¹[Note 17- The Chairman, Karnataka Revenue Appellate Tribunal may sanction Daily Allowance for halts of more than 10 days at a time at Belgaum but not exceeding 30 days in the case of Members, all Gazetted and Non-gazetted Staff in connection with the sitting of a Bench of Karnataka Revenue Appellate Tribunal at Belgaum.]

²[Note 18- The Commissioner for Transport is authorised to sanction halts exceeding 30 days but not exceeding 90 days at a place in respect of the Internal Audit Staff of the Motor Vehicles Department, the Daily Allowance being regulated in accordance with Rule 518.]

³[Note 19 - The Commissioner of Commercial Taxes, is authorised to sanction halts exceeding 10 days but not exceeding 30 days at a place in respect of the Internal Audit Staff (both Gazetted and Non-gazetted) of the Commercial Taxes Department.]

⁴[Note 20 - The Director of Technical Education is authorised to sanction Daily Allowance for halts exceeding 10 days but not exceeding 30 days at a place in the case of the Gazetted Officers of his Department engaged on duties connected with examination work including tabulation work assigned by the Board of Technical Examinations.]

⁵[Note 21 - The Secretary, Kamataka Public Service Commission is authorised to sanction Daily Allowance for halts exceeding ten days but not exceeding thirty days, at a place in the case of Gazetted Officer of the Commission engaged in connection with the work of competitive examinations prescribed for recruitment of Gazetted Probationers etc.]

⁶[Note 22 - The Controller of Weights and Measures, is authorised to sanction Daily Allowance for halts exceeding thirty days but not exceeding sixty days at a place in respect of Field Officers/Officials of his Department.]

⁷[Note 23 -The Drugs Controller is authorised to sanction Daily Allowance for halts exceeding ten days but not exceeding

1. Inserted by No. FD 105 SRS 68 dated 27-7-1968 (wef 15-8-1968)

2. Inserted by No. FD 98 SRS 70 dated 19-2-1971 (wef 1-4-1971)

3. Inserted by No. FD 251 SRS 71 dated 28-12-1971 (wef 14-10-1971)

4. Inserted by No. FD 164 SRS 72 dated 23-9-1972 (wef 30-5-1972)

5. Inserted by No. FD 73 SRS 75 dated 31-1-1976/2-2-1976 (wef 1-5-1975)

6. Inserted by No. FD 44 SRS 76 dated 20-11-1976 (wef 20-7-1978)

7. Inserted by No. FD 69 SRS 77 dated 16-11-1977 (wef 1-12-1977)

thirty days, at a place, in the case of Gazetted Officers of his Department engaged in connection with the work of Pharmacy Examination and other Examinations as well as tabulation work assigned to them by the Board of Examining Authority of that Department.]

¹[Note 24 -The Director of Archives, Bangalore, is authorised to sanction Daily Allowance for halts exceeding ten days but not exceeding thirty days at one place to the Gazetted Government servants of his Department.]

²[Note 25 - The Chief Auditor of Co-operative Societies in Kamataka, Bangalore, is authorised to sanction Daily Allowance for halts exceeding ten days but not exceeding thirty days at one place in the case of Gazetted Auditors of the Department of Co-operative Audit. He is also authorised to sanction Daily Allowance for halts exceeding thirty days but not exceeding ninety days at a place in respect of Non-gazetted Auditors of the Department of Co-operative Audit.]

517. District Treasury Officers and Tahsildars are authorised to sanction halts outside the headquarters exceeding ten days but not exceeding thirty days, of Shroffs when they accompany remittances outside their headquarters.

³[518. In all cases of halts exceeding thirty days covered by any of the foregoing Rules (both within and outside the State) full Daily Allowance at ordinary rates will be allowed for the first thirty days only and one half of the ordinary rates for the next sixty days '[subject to a minimum of Rs.4.]. Thereafter, no Daily Allowance is admissible. Government may, in special cases permit Government servants to draw full Daily Allowance in respect of halts after thirty days.]

Note - As a partial exception to the above Rule, full Daily Allowances may be allowed both to the Non-Gazetted and Gazetted Government servants for the days of halt on duty outside the State, even when the period of halt exceeds thirty days.

519.(a) Ordinarily no allowance is admissible to a Government servant during a halt at headquarters, but Government may, by general or special order, permit any officer

1. Inserted by No. FD 103 SRS 76 dated 18-10-1978 (wef 28-5-1976)

2. Inserted by No. FD 54 SRS 79 dated 25-10-1979 (wef 13-8-1979)

3. Substituted by No. FD 316 SRS 58 dated 5-1-1959 (wef 1-1-1959)

4. Substituted by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-1971)

or class of officers, to draw, during a halt at headquarters, the actual expense (not exceeding the Daily Allowance) of keeping up camp equipage (when it is necessary to do so) during such halt, provided such actual expense is not drawn for more than ten days.

Explanation - A halt is not interrupted for the purposes of this rule by an absence on duty from the place of halting for less than three nights.

(b) A Government servant drawing an allowance under this rule for a halt at headquarters must certify that it was necessary to keep up his camp equipage, and that he had during such period kept up the whole or part of his camp equipage as the case may be, and that the expense so incurred is not less than the halting allowance drawn. In the case of a non-gazetted officer the head of the office must also certify that it was necessary for such officer to keep up the whole or a part of his camp equipage, as the case may be.

(c) A halt within ¹[eight kilometres] of headquarters in the course of a tour is, for the purpose of this rule, treated as a halt at headquarters.

Note - In cases of doubt Government may determine what are the headquarters of an officer.

520. A Government servant compelled, on a sudden emergency to leave his camp standing and proceed rapidly on the duty to a place more than ¹[thirty-two Kilometres] distant may, under the special order of Government, draw the actual expenses of maintaining such camp not exceeding the Daily Allowance in addition to the allowances admissible under Chapter XXVIII whether the camp be moved or not.

521. A Government servant entitled to Daily Allowance, whose jurisdiction extends over the State, may when making a journey of over ¹[160 Kilometers] to the first and from the last camp of a tour, recover the whole necessary expenditure incurred thereupon, including the conveyance of tents, servants and private baggage in lieu of the Daily Allowance admissible for the days occupied by such journey. The number of servants and the quantity of private baggage to be thus charged for will be fixed by Government.

1. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

WHEN DAILY ALLOWANCE IS EXCHANGEABLE

522. A Government servant may for any day draw in lieu of his Daily Allowance.

(i) if he travels by railway, the allowances admissible under Rule 469 to 472.

(ii) if he travels ¹[thirty two kilometers] or more by road, the allowance admissible under Rules 478 to 481.

(iii) if he travels partly by road and partly by rail-

(1) in respect of the road journey, the allowance admissible under Rules 478 to 481, limited, unless the conditions of clause (ii) of this rule are fulfilled, to the amount of the Daily Allowance;

Exception- The limitation referred to will not apply in the case of Government servants travelling by public buses though the distance travelled is less than ¹[32 kilometres] and the allowance will be regulated according to Rule 485.

Note 1 - When a Government servant proceeds by rail to a station other than his headquarters and on the same day and in continuation of the railway journey travels on duty by road, he is entitled to travelling allowance for the journey by road calculated in accordance with the clause for the whole distance travelled, taking the Railway Station as the starting point.

Note 2 - In the case of sub-overseers, the limit of road mileage will be the amount of conveyance allowance for the day.

Note 3 - The claims for road mileage under (ii) and (iii) should be supported by a certificate by the Government servant that he travelled ²[in his own car or in a hired conveyance.] Otherwise he will be allowed only the allowances admissible for journeys by public buses (vide Rules 483 and 485).

(2) In respect of the journey by rail, the allowances admissible under Rules 469 to 472.

³[523.xxx]

1. Substituted by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-1971)

2. Substituted by No. FD 36 SRS 68 dated 29-6-1968 (wef 11-7-1968)

3. Amended by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-1971)

524. As a special rule, Government servants who have been transferred from one place to another, as well as Assistant Surgeons Grade-II and Medical graduates, staff for controlling outbreak and spread of plague (Cyanogas duty) Fieldmen, attached to the Scientific Section of the Agricultural Department, Veterinary Inspectors incharge of Elephant of the Forest Department, travelling on duty, may draw mileage even for the marches of less than ¹[thirty-two Kilometres] a day.

Non-gazetted Government servants who accompany or travel under the orders of Officers, whose duties ordinarily require them to travel throughout the State are also entitled to this privilege.

525. In the case of Government servants whose actual pay does not exceed ²[Rs.3550] a month, Government may, by general or special order, and subject to such conditions as it thinks fit to impose, permit any officer or class of officers to draw allowance admissible under Chapter XXVIII for the whole period of absence from headquarters, on condition that no Daily Allowance is drawn for such period if it considers that their duty is such that the Daily Allowance is not sufficient to cover travelling expenses.

DESPATCH OF CONVEYANCES BY RAIL

526. Subject to the general or special sanction of his official superior a Government servant having to travel by railway over a distance of not less than ³[48 kilometres] in a single journey and sending by railway the conveyance required for his bonafide use at the end of such journey shall be entitled in addition, to his ordinary allowance under Rules 469 to 472 to the actual expenses of sending such conveyance.

Heads of departments will be permitted to take their conveyance by rail at Government cost both for the outward and the return journeys provided that sanction of Government is applied for in each case with a copy of the tour programme and the programme is approved by Government.

Explanation - Conveyance in this Rule means a motor car, motor bicycle and bicycle. The privilege of taking a motor car is permissible only in the case of Heads of Departments.

1. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (15-10-1998)

2. Amended by No. FD 4 SRA 99 dated 2.6.2000 (wef 1.1.1999)

3. Amended by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-1971)

Note 1 - A Government servant in receipt of a permanent monthly travelling allowance is not entitled to the privilege of this rule.

Note 2 - The sanction of the official superior under this rule shall be given only in the interest of the public service.

Note 3 - A Government servant having to send conveyance by rail must avail himself of the concessions, if any, granted by the Railway Department whenever return journey is contemplated within the period of time provided by the Railway Rules under which it is conveyed from one station to another and back on payment of concessional fare, if any.

Note 4 - When a Government servant is entitled to take his conveyance by rail but prefers to take it by road, he will be entitled either for (1) road mileage or (2) for railway fare for himself and freight for his conveyance, whichever is less.

Note 5 - The circumstances in which the concession referred to in this rule may be appropriately sanctioned are indicated below:

(1) The scale of travelling allowance of a Government servant is so fixed as to cover all items of expenditure, incidental to journeys on tour. For ordinary journeys on tour, therefore, an officer is not entitled to charge Railway Freight for his conveyances in addition to full travelling allowance under the rules especially in cases where a sufficiently large amount of road mileage is drawn for journeys performed by such conveyance.

(2) Accordingly, for journeys for which an officer earns by road mileage an amount equal to atleast twice the outward railway freight for the conveyance which it is necessary for him to take by rail in the interest of the public service, the freight charges will not be borne by Government. Ordinarily, an officer should so arrange his tour that sufficient road journeys are performed at the end of the Railway journey so as to make this rule applicable.

(3) In exceptional case where the road mileage earned is less than twice the railway freight for the conveyance and the interests of the public service require the conveyance at one place immediately after its being similarly used in another place, the concession contemplated in this rule may be sanctioned for the outward journey only. It may be sanctioned for the return journey, if that journey, also satisfied the condition of urgency stated in the following paragraph.

(4) The concession should not be allowed, unless it is clearly shown that public interests would suffer in the conveyance was sent by road in the usual manner and that inspite of reasonable forethoughts in the arrangement of the tour programme the necessity for its being required at two places almost simultaneously could not be prevented.

(5) The Daily Allowance under the rules drawn by an officer when halting at a station is held to cover all the ordinary daily charges of the officer including the cost of locomotion within the station. Charges for transporting conveyance will not therefor be allowed merely to give an officer facilities of locomotion within stations at which he may halt but only for urgent journeys from one station to another.

(6) Claims for actual charges, incurred for transporting a conveyance when allowed should be supported by the receipt granted by the Railway Authorities.

Exception 1 - Such of the officers in the service of the State (including lent officers) as are required to attend the Sessions of the Legislature may take the conveyances to which they are entitled, by rail at Government expenses, even though in receipt of a permanent monthly travelling allowance.

Exception 2- District and Sessions Judges may take conveyances to which they are entitled by rail at Government cost when they go out to hold session and also bring them back to headquarters. ¹[The privilege is also extended to the Registrar, High Court of Karnataka proceeding on tour under the direction of the Chief Justice of the High Court for inspection of Courts within the State.]

Exception 3 - The Chief Engineer may take his conveyance by rail at Government cost while proceeding on inspection work for one of the journeys, whether outward or inward - each time he proceeds on tour and claim for such journey road mileage or railway fare for himself and haulage for the motor car, whichever is less.

This privilege is also extended to the Superintending Engineers proceeding on tour.

1. Inserted by No. FD 144 SRS 67 dated 2-5-1968 (wef 23-5-1968).

WHEN MEANS OF LOCOMOTION ARE SUPPLIED

527.(1) A Government servant who is provided with and avails himself of means of locomotion at the expense of Government or Local or other Funds and does not pay the expenses of its use or propulsion, may draw travelling allowance as follows:-

(a) If he returns to his headquarters on the same day, daily allowance, if admissible, will be calculated as follows:-

If the absence from headquarters
does not exceed six hours - NIL

If the absence from headquarters
exceeds six hours, but does not
exceed twelve hours - Half Daily Allowance

If the absence from headquarters
exceeds twelve hours - Full Daily Allowance.

Note : The cumulative absence from headquarters will be taken into consideration in regulating the Daily Allowance.

¹[(aa) If he does not return to his headquarters on the same day, he may draw an allowance ²[xxx] based on the distance covered by road by the direct route and restricted to one Daily Allowance for every twenty-four hours of journey or part thereof. In addition, he may draw daily allowance for halt at the rate admissible under Rule 514.]

(b) If he has not to provide separate conveyance at his own expense for his servants or luggage, he may draw the Daily Allowance ordinarily admissible to him and is not entitled to exchange the daily rate for mileage under Rule 522. But if part of the journey is performed by other means of locomotion, he may, at his option, draw in lieu of Daily Allowance, the travelling allowance admissible for that part ³[Provided the distance travelled exceed twenty miles.]

(c) If he has to provide separate conveyance at his own expense for his servants or luggage, he may, under Rule 522 exchange his daily allowance for half the mileage ordinarily admissible to him and may draw in addition, the travelling allowance admissible for any part of the journey performed by other means of locomotion.

1. Inserted by No. FD 281 SRS 71 dated 3-10-1972 (wef 26-10-72).

2. Omitted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

3. Inserted by No. FD 114 SRS 59 dated 2-6-1959 (wef 11-6-1959).

Instruction- As regards a Government servant who is provided with and avails himself of a means of locomotion at the expense of Government or Local or other Funds or who travels in an officer's car such as Drivers, etc., rules 514 and 513 of the Karnataka Civil Services Rules are inapplicable and they would be continued to be governed by the provisions of the existing rule viz., Rule 527 (1) of the Karnataka Civil Services Rules and their Daily Allowance would be regulated with reference to the period of absence from headquarters. (Extract from O. M. No. FD 28 SRS 71 dt. 20-5-1971).

(2) A Government servant provided with the means of locomotion as in clause (1) who pays all expenses of its use or propulsion is entitled to travelling allowance under the ordinary rules, subject to the deduction therefrom of hire charges equal to half the road mileage of ¹[ten paise per Kilometre] whichever is less.

Note 1- ²[This sub-rule] does not apply to Government servants of the last class.

³[Note 2-xxx]

⁴[527-A - Every Government servant provided with a Government vehicle should make use of it for journeys on Government work and when road mileage is drawn by him for journeys in his own Car or otherwise, he should specifically note in the Travelling Allowance bills, the reason as to why he could not make use of the Government vehicle.]

⁵[Note - The Controlling Officers should record a certificate in their T.A. claims as well as those countersigned by them, claiming road mileage, to the effect that the claimant was not provided with the Government vehicle and if so provided, the reasons for the same (road mileage claims) have been recorded in the bill.]

⁶[527 - B - When a Government servant is provided with free conveyance for part of the journey or for one way journey only, (i.e., either for going from or for return to headquarters), and he returns to his headquarters on the same day, the daily allowance, if admissible under the rules, may be calculated as follows:-

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1. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)
 2. Substituted by No. FD 55 SRS 61 dated 7-6-1961.
 3. Deleted by No. FD 43 SRS 73 dated 18-3-1975 (wef 30-10-1974).
 4. Inserted by No. FD 170 SRS 58 dated 6-1-1959 (wef 15-1-1959).
 5. Inserted by No. FD 67 SRS 59 dated 19-3-1959 (wef 26-3-1959).
 6. Inserted by No. FD 114 SRS 59 dated 2-6-1959 (wef 11-6-59).

If the absence from headquarters does not exceed twelve hours.	Half Daily Allowance
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If the absence from headquarters exceeds twelve hours.	Full Daily Allowance
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He may, at his option, draw, in lieu of the aforesaid Daily Allowance, the mileage allowance admissible for the part of the journey for which the conveyance is not provided free of charge, provided the distance travelled exceed ¹[thirty-two Kilometres]

²[527 - C. xxx]

528. For a journey in a Government conveyance from a place within the State to a place outside the State or vice-versa, Daily Allowance to be paid in lieu of mileage in such cases will be at the rate admissible in similar circumstances for journeys within the State when Government conveyance is used.

MISCELLANEOUS

529. A Government servant in service who is treated as a State Guest, i.e., when he is provided with free board and lodging at the expense of the Government of the State visited, while on tour, will be allowed only one-fourth of the Daily Allowance, admissible to him at the station concerned.

³[A Government servant in service who, while on tour, is allowed free board and lodging at the expense of the Central Government or a State Government or Autonomous Industrial or Commercial Undertaking or Corporation or a Statutory Body or a Local authority, in which Government funds have been invested or in which Government have any other interest, may draw only one-fourth of the Daily Allowance admissible to him at the station concerned.

If only board or lodging is allowed free to such a Government servant, he may draw Daily Allowance at one-half of the admissible rate.]

Exception 1 - Government servants while accompanying their Superior Officers or Ministers on tour and allowed to lodge in the free quarters provided for the Superior Officers or Ministers, may draw full Daily Allowance.

1. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

2. Deleted by No. FD 24 SRS 67 dated 17-7-1967.

3. Substituted by No. FD 183 SRS 58 dated 24-10-1958 (wef 30-10-1958).

¹[Exception 2 -Government servants occupying Ridge House, Officers Quarters, Chamundi House, Secretariat Staff Quarters Mysore, Mysore House, Mysore, House Cottage, Sudharsana and Sudharsana Cottage, Ooty, and Sudharsana Guest House, and Infantry Road Guest House, Bangalore and Sudharsana Guest House, Mercara, will be charged half the lodging rates fixed for them.

The Special duty staff and the Chief Secretary's staff occupying the Secretariat Staff Quarters during Dasara festivities, will be provided with free boarding at Mysore.]

²[Exception 3- The staff borne on the personal establishment of Ministers/Ministers of State who are provided with free accommodation in the Government Guest Houses at Bangalore and Mysore/State Government Circuit Houses/Inspection Bungalows/Travellers Bungalows under the control of the Public Works Department, while accompanying the Ministers / Ministers of State may draw full Daily Allowance admissible to them as though they have paid lodging charges.]

³[Note - The provisions of this rule shall be applicable only to the daily allowance admissible for the days of halt and shall not apply to the daily allowance ⁴[xxx] admissible for days of journey.

⁵[530. The Government servant, provided with the board and/or free lodging, should indicate the fact in his T.A. bill for the information of the Countersigning Authority and the Audit Officer.]¹

1. Inserted by NO.FD 126 SRS 59 dated 20-5-1959 (wef 28-5-1959).

2. Inserted by No. FD 181 SRS 72 dated 5-7-1976 (wef 20-7-1978).

3. Inserted by No. FD 31 SRS 68 dated 2-2-1968 (wef 21-3-1968).

4. Omitted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

5. Substituted by No. FD 183 SRS 58 dated 24-10-1958 (wef 30-10-1958)

[Note - xxx]

**TRAVELLING ALLOWANCE TO OFFICERS AND MEN OF
THE RAILWAY POLICE**

531. Police Officers (both Gazetted and non-Gazetted) whose duties require them to travel constantly by railway, are not entitled to allowances under rules 469 to 476 except in cases of transfer from one place to another, but are granted Daily Allowance in addition to a free pass for any day on which they are absent from their station for more than eight consecutive hours or if they are not allowed a free pass, the fares for themselves and for the servants and baggage accompanying them which a free pass would cover.

1.Deleted by No. FD 61 SRS 68 dated 2-5-1968 (wef 23-5-1968).

CHAPTER XXX**TRAVELLING ALLOWANCE FOR JOURNEYS ON TRANSFER**

532.(1) Travelling allowance may not be drawn under this section by a Government servant on transfer from one station to another unless he is transferred for the public convenience and is entitled to pay during the period occupied by the journey. A transfer at his own request should not be treated as a transfer for the public convenience unless the authority sanctioning the transfer, for special reasons which should be recorded, otherwise directs. Government servants of the last class should not be transferred save in exceptional cases in which there may be special reasons for a transfer.

Note - When a Government servant is transferred otherwise than for the public convenience, a copy of the order of transfer should be sent to the Audit Officer with an endorsement stating the reasons for the transfer. In the absence of such an endorsement, it may be assumed in audit that the Government servant has been transferred for the public convenience.

In the case of Non-Gazetted Government servants a certificate from the head of the office will be sent in lieu of the copy of the order of transfer.

¹[(1A) A Government servant who is transferred from one place to another place for the public convenience and whose family does not accompany him to the new station during the first journey shall be allowed to claim Travelling Allowance for himself either for the first journey undertaken by him to join the post at his new headquarters or for the subsequent journey which he may undertake along with the family members from the old to the new station. The category to which the Government servant belongs and his entitlement to the class of railway accommodation etc., shall, however, continue to be determined with reference to the facts as on the date of his transfer. There shall be no change in the existing procedure for grant of joining time and joining time pay on transfer. The controlling officers shall be competent to pass the Travelling Allowance claims of the Government servant who prefers the transfer Travelling Allowance claims for the second journey performed by him along with the members of his family during

1. Inserted by No. FD 71 SRS 77 dated 18-10-1978 (wef 9-11-77)

leave holidays in relaxation of rule 548 of Karnataka Civil Service Rules.]

(2) A Government servant may draw mileage allowance for a journey on transfer.

(3) (A) Unless in any case it be otherwise especially provided in these Rules, a Government servant is entitled for a journey, on transfer to the following concessions:-

I. FOR JOURNEYS BY RAIL

¹[(1) He may draw single fare of the class of accomodaton to which he is entitled.]

(2) He may draw one extra fare for each adult member of his family who accompanies him and for whom full fare is paid and one half fare for each child for whom such fare is actually paid.

Note - Children of Government servants, who are studying in Educational Institutions and who are not actually residing with their parents at the time of transfer, but later come to spend the vacation with them may be considered as members of the Government servant's family under the definition of family for purposes of travelling allowance. On transfer of the Government servants from one station to another, the usual travelling allowance for the journey of the children may be allowed provided all other conditions for the grant of travelling allowance are fulfilled.

²[(2A) If a Government servant undertakes journey, by any means of conveyance other than railway or by the class of accommodation lower than that to which he is entitled, the amount of travelling allowance payable to him shall be equal to what is admissible in accordance with sub-clause (2).]

¹[3(a) He may draw the actual cost of carriage by goods train of personal effects up to the following maximum.

Category of the Government servant	Kilograms
I	5000
II	3000
III	1500
IV	1000

1. Substituted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

2. Inserted by No. FD 8 SRA 99 dated 2.6.2000

¹[(b) Notwithstanding the maximum maundage prescribed above, Government servants whose actual pay is ²[Rs.9060] or more a month, whether possessing Family or not, are allowed, at their option, to engage a whole Railway Wagon, or to avail themselves of the facility of the Container service provided by, Railways and to draw ,-

(a) If railway wagon is engaged and the charges therefor exceed the charges for the maximum maundage prescribed for them, the minimum railway charges for a wagon and the road mileage, as admissible under sub-clause (iii) of Clause (A) II of sub-rule (3) of this Rule, for transportation of personal effects between the places of residence and railway station concerned, or

(b) If the facility of the container service is utilised, the minimum railway charges for such service or the amount admissible under (a) above, whichever is less]

Note 1:- If a Government servant carries his personal effects by passenger instead of by Goods Train, he may draw the actual cost of carriage upto a limit of the amount which would have been admissible had he taken the maximum number of maunds by goods train.

Note 2:- A Government servant who carries his personal effects by a road between stations connected by rail may draw actual expenses upto the limit of the amount which would have been admissible had he taken the same quantity by goods train. In cases where the actual expenses claimed exceed the limit mentioned above, Government may, for valid reasons, allow such claims subject to the limit of the amount which would have been admissible if the maximum number of maunds had been transferred by goods train.

Note 3:- Subject to the prescribed maximum number of maunds a Government servant may draw the actual cost of transporting personal effects to his new station from a place in the State other than his old station, (e.g., from a place where they are purchased enroute or have been left on the occasion of a previous transfer) or from his old station to a place in the State

1. Substituted by No. FD 38 SRS 79 dated 29-4-1980 (wef 17-7-79).

2. Substituted by No. FD 4 SRA 97 dated 2-6-2000 (wef 1-1-1999)

other than his new station provided that the total amount drawn including cost of transporting these personal effects, shall not exceed that admissible had the maximum admissible number of maunds been transported by goods train from the old to the new station direct.

¹Note 4:- The cost of transportation of personal effects on transfer may be allowed, subject to the maximum maundage prescribed under this rule at the "Quick Transit Service" rates, if personal effects are actually transported by such service. The certificate to the effect that the personal effects were transported by the "Quick Transit Service" and that they reached the destination within the specified period should be recorded by the claimant on the T.A. bill.]

²[(4) Provided that,-

(1) The distance travelled exceeds 120 Kilometres.

(2) The Government servant is travelling to join a post in which the possession of a conveyance is advantageous from the point of view of his efficiency; and

³[(3) Conveyance are actually carried by rail or other craft, he may draw the actual cost of transporting at owners risk conveyances on the following scales:-

Pay range	Vehicles allowed
(i) Rs.10,100 or above	A motor car or a motor cycle
(ii) Rs.4,450 or above but below Rs.10,100.	A motor cycle/scooter/moped or cycle
(iii) Below Rs.4,450/-	A cycle]

Note 1:- In the case of a motor car, the cost of transporting a Chauffeur or cleaner, may be drawn if it is actually paid and the rules of the railway on which journey is undertaken do not allow his travelling free of charge.

Note 2:- On occasions when a Government servant is authorised to convey his Motor Car/Motor Cycle by rail at the public expense, he may do so by passenger train or goods train at his option. In the former case, the actual freight charged by

1. Inserted by No. FD 81 SRS 60 dated 27-6-1960 (wef 7-7-1960)

2. Substituted by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-1971)

3. Amended by No.FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999)

the Railway may be drawn by the Government servant. In the latter case, i.e. if the car or cycle is despatched by goods train the Government servants may draw, in addition to the freight charged by the railway company the cost of packing and transporting the packed car or cycle to and from goods shed at the stations of departure and arrival, provided that the total amount so drawn shall not exceed the freight charged for transporting the car or cycle by passenger train.

Note 3:- The concession under Note (2) applies mutatis mutandis to a Government servant who carries an ordinary cycle.

Note 4:- When a Government servant transports his Motor car or Motor cycle by road under its own power between stations connected by rail, he may draw an allowance of ¹[10 paise kilometre] in respect of the Motor car and ¹[5 paise kilometre] in respect of the Motor cycle, the distance to be reckoned for the purpose of this concession being limited to the distance between the stations by rail. If the Government servant himself travels by the car or cycle he ²[may draw the fare and incidental expenses] admissible under clause (A) I (1). For any member of his family who travels by the car or cycle, the Government servant may draw the extra fare or half fare which would have been admissible under clause (A)I(2) if the member had travelled by rail.

³[The transportation allowance of 10 paise a kilometre in respect of the motor car and 5 paise in respect of the motor cycle as the case may be, is admissible in addition to the Railway fare/s admissible to the Government servant and /or his family under clause (A) I (1) and (2).]

Note 5 - When a Government servant who is transferred from a post in which the possession of a conveyance is advantageous from the point of view of his efficiency to another post in which it is not advantageous, is again transferred within a period not exceeding four months to a post in which the possession of the conveyance is advantageous from the point of view of his efficiency, he may draw the cost of its transport from the first to the last station provided that the conditions in sub-clause (4) are fulfilled and it is certified that the conveyance was possessed by him at the first station.

1. Substituted by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-1971)

2. Substituted by No. FD 44 SRS 70 dated 17-2-1971 (wef 1-4-1971)

3. Inserted by No. FD 292 SRS 58 dated 29-4-1959 (wef 7-5-1959)

Note 6 - If a Government servant possessed a conveyance at the station from which he is transferred he may draw the actual cost of transporting a conveyance from a place in the State other than his former station, provided that the amount so drawn shall not exceed the amount admissible had it been from the old to the new station direct, and provided further that the conveyance is actually transported to the new station within a reasonable time before or after the officer is transferred. ¹[In the case of a Government servant who has not possessed a conveyance in the station from which he is transferred, but purchases one and takes to the new station from some other place within six months from the date of his transfer, the above expenses may be allowed with the sanction of Government.]

²[Note 7:- When a Government servant authorised to convey his cycle at public expense, transports it by road between stations connected by rail (the distance between the two stations by rail being in excess of 80 miles) he may in addition to the maximum quantity of personal effects admissible under the rules, be allowed the actual cost of transportation of the cycle limited to the Freight charges by Passenger train. In cases where the places are not connected by rail, cycles may be transported by treating them as personal effects.]

³[I-A. FOR JOURNEY BY AIR

(i) A Government servant authorised to travel by air under Rule 487, and travelling by air on transfer between places connected by rail and/or steamer, is entitled to draw:-

(a) the air fares actually paid for himself and the members of his family;

(b) the incidental fares/expenses which would have been admissible to him had he performed the journey by rail and/or steamer.

(ii) A Government servant authorised to travel by air under Rule 487 and travelling by air on transfer between places connected by road only, is entitled to draw:-

(a) the air fares actually paid for himself and the members of his family;

1. Substituted by No. FD 19 SRS 67 dated 8-4-1968 (wef 25-4-1968)

2. Inserted by No. FD 14 SRS 63 dated 12-3-1963 (wef 21-3-1963)

3. Inserted by No. FD 46 SRS 70 dated 26-6-1970 (wef 16-7-1970)

(b) A lumpsum allowance for incidental expenses equal to half month's pay subject to a maximum of Rs.150]

II. FOR A JOURNEY BY ROAD

¹[(i) A Government servant authorised to travel by air under Rule 451, and travelling by air on transfer between places connected by rail and/or steamer is entitled to draw the air fares actually paid for himself and the members of the family.

(ii) A Government servant authorised to travel by air under Rule 451 and travelling by air on transfer between places connected by road only, is entitled to draw the air fares actually paid for himself and the members of the family.]

Note 1:- Mileage should be allowed for the distance between the Government servant's actual residence and the nearest railway station (vide Rule 463).

Note 2:- When Journeys are performed in a Motor vehicle plying regularly for conveyance of passengers he may draw three fares for himself and in addition one fare for every adult member of his family and one half fare for each child for whom such fare is payable if they accompany him.

²[Note 3 :- A Government servant may be allowed to draw mileage by road as prescribed above at the rates laid down in Rule 451 and Rule 481 provided the claim is accompanied by a certificate in the form prescribed below:-

"I certify that the road journeys for which mileage has been claimed as laid down in Rules 451 and 481 were not performed by taking single seats in any public conveyance which plies regularly for hire between fixed points and charges at fixed rates, and also that the journeys were not performed in any other vehicle without payment of its hire charges or incurring its running expenses".]

³[Note 4 :- A Government servant need not necessarily travel by public buses between places unconnected by railway.]

⁴[(iii) A Government servant on transfer shall be entitled to draw road mileage for transportation of his personal effects of the maximum permissible quantity, at the following rates between places not connected by railway:-

1. Substituted by No.FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

2. Substituted by No. FD 129 SRS 59 dated 1-6-1959 (wef 11-6-1959)

3. Inserted by No. FD 312 SRS 58 dated 21/24-2-1959 (wef 5-3-1959)

4. Substituted by No. FD 8 SRA 99 dated 2-6-2000.

Category of the Government Servent	Rate per Kilometer
I	Rs. 10
II	Rs. 6
III	Rs. 3
IV	Rs. 2

(iv) Where door to door facility is not available for transportation of his personal effects, a Government servant on transfer, shall be entitled to, road mileage, at the following rates, from the place of residence to the railway station or place of delivery of goods and vice versa-

Category of the Government servant	Rate per Kilometer
I TO IV	Rs. 30 in Municipal Corporation area and Rs. 15 in other areas

(v) If a Government servant on transfer, transports his personal effects by any route other than road, the amount reimbursable to him by Government shall be equal to the minimum of what is indicated in sub-clause (iii) and (iv).]

(B) The following explanations are given of terms employed in clause (A) of this Rule,-

(i) The term 'Personal effect' is not subject to definition, but the Controlling Officer must satisfy himself that a claim to reimbursement on account of transportation is reasonable;

(ii) The term 'Motor Cycle' includes a side car;

(iii) A member of a Government servant's family who follows him within six months from the date of his transfer or precedes him by not more than one month may be treated as accompanying him. These two limits may be extended by Government in individual cases attendant with special circumstances. If such member travels to the new station from a place other than the Government servant's old station, the Government servant may draw the actual fare for the journey made by such member by rail plus the road mileage. If any, at the rate and subject to the conditions prescribed in clause (A) II (ii), for the actual distance of the road journey performed by such member; provided that their sum shall not exceed the total mileage allowance that would have been admissible had such member proceeded from the old to the new station. For the purposes of this Rule, the grade of a Government servant should be determined with reference to the facts on the date of his transfer while the number of fares admissible should be determined with reference to the facts on the date of the journey in respect of which the travelling allowance is claimed.

¹[Provided further that in the case of transfer of a Government servant from station A to Station B and again to Station C, the interval between the first and subsequent transfer being within six months, he may draw the actual fare for the journey from station A to station C made by any member of the family subject to the conditions that the total amount claimed from station A to station B from station B to station C and from station A to station C shall not exceed the amount admissible from station A to station B plus that admissible from station B to station C.]

(iv) Tents supplied by Government are transported at the expenses of Government. Tents purchased and maintained by a Government servant himself may be transported at the expense of Government provided they do not exceed the scale prescribed below; if they exceed this scale, the excess may be treated as a part of personal effects.

² [Pay Range	Maximum weight of tents to be Carried free of charge (in kilograms).
(i) Rs. 10,100 or above	1,500
(ii) Rs. 4,450 or above but below Rs. 10,100	1,000
(iii) Below Rs.4,450	500]

(v) A Government servant who claims higher travelling allowance on the ground that members of his family accompanied him on transfer must support his claim by a certificate showing the numbers and relationship of such members.

(vi) A Government servant claiming the cost of transporting personal effects must support his claim by a certificate that the actual expense incurred was not less than the sum claimed. He should state in the certificate the weight of personal effects actually paid for their transport separately by rail, or road.

³[xxx]

1. Inserted by No. FD 20 SRS 62 dated 14-8-1962 (wef 23-8-62)

2. Substituted by No. FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999)

3. Deleted by No. FD 83 SRS 79 dated 3-8-1976 (wef 20-7-78).

¹[(vii) A Government servant shall be entitled to draw travelling allowances on transfer in accordance with his eligibility calculated on permissible basis, without production of vouchers and certificates.]

Note 1 - Charges of the transport of personal effects of a Government servant on transfer may be admitted in audit if they do not for good and sufficient reasons accompany him but are carried within a ²[period of six months] before or after the date of his journey on transfer.

Note 2 - The principle of Rule 462 (d) should be applied in cases of transport of Motor Car by a Government servant on transfer even if the Government servant and his car take different routes.

Note 3:- When the family of a Government servant on transfer precedes or follows him and proceeds to a station other than the Government servant's new head-quarters, the period of one month or six months as laid down in this Rule should be reckoned from the date of the Government servant's handing over charge at his old station. If however, the family precedes to his new headquarters, the above limits should be calculated with reference to the date of his taking over charge at the new station.

Note 4:- The authority competent to allow Government servants the concession laid down in Rule 532 (3) (A) 1 (4) (2) will be the Heads of Departments. The Government do not consider it necessary to prepare lists of appointments, the holders of which may be admitted to the concession. Any case, in which it is found that the privilege has been abused, should be brought to the notice of the Government.

³[In the case of Heads of Departments and other Government servants specified in Appendix-V, the certificate that the possession of conveyance at the new station is advantageous to them from the point of view of efficiency may be recorded by them on their own Travelling Allowance bills and the same may be accepted in Audit.]

Note 5.- A reference to family has been omitted deliberately from this rule in view of the provision relating to

1. Substituted by No. FD 8 SRA 99 dated 2-6-2000

2. Substituted by No. FD 206 SRS 68 dated 28-2-1969.

3. Inserted by No. FD 93 SRS 67 dated 22-1-1968 (wef 8-2-1968)

actual payments in the rule. The intention is that if the family travels in a lower class of accommodation the words 'actually paid' in the rule should be taken to cover only fares of the class of accommodation actually used.

Note 6:- Claims preferred under this Rule for the carriage of personal effects should be admitted in all cases at the lowest available rates for 'smalls'.

'Smalls' are defined as goods which of themselves do not constitute a working load for the unit of railway transport, the wagon. The minimum load constituting a wagon load is specified by each of the Railways who quote refused rates for wagon loads, in their tariffs.

Note 7:- In cases where a Government servant is transferred from Station 'A' to 'B' and again transferred within a reasonable short time to Station 'C', he may be allowed under clause 3 (A) I (3) of this rule to recover the cost of carriage of personal effects from Station 'A' to Station 'C', subject to the conditions.-

(1) that the total weight carried from Station 'B' to Station 'C' and from Station 'B' to Station 'C' does not exceed the maximum limits prescribed in the rule and

(2) that the total cost of transporting the effects from station 'A' to Station 'B' from Station 'B' to Station 'C' and from station 'A' to Station 'C' does not exceed the amount admissible from Station 'A' to Station 'B' plus that admissible from Station 'B' to Station 'C'.

Note 8:- When a Government servant transports more than the maximum maundage admissible under clause 3 (A) I (3) by a cheaper route, he can draw actual charge not exceeding the amount admissible for the maximum maundage by the normal recognised route.

Note 9:- There is no objection to a Motor car being deemed a part of personal effects (vide clause 3 (A) I (3) of the rule) in cases where an officer is not entitled to its free transport in addition to personal effects.

Note 10:- The limit upto which the actual cost of transporting his personal effects by goods or passenger train or by both from and to the various qualifying stations may be drawn by a Government servant under clause 3(A) I (3) of this rule is the maximum amount admissible under the main rule read with Note 1 thereto.

¹[Note 11 :- xxx]

²[532-A. A Government servant transferred from one post to another who under the orders of competent authority is permitted to hand over charge of his old post or to take over charge of the new post at a place other than the headquarters is entitled to-

(i) Travelling allowance as on tour from the place of handing over charge to the place of taking over;

(ii) The difference between travelling allowance admissible for a journey on transfer and travelling allowance admissible for a journey on tour from his old to his new headquarters;

(iii) All the further concession admissible under rule 532 (3)(A) I and II in respect of a transfer from the old to the new headquarters, excluding those in clause I (i) and clause II (i) thereof.

For the journeys from his old headquarters to the place of handing over charge or from the place of taking charge to his new headquarters without returning to his old, is entitled for journeys on tour.

532-B. A Government servant whose headquarters are changed while he is on tour ³[or training] and who proceeds to his new headquarters without returning to his old, is entitled to-

(i) Travelling allowance as on tour for his journey up to new headquarters.

(ii) The difference between travelling allowance admissible for a journey on transfer and travelling allowance admissible for a journey on tour from his old to his new Headquarters.

(iii) All the further concessions admissible under Rule 532(3)(A) I and II in respect of a transfer from the old to the new headquarters, excluding those in clause I (i) and clause II (i) thereof.]

1. Deleted by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-1971)

2. Inserted by No. FD 116 SRS 59 dated 9- 11-1959.

3. Amended by No. FD 39 SRS 60 dated 8-7-1960 (wef 14-7-1960)

¹[532-C. In cases where both husband and wife are in the employment of Government and are transferred at the same time or within six months of his/her transfer from one and the same old station to one and the same new station, transfer travelling allowance will not be admissible to both of them as independent Government servants. Either of them may claim transfer travelling allowance, the other being treated as member of his/her family not in the employment of Government.]

²[Note:- Each claim for transfer travelling allowance under the above Rule should be supported by the following certificate:-

‘Certified that my wife/husband who is employed under Government and who has been transferred from..... to..... within six months of my transfer has not already claimed any Transfer Travelling Allowance in consequence of her/his transfer.’]

533. If the family of a Government servant, in consequence of his transfer, travels to a station other than the new headquarters, travelling allowance for the journey of the family may be drawn subject to the condition that it does not exceed the travelling allowance that would have been admissible if the family had proceeded to the new headquarters station.

534. A Government servant appointed to a new post while in transit from one post to another is entitled to draw travelling allowance under this section for so much of the journey on transfer as he has accomplished when he receives the fresh orders and for the journey from the place at which he receives such orders to his new station.

535. A Government servant who goes on leave, not exceeding ³[six months] after he has given over charge of his old post and before he was taken charge of his new post is entitled, whether the order of transfer is received before or after the commencement of his leave to travelling allowance under this section, as for a journey from his old to his new post.

Note:- The provisions of Note 3 to Clause 3(A)1(3) and of Note 6 of Clauses 3 (A) 1 (4) of rule 532 apply here also.

1. Inserted by No. FD 256 SRS 59 dated 22-12-1959 (wef 7-1-1960)

2. Inserted by No. FD 77 SRS 60 dated 24-5-1960 (wef 2-6-1960)

3. Substituted by No. FD 13 SRS 63 dated 5-3-1963 (wef 21-3-1963)

536. A Government servant who takes leaves exceeding ¹[six months] while in transit from one post to another may draw travelling allowance under this rule for so much of the journey to join the new post as he has accomplished before the order granting his leave is received, in addition to any allowance admissible under rule 537.

²[537. When on return from leave exceeding ¹[six months], a Government servant is posted to a headquarters, other than that at which he was stationed when he went on leave, the Controlling Officer may permit him to recover the travelling allowance under Rule 532 (3) (A) I (3) and (4) and II (ii) (i.e., actual cost of carriage of personal effects and of transporting conveyance by rail and road) as for a journey from his old to his new station. The travelling allowance for the journeys of the Government servant and the members of his family is not admissible.]

³[Exception:- Government servants deputed abroad on Study Leave Concessions contemplated in Appendix II shall on return from study leave, be entitled to transfer travelling allowance under the normal rules when they are posted to headquarters other than those at which they were stationed at the time of proceeding abroad.]

538. When a Government servant under the administrative control of the Government of Karnataka is transferred to the control of another Government, which has made rules prescribing the amounts and conditions of travelling allowance, his travelling allowance for the journey to join his post under that Government and for the return journey will be governed by the rules of that Government regulating travelling allowance on transfer.

Note:- The Controlling Officer for the purposes of travelling allowance for the journey of a Government servant to join his post under a borrowing Government as well as for the return journey will be the Controlling Officer in regard to his post under that Government.

539. The travelling allowance of a Government servant both when proceeding on transfer to foreign service and when

1. Substituted by No. FD 13 SRS 63 dated 5-3-1963 (wef 21-3-1963).

2. Substituted by No. FD 6 SRS 59 dated 18-2-1959 (wef 26-2-1959)

3. Amended by No. FD 29 SRS 65 dated 19-8-1965.

reverting to duty under Government shall be borne by the foreign employer.

Note:- The rule above applies even in cases in which a Government servant in foreign service takes leave immediately before returning to duty under Government.

¹[539-A(1). A Government servant on transfer in public interest involving change of headquarters from one station to another station, shall be allowed to draw a lumpsum as transfer grant as follows :-

Category to which Government servant belongs	Transfer Grant from 1.9.1994	
	Within District	Outside District
I	1200	2000
II	900	1500
III	600	1000
IV	300	500

(2) No transfer grant shall be granted when the transfer is on the request of the Government servant.

(3) The transfer grant is part and parcel of the transfer TA claims of the Government servant. The transfer grant can be drawn on the TA bill as advance TA. The entries with regard to the TA advance and transfer grant drawn in the old office may be made not in the Service Register, but in the Last Pay Certificate issued on the basis of which the new office can verify the claims in the final TA Bill produced in the new office.

(4) The main purpose of allowing transfer grant is to equip the Government servant for bearing the expenses which arise immediately before the commencement of the journey and hence it has to be paid in the old station itself.

(5) No transfer grant is available to a Government servant who is transferred in public interest from one office to another office in the same station.”]

1. Inserted by No. FD 1 SRA 97 dated 23-4-1998 (wef 15-10-1998)

**CONVEYANCE AT GOVERNMENT EXPENSE OF FAMILIES
AND PERSONAL EFFECTS OF GOVERNMENT SERVANTS
WHO DIE WHILE IN SERVICE.**

540.(1) The following concessions will be admissible to members of the families of Government servants who die while in service provided the journey is completed within six months after the death of the Government servant.

¹[(2) Travel expenses will be admissible by the shortest route from the last headquarters of the Government servant to the place where his family decides to draw Family Pension through Treasury/Bank.]

(3) The amount of travel expenses payable to the members of the family will be-

(a) For Journey by rail: -

(i) Actual fare (without the incidentals) of the class of accommodation to which the deceased Government servant was himself entitled, for each member of family;

(ii) Actual cost of transportation of personal effects on the scale as admissible under Rule 532.

(b) For Journey by road:-

²[(i) Single mileage at the rate applicable for a journey on tour under rule 451, irrespective of the number of members of the family;]

(ii) Actual cost of transportation of personal effects on the scale as admissible under Rule 532.

²[Note:- The amount of travelling allowance admissible under this sub-rule shall be paid in the order of precedence given below:

(i) The surviving widow or the eldest among them if there be more than one surviving widow (not being a minor) if the deceased Government Servant was a male officer, or the husband, if the deceased was a female officer.

(ii) The eldest surviving (dependent) child of the deceased Government Servant provided that he/she has attained the age of majority:

1. Substituted by No.FD 55 SRS 88 dated 29-3-1989 (wef 25- 5-89).

2. Inserted by No. FD 23 SRS 63 dated 30-3-1963 (wef 11-4-63).

(iii) Any person who, in the opinion of the Head of Office, is fit to receive payment on behalf of the minor(s) subject to the execution by such person of a bond, duly signed by two sureties, agreeing to indemnify Government against any subsequent claim, provided that such a bond may be dispensed with when payment is made to a legal guardian.

The amount may be drawn on Travelling allowance Bill (Non-Gazetted establishment) in Form K.F.C. 29 by the Head of the Office under whom the deceased Government servant last served.

The certificates usually obtained from Government Servants in support of transfer T.A. claims regarding class or accommodation used, use of express/mail trains, dependency and relationship of the family members, actual expenses on the transfer of personal effects etc., may be obtained from the claimant in support of the claim.]

¹[(4) xxx]

(5) The provisions of this Rule shall not apply to-

(a) Government servants engaged on a contract and those who are not in the whole time employment of Government;

(b) Government servants paid out of contingencies;

(c) Government servants who die while on leave preparatory to retirement;

(d) Retired Government servants who have been re-employed;

(e) Temporary Government Servants who have not rendered three years continuous service.

1. Substituted by No.FD 55 SRS 88 dated 29-3-1989 (wef 25- 5-89).

CHAPTER XXXI - OTHER JOURNEYS

SECTION I - JOINING FIRST APPOINTMENT

Allowance when Admissible

541. Travelling Allowance is not ordinarily granted to any person for the journey to join a first appointment in the Government service; but when a person is entitled to travelling allowance for joining a first appointment, he is treated as if he had already joined such appointment.

542. In the following cases, travelling allowances are admissible:-

Any person appointed to the Public Works Department, Medical or any other department in any capacity requiring technical skill or knowledge, for which he has been specially trained may be allowed, with the sanction of Government, travelling allowance for joining his first appointment in such department.

Note:- Under this clause, travelling allowance may be granted with the sanction of Government to a student at a Normal School or Technical Institution for the journey to and from such School or Institution at the rate allowed for Non-Gazetted Government servants.

543. The grant of travelling allowances, under the two preceding rules, for joining first appointments and the rates at which such allowances are to be passed are purely matters within the discretion of Government and ordinarily a single fare for Railway journey and mileage at half the usual rates are alone admissible.

Journey by Sea

544. Government may grant a free passage, for so much of the journey to join an appointment as is performed by sea, to any persons appointed to an office which he cannot join except by sea.

Pensioner Re-employed

545. A pensioner or a Government servant thrown out of employment by reduction of establishment or abolition of appointment, may be allowed, with the sanction of Government, travelling allowance for the journey to take up a new appointment.

SECTION II - JOURNEYS TO ATTEND EXAMINATIONS

Departmental Examinations

¹[546. (1) A Government servant who is required to pass the Kannada Language Examination or any service examination prescribed under the Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974 for earning increments/confirmation in the post held by him or for getting promotion to a higher post, shall be eligible for travelling allowance for the first two attempts for each such examination for the journey from his headquarters to the nearest Examination Centre and back, irrespective whether the Government servant appears for the whole examination or a particular part or parts comprised therein:

Provided that in the case of a Government servant who is required to pass the Subordinate Accounts Service Examination or Treasury Head Account's Examination, the travelling allowance for the journey from his headquarters to the nearest examination centre and back shall be admissible for the first three attempts.

(2) No incidental charges or daily allowance shall be admissible to a Government servant for the journey period or halts during the above examinations.]

547. If a candidate appears to have culpably neglected the duty of preparing himself for an obligatory Departmental Examination during the period available for the purpose, the Head of the department may disallow the travelling allowance to which he would otherwise have been entitled under the preceding rule.

SECTION III - JOURNEYS OCCASIONED BY LEAVE OR RETIREMENT

Generally Inadmissible

548. Save as provided in this Section, a Government servant is not entitled to travelling allowance for a journey-

- (i) on proceeding on leave;
- (ii) on re-joining from leave;
- (iii) during leave of any kind;

1. Substituted by No. FD 89 SRS 83 dated 7-2-1984 (w e f 8-3-1984)

(iv) on ¹[xxx] dismissal from the public service.

Note 1: - A Government servant who takes any kind of leave under proper authority in the course of a tour is not thereby debarred from drawing the travelling allowance admissible to him for the return journey to headquarters from the place where he availed himself of the leave. The orders of Government regarding the above travelling allowance will be passed at the time when sanction to transfer of charge is accorded.

²[Note 2:- The Travelling allowance of a Government servant who during the period of his refused leave running concurrently with re-employment under Government is required to travel on Government duty, should be regulated by the pay and grade of the post which he held immediately before proceeding on refused leave even though his pay in the re-employed post together with leave salary in respect of refused leave may be less than the pay of the post held by him prior to the commencement of the refused leave.)

Exception:- A Government servant on leave for a period not exceeding four months is entitled to travelling allowance for a journey undertaken for the purpose of passing an obligatory Departmental Examination provided he is otherwise eligible, calculated either from the place where he was last on duty or from the place where he is residing, whichever would give him less travelling allowance. If the place where the Government servant was last on duty is also one of the centres where the examination is held no travelling allowance will be admissible under this Rule.

¹[548-A.(1) The Government servant and members of his family shall on his retirement be entitled to the travelling allowance in respect of journey by the shortest route from the last station of his duty ³[to the place where Government servant on retirement decides to draw pension through Treasury or Bank) and of the transportation of his personal effects between the same places at the following rates,-

1. Amended by No. FD 65 SRS 70 dated 6-10-1977 (wef 17-11-77).

2. Inserted by No. FD 309 SRS 58 dated 16/17-2-1959 (wef 26-2-59)

3. Substituted by No. FD 55 SRS 88 dated 29-3-1989 (wef 25-5-89)

(a) For journeys by rail and/or Steamer:-

(i) Actual fares, including the tax on fares, of the class of accommodation to which the Government servant was entitled on the date when he was last on duty, in respect of himself and members of his family as defined in sub-rule (16) of rule 8 for purposes of transfer travelling allowance. No allowance for incidental expenses are admissible.

(ii) Actual cost of transportation of personal effects on the scale admissible under rule 532 (3) (A) I (3).

(b) For journeys by road:-

¹[(i) Single mileage at the rate admissible for a journey on tour under Rule 541, irrespective of the number of members of the family.]

(ii) Actual cost of transportation of personal effects on the scale admissible under Rule 532 (3) (A) 1 (3).

(c) For journeys partly by one mode of travel and partly by another:- As admissible under clauses (a) and (b) in so far as they are respectively admissible.

Note 1:- The actual cost of transporting a Motor Car or other conveyance maintained by the Government servant before his retirement is not reimbursable under these Rules, but the motor car or the conveyance may be treated as part of the personal effects for the purpose of application of the scale referred to in clauses (a) to (c).

Note 2:- No mileage allowance will be admissible for journey between residence and the railway station or bus terminals, as the case may be, at either end.

(d) For journeys performed in the officer's own Car or in a private Car between stations connected by Rail/Steamers :- As admissible under clause (b), limited to Railway/Steamer are admissible under clause (a).

²[xxx]

²(2) xxx]

1. Amended by No. FD 65 SRS 70 dated 6-10-1977 (wef 17-11-77).

2. Deleted by No. FD 55 SRS 88 dated 29-3-1989 (wef 25-5-1989)

(3) The travelling allowance under this rule is admissible to :-

(i) All Government servants who retire on superannuation pension, retiring pension, invalid pension or compensation pension and it is not admissible to those who resign or who are dismissed or removed from service.

(ii) The Government servants who are retrenched from service without being offered an alternate employment provided they have put in a qualifying service of not less than ten years.

(iii) the Government servant who is re-employed in the State Government service while on leave preparatory to retirement or within six months of the date of retirement.

(4) In the case of Government servant who availed of a leave travel concession during a period of one year before the date of availing travelling allowance under this rule, the amount of travelling allowance as admissible under sub-rule (1) shall be reduced by the amount reimbursed to him on account of leave travel concession. The amount to be so deducted shall be the amount paid to him in respect of only the forward journey or journeys to the home town performed by himself and/or the members of his family during the period mentioned above. The controlling officer at his discretion may however "waive" such deduction in respect of leave travel concession availed of by the Government servant himself during the period of one year mentioned above. If owing to the exigencies of public service, he was not able to avail of the concession on the last occasion preceding the same period. No deduction in this behalf shall be made in cases of invalidation from service.

(5)(i) The travelling allowance admissible under this rule shall be claimed by the Government servant who is eligible for the same, at any time during his leave preparatory to retirement or refused leave or within six months of the date of his retirement, as the case may be.

(ii) A member of the Government servant's family who does not actually travel with him, but who precedes him by not more than one month or follows him within six months, from the date the Government servant commenced his journey, shall be treated as accompanying him for the purpose of this rule. These time limits may on merits be extended by the Administrative Department of the Secretariat upto one year in individual cases having regard to special circumstances of each case.

No member of the family of the Government servant will be entitled to Travelling allowance unless the Head of the family, (the Government servant) moves to ¹[the place where he decided to draw pension through Treasury/Bank.]

(iii) The time limits and extension of the same as admissible under clause (ii) of this sub-rule may also be allowed in respect of transportation of personal effects.

(6) The claims for travelling allowance admissible under this Rule shall be preferred on travelling allowance bill forms like leave travel concession claims and countersigned by the controlling officer who was countersigning Travelling Allowance bill of the concerned Government servant before his retirement. The claims of officers who were their own controlling officers before retirement may be countersigned by the next superior administrative authority. The certificates required to be furnished in respect of leave travel concession claims may be furnished in respect of claims for travelling allowance under this rule with suitable adjustments. The Government servants claiming travelling allowance under this rule should also produce vouchers or ticket numbers in support of the journeys actually performed and transportation or personal effects.

(7) The provisions of this Rule are not applicable to the persons who -

(i) are not in whole time employ of the State Government or engaged on contract;

(ii) are born on workcharged establishment;

(iii) are paid from contingencies;

(iv) are eligible for an other form of travel concession on retirement, and

(v) are compulsorily retired as a measure of punishment or removed or dismissed from service or have quit the service by resignation.]

Travel Concession to Government Servants during Regular leave

549. Assistance to the extent laid down below may be granted to Government servants during regular leave-

1. Substituted by No. FD 55 SRS 88 dated 29-3-1989 (wef 25-5-1989)

(1) ¹[xxx] The concession will be admissible to Government servants of all grades serving in connection with the affairs of the Government of Karnataka, once in a period of two calendar years for visiting their homes. It will cover all Government servants and their families as defined in clause (5) below. The families need not necessarily accompany the Government servants but may precede or follow them ²[during the same block period of two years]. For purposes of deciding the number of occasions the qualifying journeys made by a Government servant and his family will be viewed as one.

³[Note 1: - The term "once in a period of two calendar years" means once in each block of two calendar years commencing from the year 1958. Thus the blocks will be 1958- 59; 1960-61; 1962-63 and so on]

⁴[Note 2:- The concession is admissible to the member of the family of a Government servant with reference to the facts existing at the time of forward and return journeys independently. The following types of cases are by way of illustration;

1. Entitled to reimbursement In respect of the outward journey only:- (i) A dependent son/daughter getting employment after going to home town or remaining there for prosecution of studies.

(ii) The family having performed the journey to home town have no intention of completing the return journey from home town provided the Government servant forgoes in writing the concession in respect of the return journey if performed by the family members at a subsequent date.

II. Entitled to reimbursement in respect of return journey only:- (i) A newly married wife coming from home town to headquarters station or a wife who has been living at 'home town' and did not avail herself of the leave travel concession in respect of the outward journey.

(ii) A dependent son/daughter returning with parents or coming alone from home town where he/she has been prosecuting studies or living with grand parents. etc.,

1. Amended by No. FD 112 SRS 70 dated 4-2-1971 (wef 25-2-1971)

2. Substituted by No. FD 73 SRS 74 dated 4-11-1974 (wef 12-12-1974)

3. Inserted by No. FD 118 SRS 66 dated 22-4-1967 (wef 4-5-1967)

4. Inserted by No. FD 54 SRS 67 dated 18-9-1967.

(iii) A child who was previously below three/twelve years of age but has completed three/twelve years of age only at the time of return journey.

(iv) A child legally adopted by a Government servant while staying in the "home town"].

¹[Note 3: - The term 'once in a period of two calendar years' in relation to the liberalised rules means once in each block of two calendar years commencing from the year 1970. Thus the block will be 1970-71; 1972-73; 1974-75 and so on.]

¹[(2) xxx]

(3) ¹[Government shall meet the cost of actual fares as specified in sub-rule (11) for each of the outward and return journeys from the headquarters of a Government servant to his Home Town by the shortest route.] In every case the journey should be to the 'Home' and back, but it need not necessarily commence from or end at the headquarters of the Government servant either in his own case or in the case of the family. But the assistance admissible will be the amount admissible for the actual distance travelled limited to the amount that would have been admissible has the journey been performed between the headquarters and the 'home' of the Government servant.

(4) The term home referred to in this Rule shall be permanent home town or village as entered in the Service Book or other appropriate official record of the Government servant concerned, or such other place as has been declared by him, duly supported by reasons (such as, ownership of immovable property, permanent residence of near relatives, for example parents, brothers, etc.,) as the place where he would normally reside but for his absence from such a station for service in Government. Persons 'displaced' from territories now part of Pakistan or those who have recently acquired an Indian domicile or those who have not so far declared their homes for any purpose in correspondence with Government for example, service records, application for house building advances, etc., should now make a formal declaration. In every case the declaration should be made to the authority who has been declared to be the Controlling Officer in respect of the Government servant,

1. Amended and deletion by No. FD 112 SRS 70 dated 4-2-1971 (wef 25-2-1971)

for purposes of travelling allowance claims. It should reach that authority ¹[not later than 31st March 1959] or on a date prior to the availing of the concession under this Rule whichever is earlier date. In the case of a Government servant on foreign service the period of six months shall be reckoned from the date of his reversion to Government service unless the concession is extended to him during his foreign service, in which case a declaration shall be made within six months of the date on which it is decided to extend the concession to him.

Persons who enter Government service ¹[after 30th September 1958] should make such a declaration before the expiry of six months from the date of entry into service.

The declaration will be subject in each case to the acceptance of the Controlling Officer who shall satisfy himself about the correctness thereof after calling for such evidence as he may consider necessary.

In the case of non-gazetted staff, the declaration will be kept on the Service Book or other appropriate service record of the Government servant. In the case of Gazetted Officers the Controlling Officer shall forward the declaration after due verification to the Accounts Officer concerned who shall keep them with the Officer's History of Service.

A declaration of 'home' once made shall ordinarily be treated as final, but in exceptional circumstance the Head of the Department or if the Government servant himself is the Head of the Department, the Administrative Department of Government may authorise a change in such declaration, provided that such change shall not be made more than once during the service of Government servant.

²[Note 1:- In the absence of a specific declaration of any place as 'home' under this sub-rule, the House, Town or village as entered in the Service Books or any other appropriate official record of the Government servant concerned may be treated as 'Home' for purpose of this Rule.]

1. Substituted by No. FD 14 SRS 59 dated 6-3-1959 (wef 1-4-58)

2. Inserted by No. FD 72 SRS 68 dated 13-5-1968 (wef 20-6-68)

¹[Note 2:- The Government servants whose home town is at a distance of less than ²[400 kilometres] may make declaration as to their home town in the manner prescribed in this sub-rule ³[before the end of March 1972].

⁴[(5) The term 'family' means a Government Servant's wife/ husband residing with him/her and legitimate children and step children residing with and wholly dependent on her/him. Not more than one wife is included in a family for the purpose of these rules. Where the wife/husband is also a Government servant, the concession will be admissible to the family on the scale admissible to the husband or the wife and not both. Where the wife/husband is a servant of the Central Government or any other State Government or any Statutory Body, the concession will be admissible to the family only on the scale admissible either to the husband or the wife under the rules governing his or her services.]

(6) The concession is not admissible to a Government servant who has not completed one year of continuous service on the date of journey performed by him or his family as the case may be.

(7) The concession will be admissible only in the case of journey performed by the Government servant during regular leave including medical leave, leave on average pay, earned leave, leave on half average pay or extra-ordinary leave ⁵[and also in the case of journeys performed during Casual Leave.] ⁶[and General holidays]. In the case of a Government servant serving in a Vacation Department, vacation will be treated as regular leave for the purpose of this concession.

⁷[The concession will be admissible to the members of the family of the Government servant even if he does not proceed on leave.]

(8) In the event of the return journey falling in the ⁷[succeeding block period] the concession should be counted ⁷[against the block period] in which the outward journey commenced.

1. Amended by No. FD 112 SRS 70 dated 4-2-1971 (wef 25-2-71).

2. Amended by No. FD 10 SRS 71 dated 15-7-1971 (wef 1-4-71).

3. Substituted by No. FD 238 SRS 71 dated 28-12-1971 (wef 25-2-71)

4. Substituted No. FD 75 SRS 74 dated 7-7-1975 (wef 7-8-75)

5. Amended by No. FD 10 SRS 78 dated 22-1-1980 (wef 28-12-1978)

6. Inserted by No. FD 2 SRA 98 dated 29-10-1998 (wef 10-12-1998)

7. Amended by No. FD 73 SRS 74 dated 4-11-1974 (wef 12-12-74)

¹[(9) xxx]

²(10) xxx]

³(11)(i) A Government servant and/or his family may undertake journeys to and from the Home Town either by railway or by bus. The liability of Government for bearing the expenses incurred on the journeys shall be determined with reference to the shortest route or the cheapest route and restricted to-

(a) single fare of the class of accommodation to which the Government servant is entitled under Rule 451 for himself and each member of his family or the class of railway accommodation in which the journey has been actually performed, whichever is less, ⁴[and if a Government servant who is entitled to travel by Airconditioned class, under rule 451, travels by that class, the claim shall be restricted to the First Class fare.] or

(b) single bus fare for himself and each member of his family.

(ii) A Government servant may undertake journeys to and from the home town partly by railway and partly by bus or use any other mode of conveyance during the journey. In such cases he shall be entitled to reimbursement of travel expenses as follows :-

(a) If between places connected by railway, journeys to visit his Home Town are performed by a Government servant and/or his family by Taxi or owned conveyance or private conveyance the liability of Government for bearing the expenses incurred on the journeys shall be restricted to-

(i) railway fare as determined with reference to the shortest route, of the class of accommodation, to which the Government servant is entitled under Rule 451 of Karnataka Civil Services Rules, for himself and the members of his family, or

(ii) single mileage as determined with reference to the shortest route, at the rate admissible for a journey on tour under rule 451, read with Rule 481 irrespective of the number of members of the family, or

(iii) the taxi fare actually paid, whichever, is less.

1. Amended by No. FD 73 SRS 74 dated 4-11-1974 (wef 12-12-74)

2. Amended by No. FD 112 SRS 70 dated 4—2-1971 (wef 25-2-71).

3. Amended by No. FD 10 SRS 71 dated 22-1-1980 (wef 28-12-1978)

4. Inserted by No. FD 8 SRA 99 dated 2-6-2000.

(b) If between places not connected by railway, journeys to visit his Home Town are performed by a Government servant and/or his family by Taxi or owned conveyance or private conveyance the liability of Government for bearing the expenses incurred on the journeys is restricted to-

(i) single mileage as determined with reference to the shortest route, at the rate admissible to the Government servant for journey on tour under Rule 451 read with Rule 481 irrespective of the number of members of the family, or

(ii) the actual taxi fare paid, whichever is less.

(c) If between places connected partly by railway and partly by road, journeys to visit his home town are performed by a Government servant and/or his family by Taxi or owned conveyance or private conveyance the liability of Government for bearing the expenses incurred on the journeys are limited to-

(i) What is indicated at (a) above between places connected by railway, and

(ii) what is indicated at (b) above between places not connected by railway.

Exception:- Single air fare, if the Government servant is entitled to travel by air for journeys on duty, shall be allowed provided the claims for performance of journey by air are found to be less than those for performance of journey by air-conditioned class of accommodation in railways, admissible as per rules and available particularly on the days on which journey by air is performed and air fare is claimed therefor.

Note 1:- In cases where mileage allowance or taxi fare is claimed under sub-rule (11), vouchers for the purchase of petrol and oil or vouchers for the payment of taxi fare shall be produced in evidence of their having actually performed journey; but the claims need not be limited to petrol and oil charges only.]

¹[(12) A Government servant drawing a pay of Rs. 10100 or above may after obtaining the specific and prior approval of the competent authority undertake journey in his own car namely, by Car registered in his own name, for journey to Home town between places connected by Railway under the scheme of travel concession for journey to Hometown and claim (a) first class railway fare for himself and the members of his family or (b) single mileage at Rs. 3/ per kilometer by the shortest direct route, irrespective of number of members of his family whichever is less.]

²[(13) xxx]

(14) xxx]

1. Inserted by No. FD 4 SRA 99 dated 2.6.2000

2. Deleted by No. FD 112 SRS 70 dated 4-2-1971 (wef 25-2-71).

¹[Exception: - Subject to the provisions of sub-rule (1) of this rule, in the case of the Trade Agent for the Government of Karnataka in London and his family, Government shall meet the actual air fare from London to the place of landing in India and back and actual railway fare of the class to which the Trade agent is ordinarily entitled from the place of landing in India to the Home Town and back.]

²(549-A:- xxx]

550. The concessional rates if any, allowed by the Railways in such cases should be availed of the Government servant ³[will be reimbursed the actual railway fare,] they have paid for themselves and their families ⁴[xxx] on presentation of claims in T.A. Bill forms on the usual certificate that they actually performed such journeys and travelled by the class of accommodation not lower than that for which reimbursement of fare is claimed. The Government servants should inform the Controlling Officer before journeys for which assistance under this scheme will be claimed are undertaken. They should also produce evidence of their having actually performed the journey for example serial numbers of Railway tickets, ⁴[Air tickets, Bus tickets,] Cash Receipts, etc.

⁵[Note:- In cases where taxi fare is claimed under sub-rule (11) of Rule 549, vouchers for the purchase of petrol and oil or vouchers for the payment of Taxi fare shall be produced in evidence of their having actually performed the journey; but the claims need not be limited to petrol and oil charges only.]

551. A Record of all assistance granted under these orders shall be suitably maintained. In the case of Gazetted Officers, the record will be maintained by the Accounts Officers concerned. In the case of non-Gazetted staff, the record should be in the form of entries in the Service Book or other appropriate Service records and should indicate the date or dates on which the journey or journeys to the "Home" commenced. The authority responsible for the maintenance of the service record

1. Inserted by No. FD 119 SRS 57 dated 29-1-1968 (wef 15-2-68).

2. Deleted by No. FD 7 SRS 90 dated 6-6-1990 (wef 28-6-90).

3. Amended by No FD 161 SRS 67 dated 17-4-1968 (wef 23-5-68).

4. Amended by No. FD 112 SRS 70 dated 4-2-1971 (wef 25-2-71).

5. Inserted by No. FD 157 SRS 71 dated 9-10-1973 (wef 1-11-70).

shall ensure that on every occasion a Government servant proceeds on leave which is entered in the record, the fact whether or not he availed of the travel assistance under these orders is indicated.

552. These orders will not apply to persons who are :

- (i) not in the whole time employment of Government;
- (ii) paid from contingencies;
- (iii) borne on work charged establishment;
- (iv) industrial employees;
- (v) eligible for any other form of leave travel concession;
- ¹[(vi) Local Candidates whose services have not been regularised;]

553. These rules shall take effect from 29th October, 1957 and will cover journeys commenced on or after that date.

²[The liberalised rules shall take effect from the first day of November, 1970 and shall cover journeys commenced on or after that date.]

³[The rules regarding the Leave Travel Concession for journey to any place in India shall take effect from the 28th December, 1978 and shall cover journeys commenced on or after that date.]

⁴[553-A. ³[A journey on leave travel concession other than leave travel concession for journey to any place in India may be combined with a journey on transfer or with a journey on tour, the combined claims being regulated as indicated below]:-

(i) When a journey on leave travel concession is combined with a transfer, journey i.e., a Government servant going to Home town on regular leave proceeds therefrom on transfer to the new headquarters, he may be allowed as his minimum entitlement transfer travelling allowance under Rule

1. Inserted by No. FD 4 SRS 73 dated 18-3-1975 (wef 3-2-1973)

2. Inserted by No. FD 112 SRS 70 dated 4-2-1971 (wef 25-2-1971)

3. Amended by No. FD 10 SRS 78 dated 22-1-1980 (wef 28-12-1978)

4. Inserted by No. FD 117 SRS 60 dated 5-12-1960 (wef 15-12-1960)

535 or Rule 537 as the case may be. ¹[He may be allowed in addition, leave travel concession under the rules to the extent the distance from the old headquarters to home town and from home town to the new headquarters exceeds the distance for which transfer travelling allowance is admissible.]

In cases where the distance for which leave travel concession would be admissible as above is negligible, it will however, be open to the Government servant not to avail of the leave travel concession at all, he being permitted to avail of it on some other occasion within the block period, subject to other conditions being fulfilled.

The option has to be, exercised in respect of self and the members of the family at the time of preferring claim for transfer travelling allowance.

(ii) When a Government servant proceeding with proper prior permission to home town on regular leave from a tour station returns to headquarters direct from home town, T. A. as on tour may be allowed for the journey from the headquarters to the tour station from which Government servant proceeds to home town and leave travel concession for the journey from tour station to home town and back to headquarters deeming the tour station as the starting point for the onward journey; ²[xxx]

(iii) When a Government servant proceeding to a tour station from home town with proper prior permission, returns to headquarters therefrom, leave travel concession as admissible under the Rules may be allowed from headquarters to home town and travelling allowance as on tour for the journey from hometown to tour station and back to headquarters.]

³[553-B: - (1) A Government servant shall be eligible for travel concession for journey to any place in India in accordance with the provisions of this rule.

(2) The concession shall be admissible to a Government servant only once during his entire service.

(3) The concession shall be admissible to a Government servant who has completed a continuous service of not less than ten years.

1. Inserted by No. FD 112 SRS 70 dated 4-2-1971 (wef 25-2-1971)

2. Omitted by No. FD 112 SRS 70 dated 4-2-1971 (wef 25-2-1971)

3. Inserted by No. FD 7 SRS 90 dated 6-6-1990 (wef 28-6-90).

(4) The concession shall be admissible to a Government servant during earned leave, half-pay leave, commuted leave and vacation, the duration of which shall not be less than fifteen days.

(5) A Government servant may utilise the concession for himself and members of his family. The term 'family' for this purpose means a Government servant's wife or husband as the case may be, legitimate children not exceeding two, who are residing with and are entirely dependent upon him. Only one wife is included in the term 'family'. Where the spouse is also a Government servant, the concession shall be admissible to the family on the scale admissible to the husband/or the wife and not both.

(6) The concession shall be available for journey from the headquarters of a Government servant to any place in India which is connected by rail or public transport system with vehicles running between fixed points at regular intervals and charging fixed rates..

(7) The entitlements for journey by various modes of transport while availing the concession shall be as under:

I. Journey by Railway

Pay range	Entitlement of Class
(a) Government servants drawing pay of ¹ [Rs.10,620]p.m. and above.	I Class/AC Chair Car
(b) Government servants drawing pay of ¹ [Rs.4,150] p.m. and above but less than ¹ [Rs.10,620] p.m.	I Class
(c) Government servants drawing pay less than ¹ [Rs.4,150] p.m.	II Class Sleeper

II. Journey by Road

(a) Government servants drawing pay of ¹ [Rs.10,620] p.m. and above	By Super Deluxe/ Deluxe/Express (excluding air conditioned bus).
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1. Amended by No.FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999)

- | | |
|--|--|
| (b) Government servants drawing pay of ¹ [Rs. 4,150] p.m. and above but less than ¹ [Rs.10,620] p.m. | By Deluxe/Express (excluding air conditioned bus.) |
| (c) Government servants drawing pay less than ¹ [Rs.4,150] p.m. | By ordinary buses only. |

III. Journey by Sea

- | | |
|--|-----------------------------|
| (a) Government servants drawing pay of ¹ [Rs.10,620] p.m. and above | Upper Class |
| (b) Government servants drawing pay of ¹ [Rs. 4,150] p.m. and above but less than ¹ [Rs.10,620] p.m. | II Class/
Ordinary Class |
| (c) Government servants drawing pay less than ¹ [Rs. 4,150] p.m. | Ordinary Class |

Note- (1) Journey by air or by I Class AC by train or II Class AC II Tier Sleeper or by air conditioned class shall not be entitled mode of journey for the concession to any class of Government Servants.

(2) Leave travel concession for journey to any place in India shall not be admissible by a private Car (owned, borrowed or hired) or bus, van or other vehicle owned or operated on charter by private operators.

(3) Between places connected both by railway and road, a Government Servant may undertake journey either by rail or by bus, by the shortest route.

(4) Between places not connected by railway or road, a Government servant may undertake journey by Sea.

(8) The Government's assistance towards the cost of journey by rail/road/sea shall be restricted to the railway/bus/sea fare from the headquarters of the Government Servant to the place of his visit and back by the cheapest and direct route calculated on a through ticket basis, as specified below:- ,

- | | |
|--|--|
| (i) Journey between places connected by rail | A single railway fare for the Government Servant and each member of his family |
|--|--|

actually accompanying him and for whom such fare is paid by the entitled class of accommodation specified in sub-rule (7) or the fare actually paid, if lower class of accommodation is used, whichever is less.

- | | |
|---|--|
| (ii) Journey between places not connected by rail | A single bus fare for the Government Servant and each member of his family actually accompanying him and for whom fare is paid as charged the Public transport system for the entitled class of accommodation, as specified in sub-rule (7) of the actual fare paid, if lower class of accommodation is used, whichever is less. |
| (iii) Journey between places connected by sea | A single sea fare for the Government Servant and each member of his family actually accompanying him and for whom such fare is paid by the entitled class of accommodation specified in sub-rule (7) or the fare actually paid, if lower class of accommodation is used, whichever is less. |

Note :- In the case of children between three years and twelve years, one-half the fare or the fare actually charged whichever is less will be admissible.

(9) No incidental, daily allowance or any other extra allowance shall be payable as part of the concession.

(10) When a Government servant and members of his family perform journey by a longer route which is not the cheapest in two different classes of accommodation, for example partly by I Class to which he is entitled and partly by II Class, the entitled class rate is admissible for the corresponding portion of the shortest or the cheapest route and the lower

class rate for the remaining mileage. For example, if the total distance by the longer route is 1,760 Kms and that by the shortest route is 1,600 Kms and if the Government servant concerned has travelled the initial 1,280 Kms., by II Class and the remaining 480 Kms by I Class, Government's share of reimbursement of the expenditure shall be calculated as follows:—

(i) Mileage for which II class fare is admissible :
 Distance actually travelled by II Class X Total distance by the longer route / Total distance by the shortest route =

$$\frac{1280 \times 1600}{1760} = 1,164 \text{ Kms.}$$

(ii) Mileage for which I Class fare is admissible :
 Distance actually travelled by I Class X Total distance by the longer route / Total distance by the shortest route =

$$\frac{480 \times 1600}{1760} = 436 \text{ Kms.}$$

II Class Fare for 1,164 KMs

I Class Fare for 436 KMs

(11) The concession shall not be admissible in the following cases:-

(i) a Government servant who has not completed continuous service of ten years. For the purpose of computing the period of continuous service of ten years, the service rendered by a Government servant from the date of his appointment to a post of pensionable establishment in accordance with the rules of recruitment shall be taken into account subject to the provisions of rule 8 (11) of these rules;

(ii) a Government servant who has already availed of the travel concession for journey to any place in India;

(iii) a Government servant under suspension;

(iv) a person employed as local candidate;

(v) a person borne on work-charge establishment;

(vi) a person borne on monthly rated establishment;

(vii) a person paid out of contingencies;

(viii) a person paid hourly, daily, weekly or monthly rates, wages;

- (ix) a person not in whole-time employment;
- (x) A person employed on contract;
- (xi) a person appointed on consolidated pay or salary,
- (xii) a person re-employed/re-employed on contract basis after retirement.

(12)(a) A Government servant, who intends to avail of the concession for journey to any place in India under the provisions of this rule, shall submit an application in the form (Form-20) annexed to these rules to the controlling officer through the proper channel and obtain his specific sanction before the journey is undertaken.

(b) The controlling officer, after verifying the records and satisfying himself that the Government servant is eligible for the concession, may accord sanction subject to availability of funds, permitting the Government servant to avail the concession.

(c) A copy of the order sanctioning the concession shall be endorsed to the concerned Head of Department and the Accountant General (Audit).

(d) Necessary entry to the effect that the Government Servant has been sanctioned the concession for journey to any place in India shall be made in his Service Book and attested by the Controlling Officer, immediately after the sanction order is issued. A register shall also be maintained by the concerned controlling officer showing the names of the Government servants to whom the concession has been sanctioned during the financial year, the amount of advance, if any, sanctioned and the actual amount reimbursed after the final settlement of their T.A. Bills.

(13) A Government servant shall be eligible for an advance against the claim for leave travel concession for journey to any place in India. The advance will be limited to 4/5th of the established amount which the Government would have to reimburse in respect of the cost of journey to and from the place of visit.

(14)(a) If a Government servant who has been sanctioned an advance does not undertake journey within 15 days from the date of drawal of the advance, the entire amount of the advance shall be refunded by him to the Government immediately.

(b) If the Government servant fails to refund the advance as required above, the Controlling Officer shall take immediate steps to recover the entire advance from the salary of the Government servant and in addition, the Government servant shall render himself liable for disciplinary action.

(15) The final bill in adjustment of the advance or T.A. claims for journey, if no advance is drawn shall be submitted within one month from the date of completion of the journey, alongwith the certificate in the following form-

CERTIFICATE

Certified that I and the members of my family have undertaken journey fromto(declared place of visit) by railway / bus / sea, vide the ticket numbers during the period from to

Date:

Signature :

Name :

Designation :

Recall From Leave

554. A Government servant recalled to duty before the expiry of leave in India is entitled '[xxx]' if the leave is curtailed by one month or more, to [travelling allowance for the journey on tour] from the place at which the order of recall reaches him. If the amount of the leave curtailed is less than one month, the foregoing privilege may be given or withheld at the discretion of the authority recalling the Government servant.

Note :- Cases of recall from leave out of India will be dealt with by Government individually on their merits.

Termination Of Temporary Employment

555. A person employed for a temporary purpose who has received travelling allowance for joining his appointment, may, on the termination of his employment be allowed travelling allowance to the place at which he was engaged provided the claim is preferred within three months of the termination of the temporary service and the officer under whom the person was employed is satisfied that he intends to make the journey.

SECTION IV - TO GIVE EVIDENCE

556. A Government Servant summoned to give evidence of facts which have come to his knowledge or of matters with which he has had to deal in his public capacity either-

(i) in a criminal case,

(ii) in a civil case to which Government is a party, or

(iii) in a departmental enquiry held by a properly constituted authority,

may draw travelling allowance under the Rule for journeys on tour: provided that he must obtain from the Court any travelling or subsistence allowance to which he is entitled by the rules of the Court and must deduct the amount from the amount travelling allowance claimed under this Section.

¹[Note 1 :- A Government servant summoned to give evidence while on leave or under suspension is entitled to travelling allowance under the Rule for the journey from and to the place from which he is summoned, as if he were on duty.]

Note 2 :- The appearance contemplated in this Rule is the appearance in Karnataka courts. When a Government servant is summoned by a Civil or Criminal Court beyond the State to give evidence of facts which have come to his knowledge or of matters with which he has had to deal in his public capacity the necessary travelling and subsistence allowance will be paid to him under the rules of the court and no claim for travelling allowance under these Rules can be admitted.

²[Exception :- The Government of Karnataka have entered into reciprocal arrangements with the Central Government. Governments of Punjab, Rajasthan, Andhra Pradesh ³[Maharashtra, Madras], ⁴[West Bengal, Gujarat and Kerala] in regard to the payment of expenses to the Government servants summoned by Criminal Courts to give evidence in their official capacity. The effect of the arrangements will be as follows.

1. Substituted by No. FD 93 SRS 59 dated 14-9-1959 (wef 24-9-1959)

2. Inserted by No. FD 29 SRS 60 dated 7-3-1960 (wef 4-3-1960)

3. Amended by No. FD 47 SRS 64 dated 20-1-1965 (wef 11-2-1965)

4. Amended by No. FD 16 SRS 69 dated 22-2-1969 (wef 26-10-1961)

(i) In criminal cases to which the State is a party, a Government Servant giving evidence regarding facts of which he has official knowledge will on production of certificate of attendance issued by the summoning court, be paid travelling allowance by the Government under whom he is serving;

(ii) in criminal cases to which the State is not a party a Government Servant giving evidence regarding facts of which he has official knowledge be paid travelling allowance by the summoning Court according to the rules under which such Government servant draws his travelling allowance for a journey on tour and the charges will be borne by the Central Government or any of the five reciprocating Governments mentioned above according as the Court is situated in the Union Territory or in any of the State Territory.

(iii) When a Government servant serving in a Commercial Department, or when any other officer is summoned to give evidence as a Technical or Expert witness, the pay of the Government Servant concerned for the period of his absence from his headquarters and travelling allowance and other expenses due to him will first be borne by the Government under whom he is serving and subsequently be recovered from the Central Government or any of the five reciprocating State Government according as the Court in which the officer is summoned to give evidence is situated in the Union Territory or in the territory of any of the aforesaid State Governments respectively.]

¹[Note 3 :- A Government servant summoned to give evidence at a Court situated not more than 8 Kms. from the Headquarters may be paid mileage allowance at the admissible rates subject to production of a Certificate of attendance issued by the Court concerned.]

²[556-A. Rule 556 applies also to a Government Servant in foreign service, provided the facts as to which he is to give evidence have come to his knowledge in the discharge of his duties while in the service of Government.

1. Substituted by No. FD 10 SRS 71 dated 15-7-1971 (w.e.f. 1-4-1971)

2. Inserted by No., FD 67 SRS 60 dated 8-6-1960 (w.e.f. 16-6 -1960)

Note 1:- The pay of Government servant for the period of his absence ¹[on court duty and/or on departmental enquiry duty] and travelling allowance and other expenses due to him will initially be borne by the foreign employer under whom he is serving and subsequently recovered from Government.]

²[Note 2 :- The provisions of Rule 556 shall also apply to a Government servant summoned to give evidence on facts which have come to his knowledge while he was in the service of foreign employer. In such cases the pay of the Government servant for the period of his absence on Court duty and travelling allowance and other expenses due to him will initially be borne by the Government and subsequently recovered from the foreign employer under whom he was serving.]

³[556-B. A retired Government Servant summoned to give evidence of facts which had come to his knowledge or of matters with which he had to deal, in his public capacity, either-

(i) in a Criminal Case or

(ii) in a Civil Case to which Government is a party, may draw single rail or bus fare for to and fro journeys and Daily Allowance as per Rules based on the pay he was drawing prior to his retirement.]

557.(a) A Government servant summoned to give evidence under other circumstances is not entitled by reason of his being an officer of Government, to any allowances, other than those admissible by the rules of the Court.

(b) But if the Court pays him any sum by way of subsistence allowance or compensation, apart from any allowance for travelling expenses he must repay that amount to Government before drawing full pay for the day or days of absence.

Note :- A Government servant who is summoned to give evidence of facts which came to his knowledge in the discharge of his public duties or to produce official documents in a suit in which the Government is not a party will be paid travelling expenses etc., by the Courts at the rates admissible to the

1. Amended by No. FD 136 SRS 75 dated 15-5-1976 (wef 19-8-1976)

2. Inserted by No. FD 30 SRS 79 dated 5-6-1979 (wef 14-6-1979)

3. Inserted by No. FD 276 SRS 72 dated 25-11-1974 (w.e.f. 1-1-1974)

Government servants for a journey on tour. In order to enable to the Court to assess the amount admissible to him, the Government servant should carry to the court certificate duly signed by the ¹[Head of the Office] of the Government servant showing the rate of travelling and daily allowance admissible to him for a journey on tour. ¹[If the Government servant happens to be the head of the office, the certificate will be signed by the next higher authority.]

558. When a Government servant claims travelling allowance under Rule 556, he shall in all cases annexe to his batta bill a certificate in the prescribed form from the Court of Justice as to the number of days he attended it and the date on which he was permitted to depart therefrom.

Note :- In every case where the attendance of public servant summoned as a witness in a Session case is reasonable and his conduct in the case is not condemned the Court shall give such public servant a certificate to that effect, in order to establish his right to pay and to travelling allowance and batta at the rates admissible under these Rules.

SECTION V - TO OBTAIN MEDICAL ADVICE

559. A Government servant whether permanent or temporary compelled to leave his station, where there is no Medical Officer, to procure medical advice, is entitled to single Railway or Bus fare for the journey to and from the nearest station where a Medical Office is located.

Note 1:- Medical Officer in this Rule means a general Medical Officer. Government Servants who want to consult "Specialists" should travel at their own expense.

Note 2:- Bills for travelling allowance under this Rule must be countersigned by the Medical Officer consulted who must certify that the journey was in his opinion absolutely necessary.

560. The permission of the superior authority should be obtained before hand, where it is possible to obtain such permission without risk to the Government servant requiring advice.

1. Substituted by No. FD 104 SRS 59 dated 27-4-1959(wef 7-5-1959)

561.(i) If a Government servant is compelled to travel to another station in order to obtain a Medical Certificate in support of his application for leave, he may draw single Railway or Bus fare each way for the journey.

(ii) When a Government servant is required to obtain the countersignature of a Medical Officer of Government upon a Certificate in support of an application for leave issued to him by a Registered Medical Practitioner and the Medical Officer of the Government requires the Government Servant to see him, Travelling Allowance as above may be drawn for the journey to and from the headquarters of the Government Medical Officer.

Provided that, when the Government servant has travelled by a route other than the cheapest or shortest, Travelling Allowance shall be admissible for the route actually used if the Medical Officer certifies that the Government Servant could not, without grave risk of aggravating the complaint have travelled by the cheapest or the shortest route.

Note 1 :- A certificate from the Government Medical Officer to the effect that the Government servant was required to appear before him should accompany the claim for the travelling allowance.

Note 2:- The countersignature should be obtained from the nearest Government Medical Officer.

Note 3:- For purposes of this Rule, travelling allowance will be calculated from the chief public building of his official headquarters or the place of his residence during leave according as the leave is spent at headquarters or elsewhere.

Note 4:- Travelling allowance shall not be admissible for a journey to obtain a Medical Certificate or countersignature upon a Medical Certificate, in respect of an application for extension of leave.

(iii) When a Government servant is required under the orders of the Head of his Office to obtain the countersignature of a Medical Board or Officer upon a certificate pronouncing him fit to return to duty from leave granted on Medical Certificate, he may draw Travelling Allowance as above for the journey.

562. Controlling Officer must take care that undue advantage is not taken of this privilege. If the absence of the invalid officer from his station be prolonged, he should be required to take leave on Medical Certificate.

563. A Government servant applying for an Invalid pension, who is required to leave his station to appear before a Medical Board at another station for the purpose of obtaining the requisite certificate, may in all cases in which the pension is applied for under the direction of the Applicant's official superior on the ground of his incapacity for work and in the interest of the public service be granted an allowance for the journey not exceeding his actual expenses and also not exceeding the amount he would be entitled to receive if travelling allowance were admissible. If it is necessary for the Government servant to return to his station after appearing before the Medical Board he may be granted travelling expenses subject to the same limit. The bill should be supported by a certificate that the applicant was directed, in the interest of the public service, to apply for an Invalid Pension and that he did not voluntarily ask for retirement.

The same concession may be granted when the application is made voluntarily if the circumstances of the applicant, or in the opinion of Government, such as to justify the grant of travelling allowance.

564. No Travelling Allowance is admissible to a Government servant who undertakes a journey to appear before a Medical Officer for examination for the State Life Insurance.

SECTION VI - JOURNEYS BY MEDICAL OFFICERS FOR RENDERING MEDICAL ASSISTANCE

565. A Medical Officer, proceeding to a station for attending on the Government Offices mentioned below is entitled to travelling allowance as for journeys on tour :-

(i) A Government servant of any rank proceeding on duty to a place and a Government servant stationed in a place, where Medical relief is not available and there falling so seriously ill or meeting with an accident of so serious a nature as to render him unable to move to the nearest station, where such relief can be had and therefore entitled under the rules to gratuitous Medical attendance from the Medical Officer nearest to the station;

(ii) Medical Officer who are ill at stations where there is no officer to render Medical aid;

(iii) Government servant in receipt of pay of '1[Two thousand and five hundred rupees] and above requiring the services of a Government specialist in special cases occurring in the mofussil where the District Medical Officer certifies that the patient's prospects of recovery would be jeopardised by undertaking the journey to see the Government Specialist.,

(iv) A Government servant who is, in so serious a condition that the Medical Officer attending on him considers the assistance of another Medical Officer necessary and accordingly summons him for consultation.

Note :- A claim for travelling allowance by a Medical Officer under this Rule shall be supported by a certificate from the District Medical Officer in cases of non-gazetted Medical Officers and from the Director of Medical Services in cases of Gazetted Medical Officers to the effect that the journey was bonafide for rendering medical aid to a Government servant on Government duty.

566. A nurse or other person attending on or escorting an insane patient or a sick Government servant should, when travelling in the same compartment with him, be allowed to draw the actual fare of the class in which he travels plus one half the fare of the class in which he is ordinarily entitled to travel. The Superintendent of the Mental Hospital, the Medical Officer in charge of a District Hospital or the Civil Surgeon, as the case may be, should certify in each case that it was necessary for the patient and his attendant to travel by the particular class of carriage for which T.A. is claimed and give the reasons.

SECTION VII - OTHER OCCASIONS

567. Government servants attending meetings of the Senate of Madras University as Fellows thereof are treated as on duty. They may either retain the travelling allowance paid to them by the University, or at their option draw travelling allowance admissible under these Rules for such journeys subject to the travelling allowance given by the University being credited to Government.

1. Substituted by No. FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999)

568. No travelling allowance would be admissible for attending meetings of Service and other Associations which do not serve any public interest.

In other cases, if the Government servant is permitted to attend meetings or conferences or congresses, he may be paid single railway fare each way without any road mileage or Daily Allowance for halts at the place of meeting.

Whenever a Government servant is officially sent to attend a conference, congress or meeting, railway fare, road mileage and Daily Allowance may be allowed as for journeys on tour.

569. Whenever Government servants, pensioners and persons not in Government service are summoned by the ¹[Vigilance Commissioner,] to give evidence of facts, the rates of travelling allowances payable to each will be as follows:-

(a) In the case of Government servants, Travelling allowances as for journeys on tour.

²[(b) In the case of pensioners, Travelling Allowance, Daily Allowance and incidental charges as per rules as for journeys on tour, based on the pay they were drawing immediately prior to their retirement.]

¹[Note :- Pensioners facing departmental enquiries by the Vigilance Commissioner may be granted T.A. and D.A. under this clause.]

(c) In the case of persons not in Government Service, single ³[second class] Railway fare or bus fare for to and fro journeys ¹[and Daily Allowance not exceeding ⁴[Rupees sixty] per day for the days of halt at Bangalore, ⁴[rupees fifty-five] for the days of halt at other cities with the Municipal Corporations and ⁴[rupees fifty] per day for the days of halt at other cities within the State]

1. Amended by No. FD 115 SRS 66 dated 4-1-1967.

2. Amended by No. FD 49 SRS 75 dated 25-9-1975 (wef 19-8-1976)

3. Amended by No. FD 20 SRS 74 dated 25-9-74 (wef. 1-4-1974)

4. Substituted by No. FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999).

(d) In all these cases, the claims for travelling allowance should be supported by a certificate of attendance in the following form granted by the ¹[Vigilance Commissioner.]

A.C.

No. _____

E.A.

Office of the ²[Vigilance Commissioner,]

Bangalore, dated

Certificate of Attendance

Certified that Sri/Smt.....
appeared before me as witness in A.C./E.A.
No.... at..... for.....day/days
from... to.....in his/her official/
private capacity to depose the facts within his/her official/
private knowledge and that he/she has not been paid any
allowance in this office.

²[Vigilance Commissioner.]

(e) Government servants summoned in connection with an enquiry into allegations against themselves will also be allowed Travelling Allowance as for journeys on tour provided they are considered as on duty during the period.

³[No Travelling Allowance will however be admissible if the enquiry is, at his own request, held at a place other than his headquarters.]

Note :- The Gazetted Officers of the Efficiency Audit Department viz., District Superintendents of Police, Assistant Superintendents of Police and Gazetted Assistants are authorised to sign the certificates of attendance for and on behalf of the ²[Vigilance Commissioner] whenever witnesses are summoned to appear before them.

1. Amended by No. FD 49 SRS 75 dated 25-9-1975 (wef 19-8-1976)

2. Substituted by No. FD 115 SRS 66 dated 4-1-1967

3. Inserted by No. FD 14 SRS 68 dated 20-2-1968 (wef 7-3-1968)

¹[(f) Government Servants required to undertake journeys outside the headquarters in connection with an enquiry into alteration of age or date of birth in accordance with the provisions of the Karnataka State Servants (Determination of Age) Act, 1974 may be paid Travelling Allowance as for journeys on tour subject to the production of a certificate of attendance in the form similar to the one prescribed in clause (d) from the officer appointed under sub-section (3) of Section 5 of the said Act.]

²[569-A:- The provisions of Rule 569 (a) to (d) apply also in cases where Government servants, pensioners and persons not, in Government service are summoned to give evidence of facts before a Commissioner of Inquiry or Departmental Inquiry convened under proper authority, in any department ³[or an enquiry into alteration of age or date of birth in accordance with the provisions of the Karnataka State Servants (Determination of Age) Act, 1974.] The certificate of attendance will be signed by the Chairman or the Officer presiding at the Inquiry.]

³[Note :- For the purposes of this Rule 449 shall apply.]

570. A Government servant under suspension who is required to perform a journey to attend the Departmental enquiry (other than a Police enquiry) may be allowed travelling allowance as for a journey on tour from his headquarters to the place where the Departmental enquiry is held or from the place at which he has been permitted to reside during suspension to the place of enquiry, whichever is less. No travelling allowance will however be admissible if the enquiry is held at the outstation at his own request.

Note 1:- The Travelling Allowance of the Government servant will be regulated according to the grade to which he belonged prior to his suspension.

Note 2:- The eligibility to travelling allowance under this Rule should be governed by the financial condition of the Government servant under suspension and is left to the discretion of the Head of the Department.

1. Amended by No. FD 12 SRS 75 dated 21-11-1975 (wef 18-6-1974)

2. Inserted by No. FD 94 SRS 59 dated 13-8-1959 [w.e.f. 27-8-1959]

3. Inserted by No. FD 94 SRS 59 dated 28-12-1959 [wef 7-1-1960]

¹[570-A:-Government servants facing departmental enquiries or enquiries by the ²[State Vigilance Commission] can claim travelling allowance and Daily Allowance as for journeys on tour from their usual places of official duty to the place where records of enquiry are made available, as on duty, subject to the condition that Daily Allowance shall not be payable for a period exceeding three days for halts. The Enquiry Officer shall decide the number of days required for the purpose and certify that the stay was necessary for the purpose.]

³[Note 1:- This Rule shall be applicable also to the journeys and halts of Government servants who are called upon to give an explanation and who are permitted by the disciplinary authorities concerned to examine certain records in that behalf at places other than their places of duty.]

⁴[Note 2:-This Rule shall be applicable also to a Government servant who is permitted under rule 11(5) of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, to assist the Government servant facing Departmental enquiries or enquiries by the ⁴[State Vigilance Commission] and who make journeys from his headquarters to the place where records of enquiry are made available for examination.]

⁵[Note 3:- This rule shall be applicable also to a retired Government servant, who is permitted under Rule 11(8) of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 to assist the Government servant facing departmental inquiries or inquiries by the State Vigilance Commission and who is required to make journeys from his usual place of residence i.e., the place from where he draws his pension to the place where the records of inquiry are made available for the examination. The retired Government servant shall be deemed to belong to the grade of Government servant to which he belonged, immediately before his retirement for the purpose of this Rule. The expenditure on T.A. and D.A. will be borne by the Department or Office to which the delinquent Government servant belongs.)

1. Inserted by No. FD 231 SRS 59 dated 20-11-1959 (w.e.f. 26-11-59)

2. Inserted by No. FD 94 SRS 59 dated 28-12-1959 [wef 7-1-1960]

3. Inserted by No. FD 131 SRS 62 dated 2-1-1963.

4. Inserted by No. FD 2 SRS 65 dated 28-9-1965.

5. Inserted by No. FD 32 SRS 85 dated 16-10-1985 (wef 21-11-1985)

571. When a ¹[xxx] student not already in Government service is selected to undergo a Course of training, a competent authority may decide the scale, if any, on which he shall draw-

(a) travelling allowance for the original journey to and the last journey from the place of training and for halts at such place;

(b) in the case of training at a School, College or similar Institution, travelling allowance for similar journeys on the occasion of holidays and vacation; and

(c) travelling allowance for journeys during the course of training:

Provided that the scale so fixed shall not exceed that admissible to Government servants of similar status on duty at the place of training.

²[571-A:- When a Government servant is required in connection with his promotion to a higher post, to appear for an interview before the Departmental Screening Committee at a place other than his headquarters, he may be allowed travelling allowance for the journeys from his headquarters to the place of interview and back limited to single railway fare or bus fare (without incidentals) and daily allowance for halt at the place of interview.

The Departmental Screening Committee shall decide the number of days required for the purpose and certify that the stay was necessary for the purpose.]

1. Deleted by No. FD 30 SRS 77 dated 27-7-1978 [(wef 3-8-1978)

2. Inserted by No. FD 66 SRS 64 dated 28-12-1964 (wef 14-1-1965)

CHAPTER - XXXII
RULES OF PROCEDURE
Countersignature and Audit

572. A bill for travelling allowance (other than a permanent allowance) ¹[xxx] should be paid after counter-signature by the Controlling authority.

¹[For the purpose of this rule, the controlling authority shall be,

(a) the superior officer of the drawer of the bill, provided that such officer is a Gazetted Government Servant.

or

(b) the next higher officer when the immediate superior is not a Gazetted Government Servant.

or

(c) the Secretaries to Government in the Administrative Department in other cases.]

¹[(Note 1) :- Travelling allowance bills of the Heads of departments and other Government Servants specified in Appendix V and of their establishments will not require counter-signature.]

²[(¹Note 2) :- The Joint Director of Agriculture and the Deputy Director of Agriculture ³[and Joint Director of Horticulture] are authorised to countersign the T.A. bills of their own establishments.]

⁴[The Travelling Allowance bills of Gazetted Government Servants who do not come within the jurisdiction of any Regional Joint Director of Agriculture should be countersigned by the Joint Director of Agriculture in the Directorate of Agriculture, who has administrative control of such Gazetted Officers.]

1. Amended by No. FD 13 SRS 67 dated 12-12-1967.

2. Substituted by No. FD 252 SRS 71 dated 18-12-1971 (wef 20-1-1972)

3. Amended by No. FD 5 SRA 98 dated 24-2-1999 (wef 11-3-1999).

4. Inserted by No. FD 201 SRS 74 dated 22-4-1971 (wef 28-5-1975)

¹(Note 3):- The Headquarters Assistant to the Commissioner of Settlement and Land Records is authorised to draw the Travelling Allowance bills of the Officer of the Superintendent of Land Records in Karnataka, without countersignature of any Controlling authority.

²¹(Note 4) :- T.A. bills of establishment of the Karnataka Government Secretariat (other than Chief Minister's Establishment) drawn by the Under Secretaries to Government, General Administration Department do not require countersignature.]

¹[(Note 5) :- Travelling Allowance bills of Police Officers accompanying remittance of treasure do not require the countersignature of any Controlling Authority.

³²(Note 6) :- The Additional Deputy Director of Public Instruction (in the Office of the Director) is authorised to countersign the Travelling Allowance bill of the subordinate offices and Institution of the Education Department.]

⁴²(Note 7) :- ⁴(The Deputy Directors in the Health and Family Planning Services Department are) authorised to countersign the Travelling Allowance bills of both Gazetted and Non-Gazetted Government Servants of the ⁵(Health and Family Planning Services Department)].

¹[Note 8 :- Bill requiring the countersignature of the High Court may be countersigned under the order of the High Court by the Registrar.

Note 9:- Claims for Travelling Allowance for journeys made by the Secretary, Karnataka Legislature or the Assistant Secretary or any members of the staff of Legislature Secretariat, both within the State of Karnataka and outside but within the territories of the Union of India, do not require countersignature or sanction of Government, if a certificate to the effect that the journey is necessary in the interest of public service and has been approved by the Board consisting of the Chairman and the Speaker, is recorded on the Travelling Allowance Bill by the Secretary, Karnataka Legislature.

1. Amended by No. FD 13 SRS 67 dated 12-12-1967.

2. Substituted by No. FD 104 SRS 61 dated 5-2-1962.

3. Inserted by No. FD 74 SRS 58 dated 19-5-1958 (wef 29-5-1958).

4. Inserted by No. FD 102 SRS 60 dated 11-7-1960 (wef 21-7-1960).

5. Substituted by No. FD 160 SRS 71 dated 20-1-1972 (wef 10-2-1972)

Note 10 :- When an Officer is transferred on promotion to another post mentioned in Appendix-V he may countersign his own bills for the journey on his promotion, but other Travelling Allowance Bills which were pending for his journey in the former post shall require the countersignature of the officer who was competent to countersign such bills and in case, he himself happens to be the countersigning officer, the bills shall be countersigned by the officer of the status of the next higher authority of the Department to which the bills relate].

¹[573. xxx]

574. In the case of journeys on tour, the travelling allowance bills in the forms prescribed, shall be presented at convenient intervals during tour or immediately on any return to the headquarters and in any case before the 31st March ²[if the tour has been completed before that date]. The claims of the Gazetted Government servants shall be preferred in separate bills one for each officer. The claim of the Non-Gazetted Establishment shall be drawn in one bill.

³[Note:- The drawing officers shall prepare separate travelling allowance bills in respect of the Non-Gazetted Government servants, whose pay exceeds ⁴[five thousand two hundred rupees] per mensem.]

⁵[Exception : xxx]

Controlling or Countersigning Officer's Duties

575. It is the duty of the Controlling Officer or of the Drawing Officer (when a bill does not require countersignature) to scrutinize the necessity, frequency and duration of journey or halts for which travelling allowance whether permanent or otherwise is claimed. He may disallow the whole or a portion of the travelling allowance claimable for any journey or halt, if he considers that the journey was unnecessary or that it was not completed with due expedition, or that the halt was of excessive duration. He should also carefully scrutinize the distances entered in travelling allowance bills (especially in the case of

1. Amended by No. FD 13 SRS 67 dated 12-12-1967.

2. Inserted by No. FD 149 SRS 60 dated 16-12-1960

3. Inserted by No. FD 199 SRS 59 dated 29-9-1959 (wef 15-10-1959)

4. Amended by No. FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999).

5. Inserted by No. FD 24 SRS 67 dated 17-7-1967.

journeys on tour) though they are also liable to examination by the Audit Officer and should check any tendency to abuse the option of exchanging a daily rate for mileage under Rule 522. The Controlling Officer is responsible for the correctness of the claims preferred by the officers subordinate to him. He should scrutinize all claims to road mileage with particular care.

¹[576. No controlling Authority may delegate to a subordinate his duty of countersignature. He may however, authorise one of his Gazetted Assistants to countersign Travelling Allowance bills of the Non-Gazetted staff “for him”. ²[xx] This duty should not be delegated in respect of Travelling Allowance Bills of Gazetted Officers.]

³[576-A:- The right of a Government servant to travelling allowance including daily allowance is forfeited or deemed to have been relinquished if the claim for it is not preferred within one year from the date on which it became due.]

Audit Officer’s Duties

577. Countersignature does not dispense with the necessity for formal audit with reference to rates, distances and general conditions. An Audit Officer will accept counter-signature by the proper authority or the signature of the Drawing Officer when a bill does not require countersignature as final evidence that the facts of the journey on which the claim is founded are correct and that the claim is admissible with reference to these Rules and to any Departmental Rules. It is the duty of the Controlling or the Drawing Officer, as the case may be, and not of the Audit Officer to enforce departmental rules but the Audit Officer may point out any deviations that may appear to him deserving of notice.

1. Substituted by No. FD 280 SRS 58 dated 26-11-1958.

2. Amended by No. FD 82 SRS 70 dated 3-11-1970 (wef 19-11-1970)

3. Inserted by FD 108 SRS 67 dated 22-9-1967

¹["**APPENDIX-I**
(Rule 8 (21))"]

List of Officers declared to be Heads of Departments

I. Major Heads of Departments

1. The Secretaries to Government.
2. The Secretary of Karnataka Public Service Commission.
3. The Registrar, Lokayukta.
4. The Secretary, Karnataka Legislature.
5. The Divisional Commissioners.
6. The Commissioner of Excise, Bangalore.
7. The Commissioner of Commercial Taxes, Bangalore
8. The Commissioner for Religious and Charitable Endowments.
9. The Principal Chief Conservator of Forests.
10. The Principal Chief Conservator of Forests (Development).
11. The Chairman, Karnataka Appellate Tribunal.
12. The Inspector General of Registration and Commissioner of Stamps.
13. The Secretary to Governor.
14. The Registrar, High Court.
15. The Advocate General.
16. The inspector General of Prisons.
17. Director General and Inspector General of Police.
18. The Director of Health and Family Planning Services.
19. The Chief Engineers.
20. Director of Town Planning.
21. The Director of Public Instruction.
22. The Director of Technical Education.
23. The Director of Agriculture.
24. The Director of Animal Husbandry and Veterinary Services.
25. The Commissioner for Industrial Development and Director of Industries and Commerce.
26. The Additional Director of Industries and Commerce.
27. The Director, Rural Industrialisation.

1.Substituted by No. FD 30 SRS 91 dated 16-3-1992 (wef. 18-3-1992)

28. The Director of Food and Civil Supplies.
29. The Commissioner of Labour.
30. The Director of Mines and Geology.
31. The Director of Social Welfare.
32. The Director of Food Supplies.
33. The Commissioner for Transport.
34. The President, Stores Purchase Committee.
35. The Director of Karnataka Government Insurance Department.
36. The Controller, State Accounts Department.
37. The Additional Development Commissioner for Community Project and National Extension Service Blocks.
38. The Registrar of Co-operative Societies.
39. The Director of Agricultural Marketing.
40. The Director, Survey Settlement and Land Records.
41. The Adviser to Government, Tuberculosis Sanatoria, Bangalore.
42. The Director of Collegiate Education.
43. The Director, Bangalore Dairy.
44. The Special Commissioner of Karnataka, New Delhi.
45. The Director of Treasuries.
46. The Commandant General, Home Guards.
47. The Director, Fire Force.
48. The Director, Stores Purchase Department.
49. The Director of Employment and Training.
50. The Director of Horticulture.
51. The Vice-Chairman, State Planning Board.
52. The Controller of Legal Metrology cum Director of Consumer Protections.
53. The Director of Economics and Statistics.
54. The Additional Director of Public Instruction.
55. The Chief Architect to the Government of Karnataka, Bangalore.
56. The Director, School of Mines, K.G.F.
57. The Director, Water Resources Development Organisation.
58. The Administrator, Tungabhadra Project, Munirabad.
59. The Director, Pre-University Board.
60. The Director of Prosecutions and Government Litigation.

61. The Director of Co-operative Audit.
62. The Commissioner of Public Instructions.
63. The Director of Tourism.
64. The Additional Chief Secretary to Government.
65. The Chairman, Karnataka Administrative Tribunal.
66. The Commissioner for Sericulture Development and Director of Sericulture.
67. The Director of Medical Education.
68. The Additional Director of Public Instruction (Special), Bangalore.
69. The Director, Administrative Training Institute, Mysore.
70. The Director, Printing, Stationery and Publications, Bangalore.
71. The Director of Sugar and Additional Registrar of Co-operative Societies.
72. The Administrator, Ghataprabha and Malaprabha Projects.
73. The Director, Indo-Danish Project, Hesarghatta.
74. The Additional Director of Public Instructions and Director, State Educational Research and Training.
75. The Director of Women and Children's Welfare and Chief Inspector of Certified Schools.
76. The Director, India Population Project.
77. The Chairman, Hyderabad-Karnataka Development Board and Ex-officio Additional Chief Secretary to Government.
78. The Commissioner for Textiles of the Directorate of Textiles and Hand Loom.
79. The Director of Municipal Administration.

II Others

1. Deputy Commissioners of Districts.
2. Special Deputy Commissioner, Bangalore.
3. Chief Secretaries of Zilla Parishads.
4. Additional Deputy Commissioner (Harbour and Railways) South Canara, Mangalore.
5. The Director of Central Sericulture Research Institute.
6. The Director of Archaeology and Museums.
7. The Principal, Government Flying training School.
8. The Director of Information and Publicity.
9. The Superintendent of Census Operations.
10. The Chief Inspector of Factories and Boilers.
11. The Director of Literary and Cultural Development.

12. The Chief Electoral Officer and Ex-Officio Secretary to Government D.P.A.R.
13. The Director of Fisheries, Bangalore.
14. The Director of Ports and Inland Water Transport.
15. The Electrical Inspector to Government.
16. The Principal, Government Law College, Bangalore.
17. The Joint Director, Small Scale Industries.
18. The Chief Editor, Karnataka State Gazetteer.
19. The Drugs Controller.
20. The State Librarian.
21. The Joint Controller of Weights and Measures.
22. The Director of Youth Services and Sports.
23. The Joint Director of Agricultural Marketing.
24. The Director of Translations.
25. The Director of Sainik Welfare and Resettlement.
26. The Director, Karnataka Engineering Research Station, K. R. Sagar.
27. The Administrator, Rehabilitation Project, Sindhanoor.
28. The Director of Indian Systems of Medicine and Homeopathy.
29. The Trade Agent for the Government of Karnataka in London.
30. The Project Family Planning Officer, India Population Project.
31. The Project Officer, Pilot Intensive Rural Employment Project, Harihar.
32. The Director, Karnataka Government Computer Centre, Bangalore.
33. The Director, Karnataka State Archives, Bangalore.
34. All Conservators of Forests.
35. Director of Vocational Education.
36. Director, Employees State Insurance Scheme (Medical) Service.
37. The Director of Kannada and Culture.
38. Director, Karnataka Government Secretariat Training Institute.
39. The Special Deputy Commissioner, Urban Land Tax, Bangalore.

40. The Secretary, Karnataka Legal Aid Board, Bangalore.
41. The Deputy Inspector General of Police of the Police Department.
42. The Director of Small Savings and State Lottery.
43. Principal, Engineering Personnel Training College, K. R. Sagar.
44. Director, Directorate of Disabled Welfare.
45. The Charity Commissioner, Belgaum”]

¹[APPENDIX - II]²[XXX]**Facilities available for Study or Training outside India.**

1.(a) With a view to enable selected candidates to undergo advanced studies or training and with a view to meet the requirements of technical and other departments for foreign trained personnel, foreign scholarships or fellowships will be granted from the following sources:-

(i) Damodar Das Scholarships from four-fifths of the annual proceeds of the Damodar Das Charities Fund;

(ii) Her Highness the Yuvarani Srimathi Kempuchaluvajammanniavaru Foreign Scholarships;

(iii) Out of the Budget grants of the departments concerned and of the industrial concerns like the Mysore Iron and Steel Works, Bhadravathi, etc., under study leave, fellowship and deputation of Government servants to foreign countries.

(b) In addition to the above, offers of scholarships and fellowships made by foreign Governments and foundations under the schemes such as Colombo Plan, Point Four Training Facilities, Indo-German Industrial Co-operation Scheme, United Nations Fellowships and Scholarships, British Council Scholarships and also by the Government of India under the modified Overseas Scholarships Scheme, etc., and certain other schemes operated through non-official channels, such as Rockefeller Foundation, Ford Foundation, Indian Institute of Public Administration, etc., will also be availed of. In these cases, Government Officials should not approach or negotiate direct with foreign Governments or organisations for scholarships or travel grants.

Note.- Government servants will not be allowed to accept passage money or free transport from a foreign Government or organisation for visits abroad. Relaxation of this rule is permissible only in cases which are covered by specific

1. Substituted by No. FD 68 SRS 60 dated 24-5-1960 (wef 24-3-1960).

2. Deleted by No FD 73 SRS 63 dated 5-12-1963.

agreements or memoranda of understanding entered into by the Government of India with the foreign Government or Organisations.

2. The scholarships or fellowships will be given for study or training in any foreign country considered suitable by Government or in cases coming under Rule 1 (b), in the country stipulated in the scholarship scheme sponsored by the concerned organisations.

3. The conditions of grant of facilities mentioned in rule 1, other than Her Highness the Yuvarani Scholarships, will be as in Annexure A and B. The grant of Her Highness the Yuvarani Srimathi Kempuchaluvajammanniavaru Foreign Scholarships will be governed by special orders of Government issued from time to time.

4. In cases where the study or training abroad entails a preliminary training or study in any place in India, the said study or training will form a part of the foreign scholarship and for that period of study or training, rules governing local deputation will be made applicable.

¹[5. Candidates for scholarships under any of the above schemes must have put in a service of at least 5 years and should be below 45 years of age (relaxable upto 48 years in exceptional cases, if full justification is furnished). It will however, be open to Government to relax the service limit also in special cases.]

6. ²[Save as provided in sub-rule (1) of rule 1 of Annexure 'B'] the period of deputation under any of the schemes referred to above will be treated as service counting for pension and promotion but not for leave. The service will also count for earning increments in the post held by them prior to the deputation or in the post to which they had been promoted and which they continue to hold during the period ³[or in the post to which they may receive promotion under Exception below Rule 60 of the Karnataka Civil Services Rules, during the period of Study Leave] but they will not be allowed to draw increments during the period of deputation.

1. Substituted by No. FD 68 SRS 61 dated 15-7-1961 (wef 24-3-1960)

2. Inserted by No. FD 57 SRS 66 dated 22-8-1967 (wef 1-4-1966)

3. Inserted by No. FD 52 SRS 63 dated 5-7-1966.

7.(a) The Scholar shall, before leaving the State, enter into a bond stipulating that he accepts the scholarships or fellowship on the conditions specified below. The bond shall be either in the form noted in Annexure 'C' or, in case he prefers to furnish a Bank Guarantee, in the form noted in Annexure 'D' ¹[or in case security is furnished by depositing money in the Government Savings Bank ²[and or in case security is furnished by pledging National Savings Certificates or National Defence Certificates endorsed in favour of the Governor] as provided for in Article 355 of K.F.C., in the form noted in Annexure 'E'.]

(i) It shall be the responsibility of the Scholar to execute the bond and to have it executed by his sureties with all the necessary formalities before he leaves the State. Failure to do so will entail that Government will make no payment to the Scholar with consequent inconvenience to the Scholar in a foreign country.

³[(ii) When security of immovable property is furnished the value thereof shall be twice the value of the amount of scholarship and other payments made to the Scholar.]

³[(iii)] The Government officer responsible for the disbursement of any scholarship amount shall not authorise such disbursement or any payment in respect of the scholarship, and, where the scholar is in Government service, not relieve the scholar from his post to proceed on the scholarship, study leave, etc., as the case may be, before he has executed the necessary bond with the necessary sureties.

³[(iv)] ⁴[The bond in the form noted in Annexure 'C' should be registered. The stamp and Registration fees, if payable thereon shall be borne by Government.]

⁴[v] If there is any failure to follow these instructions and as a consequence Government find themselves in a position where payments have to be made to a scholar abroad, the Government servant who disobeyed the instructions in paras (i) and (iii) above will be liable to have the sums so advanced recovered from him.

1. Inserted by No. FD 49 SRS 62 dated 8-2-1963.

2. Inserted by No. FD 25 SRS 66 dated 27-8-1966 (wef 8-9-1966).

3. Amended by No. FD 103 SRS 61 dated 29-8-1961.

4. Substituted by No. FD 142 SRS 61 dated 24-1-1962 (wef 20-9-1961).

(b) A slight modification of sub-clause (a) above, may be made in the case of Government servants belonging to Scheduled Castes and the Scheduled Tribes. Where they are unable to furnish security bonds as prescribed above, personal bond may be obtained from such scholars with two sureties who are permanent gazetted officers in the State service. The form of the bond will be as in Annexure C, with the omission of clause 12 and Schedules 1 and III therein. Sub-clauses (i) to (iv) of Clause (a) will hold good in such cases also.

¹[(bb)Where the Scholar mortgages his own properties, collateral security of any two persons whose solvency is certified by an Officer of the Revenue Department not below the rank of Tahsildar shall be furnished. In such a case the sureties shall be personally liable for their obligations under the Bond entered into in the form noted in Annexure 'C'.]

²[7-A. Deputation of Government Servants abroad for training shall be placed in three categories for the purpose of obtaining bonds, which should be regulated as indicated below :

Type of Training	Period of Bond
1.Training related to specific projects or schemes and where the individuals are either less working in the project/scheme or earmarked for the same.	3 years if the period of training is six months or and 4 years if the period of training is over six months
2.Training not related to any project or scheme such as the various training courses in Harvard, Administrative Staff College, Hanle-on Themes, etc., which do not lead to the award of a recognised diploma or degree or certificate which has a market value.	2 years if the period of training is over six months (No bond if training is for six months or less)
3. All other types of training.	4 years.

The relevant condition in the bonds shall be modified as above depending upon the period of training]

1. Inserted by No. FD 9 SRS 65 dated 27-4-1965.

2. Inserted by No. FD 132 SRS 69 dt. 12-11-1969 (wef 24-9-1969).

¹[Exemption.—xxx]

8(a) On the completion of study or training the scholar shall report himself to duty to the Head of the Department concerned and on receipt of his orders he shall join duty immediately. The fact that a person has secured higher qualification by having gone abroad should not in itself be a reason for superseding his seniors in service or for better grades of pay and allowances. Nor should supernumerary posts be created carrying a higher rate of salary to absorb such foreign trained persons. If need be Government may sanction suitable allowances to such persons after considering the merits in each case.

(b) At least a month before the scheduled date of arrival in the State, the scholar will give intimation regarding his arrival and the date thereof to the Chief Secretary to Government and the Head of the Department. The Head of the Department should take action well in time to provide a posting to the officer and compulsory waiting by officers returning from abroad for want of posting orders should be avoided.

(c) The Heads of Departments should send intimation to the Audit Office about the date of arrival of the Government servant from abroad, the date on which he resumes his duties, as also the date from which the recovery of equipment advance should commence.

²[8-A. (1) If a Government servant resigns or retires from service without returning to duty after a period of study leave or within a period of ³[four years] after such return to duty, he shall be required to refund ³[the actual amounts] of leave salary, study allowance, cost of fees, travelling allowance and other expenses if any, incurred by the Government or drawn by him for the period of study leave together with interest thereon from the date of demand at Government rates for the time being in force on Government loans before his resignation is accepted or permission to retire is granted:

Provided that nothing in this rule shall apply to a Government servant who on return to duty from study leave is permitted to retire from service on medical grounds:

1. Deleted by No. FD 16 SRS 85 dated 18-6-1985 (wef 18-6-1985).

2. Inserted by No. FD 71 SRS 66 dated 18-9-1967.

3. Substituted by No. FD 31 SRS 72 dated 13-8-1976 (wef 26-8-1976)

Provided further that the amount required to be refunded under this rule shall, in the case of a Government servant who on return to duty from study leave is permitted to resign from service and to take up employment under any statutory or autonomous body or in any institution under the control of the Government, be reduced to an amount equal to the expenditure incurred by Government in respect of the leave salary, study allowance, cost of fees, travelling allowance and other expenses, if any, incurred by the Government or drawn by him for the period of study leave together with interest thereon.

(2) In addition to the amount to be refunded under sub-rule (1) he shall also be required to refund leave salary drawn by him for the period of study leave reduced by regular leave at his credit on the date on which study leave commenced after deducting the regular leave taken by him in continuation of study leave.

(3) Notwithstanding anything contained in this rule, Government may, if it is necessary or expedient so to do, either in public interest or having regard to the peculiar circumstances waive or reduce the amount required to be refunded under sub-rule (1) by any Government servant or class of Government Servants].

¹[9. The scholar will submit to Government annual progress reports and also a final report of training of studies through the Head of the Institution in the form prescribed in Annexure 'F'. Government will forward these reports to the Head of the Department concerned for scrutiny and such action as may be necessary.]

10. Government servants, who go abroad for higher studies at their own cost whose candidature is not sponsored by Government for grant of scholarships and fellowships under foreign aid schemes coming under Rule 1 (b) shall be granted leave at their credit and the remaining period of absence be treated as leave without allowance ²[subject to a maximum

1. Substituted by No. FD 24 SRS 64 dated 13-9-1965.

2. Inserted by No. FD 52 SRS 63 dated 5-7-1966.

period of two years on the whole in the case of post-graduate and other training courses and three years on the whole in the case of Ph.D., such period of absence counting for earning increments, pension and promotion provided the candidate is successful in all his examinations within that period] ¹[and also subject to the provisions of Rule 244-A.]

²[Provided that such Government Servant shall satisfy the requirements of rule 5.]

1. Inserted by No. FD 161 SRS 69 dated 22-6-1970 (wef 2-7-1970).

2. Substituted by No. FD 90 SRS 67 dated 19-2-1968.

ANNEXURE-A**Study leave benefits and Damodar Das Scholarships**

1. If the candidate is not entitled to leave for the full period of his study, whatever leave he is entitled to, may be sanctioned and the balance may be treated as special study leave on half pay.

Note.- No Commuted leave will be sanctioned to candidates who have been granted study leave benefits or Damodar Das Scholarships.

¹[2. (a) The grant of study leave should be made with due regard to the exigencies of the public service. In no case should the grant of this leave, in combination with leave other than extraordinary leave or leave on medical certificate, involve an absence of over twenty-four months from a Government servant's regular duties or exceed two years in the whole period of a Government Servant's service where such leave is granted for purposes of postgraduate or other studies and thirty six months or three years in the case of Ph.D., provided the candidate is successful in all his examinations within that period. The limit of absence of twenty-four months or thirty-six months, as the case may be, includes periods of vacations, if any, with which the study leave and other leave may be combined. A period of 12 months at one time should ordinarily be regarded as a suitable maximum and should not be exceeded save for exceptional reasons.

Note.- Extraordinary leave may be taken in conjunction with study leave without regard to the maximum limit of 24 months or thirty-six months mentioned above.]

(b) In calculating the continuous period of absence from duty the travel time from India to the country of training and back will be included.

(c) The special leave will not be debited to the leave account of the Government servant.

3. A Government servant whose study leave is combined with any other kind of leave admissible should be required to regulate his period of study leave so as to retain at

1. Substituted by No. FD 52 SRS 63 dated 5-7-1966.

its conclusion a balance of leave, at credit sufficient to cover the period spent in returning to duty.

4. When a Government servant has been granted a definite period of study leave and finds subsequently that his course of study will fall short of the sanctioned period to any considerable extent, his leave period in the absence of express orders of Government to the contrary, will be considered as reduced correspondingly.

5. A Government servant may be allowed to draw Study Allowance for the entire period of vacation during the course of study subject to the condition that- (i) he attends during vacation any special course of study or practical training, if so required, by Government or other competent authority and (ii) in the absence of any such direction produces satisfactory evidence before the High Commissioner for India in the United Kingdom or in the case of Government servants on study leave in America, the Ambassador for India in Washington or in the case of Government servant on study leave in any other country, the head of the Indian Mission in that country, that he has continued his studies during the vacation. No study allowances may, however, be drawn during the vacation falling at the end of a course of study except for a maximum period of fourteen days. The period of vacation during which study allowance is drawn shall be taken into account in calculating the maximum period of two years for which study allowance is admissible.

Note.- A period during which a Government servant interrupts his course of study for his own convenience cannot be considered as vacation.

6. The certificates of attendance required to be submitted in support of the claims for study allowance may be produced at the end of the term of a Government servant who is undergoing study in an educational institution or at intervals not exceeding three months if he is undergoing study at any other institution.

7. Study allowance may be paid at the end of every month provisionally subject to an undertaking in writing being obtained from the Government servant that he would refund to Government any over-payment consequent on his failure to

produce the required certificate of attendance or otherwise. The authority sanctioning the study leave shall send to the Audit Officer a certificate to the effect that the Government servant has executed the requisite bond.

8. Study allowance may be granted at the discretion of Government for any period up to fourteen days at one time during which he is prevented by sickness from pursuing the sanctioned course of study, if the sickness is duly certified by a Medical Practitioner.

Note.- In the case of a Government servant undergoing a course of study out of India, the Head of the Indian Mission in that country shall have the power to grant study allowance during the sickness.

¹[8-A. Government servants deputed to U.S.A. for studies or training under these rules who, after completing their studies or training, are required to halt at London on their return journey awaiting their onward passages to India, may be paid a halting allowance at 16 Sh. per day of such enforced halt at London]. ²[The payment of the allowance will be regulated on the certificate granted by the High Commission of India, London, as to the period of enforced halt of the Government servant concerned at London.]

³[8-B. Government servants deputed to the United Kingdom for studies or training under these rules who after completing their studies, have to remain in the U.K, awaiting their passages to India for any period beyond the 14 days of vacation falling at the end of the course of study, may be paid in addition to leave salary admissible if any, a halting allowance at 16 Sh. per day of such enforced halt.

The payment of the allowance will, however, be made on the certificate granted by the High Commission of India to the effect that it was not possible to arrange for the passage earlier and the halt beyond 14 days was unavoidable although efforts were made to secure passage well in time.]

1. Inserted by No. FD 156 SRS 60 dated 26-10-1960 (wef 3-11-1960)

2. Inserted by No. FD 191 SRS 60 dated 1-4-1961 (wef 6-4-1961)

3. Inserted by No. FD 88 SRS 62 dated 7-2-1963 (wef 21-2-1963)

9. Allowance to study leave candidates, Fellowship holders and Deputationists will be determined by Government from time to time and will be liable to revision. The rates to be granted to Government servants who take study leave in countries other than U.S.A. and U.K. will be specifically considered by Government in each case. In U.S.A. and U.K. allowances will be paid at the following rates:-

I. Study Leave

(a) Permanent Government servants sent on study leave.

1. Study allowance-

In U.S.A.	In U.K.
30 Sh. or \$ 4.20 per day	16 Sh. per day

2. Essential apparatus books and travelling allowance-

\$ 200 per academic year	£ 40 per academic year
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Note 1.- The cost of typing thesis if any, certified by the concerned professors, may be allowed under this item, subject to the condition that the total provision of \$ 200 or £ 40 per academic year is not exceeded.

Note 2.- The cost of purchase of books will be allowed, if certified by the concerned professors. These books should be returned to the Library of the Department in which the Government servant is serving, after his return from abroad.

Note 3.- Health insurance fees may be paid out of the above amount subject to the condition that the total provision of \$ 200 or £ 40 per academic year is not exceeded.

3. Passage.-

2nd/Tourist Class sea passage both ways whichever is available. Coach Class from the Port of disembarkation to the place of study and back.	2nd/Tourist Class sea passage both ways whichever is available. II Class from Port of disembarkation to the place of study and back.
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4. Fees.-

The Embassy to pay Tuition and Examination Fee direct to the University or direct to the Institution.	The High Commission to pay Tuition and Examination fees to University or Institution.
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Note.- Compulsory Fee.- The term tuition and examination fees includes fees and charges levied by Foreign Universities/ Institutions/Organisations without which the scholars may be liable for removal from the rolls, (e.g., Activity infirmary and Student Union Fees).

Fines or the other penal charges levied for misconduct, etc., will not be borne by Government.

5. Family maintenance allowance-

Rs. 75 p.m.

Rs. 75 p.m.

¹[6. Equipment advance.-

²[Rs.1000] recoverable as follows:

²[Rs.1000] recoverable as follows:

1. If the duration of the stay of the Government servant abroad is more than six months, in ten monthly instalments;

1. If the duration of the stay of the Government servant abroad is six months or less, in ten monthly instalments

2. If the duration of the stay of the Government servant abroad is more than six months, in twenty-five monthly instalments.

If the duration of the stay of the Government servant abroad is more than six months in twenty-five monthly instalments]

7. Maintenance allowance-

Nil

Nil

Leave salary and study allowance will be paid in lieu of maintenance allowance. If the sum total of both falls short of maintenance allowance admissible to non-study leave scholars. (i.e., \$ 125 In U.S.A. and £ 33 1/3 in Oxford and Cambridge and £ 30 in other places in U.K.) the difference will be paid by the Government as additional allowance.

8. Travelling allowance from headquarters to the port of embarkation and on return from the port of arrival to the place of posting ³[as for journeys on tour.]

1. Substituted by No. FD 124 SRS 70 dated 31-5-1971.

2. Substituted by No. FD 7 SRS 76 dated 5-7-1976 (wef 20-7-1976).

3. Substituted by No. FD 30 SRS 64 dated 20-8-1964.

(b) In the case of temporary Government servants who may be sent abroad on study leave, allowance to be paid will be decided in each case according to its merits.

II. Fellowship

- | | |
|--|--|
| 1. Maintenance allowance-
\$ 125 per mensem | £ 33 $\frac{1}{3}$ in Oxford and
Cambridge and £ 30 in other
places |
| 2. Essential apparatus books and training allowance-
\$ 200 per annum | £ 40 per annum |
| 3. Passage-

II or Tourist Class sea passage
both ways whichever is
available. Coach Class from
Port of disembarkation to the
place of study and back. | II or Tourist Class sea passage
both ways whichever is avail-
able. II Class from the Port of
disembarkation to the place of
study and back. |
| 4. Fees-

Embassy to pay tuition &
Examination fees direct to
the University or Institute. | High Commissioner to pay
tuition fees and examination
fees direct to the University
Institute. |

Note:- Compulsory fees.- The term tuition and examination fees, includes fees and charges levied by Foreign Universities/ Institutions/Organisations without which the scholars may be liable for removal from the rolls, (e.g., Activity infirmary and student Union fees).

Fines or other penal charges levied for misconduct, etc., will not be borne by Government.

5. Family maintenance-

Rs. 75 p.m.

Rs. 75 p.m.

¹[6. Equipment advance—

²[Rs.1000] recoverable
as follows:-

²[Rs. 1000] recoverable
as follows :-

1. Substituted by No. FD 124 SRS 70 dated 31-5-1971.

2. Substituted by No. FD 7 SRS 76 dated 5-7-1976 (wef 20-7-1976).

- | | |
|---|---|
| 1. If the duration of the stay of the Government servant abroad is six months or less, in ten monthly instalments; | If the duration of the stay of the Government servant abroad is six months or less, in ten monthly instalments; |
| 2. If the duration of the stay of the Government servant abroad is more than six months, in twenty-five monthly instalments | If the duration of the stay of the Government servant abroad is more than six month, in twenty-five monthly instalments.] |
7. Travelling allowance from the headquarters to the port of embarkation and on return from the port of arrival to the place of posting ¹[as for journeys on tour].
8. In addition to the above such travelling allowance in the country or countries for training observation or study as is sanctioned in each case.

III. Deputationists

1 .Maintenance or daily allowance-

In U.S.A-	In U.K.
(i) 8 dollars per day in the case of officers drawing a pay below ² [Rs. 4150] per mensem	£ 1½ per day
(ii) 10 dollars per day in the case of officers drawing a pay of ² [Rs. 4150] and above per mensem.	£ 2 per day

2. Tuition and Training Fees.-

³[(a) Equipment advance of Rs. 500 recoverable as follows:

1. If the duration of the stay of the Government servant abroad is six months or less, in ten monthly instalments.
2. If the duration of the stay of the Government servant abroad is more than six months, in twenty-five monthly instalments.]

1. Substituted by No. FD 30 SRS 64 dated 20-8-1964.

2. Amended by No. FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999)

3. Substituted by No. FD 124 SRS 70 dated 31-5-1971

(b) Pocket expenses of £ 5 or its equivalent in dollars:-

(c) Travelling allowance as follows :-

Travelling allowance from the headquarters to the port of embarkation and on return from the port of arrival to the place of posting '[as for journeys on tour.]

(ii) To and fro passage, I Class sea or air passage whichever is cheaper in the case of officers drawing a pay of ²[Rs.4150] and above per month and, II class sea or air passage whichever is cheaper in the case of officer drawing a pay below ²[Rs. 4150] per month. If the officer of both classes undertake a costlier journey the difference will be treated as loan recoverable on their return from abroad.

(d) Pay.-They are eligible to draw if they were on duty.

Note 1.-Only Officers of I class, viz., Major Heads of Departments, Secretaries to Government, Deputy Commissioners and officers of other Departments of a corresponding status and scales of pay have to be treated as on deputation when such officers are sent abroad for observation for short periods and they are allowed the allowances mentioned for deputationists.

Note 2.- Government servants, who are granted Damodar Das Scholarships/Study Leave concession/Fellowship/ deputation terms, may, if they so desire, travel by air to the foreign country and back. But in case they are not entitled under the foregoing rules to travel by air, the difference in cost between the air fare and the fare to which they are eligible, will have to be paid by the Government servants themselves or, if they so prefer, it will be treated as a loan, which will have to be repaid by them on their return, out of their salary in ³[thirty-six] monthly instalments. Interest at five per cent per annum will be charged on the amount treated as loan.

3. In the case of Government servants, who are granted study leave concessions or Damodar Das Scholarship.-

(a) Family maintenance allowance is payable for the full period of absence from India including the period spent on

1. Substituted by No. FD 30 SRS 64 dated 20-8-1964.

2. Substituted by No. FD 4 SRS 99 dated 2-6-2000 (wef 1-1-1999).

3. Substituted by No. FD 112 SRS 62 dated 19-12-1962 (wef 27-12-1962).

journey from India to the foreign country and back. For purpose of payment, the term 'family' should be interpreted in accordance with rule 8 (16) of the Karnataka Civil Services Rules.

The Scholar will nominate, before leaving the State, a member of his family for receiving family maintenance allowance and in addition to giving intimation thereof will forward the specimen signature of the person so nominated to the Accountant General, in case he is a Gazetted Officer or to the Head of that office at which he was last working, in case he is a Non-Gazetted Officer.

(b) Study allowance will be paid only from the date of landing in the country of study and up to the date of departure from that country. It will not be admissible during the periods spent on journey from India to the foreign country and back.

4. The leave salary and other allowances admissible to the Government servant till the day preceding the date of his landing in the foreign country will be paid in rupees, whereas the leave salary, etc., from the date of landing will be payable in sterling or Dollars or the appropriate foreign currency. If, however, a Government servant desires that the entire leave salary may be arranged to be paid in India alone, such requests may be accepted. The leave salary for the period till the day preceding the date of landing in the foreign country may also be arranged to be paid in the foreign country if the period is short and the amount is not large. Cases of doubt may be referred to Government for orders.

Request for part payment of salary in India may also be complied with.

10. Government reserve the right of stopping the daily or other allowances, if the diaries indicate that the time of the Government servant has not been properly employed.

11.(a) A Government servant who is granted study leave to prosecute a course of studies or for receiving specialised training in professional or technical subjects, may be permitted to receive and retain, in addition to his leave salary, any scholarship or stipend that may be awarded to him from a Government or non Government source.

(b) Where a Government servant on study leave is in receipt of scholarship or stipend (from whatever source granted), the cost of the fees payable for the course of study may not be paid by Government under Rule 9 above.

(c) A Government servant on study leave who is in receipt of a scholarship or stipend (from whatever source granted), but in special cases where the net amount of the scholarship or stipend (i.e. the value of the scholarship or stipend minus any tuition fees paid is less than the study allowance that would be admissible but for the scholarship or stipend, the difference between the value of the net scholarship or stipend and the usual study allowance may be granted by special sanction.

Note.- Any scholarship or stipend received during study leave or otherwise, by a Government servant from a source other than the Consolidated Fund of the State for the purpose of prosecuting a course or study or receiving specialised training in professional or technical subjects will not be subject to a cut under the provision of Rule 29(a) of the Karnataka Civil Services Rules, i.e., the scholar will not be required to credit any portion of it to Government. However, Rule 29(a) will continue to apply, unless specifically relaxed, to the payment received by such Government servant as a result of full time or part time employment undertaken by them.

ANNEXURE- B

Benefits in cases coming under Rule 1(b) of Appendix II

¹[1. (i) If the period of absence of a Government servant from his post in India does not exceed eighteen months, such period shall be treated as deputation on full pay which he would have drawn had he remained on duty in India and it shall count as duty for all purposes.

(ii) If the period of absence exceeds eighteen months but does not exceed twenty-four months, such period exceeding eighteen months shall be covered by grant of special leave on half average pay, subject to the conditions mentioned in rule 2 of Annexure 'A' and such period shall be treated as service counting for promotion, pension and increment but not for leave:

Provided that he shall be permitted to avail himself of earned leave to the extent due and admissible in lieu of special leave.

1. Substituted by No. FD 57 SRS 66 dated 22-8-1967 (wef 1-4-1967).

(iii) If the period of absence is permitted to exceed twenty four months such period exceeding twenty-four months shall be covered by grant of leave with pay due and admissible and if no such leave is due or admissible, by grant of leave without allowance to the extent necessary.

2. No Dearness Allowance and compensatory-cum-house rent allowance shall be admissible except for the first six months of absence at the rates at which the Government servant would have drawn, had he remained on duty in India:

Provided that during the exceeding six months, dearness allowance at such rate as is appropriate to the basic pay shall be admissible for a Government servant who has not elected revised scales of pay sanctioned in the Karnataka Civil Services (Revised Pay) Rules, 1961)].

(The benefit derivable under rules 1 and 2 of Annexure 'B' is also applicable to Government servants deputed for study or training outside India under Rule (1) (b) of Appendix II or after 1st April, 1966).

¹[Note.- Dearness Allowance will also be admissible in cases of deputation extending beyond a period of six months, provided the deputation is more than one country and the period of the Government servant's stay on deputation in any one country does not exceed six months.]

3. The Government servant concerned will be permitted to avail of such concessions as are contemplated under the terms of the awards. In addition, Government will extend the following concessions :-

(i) travelling allowance to the port of embarkation in India and back ²[as for journeys on tour] if this is not covered under the terms of the award.

³[(i-a) travelling allowance from the headquarters to Delhi and back limited to single railway fare (without incidental charges) and Daily Allowance at the admissible rates for the days of halt at Delhi in connection with the interview of the

1. Inserted by No. FD 68 SRS 69 dated 14-8-1969 (wef 22-11-1968)

2. Substituted by No. FD 30 SRS 64 dated 20-8-1964.

3. Inserted by No. FD 99 SRS 61 dated 29-8-1961 (wef 29-8-1961).

Government servant concerned before the Central Selection Committee, New Delhi.]

¹[Note.- In respect of T.A., claims under this sub-rule, the Government servant concerned shall furnish either of the two certificates prescribed below, as the case may be :

“Certified that I have not drawn T.A./D.A., for this journey and halt from any non Government source.”

OR

“Certified that T.A./D.A. admissible from non-Government sources in respect of this journey and halt has been drawn and deducted from the amount claimed in this bill.”]

(ii) such other local costs, i.e., for obtaining passports, medical certificates, etc., as are necessary in each case, and

²[Note.- The term ‘local costs’ including single railway fare or bus fare and ordinary mileage (without incidental charges) and daily allowance for the days of halt, if any, at the place the Government servant is required to present himself in connection with obtaining passport/medical certificate or for Orientation training.
³[Where air journey is performed in view of urgency, single air fare (without incidentals) may be allowed only for the forward journey, which shall be included in the ‘local costs’.]

The actual periods of halt, including the period of compulsory stay, if any, that was absolutely necessary shall be certified by the authority issuing the passport or the Examining Medical Officer or other competent authority.]

⁴[(iii) Rs.3000/- shall be paid as equipment grant to an officer deputed by the State Government for training abroad, the duration of which is more than three months.

(iv) Airport tax shall be reimbursed to the officer deputed by the State Government for training abroad, if it is paid at the port of embarkation/disembarkation in the course of his duty.]

1. Inserted by No. FD 99 SRS 61 dated 9-1-1962 (wef 9-1-1962).

2. Inserted by No. FD 18 SRS 64 dated 17-2-1965.

3. Inserted by No. FD 71 SRS 70 dated 3-11-1970 (wef 19-11-1970).

4. Substituted by No. FD 1 SRA 97 dated 23-4-98 (wef 15-10-1998)

ANNEXURE - C

This bond is executed in favour of the Governor of Karnataka (hereinafter called the "Government") byson ofaged about years, now residing at (hereinafter called the "SCHOLAR" which term shall include his heirs and legal representatives);

And Shri.....son of..... aged about.....years, residing at.....aged about.....years, residing at.....and Shri.....son of.....aged about.....years, residing at.....(hereinafter called "SURETIES" which term shall include their heirs and legal representatives).

Whereas at his request the Scholar has been granted a scholarship/Fellowship/Grant/Study leave concession of under the rules forming Appendix II to the Karnataka Civil Services Rules, Volume I, regarding the facilities available for study or training outside India which they read and understood.

The Scholar and the Sureties covenant as follows:-

1. The Scholar shall be bound by all the Rules of the aforesaid Appendix II of the Karnataka Civil Services Rules and any modification thereof made by the Government from time to time.

2. The Scholar shall prosecute his studies or training diligently.

3. The Scholar shall join such Institution or Company or Factory or Establishment and take up such course or courses as the Government may require him so to do or may approve.

¹[3-A. The Scholar shall not, without the previous approval of the Government, take up the question of extension/variation of his training with the authorities responsible for his training abroad either on his arrival in the country of training or during his stay in that country.]

4. After completion of ¹[the] course or training the Scholar shall not take up another course of study or training or

1. Inserted by No. FD 12 SRS 61 dated 1-4-1961 (wef 6-4-1961).

take up any employment, trade or profession, or occupation without the express permission of the Government.

5. On completion of such course of study, or training the Scholar shall return to Karnataka State within reasonable time not exceeding three months from the date of completion of his course or training unless otherwise expressly permitted.

¹[6. In the event of the Scholar contracting an infectious disease requiring prolonged hospitalisation, he shall not forbid the medical advisers/attendants from communicating the nature and condition of disease to Indian Missions concerned or Government.]

7. It shall be open to the Government to re-call the Scholar at any time, whether or not the course for which he is sent has been completed, if he fails in his examination, or the reports regarding his progress are unsatisfactory or he has taken to undesirable ways of life. In the case of such re-call the Scholar shall be liable to pay to the Government all sums spent on him.

8. At least one month before the date of his return to Karnataka State and within ²[7] days after such return, the Scholar shall intimate about his return to the Chief Secretary to the Government of Karnataka and also to.....
.....[here the Head of the Department in which the Scholar was serving before going for the course of study or training may be indicated] who shall arrange to issue necessary posting order. The Scholar undertakes to serve the Government in such post, in such capacity and on such remuneration as the Government may, in its absolute discretion require him to do so, for a period of atleast ³[four years] from the date of joining appointment after return. If required by the Government, the Scholar shall apply to the Public Service Commission or any other authority for such posts as the Government may direct.

⁴[9. In the event of breach of any of the aforesaid terms by the Scholar, the Scholar and the Sureties do undertake jointly and severally to refund to Government all amounts paid to the

1. Inserted by No. FD 9 SRS 61 dated 16-2-1961 (wef 23-2-1961).

2. Substituted by No. FD 4 SRS 63 dated 20-3-1963 (wef 11-4-1963).

3. Substituted by No. FD 125 SRS 67 dated 21-10-1967 (wef 2-11-1967)

4. Substituted by No. FD 29 SRS 62 dated 31-7-1962 (wef 9-8-1962)

Scholar or expended on his account as scholarship equipment allowance passage money, family allowance, salary and other allowance during the period of such study or training, leave salary, cost of fees, travelling and other expenses, cost of international travel and cost of training abroad met by the Foreign Government Agency, and all other kinds of payments made to him from the time he leaves the State of Karnataka for such study of training upto the period he returns to the State together with interest at six percent per annum on such sums from the respective dates of payment.]

¹[9-A. In the event of the scholar resigning or retiring from service without returning to do duty after a period of study leave or within a period of ²[four years] after such return to duty, the scholar and the sureties do undertake jointly or severally to refund ³[the actual amount] of leave salary, study allowance, cost of fees, travelling allowance and other expenses, if any, incurred by the Government or drawn by the scholar for the period of study leave, together with interest thereon from the date of demand at Government rates for the time being in force on Government loans, before the resignation of the scholar is accepted or permission to retire is granted.]

10. It shall not be necessary for the Government to proceed against the Scholar first by filing suit or initiating recovery proceedings before proceeding against the Sureties or either of them.

11. The Government shall be at liberty to recover all sums due from the Scholar and/or the Sureties, as arrears of Land Revenue.

12. Any extension of time granted to the Scholar or relaxation from any of the aforesaid terms or the rules of the aforesaid Foreign Scholarship Rules shall not release the Sureties from their obligation under this Bond or affect their liability in any manner.

13. The Sureties hereby mortgage in favour of the Government, the properties detailed hereunder by way of security for their liability under this Bond. The Sureties shall

1. Inserted by No. FD 71 SRS 66 dated 18-9-1967.

2. Substituted by No. FD 125 SRS 67 dated 21-10-1967 (wef 2-11-1967)

3. Substituted by No. FD 31 SRS 72 dated 13-8-1976 (wef 26-8-1976)

also be personally liable for their obligations under this Bond should the mortgaged properties be insufficient to satisfy the dues of Government.

¹[or

The Scholar hereby mortgages in favour of the Government, the properties detailed hereunder by way of security for his liability under this Bond.]

14. The Stamps and Registration fees, if payable on this bond, shall be borne by the Government.

SCHEDULE I

(Properties mortgaged by the First Surety)

(Shri)

SCHEDULE II

(Properties mortgaged by the Second Surety)

(Shri)

In witness whereof the Scholar and Sureties have signed this Deed in the presence of the following witnesses :-

	Witnesses	Scholar
1.	Surety
2.	Surety

¹[SCHEDULE III]

(Properties mortgaged by the Scholar)

(Shri

²[Annexure CC xxx]

1. Inserted by No. FD 9 SRS 65 dated 27-4-1965 (wef 13-5-1965).

2. Deleted by No. FD 90 SRS 67 dated 19-2-1968 (wef 7-3-68).

ANNEXURE-'D'

This bond is executed in favour of the Governor of Karnataka (hereinafter called the "Government") by.....son of aged about..... years, now residing at.....(hereinafter called the "Scholar" which term shall include his heirs and legal representatives) :

And theBank Ltd.,(hereinafter called 'Surety' which term shall include its liquidators and legal representatives):

Whereas at his request, the Scholar has been granted a Scholarship/Fellowship/Grant/Study Leave/Concession of.....under the Rules forming Appendix II to the Karnataka Civil Services Rules, Volume I, regarding the facilities available for study or training outside India which they have read and understood:

And whereas at the request of the Scholar and the Surety the Government has agreed to accept the guarantee given by the surety instead of Security of Immovable property;

The Scholar and the Surety covenant as follows:-

1. The Scholar shall be bound by all the Rules or the aforesaid Rules forming Appendix II to the Karnataka Civil Services Rules and any modification thereof made by the Government from time to time.

2. The Scholar shall prosecute his studies or training diligently.

3. The Scholar shall join such Institutions or Company or Factory or Establishment and take up such course or courses as the Government may require him so to do or may approve.

¹[3-A. The Scholar shall not without the previous approval of the Government, take up the question of extension/variation of his training with the authorities responsible for his training abroad either on his arrival in the country of training or during his stay in that country.]

1. Inserted by No. FD 12 SRS 61 dated 1-4-1961 (wef 6.4.1961)

4. After completion of ¹[the] course or training the Scholar shall not take up another course of study or training to take up any employment, trade or profession, or occupation without the express permission of the Government.

5. On completion of such course of study, or training the Scholar shall return to Karnataka State within reasonable time not exceeding three months from the date of completion of his course, or training unless otherwise expressly permitted.

6. It shall be open to the Government to re-call the Scholar at any time, whether or not the course for which he is sent has been completed, if he fails in his examination, or the reports regarding his progress are unsatisfactory or he has taken to undesirable ways of life. In the case of such re-call, the Scholar shall be liable to pay to the Government all sums spent on him.

7. At least one month before the date of his return to Karnataka State and within ²[7] days after such return the Scholar shall intimate about his return to the Chief Secretary to the Government of Karnataka and also to(here the Head of the Department in which the Scholar was serving before going for the course of study or training may be indicated) who shall arrange to issue necessary posting order. The Scholar undertakes to serve the Government in such post, in such capacity and on such remuneration as the Government may, in its absolute discretion require him to do so for a period of at least ³[four years] from the date of joining appointment after return. If required by the Government the Scholar shall apply to the Public Service Commission or any other authority for such posts as the Government may direct.

⁴[8. In the event of breach of any of the aforesaid terms by the Scholar, the Scholar and the Surety to undertake jointly and severally to refund to Government all amounts paid to the Scholar or expended on his account as scholarship, equipment allowance, passage money, family allowance, salary and other allowances during the period of such study or training, leave salary, cost of fees, travelling and other expenses, cost of international travel and cost of training abroad met by the

1. Inserted by No. FD 12 SRS 61 dated 1-4-1961 (wef 6-4-1961).

2. Substituted by No. FD 4 SRS 63 dated 20-3-1963 (wef 11-4-1963).

3. Substituted by No. FD 125 SRS 67 dated 21-10-1967 (wef 2-11-1967).

4. Substituted by No. FD 29 SRS 62 dated 31-7-1962 (wef 9-8-1962).

Foreign Government Agency, and all other kinds of payment made to him from the time he leaves the State of Karnataka for such study or training upto the period he returns to the State together with interest at six percent per annum on such sums from the respective dates of payment.]

¹[8-A. In the event of the scholar resigning or retiring from service without returning to duty after a period of study leave or within a period of ²[four years] after such return to duty the scholar and the sureties do undertake jointly or severally to refund ²[the actual amount] of leave salary, study allowance, cost of fees, travelling allowance and other expenses, if any incurred by the Government or drawn by the Scholar for the period of study leave, together with the interest thereon from the date of demand at Government rates for the time being in force on Government loans, before the resignation of the scholar is accepted or permission to retire is granted.]

9. It shall not be necessary for the Government to proceed against the Scholar first by filing suit or initiating recovery proceedings before proceeding against the Surety or either of them.

10. The Government shall be at liberty to recover all sums due from the Scholar and/or the Surety as arrears of Land Revenue.

11. Any extension of time granted to the Scholar or relaxation from any of the aforesaid terms or the rules of the aforesaid Foreign Scholarship Rules shall not release the Surety from its obligation under this Bond or affect its liability in any manner.

³[12. xxx]

A witness of the Scholar on his behalf and.....
..... of the Bank, on its behalf have set their hands
to this on

Witnesses

Scholar

1.....

on behalf of the Bank

2.....

Surety]

1. Inserted by No. FD 71 SRS 66 dated 18-9-1967.

2. Substituted by No. FD 31 SRS 72 dated 13-8-1976 (wef 26-8-1976).

3. Deleted by No. FD 142 SRS 61 dated 24-1-1962 (wef 20-9-1961).

¹[ANNEXURE - 'E']

²[When the security is furnished in Karnataka Government Savings Bank Pass-book and/or National Savings Certificates and /or National Defence Certificates.]

KNOW ALL MEN BY THESE PRESENTS THAT I,son of.....aged aboutyears, now residing at..... [hereinafter called the 'Scholar' which term shall include his heirs and legal representatives) am bound to the Governor of Karnataka (hereinafter called the Government);

WHEREAS I the said.....has been granted a Scholarship/Fellowship/Grant/Study Leave/Concession ofunder the rules forming Appendix II to the Karnataka Civil Services Rules, Volume I, regarding the facilities available for study or training outside India which I have read and understood.

AND WHEREAS at my request the Government has agreed to accept the security of money deposited by me in the Karnataka Government Savings Bank under Pass Book Noof.....Treasury ¹[and/or the National Savings Certificates and/or the National Defence Certificate Nos.....of the value of R s] instead of security of immovable property;

Now, THEREFORE, the condition of this bond are as follows:

1. The Scholar shall be bound by all the rules in the aforesaid Rules forming Appendix II to the Karnataka Civil Services Rules and any modification thereof made by the Government from time to time.

2. The Scholar shall prosecute his studies or training diligently.

3. The Scholar shall join such institution or Company or Factory or Establishment and take up such course as the Government may require him so to do or may approve.

1. Inserted by No. FD 49 SRS 62 dated 8-2-1963 (wef 14-3-1963).

2. Substituted by No. FD 25 SRS 66 dated 27-8-1966 (wef 8-9-1966).

4. The Scholar shall not without the previous approval of the Government, take up the question of extension/variation of his training with the Authorities responsible for his training abroad either on his arrival in the country of training or during his stay in that country.

5. After completion of the course or training, the Scholar shall not take up another course of study or training or take up any employment, trade or profession or occupation without the express permission of the Government.

6. In the event of the Scholar contracting an infectious disease requiring prolonged hospitalisation, he shall not forbid the medical advisers/attendants from communicating the nature and condition of disease to Indian Mission concerned or Government.

7. On completion of the course of study or training, the Scholar shall return to Karnataka State within reasonable time not exceeding three months from the date of completion of his course, or training unless otherwise expressly permitted.

8. It shall be open to the Government to recall the Scholar at any time, whether or not the course for which he is sent has been completed, if he fails in his examination or the reports regarding his progress are unsatisfactory or he has taken to undesirable ways of life. In the case of such re-call, the Scholar shall be liable to pay to the Government all sums spent on him.

9. At least one month before the date of his return to Karnataka State and within 7 days of such return the Scholar shall intimate about his return to the Chief Secretary to the Government of Karnataka and also to (here the Head of the Department in which the Scholar was serving before going for the course of study or training may be indicated) who shall arrange to issue necessary posting order. The Scholar undertakes to serve the Government in such post, in such capacity and on such remuneration as the Government may, in his absolute discretion require him to do so, for a period of atleast ²[four years] from the date of joining appointment after return. If required by the Government, the Scholar shall apply to the Public Service Commission or any other authority for such posts as the Government may direct.

1. Substituted by No. FD 25 SRS 66 dated 27-8-1966 (wef 8-9-1966)

2. Substituted by No. FD 125 SRS 67 dated 21-10-1967 (wef 2-11-1967).

10. In the event of breach of any of the aforesaid terms by the Scholar, the Scholar shall be bound to refund to the Government all amounts, received by the Scholar or expended on his account as Scholarship, equipment allowance, passage money, family allowance, salary and other allowances paid to him during the period of such study of training, leave salary, cost of fees, travelling and other expenses, cost of international travel and cost of training abroad met by the Foreign Government Agency, and all other kinds of payments made to him from the time he leaves the State of Karnataka such study or training upto the period he returns to the State together with interest at six percent per annum on such sums from the respective dates of payment.

¹[10-A. In the event of the scholar resigning or retiring from service without returning to duty after a period of study leave or within a period of four years after such return to duty, the scholar and the sureties do undertake jointly or severally to refund ²[the actual amount] of leave salary, study allowance, cost of fees, travelling allowance and other expenses, if any incurred by the Government or drawn by the Scholar for the period of study leave, together with interest thereon from the date of demand at Government rates for the time being in force on Government loans, before the resignation of the scholar is accepted or permission to retire is granted.]

³[11. By way of security for the due performance of the terms of this bond, the Scholar has deposited a sum of Rs.....in the Government Savings Bank Account No..... atTreasury and has herewith pledged and delivered ⁴[the pass book therefor and/or has hereby pledged and delivered] the National Savings Certificates/and/or/the National Defence Certificates Nos..... of value of Rs..... duly endorsed in the name of the Governor of Karnataka and it is hereby agreed by and between the parties hereto that the said certificates shall be accepted at their surrender value at the time of transfer and shall remain at the disposal of the Government.

1. Inserted by No. FD 71 SRS 66 dated 18-9-1967.

2. Substituted by No. FD 31 SRS 76 dated 13-8-1976 (wef 20-8-1976).

3. Inserted by No. FD 25 SRS 66 dated 27-8-1966 (wef 8-9-1966).

4. Inserted by No. FD 25 SRS 66 dated 22-12-1966.

In the event of breach of the terms of this bond, Government shall be entitled, without prejudice to the other remedies open to it, to recover the amounts under this bond from the aforesaid Savings Bank Deposit / and / or Certificates.

Note.-The amount to be deposited/and/or the value of the securities to be pledged and delivered shall be an amount equivalent to twelve times the average cost of the post held by the Government servant at the time of his deputation abroad or five thousand rupees whichever is less.]

12. Government shall also be entitled to recover moneys due under this bond as arrears of land revenue.

In witness whereof the parties have set their hands to this deed.

Scholar
On behalf of and under the
directions of the Government of Karnataka,
(Person authorised should sign.)

Witnesses:-

1
2]

¹[ANNEXURE - 'F' Annual/Final Report

I. Note to Scholars:

Please state the degree, if any, for which you are studying. The likely date of taking the degree should in all cases be mentioned. If you are not studying for a degree, please mention the likely date when you hope to complete the course of study you are pursuing. Where you have already taken a degree, please give the date of taking it, and state what you have been doing since taking degree and when you hope to complete the course or training you are undergoing at present. The report should be submitted in triplicate.

II. This report must be submitted through your professor or Supervising authority in charge.

Name in Block CapitalsFile No.....
Name of the Scholarship Scheme.....

1. Inserted by No. FD 24 SRS 65 dated 13-9-1965.

- Sponsoring Authority.....
1. Date of arrival in the Country of study.....
 2. Subject for which selected.....
 3. *Course of study or training undertaken.....
 4. Degree sought/obtained.....
 5. Approximate date of degree award.....
 6. Institution in which pursuing study/training.....
 7. *Course of study or training attended during period under review.....
 8. *All examinations (Including subjects) taken with dates, and results (in the final examination the degree or diploma obtained should be stated with subjects taken, and honours, if any. The grades obtained in the final examination must be stated.) Grades should be explained
 -
 -
 -
 9. Any prizes or other Distinctions.....
 10. For Scholar Taking practical Training.

Name of Concern	Date of joining	Stay to last until	Nature of training
-----------------	-----------------	--------------------	--------------------

*(If space provided is not sufficient, please attach additional sheet)

11. This report covers period beginning from.....
..... and lasting upto.....

Place

Date

Scholar's Signature

12. University or Institution Supervisor's Report on the work of the student during the period under review.

Date

Signature

13. To be filled in by the University or Institution Supervisor
in the case of Final Report only.-

(a) Was academic and intellectual background of the
Scholar found satisfactory.

(b) Any outstanding results achieved by him.

(c) Evaluation of Scholar's abilities and achievement.

(d) In which field or branch, in your opinion, the scholar is
most suited to work, viz., Laboratory, field work, industry,
organisation.

(e) Your personal opinion regarding usefulness and value
of scholarship whether or not scholar has fulfilled your expectations.

Date..... Signature of Supervisor/Professor.

14. Observations of the Education Department, Embassy
of India.

Date Signature of forwarding officer.]

¹[APPENDIX-II-A

Rules regulating deputation of or grant of study leave to Government servants for prosecution of special course of study consisting of higher studies or specialised training within India.

I. Deputation of Government servants for higher studies/ specialised training:

1. The Government may depute a Government servant, who has rendered not less than five years as regular service and is below ²[48] years of age, for a special course of study, consisting of higher studies or specialised training in a professional or technical subject having a direct and close connection with the sphere of his duty at a recognised institution within the State or outside the State but within India. The restriction in regard to length of service and age will not apply to deputation of Government servants for foundation refresher courses of training or any inservice training of short-term duration not exceeding three months.

2. The course of higher studies or specialised training to which a Government servant may be deputed should be of a definite advantage in public interest. These courses of higher studies or specialised training shall be determined and prescribed by Government from time to time by a specific or general order.

3. The concerned Departments of Government shall draw up a programme about the requirements of trained personnel in the specialised field of works of such Department.

4. The number of Government servants to be deputed at any point of time for higher studies or specialised training shall be kept at the minimum, not exceeding 5% of the sanctioned permanent strength of the concerned cadre.

5. The selection of a candidate for higher studies or specialised training shall be made strictly on the basis of seniority except for reasons to be recorded in writing.

6. The maximum period of deputation for higher studies or specialised training shall not exceed the normal duration of the course of study or training. This period shall be treated as

1. Substituted by No. FD 17 SRS 84 dated 4-8-1985 (wef 16-5-1985).

2. Substituted by No. FD 61 SRS 89 dated 20-3-1990 (wef 5-4-1990).

on duty. If a Government servant is unable to complete the course of higher studies within the normal duration of such course or higher study, he may be granted extension of time upto a maximum period of one year. This extended period shall be treated as such leave as is at his credit and the remaining period shall be treated as extraordinary leave.

7. A Government servant shall not ordinarily be deputed for higher studies or specialised training more than once during his entire service. However, this restriction will not apply to the deputation of a Government servant for short-term courses of study or training, duration of which does not exceed three months.

8. During the period of deputation, the Government servant shall be eligible to draw:

(a) Salary i.e., Basic Pay, Dearness Allowance, House Rent Allowance and City Compensatory Allowance which he would have drawn but for his deputation for higher studies or specialised training. During the period of extension, the Government servant shall be eligible only for leave salary admissible under these rules.

(b) Stipend equal to one-half of Daily Allowance at the place of study/training, admissible under the rules. No stipend will be admissible during the extended period of study/training. If the period of deputation for higher studies or specialised training is of the duration of three months or less, the Government servant shall be allowed to draw stipend equal to full Daily Allowance admissible under the rules. If the Government servant is deputed for higher studies or specialised training at the same station-Municipal limits including the urban agglomeration area, he will not be eligible for stipend.

(c) Travelling Allowances as on tour from the headquarters to the place of study/training and back for the first journey to join the course of study or training and return journey after completion of the study/training.

(d) Tuition fees, if any, prescribed for the course of study or training.

9. The Government servant who is selected for deputation for higher studies or specialised training has to

execute a bond in Form No. 19 appended to these rules, before he is relieved of his duties. He will have no option to retire from service voluntarily under the provisions of Rule 285 of Karnataka Civil Services Rules either during the period of deputation or within a period of three years from the date of his return to duty after expiry of the period of deputation.

10. The Government shall be the competent authority to sanction the deputation of Government servants for higher studies or specialised training. If Government comes to the conclusion that the Government servant who has been deputed for higher studies or specialised training had not shown sufficient progress in the studies or had failed to complete the course in proper time, it may terminate the period of deputation and direct the Government servant to refund or recover from him the entire expenditure incurred on his deputation including the salary and stipend paid for the period of deputation and extension of time if any, granted for completion of higher study or specialised training.

II. Grant of study leave for prosecution of higher studies/ specialised training

1. The Government may grant study leave to a Government servant for prosecution of a special course of study consisting of higher studies or specialised training in a professional or technical subject having a direct and close connection with the sphere of his duty at a recognised institution within the State or outside the State but within India.

2. Study leave may also be granted for the studies which may not be closely or directly connected with the work of Government servant, but which are capable of widening his mind in a manner likely to improve his abilities as a civil servant and to equip him better to collaborate with those employed in other branches of the public service.

3. The grant of study leave to a Government servant shall be subject to the following conditions:-

(a) No study leave shall ordinarily be granted to a Government servant who has rendered less than five years of regular service under Government. In no case, study leave shall be granted to a Government servant who has not completed the period of probation;

(b) The maximum period of study leave shall be restricted to three years of Doctorate courses and two years for Post-graduate or other courses of higher studies;

(c) The period of study leave shall be debited to the leave account of the Government servant. The period of study leave which falls short of the Earned leave/Half-pay-leave at the credit of the Government servant shall be treated as Extra-ordinary leave. During the period of study leave, the Government servant shall be eligible for leave salary (Pay, DA, HRA & CCA) as admissible under the rules;

(d) The Government servant who has been granted study leave shall not have option to retire from service voluntarily either during the period of study leave or within a period of three years from the date of his reporting for duty after expiry of the study leave.

4. The Government shall be the authority competent to sanction study leave. Every application for study leave should be submitted through the proper channel. The course of study contemplated by the Government servant and any examination which he proposes to undergo shall be clearly specified in the application along with the information about the study leave facilities availed of previously.

5. The Government servant who is granted study leave shall execute a bond in Form No. 19-A appended to these rules before he is relieved of his duties to join the course.]

APPENDIX III**(Rule 64)**

Rules regulating the grant of compensatory allowances and passages during periods of deputation outside India:-

1. Free return passages will be granted to Government servants deputed on duty outside India as follows :-

- | | |
|--|--|
| (i) Government servants drawing actual pay of 1[Rupees ten thousand and one hundred] and above | A tourist or second class passage the cost by P & 0 Second Class A. |
| (ii) Other Government servants on pay exceeding 1[Rupees two thousand and six hundred] | A tourist or second class passage by the all sea route provided that the cost does not exceed the cost of passage by P & 0 second class B. |
| (iii) Government servants drawing pay of 1[Rupees two thousand and six hundred] and below | A deck passage |

Note.- In cases in which accommodation is not available by P & 0 Steamers, the passages should preferably be booked by the steamers of British India or the Orient Steam Navigation Companies if the Course is possible.

2. Government may sanction the following terms for any officer deputed out of India.

(i) for the journey from his headquarters to the port of embarkation, travelling allowance at the rate which would be admissible to him were the journey was on tour;

(ii) free passage (with diet) to the port of debarkation;

(iii) travelling allowance at the rates fixed by the Government of India from the port of debarkation to destination in cases of deputation to Europe or America and actual travelling expenses in the case of deputations to other countries;

1. Amended by No. FD 4 SRA 99 dated 2-6-2000 (wef 1-1-1999).

(iv) actual expenses incurred on account of dock dues and passport fees subject to production of receipts; and

(v) Similar terms for return journey.

Note.- Return tickets for steamer journey should be produced in cases where the period of deputation is not expected to exceed the period for which such tickets are available.

3. Government may, in exceptional circumstances, sanction a passage by air from or to India, to all officer deputed out of India, and grant to him the terms detailed in Rule 2, other than those relating to his own passage and travelling allowance for himself in India, in lieu of which the officer may be granted.

(1) travelling allowance for the journey from his headquarters to the air-port from which the passage has been sanctioned at the rate which would be applicable were the journey one on tour.

(2) free air passage to the air-port of debarkation.

(3) the actual cost of transporting luggage.

(a) from his headquarters to the sea port at which he would have embarked had he travelled by sea, subject to a limit of one-fourth of the rail fare between those two places of the class to which he is entitled, and

(b) from the sea port above mentioned to the port at which he would have disembarked had he travelled by sea, subject to a maximum of the charges payable for conveyance by sea or the amount of luggage which he would have carried free had a sea passage been sanctioned for him, and

(4) Similar terms for the return journey.

Note.- Government servants should avail themselves of the booking facilities afforded by the Government of India so that passages may be obtained at the concessional rates.

4. The travelling expenses and daily allowance payable to the officer from the date of landing in the country of destination to the date of re-embarkation for India will be fixed by the Government in each case, keeping in view the rates which are fixed by Government of India from time to time for journeys and halts in the various countries. The rates fixed by the Government of India for some of the more important places are noted below :-

Place	Rate per day Unit	First Grade officers drawing actual pay Rs 750 & above	Second & third grade pay above Rs 40	Fourth Grade on a pay of Rs 40 & below
London	Pounds & Shillings	2-8-6	1-16-4	0-16-2
United Kingdom (other than London)	-Do-	2-8-6	1-16-4	0-16-2
Ireland	Shillings	37-6	28-1	12-6
France	Franc	3,000-4,000	2.250-3,000	1.000- 1,333.33
Holland	Fl(Guilders)	2.250-2,625	1,687-19-69	7-50-8-75
Sweden	Swedish Kroners	40-45	30-33.75	13-33-15
Italy	Lires	5.000-5,750	3,750-4, 312.50	1,666.67- 1,916.67
Denmark	Danish Kroners	40-65	30-48-75	13.33-21.67
Poland	Zloties	120-125	90-93.75	
West Germany	D.M.	28-34	21-25.50	9.33-11.33
U.S.S.R	Roubles	120	90	40
United States	U.S.Dollars	12	9	6
Canada	Dollars	12	9	6
Mexico	Pesos	96-120	72-90	32-40
Philippines	Pesos	30-32	22.50-24	10-10.6
New Zealand	N.Z. Shillings	45	33 ³ / ₄	15
Australia	Shillings(A)	36-80	27-60	12-27
Malaya States	Straits	20-35	15-26-25	6-67-11-67
Japan	Yens	4,100-4,300	3.075-3,225	1,367-1.433
Burma	Rupees	55	41 ¹ / ₄	18
China	P.B.S.	10-00	7-50	5-00
Ceylon	C.Rupees	30-35	22 1/2-26 1/4	10-11 2/3

China.- In addition accommodation charges will be allowed.

An officer in receipt of all-inclusive rates of daily allowance will not be entitled to any reimbursement on account of tips, taxies, service charges or heating charges.

The daily allowance does not include any element towards the cost of transport for official journeys. Accordingly, the actual cost of taxi or conveyance hire for trips on duty which is considered necessary and reasonably by the Controlling Officer, will be reimbursed to the Officer on production of a Certificate that the amount claimed was actually spent.

In the case of halts of long duration, arrangements, should be made to reserve accommodation on weekly/monthly terms if these are cheaper than daily rates. Where accommodation and meals are both provided either free as when an officer is a State Guest or at Government expense, a cash allowance equal to 25 per cent of the prescribed all-inclusive rates of daily allowance, will be admissible to cover incidentals such as tips and gratuity and when accommodation alone is provided free, two-thirds of the all-inclusive rate of daily allowance will be admissible.

5. Nothing in the foregoing rules shall operate to prevent Government in such cases as it thinks fit to do so from reimbursing a Government servant on the basis of actual expenses incurred by him during a period of deputation. In cases in which it is decided to follow this procedure, the decision should be made known to the Government servant concerned before he leaves India he should be instructed that he will be expected where possible to support his claims by the production of vouchers.

ANNEXURE 'A'

The Karnataka Travelling Allowance Rules, 1957 Regulating the payment of Travelling Allowance to Non-official Members of Committees, etc., constituted under the Authority of Government.

NOTIFICATION

No.Cod 1168 - 57,

dated 23rd August 1957

The Government of Karnataka hereby makes the following rules, in supersession of the existing rules on the subject regulating the payment of travelling allowance to non-official members of councils, committees, conferences and other bodies constituted under the authority of Government namely :-

1. These rules shall come into force with effect from the 1st day of September 1957.

2. These rules shall apply to all claims in respect of journeys and halts made on and from the date of commencement of these rules.

3. The rules regulating the payment of travelling allowance in force immediately before the date of commencement of these rules applicable to persons governed by these rules are repealed except in so far as they are applicable to payment of travelling allowances in respect of journey and halts made before the date of commencement of these rules.

4. The Travelling allowance of Non-official Members (including Members of the State Legislature and retired officers of Government). When these persons (a) are Members of Committees, Conferences or other bodies constituted by the State Government or (b) are deputed by the Government to place either in or outside the State or India to attend Committee, Conferences or other bodies constituted by an authority other than the State Government or (c) are deputed by the Government on special work in connection with the affairs of the State is regulated as follows :-

¹[A. RAILWAY FARE : Between places connected by railway he shall be eligible to draw first class railway fare or railway fare actually paid, by the shortest route, whichever is less, including reservation charges but not agency charges paid to a travel agency.

1. Amended by Go.No.FD 2 SRA 99 dated 22-4-1999 (w.e.f. 1-4-1999)

B. BUS FARE :

(a) Between places not connected by railway, he shall be eligible to draw bus fare by the shortest route, including reservation charges but not agency charges paid to a travel Agency.

(b) Between places partly connected by railway and partly by road, he may travel by bus by shortest route and claim bus fare including reservation charges but not agency charges paid to a travel agency.

C. MILEAGE ALLOWANCE :

He shall be eligible to draw mileage allowance from residence to railway station or bus station and vice versa and from railway station or bus station to the places of meeting and vice versa, at the following rates:

When journey is performed by		
Motor Cycle/Scooter/Tonga/ Cycle Rickshaw/Man-driven Rickshaw	Full Taxi/Own car	Auto Rickshaw
Rs. 1.00 per K.M.	Rs. 3.00 per K.M.	Rs. 3.00 per K.M. subject to minimum of Rs. 4.60

Where a member attends a meeting of the Committee at the place at which he is normally residing, no mileage allowance shall be payable.

D. SITTING FEES:

He shall be eligible to draw sitting fees per day of sitting, at the following rates :-

(a) within the State.

Bangalore	Place of sitting	
	Other cities with Municipal Corporation	other places
Rs.150/-	Rs.125/-	Rs.100/-

(b) outside the State:-

Place of Sitting	
Ahmedabad, Bombay, Calcutta, Delhi, Gazibad, Hyderabad, Madras, Simla, Srinagar, Mussorie, Kanpur, Lucknow, Nagpur, Poona, Goa, Diu and Daman.	other places

Rs. 180/-

Rs. 150/-

Further the non-official members of the Committees etc., constituted by Government may, at their option, be allowed to draw Daily Allowance at the rates applicable to the Government Servants belonging to category - I in lieu of the sitting fee. The payment of Daily Allowance shall be calculated in accordance with the provisions of Rule 514 of the Karnataka civil Services Rules as modified from time to time.]

(iv) Air Journeys :-

Journeys by air require the specific sanction of Government which will be accorded only in cases of extreme emergency necessitating a journey.

¹[(a) xxx]

(b) Return tickets at redeuced rates, if available should be purchased when the return journey is expected to be performed within the period during which the return ticket is valid. Mileage allowance for the forward and return journeys when such return tickets are available will, however, be the actual cost of such return ticket plus two-fifth of the standard air fare for a single journey between two places.

(c) Road mileage at the rates specified above from the point on which the journey is held to commence to the booking offices of the Air Transport Companies.

N.B.- The point in any station from which a journey is to be held to commence or as which it is to be held to end, shall be the Chief Public Office or any other point which may be fixed by Government for the said purpose. In Bangalore and Mysore Cities the Public Offices and in other places, Travellers Bungalow or Inspection Lodge from which distances are reckoned in the road map issued by the Karnataka Public Works Department, will be regarded as the point fixed by Government for the purpose of the above rule.

1. Amended by Go.No.FD 2 SRA 99 dated 22-4-1999 (w.e.f. 1-4-1999)

Explanatory Note.- Travel by air means journeys performed in the machines of Public Air Transport Companies regularly plying for hire. It does not include journeys performed in private Aeroplane or Air Taxis.

(d) Insurance for air travel will be met by Government subject to the amount of premium being restricted to Rs.10 per trip.

Note.- Claims for insurance premium for air journeys should invariably be supported by the receipts on policies issued by the insurance companies.

Outside India,- At such rates as may be prescribed by Government from time to time in individual cases.

5. Government may, in special circumstances grant specific rates of conveyance allowance or actual charges incurred on hire of conveyance or other incidental charges in addition to the travelling allowance.

6. Payment of lumpsum advance to cover travelling expenses may be authorised by Government subject to adjustment from the final travelling allowance bills. The advances should not ordinarily exceed three-fourths of the amount of allowance admissible. This limit may, in special cases be enhanced under specific orders of Government.

¹[Note:- A Government officer (who may be a Member or Secretary of the Committee or other officer of the Government) will be responsible for the drawal disbursement and final adjustment of the advances paid to the non-official members of the Committees. Before allowing such advances, a written undertaking from each non-official should be obtained in the following Form. A second advance should not be allowed until the first advance is adjusted.

FORM

I.....member of the Committee/Commission appointed by the Government of Karnataka having received a sum of Rs.....(Rupees in words) as advance from the Government of Karnataka for performing certain journeys connected with my duties as member of the above said Committee/Commission hereby agree that the amount shall be adjusted against my travelling allowance bill immediately after the completion of specified journeys and that I shall forthwith refund to the Government of Karnataka any portion of the advance not so adjusted. If for any reason, the specified journeys are not performed

1. Inserted by No.FD 62 SRS 58 dated 25-4-1958 (w.e.f.25-4-1958)

I hereby agree to refund forthwith to the Government of Karnataka the entire sum of the advance on demand.

Revenue Stamp.

Signature of Member.]

7. ¹[Subject to such modifications as are specified above, the rules regulating the payment of Travelling allowance to officers of Government shall be the rules applicable to the payment of Travelling Allowance to non-officials also, except where the requirement of a specific rule is dispensed with by a special order of Government.] Sitting Fee, Daily Allowance or Halting Allowance whatever term is allowed in the Government Order constituting the Committee is admissible on the days of meeting in addition to Travelling Allowance admissible for the journeys [irrespective of the time of arrival or departure at the place of meeting.]

²[Note.-1xxx]

³[Note.- 2. The amendment made to this rule in the Government Order dated 3rd January 1961, shall have effect from 1st October, 1958.]

⁴[Exception.- Notwithstanding the provisions of this rule, the non-official members of the Hydro-Electric Construction Projects Board and the Standing Technical Advisory Committee shall be allowed sitting fees in addition to daily allowance whenever the meetings of the board or the standing Technical advisory Committee meetings are held outside Bangalore.]

8. The Government Order constituting the Committee will indicate the list (A,B or C) under which the Committee has been classified and sitting fee (with rate) if any, which has to be allowed in lieu of daily allowance.

9. Government may sanction special rates in individual cases, if the circumstances justify.

10. Road Mileage :- When a non-official member makes a journey by bus for ²[thirty-two kilometers] or more, he will be allowed 1 1/2 bus fare plus Daily Allowance (limited to road mileage.)

When a non-official member makes a journey by bus for less than ²[thirty two kilometres] he will be allowed 1 1/2 bus fare (limited to road mileage.)

1. Substituted by No.FD 126 SRS 60 dated 3-1-1961 (w.e.f.2.1.1961)

2. Amended by No.FD 10 SRS 71 dated 15-7-1971

3. Inserted by No.FD 172 SRS 61 dated 4-1-1962

4. Inserted by No.FD 167 SRS 60 dated 26-10-1960 (w.e.f. 5.1.1960)

1.- A non-official member (including a retired officer) of the Committees who is entitled to Railway fare higher than the third class, will record in his Traveling Allowance bill, a certificate of having travelled in the class for which Railway fare is claimed therein.

Otherwise, the officer will be paid only Railway fare based on the fare of the class in which he actually travelled.

Note 2.- Attendance of Standing Committees, Sub-Committees, Select Committees, Special Committees, etc., of the several Bodies will be treated as meeting of the Bodies themselves for the purpose of these rules.

Note 3.- Non-official members will be entitled to draw travelling allowance calculated from and to their ordinary places of residence and from the place of meeting. ¹[Daily Allowance for halts by members to attend an adjourned Meeting or another Meeting at the same place may be allowed subject to the following conditions -

(a) The total daily allowance for such halts is limited to the amount of Travelling Allowance admissible for returning to his place of residence and coming back to attend an adjourned meeting or another meeting.

(b) Travelling Allowance for the to and fro journey is allowed only once counting the two meetings as one for the purpose; and

(c) The Daily Allowance is debited to the head of account pertaining to the first Meeting.]

Note 4.- When a Sunday or other holiday intervenes between two consecutive sittings, halting allowance for such days will be allowed; provided the Member stays at the place of meeting on the Sunday or Holiday intervening two meetings.

11. Members of the State Legislature will not be entitled to draw travelling or daily allowance for attending meetings of Committees constituted by Government (viz., Committees other than those of the Legislative Assembly or Legislative Council or any committee of the said Assembly or Council under section 12 of the Karnataka Legislature Act, 1966) for the days on which they draw travelling allowance or daily allowance for attending the meetings of the Legislative Assembly or Legislative Council or of any Committee of any said Assembly or Council.

Subject to the above condition, a mofussil member of the Legislative Assembly or Legislative Council is entitled to draw

1. Inserted by No.FD 101 SRS 68 dated 9-3-1969

daily allowance during a period of three days or less before the commencement of a meeting of Legislative Assembly or Legislative Council or any Committee thereof or at the conclusion of the meeting, in case he is required to attend the meetings of other Committees during that period. If however, any member of the Legislative Assembly or Legislative Council returns to his ordinary place of residence, he will be entitled to draw travelling allowance only for the journey, provided the amount of travelling allowance drawn by him in no case exceeds the amount of daily allowance at the rate prescribed for Committees constituted by Government which would have been admissible to him had he elected to stay at the place where the meeting of Committees other than the Legislative Assembly or Legislative Council or any Committee thereof takes place.

¹[Where however such member returns to his ordinary place of residence within three days of conclusion of the meeting of the Legislature or a Committee thereof, not being aware of the meeting of a Committee constituted by the Government he will be entitled to draw normal travelling allowance without such allowances being so restricted.]

Rules of Procedure for preferring Travelling Allowance Claims of Non-Official Members of Conferences and Committees.

12. ²[(i) The Existing procedure for disbursing in cash travelling allowance to Members of the Legislative Assembly and Legislative Council at the close of each Session and for payment of Travelling Allowance by the University in regard to the attendance at meetings connected with that body will continue unchanged. The T.A. bills of Members of the Legislative Assembly and the Legislative Council serving as members of the Committees constituted by Government will be ³[countersigned] by the Secretary of the committee concerned and forwarded to the Secretary, Karnataka Legislature who will scrutinise them with reference to payments made by him and pass on the bill to the Treasury for payment with intimation to the Secretary of the Committee concerned.

(ii) In respect of meetings of bodies other than those referred to in clause (i) above the Secretaries of the Conference and Committees shall obtain, in addition to the other certificates contemplated in Part VIII of the Karnataka Civil Services Rules, the following certificate from the members:-

1. Inserted by No.FD 33 SRS 81 dated 31-12-1981 (w.e.f.7.1.1982)

2. Substituted by No.FD 186 SRS 59 dated 22-3-1960 (w.e.f. 1.4.1960)

3. Amended by No.FD 165 SRS 60 dated 26-12-1960 (w.e.f. 12.1.1961)

“Certified that I.....memberCommittee actually performed the journeys for which travelling allowance is claimed and I have not drawn in any other capacity travelling allowance for the same journey or daily allowance or sitting fee for the same day”.

In addition to the above certificate which must be recorded by the members in their Travelling Allowance Bills, they should also furnish, in the following declaration form, particulars of the dates and time of their arrival and departure, mode of conveyance used for the journeys and other meetings, if any, attended by them at the place of meeting on the same day/days or within a period of three days prior to and after the meeting:-

Declaration

1. Name of the member
2. Place of Permanent residence
3. Date and time of arrival at the place of meeting
4. Particulars of journey performed:-
 - (i) Whether entire journey was by road;
 - (ii) Mode of conveyance used for the road journey;
 - (iii) If by rail, class in which travelled;
5. The number of days on which the Member has attended the Committee Meeting.
6. Date and time of departure from the place of Meeting.
7. Name of the other meeting, if any, attended on the same day/days or within a period of three days prior to and after the day/days noted against Serial No.5 above.
8. Name of Treasury at which payment is desired.

I undertake to refund any amount in respect of T.A. and D.A. for this meeting which is not admissible as per rules deducted in audit

Date

Signature.....

Member Committee for.

(iii) A certificate of attendance in the following form shall be recorded on the Travelling Allowance Bills of the members by the Secretary of the Committee:-

"Certified that Shri/Smt..... attended the sittings of the constituted in Government Order No..... date.....on at.....as a member thereof"

.....

Secretary.

¹[(iv) The T.A. bill prepared and signed by each member with the requisite certificates, will be sent to the Secretary of the Committee who, after scrutiny of the claims preferred in the bill with reference to rules, will forward the bill with his countersignature to the Secretary, Karnataka Legislature in the case of claims of Members of the Legislature and to the Treasury Officers in the case of others.]

(v) A copy of the intimation slip will be sent to the Secretary of the Committee by the Secretary, Karnataka Legislature, for noting down the particulars of the passed bill and onward transmission to the member, and another copy with the Travelling Allowance bill will be forwarded to the Treasury Officer for making payment direct to the member. In the case of members other than members of Legislature, the Secretary of the Committee will intimate the member concerned the fact of having forwarded the bill to the Treasury Officer for payment.

(vi) Objections raised in audit will be communicated by the Accountant General Karnataka, to the Secretary of the Committee for furnishing necessary information.

(vii) The countersignature of the Secretaries is only to ensure that the bills have been prepared correctly with reference to the prescribed rules and rates of mileage, daily allowance and train fare and provision for expenditure made by Government for a particular Committee.

(viii) In certain cases, even though a non-official member proceeds to the place of meeting but is prevented from attending the meeting, consequent on its postponement for want of quorum. T.A. and D.A. admissible under the rules may be allowed to him. In such cases, the following certificate should be recorded on the bill by the Secretary:-

1. Substituted by No.FD 165 SRS 60 dated 26-12-1960

“Certified that Sri/Smt.....
attended the place of meeting of.....
Committee on.....at.....but the meeting did not take place
on the date for want of quorum.”

(ix) The claims in respect of period (i) over six months require the sanction of the Head of the Department condoning the delay in preferring them, and (ii) ¹[over three years] that of the Government of Karnataka. These claims require the pre-audit by the Accountant General, Karnataka, vide Article 21 of the Karnataka Financial Code.

²[Note 1.- In cases of Committees or Conferences to which Government have not appointed Secretaries, the power of countersigning the T.A. bills of the non-official members shall be exercised by the Government servant authorised by Government in this behalf.

³[Note 2.- When a non-official member of Legislature appointed to a Committee, Commission or Board of Enquiry, is allowed free board and lodging at the expense of State Government or an autonomous industrial or Commercial undertaking or Corporation, or a Statutory body or local authority, in which Government funds have been invested or in which Government have any other interest shall be entitled to only one-fourth of the daily allowance admissible to him under the aforesaid Notification. If only board or lodging is allowed free, daily allowance shall be admissible at one-half of the admissible rate.]

⁴[xxx]

1. Substituted by No.FD 31 SRS 67 dated 21-2-1967

2. Inserted by No.FD 175 SRS 60 dated 26-10-1960

3. Inserted by No.FD 17 SRS 66 dated 25-1-1966

4. Amended by No.FD 2 SRA 99 dated 22-4-1999 (w.e.f. 1.4.1999)

¹[ANNEXURE - B**RULES REGULATING THE GRANT OF CASUAL LEAVE IN RESPECT OF KARNATAKA GOVERNMENT SERVANTS WITH EFFECT FROM 1ST JANUARY 1959 (GOVERNMENT ORDER NO.FD.163 SRS 58 DATED 5TH DECEMBER 1958.)**

The Government of Karnataka are pleased to issue the following rules to regulate the grant of casual leave to Government servants :-

²[1. Subject to the provisions of the succeeding rules, casual leave may be granted to permanent or temporary Government servant, whether he enjoys annual vacations or not, for ³[fifteen days] in each calendar year, but not for more than seven days at a time:

Provided that a Government servant who has not put in a service of one year in a post, may be granted casual leave in proportion to the period of his service at the rate of one day for every completed service of one month]:

⁴[Provided further that nothing in these rules shall be applicable to any absence from duty in pursuance of a strike and no authority shall be competent to grant casual leave in respect of such absence.

Explanation:- In this rule, 'strike' shall have the same meaning as in Section 2 of the Karnataka State Civil Services (Prevention of Strikes) Act, 1966 (Karnataka Act 30 of 1966.))

⁵[Note - Casual Leave of half-a-day effective upto or from 2 p.m. on any working day may be granted subject to the prescribed limit of ³(fifteen days.)]

(1A). No Government servant has a right to the grant of casual leave. The authority empowered to grant casual leave may refuse or revoke casual leave at any time according to the exigencies of public service.

1. Inserted by No.FD 163 SRS 58 dated 5-12-1958 (w.e.f.1.1.1959)

2. Amended by No.FD 87 SRS 66 dated 16-9-1966

3. Amended by No.FD 16 SRS 89 dated 9-3-1989 (w.e.f.1.1.1989)

4. Amended by No.FD 12 SRS 67 dated 22-1-1968

5. Amended by No.FD 48 SRS 67 dated 12-4-1967 (w.e.f.1.3.1967)

¹[(1B). Where the casual leave is required on any ground, no Government servant shall absent himself from duty unless he has been granted such leave by the competent authority :

Provided that where a Government Servant is unable to attend due to illness or other sufficient cause and obtain orders of the competent authority in time, he may be granted casual leave subsequently if he establishes to the satisfaction of such authority that he was unable to attend his duty for reasons beyond his control.]

(2). Casual leave shall not be granted so as to cause evasion of the rules regarding :

- (i) date of reckoning allowance,
- (ii) charge of office,
- (iii) commencement and end of leave, or
- (iv) return to duty.

It shall not ordinarily be granted in continuation of other leave, but the sanctioning authority may direct that it may be combined with Sundays and other authorised holidays, provided that not more than seven day's casual leave, exclusive of such Sundays and holidays, shall be granted during one period of absence and provided also that such period of absence shall not exceed ten days in all.

(3). Leave without allowance shall not be granted in continuation of casual leave. In cases where leave without allowances is requested in continuation of casual leave, the casual leave already granted shall be cancelled and the leave without allowances should commence from the date on which the casual leave commenced.]

(4) The limitation of seven days at a time is not applicable in cases of enforced absences from duty, as for instance on account of detentions in plague camps or on account of orders not to attend office in consequence of infection in the family or household of Government servants when such absences are treated as casual leave as provided for in the explanation under the note below :-

Note - This Rule is not to be read as precluding the treatment as casual leave or absence from duty following leave granted under the rules, so long as such absence is due to reasons involving no evasion of the rule in regard to the matters above specified, as for instance, when it is necessitated by detention in plague camps on the way to rejoin or by orders not to attend office in consequence of the presence of infectious disease in the family or household of the person concerned.

Absence from duty for reasons of the nature indicated above should be treated as follows:-

(a) In the case of a person who has not taken any leave at his option, as casual leave or earned leave/privilege leave at his credit; if he has neither of these kinds of leave to his credit, as any other kind of leave admissible.

(b) In the case of a person who has already taken leave at his option, as casual leave or leave of the same kind on which he already is, if such leave is available or if he has no leave at his credit, as leave without allowances.

(5). Any Government servant who has been bitten by a rabid animal ¹[xxx] may, to enable him to proceed for treatment, be granted Casual Leave for the actual period of treatment-14 days and for the number of days for the forward and backward journeys, any leave required in excess of such leave being treated as earned leave or privilege leave or half pay leave.

²[Note - Casual leave granted under this rule shall be treated as special casual leave not debitable to the regular casual leave]

(6). A Government servant, ³[to whom casual leave has been granted,] is not treated as absent from duty and his salary is not intermitted.

Note - Government should not be put to any extra expense in consequence of the absence of an officer on casual leave.

1. Deleted by No.FD 213 SRS 72 dated 10-5-1974 (w.e.f.10.5.1974)

2. Inserted by No.FD 7 SRS 72 dated 25-1-1972

3. Amended by No.FD 87 SRS 66 dated 16-9-1966

In circumstances where it is found impracticable to make local arrangements to look after the work of an absentee on casual leave, Heads of Departments may make arrangements involving extra cost by way of travelling allowance. They should, however, simultaneously report to Government in each case, the circumstances necessitating such arrangements. Travelling allowance to the officers concerned will be admitted in audit only after Government ratify the arrangements suggested by the Heads of Departments.

(7). When a Government servant has to insure his life in the Karnataka Government Insurance Department, ¹[he may be granted such casual leave] as may be necessary to enable him to appear before a Medical Officer and to procure the required medical certificate.

(8). When Government servants who are volunteers, are permitted by Heads of Departments to attend camps of exercise and rifle meetings without extra cost to Government or detriment to Government work, the absence shall be treated as casual leave, not counting against the casual leave ordinarily admissible under the rule.

(9). Casual leave may be sanctioned by the Head of the Office to all officers subordinate to him; and he may also delegate this power to the senior Gazetted Assistant of his office.

(i) In respect of the Heads of Offices, casual leave shall be sanctioned by the next higher authorities.

²[(ii) The Chief Secretary may sanction casual leave to Commissioners and Secretary to Government .

(iii) The Commissioner and Secretary or Secretary - I to Government may sanction casual leave to Secretary-II to Government or Special Secretaries to Government.]

³[(iv) The Deputy Commissioners of Districts may avail casual leave on their own authority upto three days at a time provided they do not have to leave their jurisdiction during the period. In other cases Secretary to Government, Revenue Department or the concerned Divisional Commissioners may sanction leave to Deputy Commissioners.

1. Amended by No.FD 87 SRS 66 dated 19-9-1966

2. Amended by No.FD 6 SRS 88 dated 1-2-1988

3. Amended by No.DPAR 436 SAS 91 dated 10-9-1992

(v) Heads of Departments may sanction casual leave to their subordinate officers of the Heads of Office within the Department.

(vi) Other officers of the Department including IAS or KAS may apply to their higher officers for sanction of casual leave. In any case casual leave application need not be sent to the Chief Secretary or the Department of Personnel and Administrative Reforms.

(vii) The Heads of Departments may send their Earned Leave or half pay leave applications etc., in duplicate to the concerned Administrative Secretary of the Secretariat. In the said leave application they must suggest that who should be placed incharge. The Secretaries to Government should send the leave application with their specific recommendations including incharge arrangement to the DPAR.

(viii) Deputy Commissioners shall send their earned leave or half pay leave application through Divisional Commissioners to the Secretary to the Government, Revenue Department. The Secretary to Government, Revenue Department shall send the leave applications with their specific recommendations including incharge arrangements to the DPAR.

(ix) District Zilla Parishad Presidents may sanction for specific period leave to the Zilla Parishad Chief Secretaries and Deputy Secretaries. Therefore as per the said powers the Presidents shall sanction leave to the District Zilla Parishad Chief Secretaries or Deputy Secretaries and send a copy of the said order to DPAR and RDPR. In other cases, Elections etc., special circumstances leave applications may be sent through Secretary RDPR to DPAR.

(x). Other Officers working in Departments should send their Leave Applications through their Heads of Departments to the Secretaries concerned. The Secretaries concerned should send such application with his recommendations including incharge arrangement to the DPAR.

(xi) I.A.S. and K.A.S. Officers working in Corporations, Companies/Public Undertakings or Local bodies should send

their Application through Head of the said organisation to the concerned Secretary to the Government. If the officer is Head of organisation he should send the leave application to the concerned Secretary to Government. The Concerned Secretary to Government shall send the leave application with his recommendation including incharge arrangement to the DPAR for sanction.

(xii) I.A.S. or K.A.S. officers who are required to travel outside the State for Government work/Tours/Meetings etc., should obtain prior permission of the Secretary concerned to Government. In no case I.A.S. or K.A.S. officers should go on leave or on tour without the prior permission of the concerned Secretaries to Government.

¹[(10) (i) . The State Government employees selected for participating in sporting events of national/international importance conducted by the National Sports Federations and Indian Olympic Association as specified in the Annexure may be sanctioned Special Casual Leave for the actual days on which they participate in such events, as also for the period on which they spent in travelling to and from such tournaments/meets. Further, if any pre-participation Coaching Camp is held in connection with the above mentioned events and the Government servant is required to attend the same Special Casual Leave may be sanctioned for this period also.

(ii). The benefit of Special Casual Leave for a period not exceeding 30 days in one Calender Year may be sanctioned to the State Government servants who are selected for participating in trekking expeditions organised by the Youth Hostels Association of India as well as expeditions which have the approval of the Indian Mountaineering Federation. However, the sanction of Special Casual Leave in respect of trekking expeditions shall be limited to three times in one's entire service. Such of the Government servants who venture to go into trekking expeditions on more than 3 occassions may be permitted to do so at the discretion of the authority competent to sanction Special Casual Leave subject to availing leave due and at his credit.

1. Substituted by No.FD 13 SRS 94 dated 16-12-1994

(iii). The Government servants who have already availed Special Casual Leave on three occasions for participating in Mountaineering/trekking expeditions shall not be eligible for any further Special Casual Leave for participating in Mountaineering / Trekking expeditions.

(iv). The quantum of Special Casual Leave for a period not exceeding 30 days in a calendar year allowed to State Government servants for participation in mountaineering/trekking expeditions and attending the coaching or training camps at the National Institute of Sports, Patiala or under the Rajkumari Amrit Kaur Coaching Scheme or similar All India Coaching or Training Schemes will cover also their attending the pre-selection trials/camps connected with sporting events of national or international importance.

(v) The Government servants who are selected as Manager, Coach or Umpire for the teams participating in sporting events of national or international importance may be sanctioned Special Casual Leave for a maximum period of 30 days in a Calendar year for the period of absence. However, the Manager, Coach and Umpire shall not be entitled for any TA or DA. The number of Special Casual Leave admissible for participating in a Sporting event of national and international importance by a person either as a Manager, Coach, Umpire, player, trainee etc., shall be limited to a maximum period of 30 days in a Calendar year.

(vi) The Government servants who are selected for participating as players in sporting events of National or International importance within India may be allowed to travel by First Class train. In the case of sporting events of International importance held outside India they may be allowed to travel by economy class by air.

(vii) The State Government servants may be awarded one Special increment for securing first, second and third positions as the case may be in national events and two special increments for achieving first, second, third positions in International events. The runners up are not entitled to this benefit. The total number of increments, to be awarded to an individual should not exceed 3 in his/her entire service. The special increment so granted shall be treated as 'personal allowance' on the analogy of the incentive increment awarded for promoting small family norms. The rate of special increment to be granted in the form of personal allowance would be equal

to the amount of the next increment due at the time of grant of the concession and will remain fixed during the entire service. It will not be absorbed in future increases in pay either in the same post or on promotion to higher post. In the case of a Government servant who has reached the maximum of the time scale of pay, the rate of personal allowance would be equal to the amount of the increment last drawn.

(viii). The special increment in the form of Personal allowance referred above may be granted from the first of the month following the month in which the sporting events are completed. The special increment should be determined with reference to the scale of pay available to the employee as on the date of completion of overall competition. The Government servants who have already been sanctioned three special increments in terms of G.O. No. FD 20 SRS 86 dt. 21.7.86, shall not be eligible for any further special increments under this scheme.

(ix). The Government servant should apply for sanction of special increment within three months from the date of completion of event and any application submitted after the expiry of the said period shall be rejected.

(x). The sanction of Personal allowance in terms of this rule may be considered for both Indoor and Outdoor sports of national/international importance.

(xi). Government servant who participate as Manager, Coaches, Massiaurs, Doctors in Sports events of national or international importance may be granted only special casual leave depending upon the exigencies of work and no TA and DA is admissible. They are not entitled to special increment.

(xii). For non-playing Captain and other persons in a team event like Tennis not participating in the final event and who do not secure the first position shall not be eligible for sanction of Special increment in the form of personal allowance and they shall be eligible for Special Casual Leave only.

(xiii). The benefit of Special increment as contemplated in this rule is not admissible to Government servants for achieving first, second and third positions in national/international events in drama, music, dance, art, instrumental music competitions etc.

(xiv). The benefit of this order is applicable only to Sporting events of national importance conducted by the Federations listed in the Annexure.

(xv). This order is not applicable to national/international level meet of Special Group of persons of those belonging to a particular service or profession. These orders are not applicable to Veteran meets.

(xvi). The benefit of this rule is also applicable to events which are conducted by the international sports bodies and wherein the participants are sponsored by the recognised National Federations listed in the Annexure, and in which participation has been with prior approval of Government.

(xvii). The Special Casual Leave may be sanctioned or refused as the case may be by the Competent authority in the exigencies of work and cannot be claimed as a matter of right.

(xviii). The proposal to sanction Special increment in the form Personal allowance in terms of this rule shall be referred to Finance Department with the recommendations of the Director of Sports & Youth Services and the same shall be sanctioned only after obtaining approval of Finance Department.

(xix). The Government servant shall participate in the Sporting event of National and International importance only after obtaining the prior approval of the concerned Administrative Secretary to Government.]

(xx). In respect of National importance of All India Central Civil Services Tournaments conducted by the Central Civil Services Cultural and Sports Board, the Government servant who is selected as participant in the said tournament may be granted for the period of tournament special casual leave and travelling allowance subject to the following conditions namely,-

(1). Government servant shall be eligible to participate in said tournament as per rules prescribed for the tournament.

(2). The eligibility criteria for selection to the said tournament should be strictly adhered to.

(3). The above factors must be confirmed by the Commissioner or Director of Youth Services and Sports Department.

¹[(4). Government servants working in the same office should not be selected for the whole team.]

(5). The sanction to the Government servant may be granted by the Secretary to Government, Information, Tourism and Youth Services Department.

(6). They are not entitled to special increment.]

²[(11). Special Casual Leave not exceeding seven days may be allowed to married Government servants of both sexes in any one calendar year who undergo Vasectomy or Tubectomy operation on the strength of the medical certificate granted by the Medical Officer performing such operation.

³[A male Government Servant whose wife undergoes a Gynaec Sterilisation (Tubectomy operation without delivery) may also be granted special Casual Leave not exceeding 7 days. The grant of such special casual leave shall be subject to production of a Medical Certificate from the Doctor who actually performs the operation and certifies to the effect that the presence of the Government servant is essential for the period of leave to look after his wife who has undergone Gynaec Sterilisation. The Special Casual Leave granted under this rule may be combined with ordinary casual leave or other kinds of leave. i.e., earned leave, privilege leave and half pay leave and can also be combined in any manner with Sundays and other authorised holidays not exceeding three days.]

1. Inserted by NO.FD.5 SRA 97 dated 13-3-1997

2. Inserted by No.FD 131 SRS 59 dated 26-5-1959

3. Amended by NoFD 94 SRS 69 dated 24-9-1969

¹[In the event of failure of a sterilisation operation, if the Government servant undergoes Vasectomy operation for the second time, he shall be granted special casual leave for six days again on production of Medical Certificate from the Medical Officer performing such an operation to the effect that the first operation was a failure and the second operation was actually performed.]

²[(11A). Special Casual leave may be granted to the Stenographers who are selected for giving dictation at any Shorthand Examinations conducted by the Government Commercial Examinations Board, to the extent required to cover the period of examination and also the period required for journey to the place of examination and back.]

³[(11B). Special Casual leave not exceeding 14 days may be sanctioned by the Heads of Offices to the women employees subordinate to them who undergo the non-puerperal sterilisation and not puerperal sterilisation] on the strength of a medical certificate granted by the Government Medical Officer performing the operation. In respect of Heads of Offices such leave should be sanctioned by the next higher authorities.

⁴[Such special casual leave may also be sanctioned to female Government servants having three or more living children who are not entitled to grant of maternity leave but who undergo tubectomy operation even during puerperium under the Family Planning Scheme.]

⁵[In the event of failure of tubectomy operation, if the Government servant undergoes non-puerperal tubectomy operation for the second time, she shall be granted special casual leave not exceeding 14 days again, on production of a Medical Certificate from the Government Medical Officer performing such an operation, to the effect that the first operation was a failure and the second operation was actually performed.]

1. Inserted by No.FD 212 SRS 74 dated 25-2-1975

2. Inserted by No.FD 94 SRS 66 dated 12-10-1966

3. Inserted by No.FD 4 SRS 67 dated 4-1-1967

4. Inserted by No.FD 20 SRS 68 dated 20-1-1968

5. Inserted by No.FD 103 SRS 75 dated 28-10-1975

1[(11BB). A Government servant who -

- (i) is unmarried or
- (ii) has less than two children or

(iii) for substantial reasons, e.g. having lost all male children or all female children after Vasectomy/Tubectomy operation performed earlier, desires undergo recanalisation operation, may be granted by the Heads of Department, special casual leave upto a period of 21 days or actual period of hospitalisation as certified by the authorised medical attendant, whichever is less. In addition, special casual leave may also be granted for the minimum journey period actually required and spent for to and from journey performed for under going this operation. The grant of special casual leave shall be further subject to the following conditions:-

(a) The operation should have been performed in a Government Hospital/Medical College Institute where facilities for recanalisation are available.

(b) The request for grant of special casual leave is supported by a Medical Certificate from the Doctor who performed the operation to the effect that hospitalisation of the Government servant for the period stipulated therein was essential for operation and post-operational recovery.

(2) The period of absence in excess of the period of special casual leave admissible in sub-rule(1) above, may be treated as such kind of leave admissible, including ordinary casual leave, and as may be applied for by the Government servant concerned. For the purpose of combining special casual leave with any other kind of leave admissible Sundays and other general holidays intervening the period of special casual leave should be taken into account for calculating special casual leave and prefixing of regular leave or casual leave to special casual leave is not admissible.]

1. Inserted by No.FD 2 SRS 79 dated 3-4-1979

¹[(11BBB). A married Government servant who develops post-sterilisation operation complications may be allowed Special Casual leave to cover the period for which he or she is hospitalised for a post-operation complication on production of a certificate from the concerned hospital authorities/an authorised Medical Attendant.]

²[(11C). All women Government servants who undergo I.U.C.D. placement may be granted a day's special casual leave on the day of insertion.]

³[(11D). The office bearers and members of the Executive of the All India Secondary Teachers' Federation may be granted Special casual leave of not more than 15 days in a year to enable them to attend the All India Meetings, Seminars in general and Conferences and symposiums that may be arranged by the All India Federation of Secondary Teachers, on production of proper certificates and subject to the condition that they attend such meetings, etc., at their own cost without any claim for Travelling Allowance and Daily Allowance, etc., from the Department and previous permission of their immediate superiors is obtained in writing before they leave their respective Headquarters for attending such Seminars/Conferences/Meetings/Symposiums, etc.]

⁴[(11E). The periods of absence from duty of Government Servants joining the Territorial Army, the Indian Naval Reserve and the Indian Naval Volunteer Reserve from their Civil posts occasioned by their interview / medical examination, etc., in connection with their joining these organisations shall be treated as Special Casual Leave in cases where it may not be possible for the Government Servants concerned to attend to their Civilian duties after the interview / Medical Examination. etc.

The grant of Special Casual Leave shall be subject to the condition that the Government Servants do not withdraw their candidature at the interview.

1. Inserted by No.FD 87 SRS 78 dated 15-10-1979

2. Inserted by No.FD 56 SRS 67 dated 28-4-1967

3. Inserted by No.FD 63 SRS 67 dated 12-6-1957

4. Inserted by No.FD 77 SRS 67 dated 7-7-1967

Such Special Casual Leave should not exceed 15 days in a year. Where, however, the period of absence for joining the Territorial Army referred to in this rule exceeds the period for which Special Casual Leave is admissible, the Government Servants concerned may be permitted to combine Special Casual Leave with regular leave.]

¹[This Special Casual Leave may be sanctioned by the Head of the office to all officers subordinate to him. In respect of Heads of offices, special casual leave should be sanctioned by the next higher authorities.]

²[(11F). Special Casual Leave not exceeding -

(i) 15 days in a calendar year in respect of President, Vice President, General Secretary and Organising Secretary of the Karnataka State Government Employees Association, Executive Committee and President, Vice President, General Secretary, Organising Secretary of the Karnataka Government Lower Grade Employees' Central Association.

(ii) 15 days in a calendar year in respect of the President and Secretary of each District Committee of the Karnataka State Government Employees' Association and President, Secretary of the Karnataka Government Lower Grade Employees' Association may be sanctioned for attending to work connected with Karnataka State Government Employees' Association and Karnataka Government Lower Grade Employees Association respectively subject to the following conditions:-

(a) This Special Casual Leave shall not be in addition to any Special Casual Leave admissible for any other purpose in any calendar year ;

(b) This Special Casual Leave will be sanctioned by the authority competent to sanction casual leave only on the strength of a certificate issued by the President or General Secretary of the Central Association to the effect that the person applying for it holds one of the above mentioned offices after satisfying himself that the nature of the work of the Association for which leave is intended, warrants the required leave;

1. Inserted by No.FD 131 SRS 59 dated 26-5-1959

2. Inserted by No.FD 24 SRS 82 dated 5-11-1982

(c) The competent authority shall have the discretion to refuse special casual leave if it considers that in the interests of Government work, such Special Casual Leave cannot be granted.

(11G). Government Servants who donate blood may be sanctioned a day's Special Casual Leave subject to the production of a certificate to that effect from the concerned Blood Bank Officer / Hospital / Indian Red Cross Society, as the case may be.]

¹[(11H). Special Casual leave not exceeding,-

(i) 3 days may be granted to a Government servant whose wife undergoes Laproscopic sterilisation (without delivery) on the strength of the Medical Certificate granted by the Medical Officer performing such operation.

(ii) 7 days may be granted to a Female Government employee who undergoes Laproscopic sterilisation on the strength of the medical certificate granted by the Medical officer performing such operation.]

²[(12). Special Casual Leave not exceeding thirty days in each calendar year may be granted by the Heads of the office to Government servants-

(i) Who are chosen or appointed as Examiners / Supervisors in any of the Universities in the State for attending the examinations;

(ii) Who are appointed as Examiners in Para-Medical/Public Health/Engineering and Technology/Agriculture and Veterinary Services/Commerce and Business Examinations conducted by the Department of Vocational Education ;

(iii) Who attend the meetings of the Academic Councils and the Faculties constituted by the Universities in the State.

1. Inserted by No.FD.59 SRS 89 dated 14-6-1991

2. Inserted by No.FD 161 SRS 59 dated 10-7-1959

Note 1- T.A. and D.A. will not be payable by Government to the Government Servants who are appointed as Examiners / Supervisors by the Universities in the State since the same will be paid by the Universities.]

¹[Note 2 -Special casual leave under this rule may be granted also to the Government servant attending the meeting of the Academic Councils and the faculties constituted by the Universities in the State subject to the existing limit of 30 days in each calendar year.]

²[Note 3 -Special casual leave under this rule may be granted also to Government servants of the Drugs Control Department, who are permitted to attend meetings and conferences organised by Scientific Associations.]

³[(13). Absence of officers of the ²[Medical and Public Health Departments] permitted to attend the meetings or Conferences organised by Scientific Associations shall be treated as Special Casual Leave. Such Special casual leave which will be in addition to the ordinary casual leave shall not exceed 15 days in a year.

Note :- No T.A. will be admissible for attending such meetings vide rule 548 (iii)]

⁴[(13A). Absence of Public Works Department Officers (including Non-Gazetted Officers) who are permitted to attend meetings and annual conferences of the Institution of Engineers (India) and Indian Road Congress shall be treated as Special Casual Leave. Such special casual leave shall not exceed 15 days in a year.]

⁵[(14). The absence of State Government Servants in connection with their participation in the activities of the Indian Institute of Public Administration, New Delhi, shall be treated as Special Casual Leave. Such Special casual leave shall not exceed six days in a year.

1. Substituted by No.FD 22 SRS 65 dated 8-6-1965

2. Inserted by No.FD 40 SRS 68 dated 1-6-1968

3. Inserted by No.FD 124 SRS 60 dated 2-9-1960

4. Amended by No.FD 24 SRS 61 dated 24-3-1961

5. Substituted by No.FD 118 SRS 68 dated 5-11-1968

Note :- No T.A. will be admissible for the journeys in this connection.]

¹[(15). Special Casual Leave may be sanctioned to a Government Servant by his Head of the office for participation in cultural activities organised or sponsored by the Departments of Kannada and Culture or Youth Services and Sports, on production of a certificate issued by the Department concerned. The maximum special casual leave that can be so sanctioned shall be restricted to 15 days in a calendar year.]

²[(16). Special Casual Leave granted under any of these rules may be permitted to be combined with regular leave and with Sundays and other authorised holidays not exceeding 3 days. Special Casual Leave should not, however, be granted in combination with ordinary Casual Leave.]

³[(17). Restricted holidays are akin to other closed holidays. Restricted holidays can be prefixed or suffixed to regular leave or casual leave.]

⁴[ANNEXURE

ADDRESSES OF RECOGNISED NATIONAL SPORTS FEDERATIONS

1. Amateur Kabaddi Federation of India, 119/A, Harish Mukherjee Road, Calcutta-700 026.
2. Ball Badminton Federation of India, 23, Thantai Pariyar Nagar, Ellipillai Chavady, Pondicherry-605 005.
3. Bridge Federation of India, 125, 6th Main Road, Malleswaram, Bangalore -560 003.
4. Federation of Motor Sports Club of India, Mc Dowell House, 2nd Line Beach, P.B. No. 1256, Madras-600 001.

1. Inserted by No.FD 69 SRS 82 dated 3-5-1983

2. Inserted by NO.FD 15 SRS 64 dated 20-2-1964

3. Inserted by NO.FD 7 SRS 87 dated 20-3-1987

4. Inserted by No.FD 13 SRS 94 dated 16-12-1994

5. Indian Golf Union, Tata Centre, 3rd Floor, 43, Chowringhee Road, Calcutta-700 071.
6. Judo Federation of India, Sonowala Building, 2nd Floor, 65, Bombay, Samachar Marg, Bombay-400 023.
7. Archery Association of India, Ambapeth, Amravati, Maharashtra.
8. Basketball Federation of India, A/66, Derawala Nagar, Delhi-110 031.
9. Cycling Federation of India, Yamuna Velodrome, Indira Gandhi Stadium Complex, New Delhi.
10. Gymnastic Federation of India, No. 68, Sector 10/A, Chandigarh 160 010.
11. Indian Polo Association, C/o President's Body Guard, Gate No. 24, Rashtrapati Bhavan, New Delhi.
12. Kho Kho Federation of India, 14/1A, Pottery Road, Calcutta-700 015.
13. Softball Association of India, Rawaton Ka Bas, Jodhpur 420 001.
14. Tennikoit Federation of India, Room No. 159, Ground Floor, 3rd Cross, 2nd Main, Dattatreya Extension, Bangalore-560 019.
15. Women's Cricket Association of India, 174, Ramesh Dutta Street, Calcutta-700 006.
16. Indian Olympic Association, Jawaharlal Nehru Stadium, New Delhi.
17. All India Sports Council of Deaf, 8, Nortend Complex, Sri Ramakrishna Ashrama Marg, New Delhi-110 001.
18. All India Chess Federation, III/37, Nona Manzil, Post Nallalam, Calicut-673 027.

19. Squash Racket Federation of India, C/o The Calcutta Racket Club, Near St. Paul's Cathedral, Chowringhee, Calcutta 700 071.
20. Table Tennis Federation of India, R.No. 1144-A, 1st Floor, Gate No. 28, Jawaharlal Nehru Stadium, New Delhi 110 003.
21. Women's Football Federation of India, Behind Head Post Office Main Bazar, Gorakhpur, Uttar Pradesh.
22. Throwball Federation of India, 29, Raja Ram Mohan Roy Road, Bangalore-560 027.
23. Indian Women's Hockey Federation, 23, Sector 7, Chandigarh.
24. All India Football Federation, "Green Lawns" Talap, Cannanore, Kerala-670 002.
25. National Rifle Association, Room No.46 (1st Floor), Raghu Shree Complex, Ajmeri Gate, Delhi-110 006.
26. Swimming Federation of India, 27, Paras kunj Society-1, Satellite Road, Ahmedabad, Gujarat-380 015.
27. Volleyball Federation of India, 6, Nehru Stadium, Madras-600003.
28. Wrestling Federation of India, South Plaza, Under Pylon 3, I.G. Stadium, New Dehi-110 002.
29. All India Karate Do Federation, 9, Sunshine, 156, M. Karve Road, Bombay-400 020.
30. Aero Club of India, Safdarjung Airport, Aurobindo Marg, New Delhi-110 003.
31. Rowing Federation of India, Secretariat, 9, Archbishop Mathias Avenue, Madras-600 028.
32. Taekwondo Federation of India, 33/26, B.N. Ghai Lane, Lalbagh, Lucknow-226 001.
33. Indian Weightlifting Federation, 2/2, Bajeshibpur Road, 2nd Bylane, Howrah-711 102.

34. Yachting Association of India, Room No. 33, Directorate of Naval Training, 'C' Wing, Sena Bhavan, New Delhi 110 001.
35. Indian Hockey Federation, Room No. 186, National Stadium, New Delhi-110 001.
36. All India Carrom Federation, 1997, Sona Bazar, Bhagirath Place, Chandni Chowk, Delhi- 110 006.
37. All India Lawn Tennis Association, B-3/7, Asaf Ali Road, New Delhi-110 002.
38. Amateur Athletic Federation of India, Room No. 1148-A, Gate No. 28, Jawaharlal Nehru Stadium, New Delhi.
39. Atya Patya Federation of India, Nagpur Sharirik Shikshan Mahavidyalaya, Dr. Moonga Marg, Dhantoli, Nagpur-12.
40. Billiards & Snooker Federation of India, C/o The Bengal Bonded Warehouse Association, 25, Netaji Subhas Road, Calcutta-700 001.
41. Cycle Polo Federation of India, Dundlod House, Hava Sarak, Civil Lines, Jaipur-302 006.
42. Indian Amateur Boxing Federation, 158-A, Gate No. 28, Jawaharlal Nehru Stadium, New Delhi-110 003.
43. Indian Powerlifting Federation, 98, New Ranikudar, Jamshedpur - 831 005.
44. Amateur Handball Federation of India, 27, ParadeGround, Jammu Tawi -180 001.
45. Badminton Association of India, C/o Jackson Hotel, Civil Line, Jabalpur (M.P.) 482 001.
46. Board of Control for Cricket in India, Cricket Association of Bengal, Dr. B.C. Roy Club House, Eden Gardens, Calcutta - 700 021.

47. Equestrian Federation of India, 764-B, Gate 29, Jawaharlal Nehru Stadium, New Delhi-110 003.
48. Indian Body Building Federation, 5, Rathna Nagar, Tayanmpet, Madras-600 018.
49. Indian Style Wrestling Federation of India, NIS Wrestling Coach, House No. 1335, Sector-17, Defence Colony, Gurgaon (Haryana).
50. Indian Kayaking & Canoeing Association, 606, Akash Deep, 6th Floor, Barakhamba Road, Connaught Place, New Delhi-110 001.
51. Bellar Skating Federation of India, 14/2, Clive Road, Calcutta-700 001.
52. Shooting Ball Federation of India, S-28, Green Park Extension, New Delhi.
53. Amateur Baseball Federation of India, 112/14, Omkar Nagar, Tri Nagar, Delhi-110 035.

¹[ANNEXURE - “C”**Rules Regulating Encashment of Earned Leave Surrendered**

(See Rule 118 of Karnataka Civil Services Rules)

1. For the purpose of these Rules ‘Earned Leave’ means the earned leave admissible under Rule 112 of the Rules and the Privilege Leave or the leave on average pay admissible under the corresponding rules of the leave rules applicable to a Government Servant.

2. A Government Servant, including -

(a) a person appointed on contract basis for a period exceeding one year , and

(b) a pensioner re-employed in Government Service for a period exceeding one year shall at his option be allowed to Surrender and Encash Earned Leave, not exceeding thirty days out of the leave at his credit once in a block period of two years as specified in Rule 9.

3. A Government Servant may apply for Surrender of Earned Leave while on duty or in combination with or in continuation of any kind of leave due and admissible under the rules, except leave preparatory to retirement or refused leave under Rule 110 of the rules or corresponding provisions in the leave rules applicable to him.

4. An application for Surrender of Earned Leave shall be made in Form 1-A appended to the rules one month in advance of the intended date of surrender. The date of surrender shall be specifically indicated in the application.

1. Substituted by No.FD 6 SRS 82 dated 27-12-1982 (w.e.f.1.11.1981)

5. The authority competent to sanction Earned Leave shall also be competent to accept the surrender of leave for encashment. In determining the authority competent to sanction leave, the Earned Leave surrendered for the purpose of encashment shall be excluding where such surrender is made in combination with or in continuation of any kind of leave due and admissible under the rules.

6. The total Earned Leave actually availed of and the Earned Leave surrendered or combined with commuted leave shall not exceed the maximum period of leave that may be granted to a Government Servant at a time under sub-rule (9) of Rule 112 and sub-rule (4) of Rule 114 respectively of the rules or the corresponding leave rules applicable to the Government Servant.

7. The order sanctioning the surrender of Earned Leave shall specifically indicate the date on which the Government servant concerned is permitted to surrender Earned Leave so that entries could be made in his Service Book. The number of days of Earned Leave surrendered shall be reckoned as surrendered on that date.

¹[8.(i) The cash equivalent for the leave surrendered shall be calculated at the rate of 1/30th of the salary for each day of surrender irrespective of the number of days in the month in which the leave is surrendered. This shall be calculated with reference to the salary of the Government servant on the date immediately preceding the date of surrender.

Note :- For this purpose, salary means -

(a) Basic pay which a Government servant is entitled to receive on the date immediately preceding the date of surrender, inclusive of any additional increment or stagnation increment granted to him above the maximum of the scale of pay applicable to him, and]

²[(b) ³[Special allowance], if admissible and dearness allowance, house rent allowance and city compensatory allowance admissible on the basic pay.]

1. Substituted by No.FD 44 SRS 86 dt. 7-5-1987 (w.e.f.1.4.1987)

2. Substituted by No.FD 44 SRS 86 dt. 3-8-1987 (w.e.f.1.4.1987)

3. Substituted by No. FD 7 SRA 99 dt. 29.4.2000 (w.e.f. 1.4.1998)

(ii) The leave salary for the period of surrendered leave shall be paid expeditiously. It is not liable to any deductions on account of Provident Fund subscriptions, Insurance premia, House rent and repayment of any advances etc., due to Government and repayment of any dues to Co-operative Societies etc.

9. For the purpose of these rules, the block period of two years shall be deemed to have commenced from the 1st January of 1981. Thus the blocks will be January 1st 1981 to December 31st 1982. January 1st 1983 to December 31st 1984 and so on.

10. The benefit of these rules shall be admissible to a Government servant who is in foreign service or on deputation to the Government of India or to any other State Government.

11. A Government Servant who is unauthorisedly absent or who is under suspension is not entitled to surrender Earned Leave for Encashment.

12. In order to guard against any omission in posting a debit of the leave surrendered in the leave account of a Government Servant belonging to Groups 'C' and 'D' details of the surrendered leave shall be noted in his Service Book and in the leave account at the time the leave salary is drawn. A certificate to the effect that necessary entries have been made in the Service Book and the leave account shall be recorded by the Drawing Officer in the bill in which the leave salary for the surrendered leave is drawn and that the official has not availed this concession previously during the block period (.....) in respect of which this concession is claimed.

13. The benefit of Encashment of Earned Leave shall not be admissible to Local Candidates.]

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This Index has been compiled solely for the purpose of assisting references. No expression used in it should be considered as in any way interpreting the Rules.

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36. No. ED 54 VIVIDHA 2005, dated 2nd December, 2006
37. ED 09 VIVIDHA 2007, Dated: 29th March 2007
38. No. ED 41 SEP 2007, Dated: 7th April 2007
39. No. ED 261 SES 2007, Dated 3rd December, 2007

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION, REGULATION AND
PRESCRIPTION OF CURRICULA ETC.,) RULES, 1995**

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¹[ED 116 VIVIDHA 95]¹

Karnataka Government Secretariat,
Multistoreyed Building,
Bangalore, Dated 4.10.96.

THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION, REGULATION AND PRESCRIPTION OF CURRICULA ETC.,) RULES, 1995

(As amended in Notification No ED 71 Vivida 97 dated 8.10.99 &
ED 4 ViVida 2001 dated 5-7-2001)

NOTIFICATION

Where as the draft of the Karnataka Educational Institutions (Classification, Regulation and Prescription of Curricula) Rules, 1995 was published in No. ED 116 VIVIDHA 1995, dated 14th November, 1995 in Part-IV section 2c (i) of the Karnataka Gazette Extraordinary dated 14th November, 1995, inviting objections and suggestions from the persons likely to be affected thereby;

And whereas the said Gazette was made available to the public on 14th November, 1995;

And whereas the objections and suggestions received in this regard have been duly considered by the State Government;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Classification, Regulation and Prescription of Curricula etc.,) Rules, 1995.

1. Published in the Karnataka Gazette Part IV section 2c(i) Extraordinary No 1227 dated 4.10.1996.

(2) They shall come into force from the date of publication in the Official Gazette.

2. Definitions.-In these rules unless the context otherwise requires,-

(a) "Act" means the Karnataka Education Act, 1983, (Karnataka Act 1 of 1995);

(b) "Pre-Primary Education" means informal education below first standard for children between the ages three and five years by whatever name it is called, like play home, kindergarden, nursery etc.

3. Prescription of classes relating to Primary and Secondary Education for the purpose of clauses (25) and (32) of section 2.-

(a) 'Primary Education' shall have classes from 1 to VII standard; with I to IV as lower primary and V to VII as upper primary;

(b) 'Secondary Education' shall have classes from VIII standard to X standard;

4. General regulations relating to buildings of educational institutions.-No educational institution or Part thereof shall function in a building, unless,-

(a) it is located in healthy and sanitary surroundings;

- (b) it is built with safe roof and structure;
- (c) it is built in such a way as to ensure sufficient air and light both inside the classrooms and in the staircase, corridors and alleys;
- (d) the height of the building from the floor to the ceiling in each storey is more than eight feet;
- (e) it is of not more than seven storeys from the ground level;
- (f) where it is of more than one floor from the ground level, safe and proper staircases are provided;
- (g) where it is of more than three storeys from the ground level, proper and safe lift facility is provided;
- (h) it is not used in any part of the day, week, month or year, for any purpose other than for the furtherance of education;

5. General regulations relating to minimum accommodation per student furniture and etc.-(1) Every building of an educational institution shall provide adequate and proper accommodation which shall ensure,-

- (i) a separate classroom for each division/section of a standard; in the case of primary schools a separate classroom for each teacher;
- (ii) carpet area for each student of not less than six square feet;
- (iii) separate rooms, one for the chambers of the head of the institution, one for the staff-room and one for general office;
- (iv) separate accommodation for library, reading room and stores, in institutions imparting secondary and higher education;

(2) Every educational institution shall provide sufficient area for play ground, enough for all the students in the institution to assemble, and to play and watch atleast two outdoor games at one time.

(3) All the classrooms, chambers, staffrooms, office room, library, reading room and stores shall be equipped with appropriate furniture of good quality material.

6. Provision of drinking water, toilet and other facilities.-Every educational institution shall provide,-

(1) Safe and potable drinking water in quantities sufficient for all the students, located at convenient points within the building.

(2) Adequate toilet facility, urinal accommodation, dining hall and canteen within the premises of the institution and maintained in good sanitary condition, ensuring sufficient water supply at all points. Provided that toilet facility and urinal accommodation shall be provided separately for boy students and girl students.

7. Time for providing facilities to existing institutions.-All the educational institutions existing as at the date of commencement of this rules shall provide the facilities specified in rules 4, 5 and 6 within three years from such commencement. No new educational institution shall begin classes unless it has substantively complied with all the provisions of rules 4,5 and 6.

8. Fencing of dangerous places within the premises of the educational institutions.- It shall be the duty of the management to ensure that all dangerous places and areas with in the premises of the educational institution are fenced around for the safety of students.

9. Provision of staff.- (1) Every recognised educational institution shall appoint only qualified teachers and other staff as specified in the recruitment rules notified by the State Government or the competent authority authorised in this behalf.

(2) In case of primary schools there shall be a minimum of one teacher for every forty students or fraction thereof.

(3) In case of secondary schools and higher institutions the teachers shall be appointed as per the staff pattern specified by the State Government from time to time.

10. Collection of fees.-(1) The procedure for collecting fee in all classes from pre-primary upto the degree level in all recognised educational institutions shall be open, transparent and accountable.

(2) The fees to be collected shall be classified as,-

- a) Term fees
- b) Tuition Fees
- c) Special Development Fees

(3) (a) Term Fees,-

- (i) No term fees shall be collected from pre-primary and lower primary students;
- (ii) In upper primary and higher classes, term fees shall be collected at the rate specified by the State Government or the Competent Authority authorised in this behalf through a notification and shall be collected only for the items listed in the said notification.
- (iii) Term fees collected by the recognised educational institutions for each term from the students shall be subject to exemptions made by the State Government from time to time in this regard.

(b) **Tuition fees.**-

- (i) In case of Government and recognised private aided institutions tuition fees shall be collected only from the failed students at the rates specified by the State Government or the Competent Authority authorised in this behalf.

- (ii) In case of recognised private unaided institutions tuition fees may be collected from all the students which shall be commensurate with the expenditure incurred towards salary of staff and the quality of education provided by the institution.

(c) **Special Development Fees.**-Special development fees may be collected,-

- (i) In the case of a recognised aided educational institution upto a maximum of ¹[Rupees Five hundred per year]¹.

1. Substituted in Notification No. ED 4 Vivdha 2001 dt. 5.7.2001.

- (ii) in the case of a recognised unaided educational institution upto a maximum of Rs. 600/- per year.

(4) Every recognised private educational institution shall maintain a brochure showing the details of items of fees and the amount of fees prescribed for each item. The same shall be displayed prominently on the notice board of the educational institution for the information of parents and students.

(5) The fee specified shall not be varied to the dis-advantage of the parents in the middle of the academic year on any account.

(6) Details of specified fee together with the brochure shall be sent to the Departmental Authorities for information. The specified fee may be collected in cash if the amount of fee is less than Rs. 1000/- and if such amount is Rs. 1000/- and above, either by cash or demand Draft at the option of the parent. It shall be the duty of the head of the Institution to issue official fee receipts for all fees received and it shall be delivered immediately on production of cash or Demand Draft as the case may be to the person making the payment. The receipt shall however be issued in the name of the student concerned.

(7) While specifying the fee structure, provision shall be made to make payment of the fee in monthly, quarterly, half yearly instalments or in one lumpsum at the option of the student or his parent.

(8) The amount of fee collected amount under different items shall be accounted as per specified procedure. The items due to be remitted to the State Government under term fees and tuition fees shall be remitted immediately after collection and the remaining amount pertaining to items of fees under term fees shall be kept in the official personal Deposit Account of the Head of the institution. The Personnel Deposit Account shall be opened for this purpose in any Post Office or any Nationalised Bank located in the surrounding of the institution. All receipts on account of tuition fee (in respect of recognised private unaided institutions) and the special development fees shall be kept in the official joint account of the Head Master and the Secretary/President of the managing committee. All the amount of fees collected shall be accounted and the accounts shall be produced before the competent authority for verification at the time of visits and inspections. The Head of the Institution shall be responsible for safe custody of funds, its proper accounting and for production of the accounts for verification before the concerned authorities.

(9) Compelling students to attend any tutorial class payment of fees, beyond the normal working hours of a class in a recognised educational institution; is prohibited.

11. Provision of Uniform, Clothing, Text Books etc., (1) Every recognised educational institution may specify its own set of Uniform. Such uniform once specified shall not be changed within the period of next five years.

(2) When an educational institution intends to change the uniform as specified in sub-rule (1) above, it shall issue notice to parents in this regard at least one year in advance.

(3) Purchase of uniform clothing and text books from the school or from a shop etc., suggested by school authorities and stitching of uniform clothing with the tailors suggested by the school authorities, shall be at the option of the student or his parent. The school authorities shall make no compulsion in this regard.

12. Parent Teacher Committee.-(1) It shall be the duty of the head of every recognised educational institution, to constitute a Parent Teacher Committee within thirty days of the commencement of each academic year;

(2) Till a Committee is constituted, under sub-rule (1) the committee constituted in the preceding academic year shall continue to function;

(3) The parent Teacher Committee for each educational institution shall consist of the following:-

(a) Three representatives of the parents of the students who have studied upto SSLC or above of whom one shall be a woman and they shall be selected from among the willing parents.

(b) The head of the institution;

(c) Three class teachers in the institution selected by rotation;

(d) the Secretary of the Governing Council of the Educational Institution;

(4) Whereas, the members of the Parent teacher committee specified by clauses (b) and (d) of sub-rule (3) shall be ex-officio, the members selected under clause (a) and (b) of sub-rule (3) shall hold office, for the period till the next committee is constituted under sub-rule (i).

(5) The functions of the Parent-Teacher Committee shall be as follows:-

(a) to redress the grievances of the students and their parents, if any;

(b) to devise such action programmes as could be conducive for a healthy student-teacher, parent-teacher, teacher-management, parent-management relations.

(c) any other activity conducive to the welfare of the students;

(6) The Secretary of the Governing Council shall be the Chairman of the Parent-Teacher Committee.

(7) The Head of the Institution shall be the Member Secretary of the Parent-Teacher Committee. He shall call for all the meetings of the committee, draw up proceedings of the

Board and give effect to the decisions of the committee under the orders of the Chairman of the committee; All the proceedings of the committee shall be authenticated by the Chairman. The correspondence and other secretarial activities shall be carried on by the Member-Secretary.

(8) Every decision of the Parent-Teacher Committee shall be taken by an ordinary majority of the elected members present and voting. In case of equality of votes, the Chairman shall have a casting vote.

(9) The Parent-Teacher Committee shall meet atleast once in three months in the premises of the educational institution. If the Chairman is unable to attend such quarterly meeting, he shall authorise some other member to chair such meeting.

(10) Meeting notice shall be despatched to the members of the parent Teacher Committee at least ten days in advance. The quorum for the meeting shall be one-third of the total members of whom atleast one shall be a parent member.

(11) The first meeting of every monthly constituted parent-Teacher Committee shall be held on the day of its constitution. An order constituting the committee shall be issued by the Head of the Institution.

(12) Meetings of the Parent-Teacher Committee shall be held during working hours of the school with in the premises of the Institution.

13. Regulation of Admission.-(1) The State Government or the Competent authority authorised in this behalf shall by notification specify the minimum and the maximum number of students to be admitted in a recognised educational institution subject to the provisions of these rules.

(a) For primary including upper primary schools the maximum admissions shall be Fifty students for each class.

(b) For secondary schools the minimum admission shall be thirty students and the maximum admission shall be sixty students in each class.

(c) For Pre-University College, First Grade College and other Institutions of higher learning the minimum admissions shall be thirty students and the maximum admissions shall be one hundred for each class:

Provided that in case of minority educational institutions the minimum admission for any class shall be fifteen.

(d) Notwithstanding anything contained in these rules, in case of private aided institutions from primary and upto first grade college the maximum and minimum number of admissions for each class shall be as stipulated in the Grant-in-aid rules.

(2) The State Government or the Competent authority shall by notification specify the conditions of admission regarding eligibility, minimum age, migration, removal of students etc., in any recognised educational institution or class of such institutions.

(3) The State Government or the Competent authority shall by notification specify the method of admission to various courses, classes and categories of educational institutions.

14. Procedure for admission.-(1) The procedure for admission for any class or institution shall be open and transparent.

(2) Admissions shall commence after a notification is issued and displayed prominently in the premises of the educational institution, inviting applications for admission and specifying the number of seats available for admission. Application forms shall be made available to the parents for at least five working days of not less than four working hours each. The parents shall be given a minimum of three working days of not less than four working hours each for registering the application form. The dates and working hours shall be clearly notified on the Notice Board. The application fee prescribed if any shall not exceed five rupees. In addition a brochure containing all the details may be made available to the parents at their option, the cost of which shall not exceed twenty rupees.

(3) Every recognised educational institution imparting education from pre-primary upto degree level and situated within a larger urban area or smaller urban area shall admit in each year such number of students not exceeding twenty five percent of its total intake in each class as may be specified by the State Government from time to time.

EXPLANATION: "Larger Urban Area" and "Smaller Urban area " means the area specified as such under the Karnataka Municipal Corporations Act, 1976 and the Karnataka Municipalities Act, 1963 :

Provided that if sufficient number of such students are not available within the specified area, the educational institution may admit students from other areas.

(4) the State Government while specifying the percentage of students and the distance under sub-rule (3), shall have regard to;

- (i) the density of population in the vicinity of the educational institutions;
- (ii) the location of the educational institution;
- (iii) the availability of transport facility to school going children residing in the locality where educational institution is situated;
- (iv) the existence or other similar educational institutions in the same area.

The State government may specify different percentage of students and different distances for different urban areas or for different classes of recognised educational institutions situate in the same urban area;

(5) Every recognised educational institution from pre-primary upto degree level which is established, maintained or aided by the State Government shall make provision for reservation of seats for candidates belonging to Scheduled Castes and Scheduled Tribes and other Backward Classes as per Government Orders in force from time to time.

(6) Every process of admission from pre-primary upto degree classes in educational institutions allowing co-education, shall ensure that fifty percent of the total available seats in each institution in each category and reservation group shall be reserved for girl students. If no

sufficient number of girl students are available for admission against such reservation the unfilled seats may be treated as un-reserved:

Provided that provisions of sub-rules (5) and (6) shall not apply to minority educational institutions to the extent of admissions made by these institutions from among their own community students.

(7) During the month of April of every year the Head of the educational institution shall display on the notice board the details regarding the calendar of events detailing the various stages involve in the admission process like date of issue of applications, last date fixed for receipt of applications, mode and place of issue of application forms, date of announcement of list of selected candidates, last date for admission etc., The process of admission shall be conducted accordingly.

(8) The Head of the educational institution shall alongwith the calendar of events also display on the notice board the details regarding the number of seats available for each class, the fee structure specified and the criteria specified for selection of candidates.

(9) The parent/guardian shall tender the application in person and get proper acknowledgement from the institution. The Head of the educational institution shall enter particulars of every such application in the 'Register of Applications' maintained for that purposes, in the order of their receipt.

(10) The Head of the educational institution shall prepare a list of all eligible candidates who have registered for admission in the institution. Separate sub-lists shall also be prepared in respect of candidates of the Scheduled Castes and Scheduled Tribes and other Backward Classes as the case may be. Every candidate shall be allotted a registration number.

(11) The lists of eligible and rejected candidates containing the name and registration number shall be published on the Notice Board of the institution, inviting objections from any aggrieved party within a date to be specified in the notice so however that a minimum of five working days shall be allowed for filling objections. The objections received shall be registered and proper acknowledgments shall be issued. After considering the objections a final list shall be prepared and published on the Notice Board.

(12) (a) The managing Committee shall from among the list of eligible candidates as published in sub-rule (11) and according to provisions made in sub-rules (2) to (7) shall prepare a list of selected candidates. Separate sub-lists shall also be prepared for each reservation groups in each category as per provision.

(b) In case of admissions to secondary, pre-University and degree courses the Head of the educational institution shall after taking into consideration the total number of seats available for admission in the institution shall allocate eighty percent of such seats for admission through merit and allocate remaining twenty percent for admission by the management.

(c) The procedure for selection shall be as follows:-

(i) The Head of the educational institution, shall from among the list of eligible candidates published under sub-rule (11) and according to provisions made in sub-

rules (2) to (7) and further taking into consideration the marks secured by the student in the qualifying examination prepare a list of selected candidates in the order of merit. Separate lists shall be prepared for each reservation group.

- (ii) the Managing Committee shall from among the list of eligible candidates published under sub-rule (11) prepare a list of selected candidates on the basis of merit.

(d) Admissions to all classes shall be made on the basis of selection lists so published. If any of the seats remain unfilled even after the exhaustion of the list, the procedure as specified above shall be repeated till after all admissions are completed.

(13) Educational institutions which are composite in nature shall make admissions to higher classes run by the same educational institution upto and inclusive of secondary level only to the extent the seats in such higher classes are rendered vacant by the students or their parents voluntarily refusing admission for higher classes. A student admitted of lower kindergarten course or any other course which forms the initial course in that educational institution shall have a right to continue his studentship in the same educational institution upto and inclusive of secondary level provided he passes the terminal or the public examinations. In case of composite educational institutions involving pre-university and degree courses admissions to pre-university course shall be completed in accordance with clause (b) and (c) of sub-rule (12) Provided that a provision of fifteen percent concession in the cut-off percentage shall be allowed to the students of that institution and students of sister institutions run by the same management. The admission to degree courses shall be automatic, subject to the student passing the terminal or public examination. The institution authorities shall have no right to ask the student to quit the educational institution on any ground including his poor performance in examination, provided he has secured a pass in the examination.

(14) These rules shall apply to all admissions made by an educational institution not only to the initial course or standard appeared in that institution but also to admissions made to additional sections in any standard or course whether existing or newly opened.

(15) Notwithstanding anything contained in these rules, the practice of institutions conducting interviews or tests or both to students or to parents or both for admissions upto primary level is expressly prohibited.

(16) The Head of the educational institution shall be responsible for the strict compliance of provisions of this rules. He shall maintain all records concerning admissions and shall produce them for verification before the inspecting authority during visits and inspections. Any deviation or violation of rules noticed by the inspecting authority shall be referred to District level education regulating authority.

15. Violation of Rules regarding admission fees, or any provisions in the Act or Rules by the Institution.-¹[(1)]¹Any parent who is aggrieved by,-

1. Renumbered by Notification No. ED 71 Vivdha 97 dt. 8.10.99 w.e.f. 28.10.99.

- (a) violation of any of the provisions of these rules with respect to admissions by the institutions;

(b) violation of any of provisions of these rules with respect to collection of fees;
may file a petition in writing to the District Level Education Regulating Authority constituted under ¹[rule 16]¹

1. Substituted by Notification No. ED 71 Vivdha 97 dt. 8.10.99 w.e.f. 28.10.99.

²[(2) "The District Regulating Authority may also suo-moto or on complaint made by any person interested orally or otherwise make an enquiry to satisfy themselves as to the correctness of the complaint and may pass as if may consider fit, after giving an opportunity to the party adversely affected by it an opportunity of making representation.]²

2. Inserted in Notification No. ED 71 Vivdha 97 dt. 8.10.99 w.e.f. 28.10.99.

16. Constitution and Functions of District Level Education Regulating Authority.- ³[(1) There shall be a District Level Education Regulating Authority (hereinafter called the Regulating Authority, for every district consisting of the following members, namely:-

3. Sub-rules (1), (2) and (3) Substituted in Notification No. ED 71 Vivdha 97 dt. 8.10.99 w.e.f. 28.10.99.

(a) Deputy Commissioner of the District	Chairman
(b) Chief Executive Officer Zilla Panchayat	Member
(c) Executive Engineer, Zilla Panchayat	Member
(d) Deputy Director Pre-University Education, Department of the Concerned District.	Member
(e) Deputy Director of Public Instruction of the Concerned District.	Member Secondary

(2) The State Government may by notification, constitute an Additional Authority in a District having Provisions of rules 3 to 8 shall apply mutatis-mutandis to additional Regulating Authority.

(3) The terms of reference of the Regulating Authority shall be as follows :-

(i) Jurisdiction ;

The authority shall have jurisdiction over all the instances pertaining to violation of the rules by the Educational Institutions Consisting of Pre-Primary and Secondary Institutions in a District.

(ii) Term of reference ;

1. The authority shall have power to investigate into all the instances as contemplated in rule 15.
2. The authority shall act in accordance with the provisions of sub-rules (4) to (9) of this rule,

(iii) conduct of meetings:-

1. The Chairman shall preside over all the meetings of the authority.
2. The quorum of meeting shall be three.
3. Notice for the meeting shall be issued by the Chairman, seven days in advance.]³

1. Substituted by notification No. ED 71 vividha 97 dt. 8.10.99 w.e.f. 28.10.99

(4) Every petition shall disclose details of violation and shall also cite evidence of such violation. Petitions without concrete evidence may be rejected by the Regulating Authority and endorsement may be given in this regard to the parent. The Petition shall be affixed Court Fee Stamp of value Rupees ten and shall be delivered in person to the Regulating Authority or sent by Registered Post and Proper acknowledgement obtained.

(5) The Regulating Authority shall devise its own procedure in conducting the enquiry. If found necessary the members of the Regulating Authority may visit the institution concerned, make local enquiry and ascertain the factual position regarding the petition filed by the parent upon examining the evidence stated in the petition and other records with a view to verifying the truth of the petition. Sufficient opportunity shall be given to the management of the educational institution and the parent to substantiate their plea.

(6) Every decision of the Regulating Authority shall be taken by an ordinary majority of the members present and voting.

(7) In case of equality of votes the Chairman shall have the right to exercise a second or casting vote.

(8) The quorum for the meeting shall be three of whom atleast one shall be a parent member.

(9) The decision of the Regulating Authority shall be communicated to the institution in writing by the Chairman and he shall pass an order to this effect which shall be binding.

17. Provision for appeal.-Any educational institution or parent aggrieved by the decision of the Regulating Authority may file an appeal before the Commissioner for Public Instruction who shall act as the Appellate Authority in this regard. The decision of the Appellate Authority shall be final and binding.

18. Working days and working hours of educational institutions.-(1) Except to the extent provided by these rules, the working days and working hours of educational institution shall be as may be specified by the Competent Authority.

(2) All educational institutions from pre-primary to secondary education shall work for 5 1/2 hours a day excluding the duration of interval and 5 1/2 days in a week from Monday to Saturday, Saturdays being half-days having morning classes.

(3) The timing of working hours in any educational institution shall be determined by the concerned school authority taking into consideration the convenience the students and prevailing local conditions. The Department shall be informed accordingly.

19. Curricula.-(1) The Competent Authority shall specify curricula for each course or class, subject to the provisions of these rules.

(2) The Curricula specified by the Competent Authority shall not be a burden to the students particularly at the primary level. It shall be in accordance with the objectives both short term and long term specified by the Government or the Competent Authority from time to time.

(3) Educational institutions following state syllabus any other pattern shall strictly adhere to the Curricula and text books prescribed by the concerned Competent Authority. The institution shall not specify any additional curricula or text books of whatever nature.

(4) The specified curricula shall, as far as practicable, make efforts towards group exercises and group achievements and inculcation of moral values

20. Limits relating to home work.-The home work given to students shall be the barest minimum particularly at the primary level. As far as practicable the home work should be of

such type that it brings out the creative talent of the student, without having to repeat from the text books or the class notes.

21. Relaxation of rules.-The State Government or any other authority specified by the State Government in this behalf, may relax the provisions of these rules or exempt from the application of the provisions of these rules, in respect of any person or educational institution or class of persons or class of educational institutions, if the State Government or such authority is satisfied that the operation of any such rule or rules causes an undue and avoidable hardship to such persons or educational institutions.

By Order and in the Name of the
Governor of Karnataka,

H.A. PRAMILA
Under Secretary to Government
Education Department (General).

Karnataka Educational Institutions (Classification, Regulation and Prescription of Curricula, etc.,) (Amendment) Rules, 1999.

No: ED 71 VIVIDHA 97, Bangalore, Dated: 8-10-1999.

Whereas the Draft of the Karnataka Educational institutions (Classification. Regulation and Prescription of Curricula etc.) (Amendment) Rules, 1999, was published as required by sub-section (1) of Section 145 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995) in Notification No. ED 71 Vivdha 97 dated 31.7.1999 in Part-IV Section 2C(i) of the Karnataka Gazette Extraordinary dated 31st July 1999 inviting objections and suggestions from the persons likely to be affected thereby;

And whereas the said Gazette was made available to the public on 31st July 1999:

And whereas the no objections and suggestions have been received in this regard by the State Government ;

Now, therefore in exercise of the powers conferred by sub-section (1) of the Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following Rules, namely:-

1. Short title and Commencement.- (1) These rules may be called Karnataka Educational Institutions (Classification, Regulation and Prescription of Curricula, etc.,) (Amendment) Rules, 1999.

(2) They shall come into force from the date of its Publication in the Official Gazette.

Published in the Karnataka Gazette Part IV Section 2c(i) Extraordinary No. 1317 dt 28.10.1999

2. Amendment of rule 15.- (1) Rule 15 of the Karnataka Educational Institutions (Classification, Regulation and prescription of curricula, etc.,) Rules, 1995 (hereinafter called the said rules).

(i) Shall be renumbered as sub-rule (i) thereof, and in sub-rule (i) as so renumber for the word and figure "rule 17" the word and figure "rule 16" shall be substituted.

(2) after sub-rule (1) as so renumbered the following shall be inserted namely:-

2. "The District Regulating Authority may also suo-moto or on complaint made by any person interested orally or otherwise make an enquiry to satisfy themselves as to the correctness of the complaint and may pass as if may consider fit, after giving an opportunity to the party adversely affected by it an opportunity of making representation".

3. Amendment of rule 16.- For sub-rules (1), (2) and (3) the following shall be substituted, namely:-

"(1) There shall be a District Level Education Regulating Authority (hereinafter called the Regulating Authority, for every district consisting of the following members, namely:-

(a) Deputy Commissioner of the District

Chairman

- | | |
|--|---------------------|
| (b) Chief Executive Officer Zilla Panchayat | Member |
| (c) Executive Engineer, Zilla Panchayat | Member |
| (d) Deputy Director
Pre-University Education, Department of the Concerned District. | Member |
| (e) Deputy Director of Public Instruction of the Concerned District. | Member
Secondary |

(2) The State Government may by notification, constitute an Additional Authority in a District having Provisions of rules 3 to 8 shall apply mutatis-mutandis to additional Regulating Authority.

(3) The terms of reference of the Regulating Authority shall be as follows :-

(i) Jurisdiction ;

The authority shall have jurisdiction over all the instances pertaining to violation of the rules by the Educational Institutions Consisting of Pre-Primary and Secondary Institutions in a District.

(ii) Term of reference ;

1. The authority shall have power to investigate into all the instances as contemplated in rule 15.

2. The authority shall act in accordance with the provisions of sub-rules (4) to (9) of this rule,

(iii) conduct of meetings:-

1. The Chairman shall preside over all the meetings of the authority.

2. The quorum of meeting shall be three.

3. Notice for the meeting shall be issued by the Chairman, seven days in advance.

By order and in the name of the
Government of Karnataka,

H.S. Venkateshaiah
Under Secretary to Government,
Education Department (General).

NOTIFICATION**Karnataka Educational Institutions (Classification, Regulation and Prescription of
Curricula etc.,) (Amendment) Rules, 2001****Contents****Rules**

1. Title and Commencement
2. Amendment of rule 10

NOTIFICATION

Karnataka Educational Institutions (Classification, Regulation and Prescription of Curricula etc.,) (Amendment) Rules, 2001

Notification No. ED 4 ViVida 2001, Bangalore

Dated: 5-7-2001

Whereas the draft of the rules to amend the Karnataka Educational Institutions (Classification, Regulation and Prescription of Curricula etc.,) Rules, 1995 was published as required by which the Government of Karnataka proposes to make in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), in Notification No. ED 95 ViVida 2000 dated 28.3.2001 in part-IVA of the Karnataka Gazette Extraordinary dated 29.3.2001 inviting objections and suggestions from the persons likely to be effected there by:

And whereas the said Gazette was made available to public on 29.3.2001.

And whereas no objection and suggestions have been received in this regard by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka makes the following rules namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Classification, Regulation and Prescription of Curricula etc.,) (Amendment) Rules, 2001.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Amendment of rule 10.- In rule 10 of the Karnataka Educational Institutions (Classification, Regulation and Prescription of Curricula etc.,) Rules, 1995, in sub clause (i) of clause (c) of sub-rule (3), for the words and figures "Rs. 300/- per year", the words "rupees five hundred per year" shall be substituted.

By order and in the name of the
Governor of Karnataka,

K.S. Gopalakrishna

Under Secretary to Government,
Education Department (General).

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION AND
REGISTRATION) RULES 1997**

CONTENTS

Rules

1. Title, commencement and application.
2. Definitions
3. Procedure for registration of Educational Institution
4. Conditions for registration of educational Institutions
5. Procedure for registration or upgradation of educational institution
6. Registration of existing recognised educational institutions.
7. Intimation of change:
8. Form of register of Educational Institutions;-
9. Terms of conditions of appointment.-

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**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION AND
REGISTRATION) RULES 1997**

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 116 VIVIDA 95 (A) Bangalore, dated: 17th March 1997.

**(As amended Notification ED 74 VIVIDA 99, dt: 8.10.99, No. ED 34 VIVIDA 2003, dated
26.5.2003 & ED 63 SES 2004 dated 12.8.2005)**

Whereas the draft of the Karnataka Educational Institutions (classification and Registration) Rules, 1995 was published in Notification No. ED 116 VIVIDHA 95, dated 14th November, 1995 in Part-IV Section 2C(i) of the Karnataka Gazette Extraordinary dated 14th November, 1995, inviting objections and suggestions from the persons likely to be affected thereby:

And whereas the said Gazette was made available to the public on 14th November, 1995:

And whereas the objections and suggestions received in this regard have been duly considered by the State Government:

Now, therefore in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title, commencement and application:- (1) These rules may be called the Karnataka Educational Institutions (Classification and Registration) Rules, 1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) Nothing in these rules shall apply to Commerce Institutions.

Published in the Karnataka Gazette Part IV section 2c(i) Extraordinary No.339 dated 17.3.1997.

2. Definitions.-In these rules, unless to context otherwise requires-

(a) 'Act' means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995).

(b) 'Form' means a form appended to these rules;

(c) 'Local Authority' means such authority as entrusted by the Government with the control or management of Municipal or local funds;

(d) 'Local fund' shall have the same meaning as given to it by Article 2 (17) of the Karnataka Financial Code, 1958.

(c) 'Section' means section of the Act.

3. Procedure for registration of Educational Institution:-(1) Applications for registering an Educational Institution shall be filed in Form-1 before the registering authority or the authority authorised in this behalf, only ¹(on or before 31st day of October of the year preceding the academic year in which the educational institution is intended to be started)¹ and shall be delivered in person or through registered post and acknowledgement obtained.

1. Substituted by Notification No. ED 63 SES 2004, dated 12.8.2005 w.e.f. 16.8.2005

(2) Every such application for registration to the class of institutions specified in column (2) of the table below shall be accompanied by a registration fee as specified in the corresponding entry in column (3) thereof. The registration fee shall be paid in the form of account payee cheque or demand draft drawn within one month from the date of application and in favour of the registering authority. The demand draft shall be made payable at the branch of the Bank located in the headquarters of the registering authority or in the surrounding locality.

TABLE

Sl. No.	Class of Educational Institutions	Registration fee to be paid
1	2	3
1.	Pre Primary Institutions	2000-00
2.	Lower Primary Schools with Pre Primary section (Standard I to IV)	5000-00
3.	Upper Primary Schools (for Kannada Medium) (Standard V to VII) (for English Medium)	5000-00 10000-00
4.	Secondary Schools (Standard VIII to X)	10000-00

(3) Registration fee once paid shall not be refunded where registration is granted and where registration is refused, the amount of the fee paid shall be refunded without interest to the applicant. The refund shall be made in the form of account payee cheque drawn by the registering authority on the local treasury where the applicant resides.

(4) The registration fee received under sub-rule (2) shall be held in a personal deposit account opened in the name of the registering authority or the authority authorised in this behalf in the nearest District Treasury.

(5) (a) The registering authority shall verify the suitability and eligibility of each application in accordance with the provisions of Section 31 and the rules made thereunder. He shall issue to the governing council registration certificate or the refusal order, as the case may be within the time limit specified in sub-section (3) of Section 31.

(b) The registration certificate shall be issued in Form-11

(c) The refusal order shall indicate the reasons for refusal and shall be accompanied by the voucher of refund of registration fee.

(d) The Governing Council in whose favour the registration certificate is issued shall start the institution and the standard during the academic year as per specifications laid down in the registration certificate and the date of starting shall be intimated to the registering authority. Failure on the part of the Governing Council to start the institution and the standard during the

specified academic year shall lead to automatic cancellation of registration certificate and on no account it shall stand valid for the subsequent academic years.

4. Conditions for registration of educational Institutions:-(1) Procedure for determining the need for opening of a new educational institution or upgradation of an educational institution. shall be as follows:-

(a) The registering authority or the authority authorised in this behalf shall make an assessment of the educational needs of the area coming under its jurisdiction with reference to each locality, which shall be based on :-

- (i) the size of the population in the locality;
- (ii) the existing educational facility including the types of educational institutions in and around the locality;
- (iii) the strength of students in each of the existing institutions with reference to each standard and section;
- (iv) the distance from each of the existing institution to the location of new school proposed;
- (v) the needs of the locality and status of the locality with reference to the habitation and backwardness;
- (vi) the literacy percentage;
- (vii) any other factor that the authority feels relevant :

Provided that while making assessments the authority shall take into account the needs of the scheduled caste / scheduled tribe category, girls, handicapped children and the minority communities in the locality, so however that in the case of minority institutions the assessing authority shall bear in mind the wider interests of the particular minority community.

(b) Based on the need based assessment the authority shall clearly identify the educational needs of each locality in terms of type of new educational institutions needed. This shall be upgraded every year and shall be kept open for the information of the applicants seeking registration of new educational institutions in the particular locality.

(c) The suitability and eligibility of any applicant seeking registration of new institution in a locality including class or type of institution shall be verified with reference to the assessment needs above, by the registering authority.

(2) Procedure for determining the financial viability of an applicant seeking registration of a new educational institution, shall be as follows :-

(a) The registering authority shall satisfy itself about the financial position of the applicant based on verification of the following documents, namely:-

- (i) latest audited Balance Sheet and assets and liability statement of the applicant institution which has been duly certified by a Chartered Accountant:

- (ii) audited Balance Sheet and assets liability statement of other educational institutions run by the applicant institution which shall be duly certified by a Chartered Accountant;
 - (iii) the Bank transaction and the cash balance in the account operated by the applicant institution;
 - (iv) certificate from the Bank regarding the cash balance in the account of applicant institution.
- (b) the registering authority after verification of the documents shall ensure that the applicant institution.-

- (i) holds in its own name a minimum cash balance of rupees five lakhs or assests worth to that extent;
- (ii) is possessed of an initial corpus fund to establish, maintain and run the proposed educational institution;
- (iii) has the capacity to deposit stability fund as required under the rules governing recognition of the class of educational institutions to which it belongs.
- (iv) has the capacity to provide suitable facilities like site, building, accommodation, staff, equipment etc, required under the rules prescribed in this regard,

and may also secure any other information as it may deem necessary for the purpose;

(3) Rules 4,5,6 and 9 of the karnataka Educational Institution (Classification, Regulation and Prescription of Curricula etc) Rules 1995.

Shall apply in respect of site, building, accommodation, water, sanitary facilities, teaching staff etc.

(4) General conditions for registration shall be as follows:-

- (a) Every applicant institution seeking registration shall,-
 - (i) abide by all the provisions of the Act and the rules made thereunder;
 - (ii) abide by the curricula, text books, medium of instruction and examination rules as may be specified by the competent authority;
 - (iii) appoint qualified staff;
 - (iv) follow admission and fee regulations prescribed;
 - (v) start the institution only after the receipt of registrations certificate.
 - (vi) shall start the classes as specified in the registration certificate;
 - (viii) Keep the location of site and institution open and access-able to all;
 - (viii) spare the building and staff for the purpose of conduct of examinations, training programmes, census and other departmental work as and when they are required to do so.

- (ix) Provide all facilities as specified in the Karnataka Educational Institutions (Classification , Regulation and Prescription of Curricula) Rules, 1995.
- (x) not make claim for administration to grants on the basis of registration certificate issued;
- (xi) make application for recognition of the registered institution within the time frame.

(b) At the time of making application, every applicant shall give to the registering authority or the authority authorised in this behalf, an undertaking to comply with the general conditions specified in clause (a)

5.Procedure for registration or upgradation of educational institution.-(1) Every educational institution intending to add any new class or course of subject, shall make an application to the registering authority in Form No VI one year prior to the commencement of the academic year.

(2) Every such application shall be accompanied by a fee equal to 1/5 of the fee specified under sub-rule (2) of rule 4 in respect of a new class, or course and 1/20 of the fee so specified in respect of addition of any new subject Provisions of rule 3 shall mutatis-mutandis apply in respect of payment of refund of fees.

(3) While granting upgradation, regard shall be had to the past performance of the educational institution in the matter of faithfully implementing the objectives as per the provisions of the Act and the rules, notifications and orders thereunder and general reputation of the institution among the public and the students.

(4) While issuing a registration certificate in respect of such upgraded educational institution the original certificate (as modified from time to time) shall be withdrawn and a new certificate issued in Form NO VII.

6. Registration of existing recognised educational institutions.-(1) For registration of an educational institution specified under section 30 such educational institution shall file a statement in Form No VIII before the registering authority, within a period of six months from the date of commencement of these rules or from the date of appointment of the registering authority whichever is later.

(2) The statement under sub-rule (1) shall be delivered personally in the office of the registering authority and due acknowledgement obtained or shall be sent by speed post or registered post acknowledgement due.

(3) On being satisfied that the educational institution is fit in all respect to be registered, the registering authority shall issue a certificate of registration in Form No IX.

7.Intimation of change:-(1)The Governing Council of every private educational institution shall intimate any change in the particulars of the educational institution to the registering authority in Form No.III. Such intimation shall be sent by speed post or registered posts acknowledgement due or delivered in person in the office of the registering authority.

(2) On receipt of intimation under sub-rule (1) and upon such enquiry as it may deem necessary the registering authority may, by an order, require the educational institution to surrender the registration certificate.

(3) The surrendered certificate of registration shall become the property of the registering authority. In case of changes in the particulars of an educational institution a new registration certificate shall be issued in Form No IV. The surrender and issue of new registration certificate shall be entered in the register of educational institutions maintained by the registering authority both against the old registration and the new registration.

8. Form of register of Educational Institutions;- (1) Every registering authority shall maintain a register of educational institutions in Form No V.

(2) Every such register shall be firmly bound and given running folio numbers.

(1) Before opening any register, the registering authority shall on the inner cover page of the register certify the date of opening the register and number of folios (from Number and to Number) in it.

(4) On completion of all the folios, the date of such completion shall also be recorded by the registering authority on the inner cover page as aforesaid.

9. Terms of conditions of appointment.-(1) The terms and conditions of appointment of the expert body, constituted under section 37 shall be as may be specified by the Government from time to time.

¹[(2) Every such expert body shall consist of not less than five and not more than nine Members nominated by the State Government from amongst the experts in the field of education]¹

¹ Substituted by Notification No. ED 74 VIVIDA 99, dated 8th October 1999 w.e.f. 2.12.1999

(3) The Board of Experts shall devise its own procedure and make local enquires by visiting the place of the concerned educational institution and give an opportunity to the educational institution concerned to state its case either orally or in writing or both .

(4) The recommendations of the Board of Experts shall be made by an ordinary majority of the members.

(5) In case of equality of votes the Chairman of the Board shall have the right to exercise a second or casting vote.

(6) Every dissentient member shall append his dissenting note to the report of the Board of Experts.

By Order and in the name of the Governor of
Karnataka

H.A.PRAMILA

Under Secretary to Government.
Education Department. (General)

FORM No. I

(See sub rule (1) of rule 3)

(Use additional sheets, annexures where ever necessary)

To

(specify here the designation and address
of Registering authority)

Sir,

For and on behalf of

(Specify here the name of the educational institution seeking registration). This application is submitted for registration of the said institution under section 31 of the Karnataka Education Act; 1983 (Karnataka Act No. 1 of 1995) particulars are as below:-

1. Name and Location

or

Proposed name location of the institution

2. Name and address and nature of the local authority

or

Governing Council (enclose a copy of the certificate of registration, a copy of the memorandum of Association etc., of the Society, trust, deed etc.,) [(See.2 (17)]

3. Objectives of the Educational institution proposed to be established.

4. Date from which the proposed institution is proposed to be started.

5. Class or type of educational institution proposed to be established (like lower primary, higher primary, secondary etc.,)

6. Medium of instruction proposed to be introduced.

7. Details of preliminary formalities if any completed with the concerned authority/professional body/university/other athilianing agency.

8. Details of educational institutions established managed and administered by the local authority or Governing Council immediately prior to this application.

9. Explain the need for providing the intended educational facilities to the people in the locality with reference to

(a) Size of the population in the locality.

(As per latest census Report)

(b) literacy percentage.

- (c) Details of other existing educational institutions in and around the locality with regard to:
 - (i) the distance from the proposed institution
 - (ii) strength and attendance in each standard.
 - (d) Details regarding feeder institutions in and around the locality with regard to
 - (i) the distance from the proposed institution.
 - (ii) strength and average attendance in each standard.
 - (iii) the names of present educational institutions to which the students are admitted
(Please also mention the distance of each such institution)
 - (e) Details regarding the existing habitations in the locality and their state of backwardness with special reference to
 - (i) SC/ST. category
 - (ii) girls handicapped children
 - (iii) minority community
- (Full factual verifiable data to be provided)

10. Furnish the following:

- (a) Estimate of financial implications to provide infrastructure, teaching facilities, equipment etc., at current market prices as per the standards prescribed in the Act and rules.
- (b) Audited and certified latest balance sheet, income and expenditure statement. (Certified by a chartered accountant or such other authority which under law is competent to certify the accounts of the local authority/Governing Council/ [(see sec. 2(17).]
- (c) Certificates from the bank to show cash balance.
- (d) photo copy of title deeds to evidence possession of the extent of land required for building, playground, etc., of the prescribed standards.
- (e) Blue print to evidence that building to the required extent and of the required specifications are available.
- (f) Statement of latest audited and certified accounts and annual report of the other annual report of the other educational institutions being run by the local authority or governing council.
- (g) Name, address, qualifications and experience of teaching staff, furnish in position. The qualification prescribed by the Govt./competent authority, concerned professional body, university or the assiliating authority and the number of the staff to be employed in each cadre

- (h) Copy of the resolution of the governing council authorising the secretary to file this application.
- (i) Name full address of the correspondent/secretary cum correspondent authorised to carry out the correspondence with the govt/department.
- 11. Name, father's name, age, qualification, address, occupation of the members of the governing council.
- 12. Name, father's name, age, qualification, address and occupation of the members (of the members) of the managing Committee. (See Sec. 2(a))
- 13. Any other information which the applicant wishes to furnish.
- 14. Amount of registration fee paid. (Demand draft no. & date, bank on which drawn).

Certified that the information furnished above is true and correct to the best of my knowledge and belief.

For on behalf of
(Specify the name of educational
institution)
Signature of the secretary
name in capital letter and
rubber stamp.

Place:

Date:

DECLARATION BY THE APPLICANT INSTITUTION

The management of the governing council agree to: (see rule 4(4) to xii for rule 4 (4))

for on behalf

Signature of the Secretary
Name in capital letter and
rubberstamp.

FORM NO II

See Sub-rule (5) (b) of rule 3

CERTIFICATE NO.....

Certified that

(Specify here the name and address of the local authority, society or trust as the case may be) Governing council has been registered under section 31 of the Karnataka Education Act 1983 (Karnataka Act No. 1 of 1995). This the day of one thousand nine hundred..... For the purpose of running the following

class of educational institution at

(specify the place here)

- 1) serial no.
- 2) Class of educational institution
- 3) standards permitted
- 4) The academic Year the standards are to be opened.
- 5) Medium of instruction permitted details of registration
- 6) fees paid

The educational institution is registered at sl. No..... at page no..... of volume no. of the register of educational institutions maintained in this office. The registration certificate issued here is subject to conditions stipulated under:

- 1) The validity of the registration certificate shall be governed by the rule 3 (5) (4).
- 2) That the governing council shall fulfill all the general conditions as stipulated in rule 4 (4).
- 3) The conditions to be fulfilled in respect of site, area, building, equipment, staff, financial viability etc.,
- 4) Any other condition specified by the authority.

Place:

Date:

Signature and name
 designation & official
 Seal of the registering authority

FORM NO III

See Sub-rule (1) of rule 7

To

(Indicate the name and address of the Registering Authority)

Sir,

WHEREAS..... here specify the name and address of the Local Authority, society or trust, as the case may be) is registered under no. on..... (Here specify the date) by..... (here specify the name and address of the registering Authority) as an educational institution under section 31 of the Karnataka Education Act, 1983 (Karnataka Act No.1 of 1995). This has been registered at sl.no.of page no.of volume of the register of educational institution maintained in this office.

for purpose of running class of educational institution.

AND WHEREAS the following Changes have taken place in the particulars furnished under sub section (i) of section 31 to the registering Authority at the time of registration:

Sl. No.	Particulars furnished at the time of registration	Changes that has taken place	reasons for the change
---------	---	------------------------------	------------------------

AND NOW THEREFORE the Governing Council of educational institution here by intimates the Registering Authority of the foresaid change or closure as the case may be.

The original Registration certificate bearing no. dated issued by (here specify the name and address of the Registering Authority) in enclosed with a request to amend the register of educational institution and issue fresh Registration certificate/cancel the Registration Certificate.

The undersigned has been authorised by resolution no. of the Governing Council to file this application.

Place:

Date:

Signature with name & Address
of the person with official seal
making the application on behalf
of the Governing Council.

FORM NO. IV

See sub-rule (3) of rule 7

MODIFIED REGISTRATION CERTIFICATE

Sl. No.

WHEREAS (Specify here the name and address of the local authority, society or trust, as the case may be) was registered as the Governing Council, to run the following class of educational institutions.

Sl. No.	Class of Educational Institution	stds admitted	The academic year the std. are to be opened	med. of instru.	Details regd. Fee paid
---------	----------------------------------	---------------	---	-----------------	------------------------

AND WHEREAS the said Governing Council has made an application under sub-section (5) of section 31 of the Karnataka Education Act, 1983, (Karnataka Act No. 1 of 1995) intimating changes that have taken place in udner particulars furnished by the said Governing Council under sub-section (1) of section 31, at the time of Registration of the Governing council.

AND NOW THEREFORE, the original Registration Certificate bearing no. dated issued by (indicate here the name & address of the registering authority which had issued the said certificate) is hereby withdrawn and cancelled and necessary entries made in the register of educational institution.

AND NOW THEREFORE this modified registration certificate is being issued in favour of..... (indicate here the name address of the local authority, society or trust, as the case may be) to run the following classes of educational institutions,

Sl. No.	Class of Educational institution	fee paid	stds permitted	The academic year the std. are to be opened	medium of instruction
---------	----------------------------------	----------	----------------	---	-----------------------

The Governing Council referred to in the proceeding para, is registered under sl. no. of page of volume of the register of educational institutions maintained in this office.

This certificate is issued this day of..... (here specify the month) of one thousand nine hundred

Signature with name and
designation of the registering
authority with official seal.

FORM NO. V

See sub-rule (1) of rule 8

REGISTER OF EDUCATIONAL INSTITUTIONS

Sl. No.	Name & address of the Govern- ing Council	Nature of the Govern- ing Council	Members of the Govern- ing Council educational institution	Name of Edu- cational Institu- tion such	Name of Regi. Course run in each of issue	Registra- tion certi- ficate No. & Date	Signature of the Register- ing Authority
------------	--	---	--	---	--	---	--

FORM NO. VI

See Sub rule (1) of Rule 5

APPLICATION FOR UPGRADATION OF EDUCATIONAL INSTITUTION

To

(Indicate here the designation &
address of the Registering Authority).

Sir,

For and on behalf of

(Specify here the name of the Governing Council), this application is submitted under Section 32 of the Karnataka Education Act, 1983 (Karnataka Act No. 1 of 1995) and the relevant rules, for upgradation of

educational institution (specify here the name & address of the educational institution.) A new Registration Certificate may please be arranged to be issued:

- 1) Courses being run now :
- 2) Higher classes new subjects
courses to be opened :
- 3) Any other type of upgradation
proposed to be made :
- 4) Particulars of Registration
Fee if any paid :
- 5) Any other information that
the applicant wishes to furnish :

I have enclosed herewith in original, Registration Certificate bearing no. dated issued by (specify here the designation of the registering authority which issue the application).

Place :

Date:

Signature with name &
Designation with official seal.

FORM NO. VII

See sub rule (4) of rule 5

NEW REGISTRATION CERTIFICATE

SL.NO.

WHEREAS (specify here the name & address of the local Authority, society, or trust, as the case may be) was registered as an educational institution at Sl.No. of page No. of volume no. of the register of the educational institution maintained in the office of (specify here the name and designation of the original registering authority).

AND WHEREAS as the aforesaid Governing Council was issued with a registration certificate to run the following classes of educational institutions:

Sl. No.	Class of Educational institution	stds permitted	Academic year the std. Are to be opened	medium of instruction permitted
------------	--	-------------------	--	--

AND WHEREAS the said Governing Council has made an application for upgradation of the said educational institution under section 32 of the Karnataka Education Act, 1983 (Karnataka Act No. 1 of 1995) with the addition of the following courses/subjects.

Sl. No.	Class/Kind of courses subjects details of fee paid
------------	--

AND WHEREAS the Registering Authority is satisfied that the educational institution is qualified for upgradation.

NOW THEREFORE the original registration certificate bearing no. dated issued by (here specify the name & address of the registering authority which issued the earlier registration certificate) is hereby withdrawn and necessary entries made at sl. No. of page of volume of the register of the educational institution maintained in this office.

AND NOW this new certificate of Registration is issued in favour of (specify here the name & address of the local authority, society or the trust, as the case may be) under section 32 of the said Act, to run the following class of educational institutions:

Sl. No.	Class of Educational institution	stds permitted	Academic year the std. are to be opened	medium of instruction permitted
------------	--	-------------------	--	--

This institution has been registered at sl. No. of page of volume of the register of educational institutions maintained in this office.

This certificate is issued this day of (specify here the month) of one thousand nine hundred.

Signature with name
& designation of the
registering authority with
official seal.

FORM NO. VIII

See sub rule (1) of rule 6

**FORM OF APPLICATION FOR REGISTRATION OF EXISTING RECOGNISED
EDUCATIONAL INSTITUTION**

To

(Specify here the designation &
address of the Registering Authority).

Sir,

For and on behalf of

(specify here the name of the local authority, trust or society, as the case may be) this application is being submitted for registration of the said institution under section 33 of the Karnataka Education Act, 1983 (Karnataka Act No. 1 of 1995) for registration of an existing educational institution namely.

(Specify here name and address of the educational institution).

Particulars are as follows:-

1. Name & location of the existing educational Institution
2. Name & address and nature of the local Authority, or the Governing Council (enclosed a copy of the Certificate of Registration, a copy of the Memorandum of Association etc., of the society, Trust, etc.,) (see Section 2 (17))
3. Objectives of the Educational Institution :
4. Details of the course being run:

Sl. No.	Name of the course	Intake	Recognising Authority recognising the course	No. & Date of the order	Medium of Instruction

5. No. Of teaching staff and non teaching staff employed.
6. Any other information the applicant wishes to furnish.

I request that a Registration Certificate may please be issued.

Certified that the information furnished above is true and correct to the best of my knowledge and belief.

Place:

Date:

Signature of the applicant
with name & designation and
with official seal.

FORM NO. IX

See sub-rule (3) of rule 6

**REGISTRATION CERTIFICATE FOR RECOGNISED EDUCATIONAL INSTITUTIONS
EXISTING AT THE COMMENCEMENT OF THE ACT**

SL. NO.....

Certified that

(specify) here the name & address of the Local Authority. Society or Trust, as the case may be) Governing Council has been running the following courses at the commencement of the Karnataka Education Act. 1983 (Karnataka Act No. 1 of 1995).

Sl. No.	Course/Class of educational Institution	Intake	Name & address of the Recognising Authority	Recognition Order No & Date	Stds. permitted	Medium of Instruction
---------	---	--------	---	-----------------------------	-----------------	-----------------------

This certificate is issued this day ofof one thousand nine hundred

This Institution is registered at Sl. No. of Page No. of volume no. of Register of Educational institution maintained in this office.

Place:

Date:

Signature with name &
designation of the Registering
Authority with Official Seal.

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION AND
REGISTRATION) RULES 1999**

CONTENTS

Rules

1. Title and Commencement
2. Amendment of Rule 9

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION AND
REGISTRATION) RULES 1999**

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 74 VIVIDA 99, Bangalore, dated: 8th October 1999

Whereas the draft of the Karnataka Educational Institutions (classification and Registration) Rules, 1999 was published as required by sub-section (1) of Section 145 of Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 74 Vivida 99 dated: 9th August 1999, in Part-IV Section 2C(i) of the Karnataka Gazette Extraordinary dated: 9th August 1999 inviting objections and suggestions from the persons likely to be affected thereby:

And whereas the said Gazette was made available to the Public on 9th August 1999.

And whereas no objections and suggestions have been received in this regard by the State Government:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act No.1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Classification and Registration) Rules, 1999.

(2) They shall come into force at once.

2. Amendment of Rule 9.- in rule 9 of the Karnataka Educational Institutions (Classification and Registration) Rules, 1997 for sub-rule (2) the following shall be substituted namely:-

(2) "Every such expert body shall consist of not less than five and not more than nine Members nominated by the State Government from amongst the experts in the field of education".

By Order and in the name of the Governor
of Karnataka

H.S. VENKATESHAIAH

Under Secretary to Government,
Education Department (General).

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION AND
REGISTRATION) (FIRST AMENDMENT) RULES 2003**

CONTENTS

Rules

1. Title and Commencement
2. Amendment of Rule 3

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION AND
REGISTRATION) (FIRST AMENDMENT) RULES 2003**

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 34 VIVIDA 2003, Bangalore, dated: 26th May 2003

Whereas the draft of the Karnataka Educational Institutions (classification and Registration) (Amendment) Rules, 2002 was published in Notification No. ED 98 SES 2002, dated: 10th January 2003 in Part-IV-A of the Karnataka Gazette Extraordinary dated: 21.01.2003 inviting objections and suggestion from the persons likely to be affected thereby.

whereas the said Gazette was made available to the Public on 21st January 2003.

And whereas no objections and suggestions were received in this regard.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act No.1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Classification and Registration) (First Amendment) Rules, 2003.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 3.- in sub-rule (1) of rule 3 of the Karnataka Educational Institutions (Classification and Registration) Rules, 1997 for the words "in the month of March" the words "in the month of October" shall be substituted.

By Order and in the name of the
Governor of Karnataka

SUNDARA RAJA GUPTHA

Under Secretary to Government,
Education Department (University & General-1).

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION AND
REGISTRATION) (AMENDMENT) RULES 2004**

CONTENTS

Rules

1. Title and Commencement
2. Amendment of Rule 3

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (CLASSIFICATION AND
REGISTRATION) (AMENDMENT) RULES 2004**

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 63 SES 2004, Bangalore, dated: 12th August 2005

Whereas the draft of the Karnataka Educational Institutions (classification and Registration) (Amendment) Rules, 2004 was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 63 SES 2004, dated: 24.06.2004 in Part-IV-A of the Karnataka Gazette Extra-ordinary dated: 24.06.2004 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of the publication of the draft in Official Gazette.

And whereas the said Gazette was made available to the Public on 24.06.2004.

And whereas no objections or suggestions were received in this regard within the specified period, by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act No.1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Classification and Registration) (Amendment) Rules, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 3.- in sub-rule (1) of Rule 3 of the Karnataka Educational Institutions (Classification and Registration) Rules, 1997 for the words "in the month of October in every academic year", the words and figures "on or before 31st day of October of the year preceding the academic year in which the educational institution is intended to be started", shall be substituted.

By Order and in the name of the
Governor of Karnataka

SIDDALINGAIAH

Under Secretary to Government,
Education Department.

THE DISTRICT LEVEL VII STANDARD PUBLIC EXAMINATION RULES 1997

CONTENTS

Rules

1. Title, Commencement and Application.
2. Definitions.
3. Holding the examination.
4. Centre of examination.
5. Eligibility of candidates.
6. Examination fees.
7. Payment of fees.
8. Centre of examination.
9. Issue of Admission Tickets.
10. Chief Superintendent.
11. Appointment of Supervisory Staff.
12. Writers to assist physically Handicapped Candidates.
13. Qualification of Paper Setters or Chief Examiners.
14. Qualification of Examiners.
15. Disqualifications for Supervisory Staff, Examiners etc.
16. Guidelines and Instructions for the Conduct of Examination.
17. Obligation of Chief Superintendents, Examiners and other Supervisory Staff
18. Declaration of Result.
19. Issue of marks statements or certificates.
20. Revaluation of Answer Scripts.-
21. Re-totalling of marks totals.
22. Appointment of Vigilance Sitting Squads.
23. Camp Officers or Distribution Centres.-

THE DISTRICT LEVEL VII STANDARD PUBLIC EXAMINATION RULES. 1997**EDUCATION SECRETARIAT****NOTIFICATION****No. ED 235 PGC 96, Bangalore, Dated 17th March 1997.**

Whereas the draft of the District Level VII Standard Public Examination Rules, 1997 was published in Notification No. ED 235 PGC 96, dated 7th February, 1997 in Part-IV, Section 2C(i) of the Karnataka Gazette Extraordinary dated 7th February, 1997, inviting objections and suggestions from the persons likely to be affected thereby;

Whereas the said Gazette was made available to the public on 7th February, 1997.

And whereas no objections and suggestions have been received in this regard by the Government.

Now, therefore, in exercise of the powers conferred by the sub-section (2) of section 22 and read with Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules, namely :-

RULES

1. Title, Commencement and Application.- (1) These rules may be called the District Level VII Standard Public Examination Rules, 1997.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) They shall apply to the Primary VII Standard Public Examination.

Published in the Karnataka Gazette Part IV section 2c(i) Extraordinary No 351 dated 19.3.1997.

2. Definitions.- In these rules unless the context otherwise requires,-

- (1) "Annexure" means annexure to these rules ;
- (2) "Commissioner" means the Commissioner for Public Instruction;
- (3) "Director" means the Director of Public Instruction, Primary Education or the Director of Public Instruction (DSERT) as the case may be.
- (4) "Examination Centre" means any educational institution chosen by the Director for the conduct of VII Standard District Level Public Examination.
- (5) "Examiner" includes the question paper setter, the Chief Examiner. Deputy and Assistant Examiners connected with the examination;
- (6) "Guidelines" means the Guidelines and instructions contained in the hand book "Guidelines and Instructions for the conduct of District Level VII Standard Public Examination" issued under rule 16 and includes such other directions as the Competent Authority may issue from time to time ;
- (7) "Government" means the Government of Karnataka;

- (8) "Near Relative" includes son, grandson, daughter, grand daughter, brother, sister, husband, wife, brother's son, brother's daughter, sister's son, sister's daughter, son in-law and daughter-in-law.
- (9) "Physically Handicapped" means all blind or handicapped candidates who have more than 60 per cent of debility as certified by the District Surgeon or any appropriate authority specified by the Director or Government from time to time.
- (10) "Primary Education" means education in classes from I to VII, with 1 to 4 classes as lower primary education and 5 to 7 classes as upper primary education.
- (11) "Primary School" means and includes all educational institutions which are run or aided by the Government or recognised by the Government and are imparting primary education upto VII Standard or the institution where it is proposed to conduct the examinations.
- (12) "Public Examination" means the VII Standard District Level Public Examination.
- (13) "Secretary" means the authority authorised to assist the Competent Authority in the day today work connected with the conduct of VII Standard Public Examination.
- (14) "Writer" means a person appointed under rule 12 to assist a candidate who is physically handicapped to write the examination.

3. Holding the examination.- (1) A District Level Public Examination shall be conducted for Primary VII Standard at the end of each academic year according to the syllabus and course of study specified from time to time by the Department for the VII Standard Examination.

(2) Notwithstanding anything contained in sub-rule (1), the Department may make orders.-

- (a) for holding the examination during such other period of the year and on such dates and time as it may deem fit; or
- (b) for holding special examination when so required and on such dates and time as it may deem fit.

4. Centre of examination.- The examination shall be conducted at such centres as may be determined by the Competent Authority or to be located in an institution or in any other building as it deems fit after taking into consideration, the facilities available and the desirability or otherwise of location of a centre of examination at a particular institution.

5. Eligibility of candidates.- A person unless he is not debarred for any term from appearing for examination for malpractice, shall be eligible to appear for the examination either as regular candidate or as a private candidate, if -

- (a) he has attained the age of 11 years and 9 months as on the first day of March of the academic year:

Provided that age limit shall be extended up to two years in the case of persons who are physically handicapped.

- (b) he has completed the prescribed course of study putting in the prescribed minimum attendance.
- (c) has submitted the application duly filled in with all particulars and correct address within the due date and he has also paid the prescribed fee ; and
- (d) in the case of a regular candidate, his progress and conduct are certified to be satisfactory by the head of the institution concerned.

6. Examination fees.- The examination and other fees to be paid by the candidates shall be as may be notified by the competent authority from time to time.

7. Payment of fees.- The examination and other fees shall be paid in cash by the candidates to the Head of the Institution through which he sends his application for examination. Under no circumstances shall the application for examination and related fee be sent directly to the Secretary.

8. Centre of examination.- (1) All the regular candidates and repeaters are required to send their application for examination through the institution in which they have last studied, if it is made a centre or at the centre to which that institution is attached. Private candidates may send their application through any primary school.

(2) Change of centre shall not ordinarily be permitted. In exceptional cases changes of centre may be permitted subject to the following.-

- (a) The candidate shall at least six weeks prior to the date of commencement of examination file an application furnishing his reasons for seeking the change and submitted to the Secretary through the Head of the Institution alongwith the specified fee.
- (b) It shall be within the discretion of the competent authority either to grant or refuse permission for change of centre and his decision shall be final ;

Provided that permission shall not be refused unless an opportunity of being heard is given to such candidate.

9. Issue of Admission Tickets.- (1) In respect of every candidate who has validly applied for admission to the examination and included in the nominal rolls submitted by the institution, the Secretary shall after satisfying himself about the eligibility of the candidate for admission Issue or direct the authority authorised by him to issue an admission ticket to the candidate through the Head of the Institution.

In the case of candidate who has been permitted a change of centre, the admission ticket shall be sent by the Secretary directly to the candidate at the address given by him.

(2) In case of loss of Admission Ticket duplicate Admission ticket shall be issued by the Head of the Institution through which the candidate has sent the application form, on payment of such fee as may specified by the competent authority.

10. Chief Superintendent.- Without prejudice to the power of the Secretary to appoint a suitable person to be the Chief Superintendent, the Head of the Institution where the Centre of

examination is located shall generally be appointed as the Chief Superintendent of the Centre of examination. The Chief Superintendent shall be in full and complete charge of the Centre of Examination and shall be responsible to collect the question papers from the distribution centres as per procedures laid down in the instructions and for custody thereof until the completion of the examinations. He shall also be responsible for the custody and disposal of blank and written answer books as enumerated in the instructions.

11. Appointment of Supervisory Staff.- Such number or supervisory staff at each examination centres shall be appointed by the Chief Superintendent of the concerned centre of examination. This shall be done well in advance based on the requirement of each centre and in accordance with the instructions issued from time to time by the Department.

12. Writers to assist physically Handicapped Candidates.- In the case of a physically handicapped person who has applied sufficiently in advance to the Chief Superintendent at the examination centre concerned, along with the Medical Certificate of his such physical handicap and the prescribed fee, for permitting him to write examination by a writer, the Chief Superintendent shall after being satisfied of such handicap, appoint a person.-

- (a) who is not a close relative of the candidate ; and
- (b) whose educational qualification is below the standard of examination for which he is appointed to be the writer.

13. Qualification of Paper Setters of Chief Examiners.- Teachers who have experience of teaching in a particular subject for the VII Standard in a primary school for not less than ten years alone shall be eligible to be appointed as paper setters or chief examiners in that subject.

14. Qualification of Examiners.- (1) No person shall be appointed as Examiner for valuing the answer script of the examination unless he has put in not less than five years of service and has taught the subject of VII Standard for not less than three years.

(2) Person to be appointed as Examiner shall ordinarily be borne on the establishment of any of recognised institutions at the day of such appointment.

15. Disqualifications for Supervisory Staff, Examiners etc.- A person shall be disqualified for being appointed as Chief Superintendent, Examiner or other supervisory staff if,-

- (i) any near relative of his is taking the examination as a candidate at the centre of examination to which he is appointed.
- (ii) he has been debarred from the examination work or his name has been ordered to be removed from the list of Examiners of supervisory staff, as the case may be for misconduct or negligence or abuse of authority for any specific period.
- (iii) he has been otherwise disqualified for such appointment by the competent authority or any other validly constituted examination body.

16. Guidelines and Instructions for the Conduct of Examination.- (1) The competent authority shall, without prejudice the generality of his power to issue general or specific directions in the matter of conduct of examination, formulate and bring out in time, a hand book

of to be called “guidelines and instructions for the conduct of the district level VII standard public examination”, containing detailed instructions for conduct of examination addressed to all categories of staff enumerated for examination work, including the Chief Examiner, Chief Superintendents, Supervisory staff and staff provided for tabulation and consolidation of marks.

(2) The guidelines shall among other things provide for,-

- (a) the duties and responsibilities of each such category of staff, as would ensure the smooth conduct of the examination;
- (b) the staff pattern and at each centre or examination;
- (c) Scales of remuneration for the different categories of staff; and
- (d) detailed procedure for each category of work of the conduct of the examination including custody of question papers, blank and written answer books, collection and dispatch of written answer books and tabulation and consolidation of marks, declaration of results, issue of marks cards, re-totalling of marks etc., as provided in these rules.

17. Obligation of Chief Superintendents, Examiners and other Supervisory Staff.- It shall be obligatory for all Examination Staff including the Chief Superintendents, Examiners and other Supervisory Staff, to follow the instructions laid down in the guidelines and to extend full co-operation to the competent authority in the smooth conduct of the examination.

18. Declaration of Result.- (1) The result of the examination shall be declared and published in such manner, on such dates, and at such time and places and through such media as may be decided by the Department.

(2) However, the result of the candidates involved in malpractices shall be withheld and their result shall be announced only after competent authority taken a decision in such case.

19. Issue of marks statements or certificates.- The Secretary shall issue the statement of marks or certificate to every candidate as per the provisions made in the guidelines. He may on an application either by a candidate or by a parent or guardian of such candidates and on payment of such fees as may be specified, issue duplicate statement of marks or certificate.

20. Revaluation of Answer Scripts.- Under no circumstances revaluation of answer scripts will be permitted under these rules.

21. Re-totalling of marks totals.- (1) Any candidate who desires to have a re-totalling of his marks in any subject or the total of marks of all the subjects may apply within thirty days from the date of publication of the results of the examination in which he appeared as a candidate alongwith of such fee as may be specified. No application received after the due date shall be considered.

(2) An application for re-totalling of marks shall contain the details regarding,

- (i) name and full postal address (in Block letters) of the candidate.
- (ii) register number of the candidate ;

- (iii) name, year and month of the examination;
- (iv) the centre at which he took the examination ;
- (v) name of the subject / subjects in which he desires re-totalling of marks / totals, and
- (vi) the amount he has remitted.

(3) Application not containing the details specified in the sub-rule (2) shall be rejected.

(4) If on re-totalling of marks in a subject or subjects a failed candidate is found to have passed or vice versa in any subject or subjects, as the case may be, the corrected result shall be announced by the Secretary in conformity with the correct position in modification of the earlier result pertaining to the candidate. However, the candidate concerned shall be informed about the result or re-totalling. Necessary modification shall also be effected in all the concerned records by the Secretary. The modified results of the candidates if any shall be intimated to the head of the institution of which he studied last.

(5) The fee once paid towards re-totalling by the candidate shall not be refunded.

(6) Procedure for re-totalling of marks shall be as specified in the guidelines.

22. Appointment of Vigilance Sitting Squads.- Competent authority shall have the powers to constitute mobile or sitting vigilance squad to assist him in the smooth and efficient conduct of examination.

23. Camp Officers or Distribution Centres.- The competent authority or a person authorised by him shall have powers to appoint such number of officers and the staff as may be necessary for the camp officers distribution centres for the purpose of,

- (i) Storing and distribution of question papers; and
- (ii) Storing and Central valuation of answer scripts.

By Order and in the name of the Governor
of Karnataka,

V. JAGADEESHAIAH,
Under Secretary to Government,
Education Department.

**THE KARNATAKA PRE-UNIVERSITY COURSE STATE LEVEL PUBLIC EXAMINATION
RULES, 1997**

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**¹[THE KARNATAKA PRE-UNIVERSITY COURSE STATE LEVEL PUBLIC EXAMINATION
RULES, 1997.]¹**

1. Published in the Karnataka Gazette Part IV-2C(i) Extraordinary No. 628 dated 26.5.1997.

(As ammended by ²[Notification No. ED 187 TPU 97, dated 22-9-1998]²

2. Published in the Karnataka Gazette part IV section 2C(i) Extraordinary No.1012 dated 5.10.1998.

NOTIFICATION

Whereas the draft of the Karnataka Pre-University Course state level public Examination Rules 1997 was published in Notification No. Ed 24 TPU 97 dated 25th April 1997 in Part IV. Section 2C(i) of the Karnataka Gazette Extrodinary dated 26th April 1997, inviting objections and suggestions from the persons likely to be affected thereby.

Whereas the said Gazette was made available to the public on 26th April 1997;

And where as no objections and suggestions have been received in this regard by the Government;

Now, therefore in exercise of the powers conferred by subsection (2) of section 22 and read with section 145 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules; namely:-

1. Title, commencement and application.- (1) These rules may be called Karnataka Pre-University Course State Level Public Examination Rules, 1997.

(2) They shall come into force from the date of their publication in the Official Gazette.

(3) They shall apply to Pre-university Course Examinations conducted by the Department of Pre-university Education.

2. Definitions.- In these rules unless the context otherwise requires,-

- (a) 'Act' Means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995);
- (b) 'Annexure' means an annexure to these rules ;
- (c) 'Camp Office' means an office temporarily established by the department at any place to facilitate depositing or distribution of question papers and answer scripts, and for evaluation of answer scripts or any other works connected with the examination;
- (d) 'Candidate' means either a regular student, a repeater or a private student whose application for appearance in an examination has been accepted by the Department;
- (e) 'Department' means the Department of Pre-University Education;
- (f) 'Examination' means the State Leave Public Examination conducted by the Department of at the end of each academic year of the Pre-University Course and includes a supplementary examination;
- (g) 'Examiner' includes a question paper setter and an evaluator of answer scripts;

- (h) 'Head of the Institution' means the Principal or Head of a College imparting Pre-University Education;
- (i) 'Institution' includes a composite or independent Pre-University College or other college imparting Pre-University Education recognised by the department;
- (j) 'Lecturer' means a member of the teaching staff in an institution;
- (k) 'Near Relative' means a son, grand son, husband, brother, brother's son, sister, sister's son, daughter, daughter's son, wife, brother's daughter, son-in-law or daughter-in-law in relation to the candidate;
- (l) 'Physically handicapped candidates' means a blind or other physically handicapped candidate who has more than sixty percent of debility as certified by the District Surgeon or any other appropriate authority specified by the Director from time to time;
- (m) 'Private Student' means a person who is not a regular student or a repeater and who has completed the age of eighteen years as on 31st March of academic year, and has passed the X standard examination;
- (n) 'Regular Student' means a student who has satisfactorily completed the two years course prescribed by the Department in an institution during the academic year for which he submits the application for examination who is still on the rolls of the institution;
- (o) 'Regulation' means the detailed instructions contained in the "Hand book of regulations, Course of study, Scheme of examination and syllabus" issued by the Department from time to time;
- (p) 'Repeater' means a student who has satisfactorily completed two years course prescribed by the department in an institution in an year earlier to the academic year in which he submits the application for examination and either has failed in the previous examinations or has not given an examination at all or having passed all the subjects in previous examinations has been permitted to reject the results of the examination;
- (q) 'Section' means a section of the Act;
- (r) 'Specified' means specified by the Department by notification in accordance with the rule 36 ;
- (s) 'Writer' means a person appointed under rule 18 to assist a physically handicapped candidate.

3. Examination.- (1) The examination shall be conducted at the end of each academic year after the pre-university course as far as possible in the month of April every year and supplementary examination for the course shall be held as far as possible in the month of October every year.

(2) The examination may comprise of either written examination only, or of written examination in theory papers and a practical or oral examination and shall be held in accordance with the course of study and syllabus specified in the Regulations.

4. Disqualifications of candidates.- (1) No person other than a regular student, repeater or a private student shall be permitted to sit for examination.

(2) A regular student, repeater or a private student shall not be permitted to sit for examination:-

- (i) if he has been debarred from appearing for any specified number of examinations for malpractice in any examination conducted by the department or by any other examining body, within or outside the State;
- (ii) in the case of a regular student or a repeater, unless his progress and conduct are certified satisfactory by the Head of the institution in which he studied; and
- (iii) in every case unless he has submitted his application to appear for the examination within the last date specified for the purpose.

5. Submission of application.- A regular student or a repeater shall submit his application in the form specified by the department only through the institution in which he studied the course. A private candidate may submit his application for his enrolment and examination in the specified form in any of the institutions notified by the department for such submission. The department shall not be responsible for applications sent directly to the department in contravention of this rule. The application shall be submitted within the due date fixed by the Department. The application sent after due date or with incomplete or incorrect entries shall be liable to be rejected.

6. Scale of fee and payment.- The scale of examination fee or other related fee shall be as specified by the department, and shall be paid in cash by a regular student to the head of the institution, where the candidate has put in the course, and in the case of a private student through which he has sent his application. Under no circumstances such fee shall be sent in any form directly to the department.

7. Admission tickets.- (1) The department shall after satisfying itself about the eligibility, issue to every eligible candidate an admission ticket through the institution which forwarded his application.

(2) In case of loss of admission ticket a duplicate admission ticket shall be issued to the candidates upon proof of loss of the original and on payment of such fees as may be specified.

8. Centre of Examination.- (1) Examinations shall be conducted at such centres as may be specified by the department having due regard to the convenience of location and facilities available. As far as may be such centres shall be located in any institution or other premises as the department deems appropriate.

(2) All regular students and repeaters shall generally give the examination at the institutions where they studied the course.

9. Change of centre.- (1) All regular students and repeaters shall give examinations at the institution in which they last studied if it is made centre or at the centre to which that institution is attached. Candidates may in exceptional cases seek change of centre by filing application in

such form as may be specified explaining the reasons for seeking such change. Applications for change of centre shall be sent through the head of the Institution accompanied by the fee specified for that purpose.

(2) Applications for change of centres shall be submitted to the competent authority at least six weeks in advance of the date of commencement of the examination. The application shall be accompanied by three copies of latest pass port size photograph duly attested by the head of the institution in which he had studied.

(3) The competent authority may in its discretion grant or reject the request for change of centre.

10. Instructions to the Heads of the Institutions.- The department shall issue detailed instructions and guidance regarding conduct of examination to all the Heads of the Institutions.

11. Staff of Examination Centres.- (1) Each examination centre shall have a Chief Superintendent, a Joint Superintendent, an Office Superintendent, and a Superintendent to look after the work of superintendence during each session of an examination.

(2) A Block Superintendent may be appointed for each block within a centre where the number of candidates taking the examination is more than normal.

(3) Besides, there shall be appointed at each examination centre one Room Invigilator for every forty candidates or fraction thereof located in a single hall and one Relieving Invigilator for every five Room Invigilators.

(4) The Chief Superintendent may appoint other ancillary staff at each centre depending on the number of examiners, in accordance with the table below :

TABLE

Sl No.	No. of candidates	Assistants	Typist	Peon
1	2	3	4	5
1.	1-200	1	1	One for Every
2.	201-500	2	1	thirty candidates
3.	501-1000	3	2	and fraction
4.	1000- above	4	2	thereof

12. The Chief Superintendent.- (1) The chief superintendent shall be responsible for regular organisation and fair conduct of examination at his centre. The competent authority shall appoint the head of the institution, if he is not available for any reason during any session of the examination, the senior most member of the teaching staff of the institution in which the examination centre is located, as the Chief superintendent of the Centre.

(2) The Chief superintendent shall, on each day, oversee the seating arrangement for candidates in every hall and adjust the seating in such a way that maximum utilisation of each hall is achieved with a minimum number of invigilators.

13. The Joint Chief Superintendent.- (1) The competent authority shall appoint preferably the Head of an Institution which is not made an examination centre for the particular session, and if he is not available the senior most member of the teaching staff of such institution to be the Joint Chief Superintendent of the Centre.

(2) The Joint Chief Superintendent shall be responsible for safe custody of Question Paper Bundles, Answer Books and Answer Script Bundles at each session of the examination and will also assist the Chief Superintendent in regular organisation and fair conduct of the examination.

14. Other staff.- (1) The Chief Superintendent at each centre shall, in consultation with the Chief Superintendent of other examination centres in the locality appoint the Block superintendents, Room Invigilators, Relieving Invigilators, Superintendent and other staff in the pattern specified in rule 11, in such manner that these staff are not chosen from the same institution in which the examination centre is located. The Chief Superintendent may in case of necessity appoint any teaching staff of local educational institutions which are not chosen to locate the examination centre.

(2) The Office Superintendent can be a member of staff of the same institution in which the examination centre is located. He shall assist the Chief Superintendent particularly in sorting out the Question Paper and Answer Books to be supplied to each Room Invigilator, collection, sorting, bundling and sealing of Answer Scripts, and entrusting them to the custody of the Joint Chief Superintendent.

(3) The Invigilators shall in addition to the work of supervising the candidates during examination hours, carry out such other duty as the chief superintendent may entrust to them in the interest of fair conduct of examination.

(4) The other ancillary staff shall be drawn from among the members of non-teaching staff of the same or any other institution, preference being given to the staff of the same institution. These other staff shall carry out all the duties entrusted to them by the Chief Superintendent by general order or individual instructions, issued for the fair conduct of examination.

15. Disqualification of Superintending Staff.- (1) A person shall be disqualified from being appointed as a Chief Superintendent, Joint Superintendent, Office Superintendent, Invigilator, Superintendent or other staff, if,-

- (i) any of his near relative is taking the examination as a candidate at the centre of examination to which he is appointed:
- (ii) he having or has during the year proceeding the academic year, taken part in running coaching classes for candidates appearing for the examination.
- (iii) he is the author or publisher or has directly or indirectly any financial interest in the publication of any guide or annotation in any subject prescribed for the examination. If any question arises whether a book is such guide or annotation it shall be decided by the Competent Authority whose decision shall be final;

- (iv) he has been debarred for any examination work or his name has been ordered to be removed from the list of supervisory staff at an examination centre for misconduct or negligence or abuse of authority by the Department or any other authority constituted by the State or Central Government.

16. Delivery, Safe Custody and Distribution of Question papers.- (1) The question paper bundles of each Examination centre shall be transported from Bangalore to the places of distribution by the staff of the department consisting of a Route Officer, an Assistant and a Group-D employee. At the distribution point a team of Special custodians shall receive the Question paper bundles. The Special Custodians shall after receipt of the bundles deposit the bundles at the specified Treasuries or Police Stations. The Special Custodians shall consist of Tahsildar or Deputy Tahsildar or any other Officer appointed by the Revenue Department, Block Education Officer or Assistant Educational Officer or any other officer appointed by the Deputy Director or Public Instruction and a Principal appointed by the Department.

(2) The Treasury Officer or Police Officer shall be responsible for safe custody of Question Paper bundles. The Special Custodians shall on the day of examination take the question paper packets from the treasury or police station as the case may be and deliver them to the Chief Superintendent or Joint Chief Superintendent of the Examination Centre.

17. Scale or remuneration and other allowances to Superintending Staff.- The Staff appointed to the examination centres shall be entitled to remuneration and other allowances at such rates as may be specified by the department with the prior approval of the State Government. They shall be entitled to Travelling allowance and D.A. in accordance with the Karnataka Civil Service Rules :

Provided that remuneration to the writer and water boys shall be paid by the Chief Superintendent of the center out of the contingency amount sanctioned by the Department.

18. Writers to assist Physically Handicapped Candidates.- In case of a physically handicapped candidate who has applied sufficiently in advance to the Chief Superintendent at the Examination centre concerned, along with the specified fee, for permitting him to write the examination by a writer, the Chief Superintendent shall after being satisfied of such handicap appoint a person,-

- (a) Who is not a near relative of the candidate; and
- (b) whose educational qualification is below the standard of examination for which he is appointed to be the writer Physically Handicapped Candidate.

19. Examiners Committee.- (1) The State Government shall constitute a Committee to be called Examiners Committee, for the purpose of selection of examiners from among evaluators, registered in accordance with rules 20.

- (2) The Examiners Committee shall consist of,-

(i) The Competent Authority : Chairman

(ii) The Joint Director of Examinations : Member
Secretary

(iii) The Deputy Director of Examinations : Member

20 Registration of Evaluators.- (1) Any Lecturer who has experience of teaching a particular subject for not less than three years, and who is on the date of application continuing in service as a lecturer, may before the 30th September each year apply to the Examiners Committee for registering his name on the Panel of examiners in his subject.

(2) The Examiners Committee shall specify by the form of application, fee to be paid thereon and the manner in which it is to be paid

(3) The Examiners Committee shall draw up a panel of examiners for each subject from which selection shall be made to the board of examiners, in such numbers computed at one for every two hundred and forty candidates taking the examination in each paper.

(4) The selection shall be made strictly on the basis of seniority in service. The panel shall be drawn up, in the month of October every year, and will hold good for both the annual and supplementary examination of the following academic year.

21. Board of Examiners.- (1) The Examiners Committee shall from among the panel of examiners drawn up each year, set up a Board of Examiners in each subject in the manner hereinafter provided.

(2) Each Board of Examiners shall consist of a Chief Examiner, one or more Deputy Chief Examiners and as many Examiners, not being less than four, as may be necessary, in accordance with sub-rule (4) below.

(3) Selection to the Board of Examiners in each subject shall be strictly on the basis of seniority in length of service. The senior most examiner on each board shall be the Chairman of the Board and the Chief Examiner for his subject, and the next junior to him shall be the Vice-Chairman.

(4) One Deputy Chief Examiner shall be appointed for every five Examiners or fraction thereof and one Examiner shall be appointed for every two hundred and forty candidates or fraction thereof. The Deputy Chief Examiner shall review and scrutinise the answer scripts valued by the Examiners and assigned to him by the Chief Examiners. He shall also assist the Chief Examiner in other duties, if so required by the Chief Examiner.

(5) The Board of Examiners will carry out the work of evaluation strictly in accordance with the instructions issued by the Competent Authority from time to time and ratified by the Department. These instructions shall be issued in the form of a hand book of Instructions to Examiners.

(6) Notwithstanding anything contained in this rule the Competent Authority shall have power to appoint any qualified person to function as an Examiner, in emergent situations.

22. Panel of Paper Setters,- (1) The Examiners committee shall also from among the Panel of Examiners drawn up each year set up a panel of paper setters for each subject in the manner hereinafter provided.

(2) The Panel of paper Setters in each subject shall consist of three examiners the senior most of whom shall act as the Chairman. It shall be the responsibility of the panel to set question papers in three sets of three answer paper each for the annual and the supplementary examinations of the year, both in English and Kannada/vernacular version. The panel shall be prepare the model answers for each question.

(3) The panel of paper setters will carry out work of question paper setting and preparation of model answers in accordance with the instructions issued by the Competent Authority.

(4) Notwithstanding anything contained in the rules the Competent Authority shall have power to appoint any qualified person to function as a paper setter in emergent situations.

23. Disqualification of Examiners.- A person shall be disqualified from being appointed as Examiner,-

- (i) if a near relative of such person is appearing for the examination :

Provided that a person appointed to work as a examiner shall not be disqualified under this clause if his near relative has not offered the particular subject in which the person is appoint to work as an examiner;

- (ii) if he has during the academic year taken any part in organising coaching classes for candidates appearing for the examination either partly or wholly:

Provided that tuton imparted in special classes organised by an institution shall not constitute a disqualification under this clause ;

- (iii) if he is the author or publisher, or has directly or indirectly any financial interest in the publication of any guide or annotation on any subject prescribed for the examination. If any question arises whether a book is such guide or an annotation, it shall be decided by the Examiners Committee whose decision shall be final ;
- (iv) if he has been removed from the list of examiners for any misconduct or negligence or abuse of authority for any specific period ;
- (v) if he has been disqualified for appointment by an University established by Law in the State or by any Department or agency, constituted by the State or Central Government, in respect of any examination conducted by them.

24. Practical Examination.-The Board of Examiners in such subjects as involve practical work, shall assign work to the examiners and chalkout detailed programme of their work, distribution of candidates and examiners among the various centres of practical examination, duration of examination for each batch, drawing up of proper time table and fixation of experiments among various centres and also prepare detailed instructions to the Chief Superintendents and Examiners at the centres of practical examination.

25. Remuneration and other allowances to Examiners.- (1) The Examiners including Examiners appointed for revaluation of answerscripts shall be entitled to such remuneration and other allowances as the Department may with the prior approval of the State Government specify.

(2) Examiners who are allotted Practical Examination work shall be entitled to such additional remuneration as the Department with the prior approval of the Government may, specify, for such work of Practical Examination.

(3) Examiners shall be entitled to T.A. and D.A. in accordance with the Karnataka Civil Services Rules.

26. Marks Lists and valued answer Scripts.- (1) As soon as may be after the close of evaluation of answerscripts each day, marks lists shall be prepared by each examiner which he shall along with the valued answer scripts hand over to the Chief Examiner, who shall arrange for their review and scrutiny. The marks lists prepared shall after review and scrutiny, be sent to the Competent Authority, at the end of each day of evaluation work.

(2) The valued answer scripts shall however be bundled and sent to the Competent Authority on the immediate next day following the day of completion of evaluation work.

27. Declaration of Results.- The results of every examination conducted by the Department of Pre-University Education shall be declared and published in such manner and on such dates and time and at such places and through such manner and media as may be specified :

Provided that the results of candidates involved in malpractice shall be withheld and their results shall be announced only after Department takes a decision in such manners.

28. Re-totalling of Marks.- (1) Any candidate who desires to have his marks all or any subject of the examinations appeared by him re-totalled, may apply within fifteen days from the date of publication of the results of the examination on payment of such fee as may be specified by the Department, to the Competent Authority or any other officer authorised by him.

(2) The application shall contain full and correct particulars regarding,-

(i) name and full postal address (in block letters);

(ii) register number ;

(iii) name, year and month of the examination ;

(iv) the centre at which he took the examination ;

(v) number and name of the subjects in which he desires re-totalling of marks / totals ;
and

(vi) the amount of fee payable for re-totalling.

(3) Application not complying with the requirements specified in sub-rules (1) and (2) shall be rejected.

(4) Upon re-totalling, if variation in total marks is found, then corrections shall be effected in the concerned records and a fresh marks card shall be issued to the candidate.

(5) The fee once paid towards re-totalling of marks / totals by the candidate shall not be refunded.

(6) The Competent Authority or any other officer authorised by him shall be competent to decide the case of re-totalling of marks. All cases of re-totalling of marks involving any change in the total of marks shall be referred to the Competent Authority for declaration of the final marks.

29. Revaluation of answer papers.- (1) The State Government shall by a notification specify the subjects in which answer scripts may be revalued. The department shall arrange, soon after the declaration of the results, for the revaluation of the answer scripts of the students who are not satisfied with the valuation already done. Any candidate who is not satisfied with the valuation of the answer scripts if any of the subjects may apply for revaluation of such a paper.

(2) The Department shall by a notification, announce the date, time and place for submitting the applications for revaluation of answer scripts and also the date of declaration of the results of revaluation. The applications submitted by the candidates for the revaluation shall be referred to a Special Committee of three examiners appointed by the department for the purpose of revaluation. The place, time, duration of revaluation, names of the examiners and the details of answer papers referred shall be confidential.

(3) The department may specify the fee to be paid along with the application for revaluation.

¹[(4) (a) If there is an upward revision of marks by six percent of the total marks of the concerned paper or more after the revaluation, in any of the subjects, then the fee paid for revaluation shall be refunded to the student.

(b) If the marks awarded already remains the same or gets reduced or increased by five percent of the total marks of the concerned paper then the amount of fee paid for revaluation shall stand forfeited.

(c) If there is an upward or downward revision of marks by six percent of the total marks of the concerned paper or more in revaluation in respect of any answer paper, then the marks awarded in the first revaluation in respect of that answer paper shall stand annulled and fresh marks awarded in the revaluation shall only be the marks for the said answer paper and a fresh marks card shall be issued incorporating the marks awarded in the revaluation."]¹

1.Substituted by Notification No ED 187 TPU 97 dated 22.9.1998 w.e.f. 5.10.1998

(5) The revaluation results shall be final and there shall be no appeal or review against revaluation.

30. Issue of photocopies of valued Answer Scripts to Candidates.- (1) The Government shall by a notification specify the subjects in which the Department shall furnish the photocopies of the answer scripts to the candidates.

(2) The Department shall specify the place and the fee payable for the supply of photocopies of the answer scripts. The candidates who apply for the photocopies of the answer scripts in the specified form within the last date notified and the Department, shall furnish the photocopies of the answer scripts on an appointed date.

1[30A. Rejection of results by the candidate.- (1) A candidate who has passed in the examination conducted by the department can give the examination again, in any of the subjects, by rejecting the result in that subject. The candidate may so reject the result in any subject twice and in consecutive three examinations only.

(2) The candidate cannot opt for the marks of the previous examination, once the candidate writes the answer paper in the subsequent examination, in accordance with sub-rule (1).

(3) A candidate who rejects the result in any subject but does not give the examination subsequently in that subject may retain the rejected result by intimating in writing his intention to the Department, subject to payment of fee specified by the Department for issue of a duplicate marks certificate, before the commencement of the next consecutive examination.”] ¹

1. Inserted by Notification No ED 187 TPU 97 dated 22.9.1998 w.e.f. 5.10.1998.

31. Computerisation.- In respect of Pre-examination and Post-examination items of work under computer programme, the Competent Authority shall be empowered to take suitable steps or make such arrangements for the required staff. The scale of remuneration to the staff appointed in this behalf shall be as specified by the Government.

32. Issue of Duplicate Statements of Marks or Certificates.- The Department may on an application either by a candidate or by a parent or guardian of such candidate and on payment of such fees as may be specified, issue duplicate statement of marks or certificates.

33. Prevention of Malpractice at the Examination Centres.- (1) There shall be a District Level Committee for each District consisting of the following members for prevention or malpractices at Examination Centres.

- | | | |
|--|---|-----------|
| (1) Deputy Commissioner | : | Chairman |
| (2) Superintendent of Police | : | Member |
| (3) Zilla Panchayat Chief Executive Officer | : | Member |
| (4) Divisional Joint Director of Public Instruction of the
Department of Public Instruction | : | Member |
| (5) Principal, DIET | : | Member |
| (6) Deputy Director of Public Instruction of the Department
of Public Instruction | : | Member |
| | | Secretary |

(2) There shall also be Taluk Level Committee for each taluk consisting of the following members, for prevention of Malpractices at Examination Centres.

- | | | |
|--|---|----------|
| (1) Assistant Commissioner of Revenue Sub-Division | : | Chairman |
|--|---|----------|

- | | | |
|---|---|--------|
| (2) Taluk Panchayat Chief Executive Officer | : | Member |
| (3) Tahsildar | : | Member |
| (4) Circle Inspector of Police | : | Member |
| (5) Block Development Officer | : | Member |
| (6) Block Educational Officer | : | Member |

34. Malpractice Detection Squad.- The Competent Authority shall have power to appoint one or more Malpractice Detection Squads consisting of Deputy Director or Public Instruction or Special Deputy Director of Pre-University Education as Chairman and four other lecturers as members for every district. The malpractice 'detection squads shall make frequent and surprise visits to each of the centres throughout the duration of examination. The primary role of the squad to make an assessment whether the examinations are being conducted without giving scope for any malpractice or copying and to report cases of malpractice to the Competent Authority.

35. Manner of payment of fees etc.,- Examination and other fees specified to be paid under these rules shall be paid only in the form of a Demand Draft drawn in favour of the Director, Pre-University Education, Bangalore, payable at Bangalore.

36. Specification of fee or other particulars.- The schedule of examination fee or other fees and particulars which are required to be specified by the Department under these rules shall be specified by notifications issued from time to time by the Department. All such notifications shall be published in the official Gazette and also caused to be displayed on the notice boards of the Department of Pre-University Education and of all the Institutions.

37. Camp Office.- The Competent Authority or a person authorised by him shall have power to appoint, shall appoint such number of officers and staff as may be necessary for the Camp Offices for the purpose of :-

- (i) Storing and distribution of question papers; and
- (ii) Storing and central valuation of answer scripts.

1[38. With-holding of marks card or pass Certificate.- Where there is a doubt that a second year annual pre-University marks card or Certificate is not genuine or not the one issued by the Department, the Director shall detain such marks card or pass Certificate and make such enquiry as he deems fit, after giving the candidate an opportunity or being heard and may order withholding the marks card or pass certificate or to return it to the candidate. The burden of proving the genuineness of such marks card or pass certificate shall be on the candidate. The Director may take appropriate action in accordance with law against persons responsible for altering or fabricating or forging a marks card or pass certificate.

1. Rules 38 & 39 inserted by Notification No ED 187 TPU 97 dated 22.9.1998 w.e.f.5.10.1998.

39. Categories of malpractices and penalties.- (1) Without prejudice to the provisions of the Act and any rules made or deemed to have been made under the Karnataka Civil Services Act, 1978 (Karnataka Act 14 of 1990), as a measure of discipline, where any person indulges in any

malpractice specified in column (2) of the Table below, and is found guilty, the Director, Pre-University Education (hereinafter referred to as the Director) or such other officer as may be specified by the Government, after following the procedure hereinafter provided, proceed to impose the penalty specified in the corresponding entries in column (3) thereof,

(2) The procedure for reporting malpractice shall be as follows:-

(a) Where the Room Superintendent / Invigilator notices a malpractice being committed by the candidate, he shall seize the incriminating material and the answer script or other substance forming part of the answer and report the same to the Chief Superintendent immediately.

(b) if the candidate refuses to hand over the incriminating material or destroys or runs away with the material or causes it to disappear, the facts shall be noted and got attested by two members of the Supervisory staff and reported to the Chief Superintendent immediately.

(c) if the candidate refuses to give the statement, the candidate should be asked to record in writing his refusal to give a statement. If he refuses to do even that, the fact shall be noted and got attested by two members of the Supervisory Staff.

(d) The Chief Superintendent shall hold a summary enquiry, record the report of the Room superintendent and obtain statement of the candidate if any, in the presence of a teacher other than the Room Superintendent concerned. He shall forward a report along with answer script or other substance and the incriminating material in a sealed cover or box, the statement and report of the Room Superintendent, the statement of the candidate, if any, to the deputy Director of the Examinations by name, who shall in turn, place before the Director all the materials and records received by him.

(e) The Chief Superintendent shall forthwith suspend the candidate from writing the examination and withdraw the admission ticket. Further, action taken under this clause shall be reported to the Director.

(f) The examiner, shall, if he suspects malpractice while valuing the answer script or other material, return the answer script or other material without valuation or further valuation to the Director by name after recording his reasons for suspicion on the answer script. If already valued, the marks shall not be entered in the regular marks list in which the marks awarded to other candidates are furnished but shall be entered in a separate list which shall be placed in a sealed cover and forwarded to the Director.

(3) No penalty shall be imposed on a candidate except after holding an enquiry as far as may be, in the manner hereinafter provided.

(a) The Director shall frame definite charges and communicate such charges together with a statement of allegations on which they are based, to the candidate in writing and he shall be required to submit within such time as may be specified by the Director, a written statement of his defence and also to state whether he desires to be heard in person ;

Provided, if any candidate has admitted having committed the malpractice before the Chief Superintendent of the Examination Centre, the Director may serve the charge sheet and if the

candidate accepts the charges without contest, proceed to impose the penalty provided in the rules.

(b) On receipt of the written statement of defence or if no such statement is received within the time specified, the Director shall inquire into the charges alleged against the candidate.

(c) The Director may nominate any official or officer to present the case in support of the charges. The candidate may present his case himself but shall not engage a legal practitioner for the purpose.

(d) The Director shall, in the course of enquiry consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charge or charges. The candidate shall be entitled to cross examine the witness examined in support of the charges and to give evidence in defence. The person presenting the case in support of the charges shall be entitled to cross examine the witnesses examined in defence.

(e) For the different acts of malpractice specified in column (2) of the Table below the penalties that may be imposed by the Director are as specified in column (3).

TABLE

Sl.No.	Nature of the wrong	Penalties
1	PENALTIES AND REMEDIAL ACTION IN RESPECT OF WRONGS COMMITTED BY CANDIDATES:	
	Candidates found guilty of Malpractices in the Examinations conducted by the Department shall be punished as shown below. For any other type of malpractices not specified below, the Director shall have the power to impose such penalty as he deems fit.	
1	Tampering with the entries in the records attached to the application for admission to the Pre-University Examination conducted by the Department.	Such a candidate shall be debarred from giving two examinations including the one to which the candidate sought admission
2	Possession of a manuscript or literature not relating to the subject of examination in examination hall / room by a candidate.	A severe warning be given by the Chief Superintendent of the centre.
3	(a) Possession of a manuscript or literature relating to the subject of examination in the examination hall / room.	Shall be debarred from giving two examinations in all the subjects including the one in which the candidate commits the malpractice.

Sl.No.	Nature of the wrong	Penalties
	(b) Copying from manuscript, books or notes or from answer book of a neighbour.	-ditto-
	(c) Communication in the examination Hall / room by gestures and / or conversation with the purpose of committing malpractice.	-ditto-
4	Tampering with the answer papers anytime after the examinations with the intention of gaining good marks.	The candidates shall be debarred from appearing in five subsequent examinations and the results of all the subjects of the examination in which he/she committed the tampering shall be annulled.
5	Giving the examination as a fresh candidate concealing the fact that he or she completed the two years study and had either given the PUC or XII standard examination elsewhere and had passed in all the subjects or had failed in a few .	The results of all the subjects in the examination in which the candidate committed the malpractice shall be annulled and the marks card shall be impounded.
6	Writing the answers in the answer books either supplied by the department or obtaining the same outside the examination hall, either during the examination hours or after the examination hours and including them with the answer books of the rest of the candidates in that examination centre with or without the help of the officials entrusted with the examination work.	The results of all the subjects of the examination in which he or she committed the malpractice shall be annulled and he or she shall be debarred from appearing in subsequent six (6) examination. The marks card shall be impounded.
7	Possession and use of fake marks cards by a candidate or a person claiming to have studied PU Course in a college affiliated to the department.	The fake marks card shall be impounded and the offence shall be reported to the Police for criminal prosecution.

Sl.No.	Nature of the wrong	Penalties
8	Serious misbehavior on the part of the candidate in the examination hall / room or in the examination centre.	The candidate shall be sent out of examination hall / room and shall not be admitted to the examination hall / room on that day and on subsequent days of examination.
9	Manhandling or resorting to any other kind of violence by the candidate at the examination centre.	Such a candidate shall be debarred from taking examination for three years i.e., Six examinations including ONE in which the candidate resorts to manhandling of the staff.
10	Communication with the examiner through the answer book or otherwise.	Shall be debarred from the examinations in which he / she commits the malpractice in case such communication is of the serious nature
11	Impersonation at the Examination.	The candidate on whose behalf impersonation takes place shall be debarred from giving subsequent examination for THREE years, i.e., six examinations including the one in which the malpractice took place.
12	Tampering with the Register No. Name, etc., in the Admission ticket with the intention of committing malpractice.	Such a candidate shall be debarred from giving two examinations including the one in which he/she had tampered the Admission Ticket.
13	Attaching currency note / notes in the answer book.	The Candidate shall be debarred for SIX examinations including the ONE in which he / she has committed the malpractice.
14	Taking away or tampering with the answer books of the other candidate in the examination hall / room.	Such candidate shall be debarred for SIX examinations including the ONE in which he/she has committed the malpractice.

Sl.No.	Nature of the wrong	Penalties
15	Attempting to send out or take out of the examination hall / room blank answer books or additional sheets and to receive the answer book or sheets from outside the examination hall / room	The candidate shall be sent out immediately and not to be allowed to give the examination on subsequent days. He/she shall be debarred from giving TWO examinations including the ONE in which he or she commits the malpractice.
16	Appealing and promising to offer illegal gratification to examiners.	The candidate shall be debarred from giving TWO examinations including the one in which he or she committed the malpractice.
17	Taking out or sending out question paper outside the examination hall / room within the first half an hour from the commencement of the examination.	The candidate shall be debarred for TWO examinations including the one in which he or she committed the malpractice.
II	PENALTIES FOR THE WRONGS COMMITTED AT EXAMINATION CENTRES BY THE EXAMINATION CENTRE STAFF : No. TA & DA shall be paid for the erring staff when called for-enquiry.	
1	Failure to prevent mass copying by Chief Superintendent / Joint Chief Supdt. (Custodian) / Invigilator / Relieving Invigilator in the examination hall / room and later reported by the examiners at the time of valuation.	No remuneration shall be paid. They shall be debarred from being appointed as Chief Superintendent / Joint Chief Superintendent (Custodian) Invigilator / Relieving invigilator for 3 years, and shall be imposed a penalty of Rs. 500/-
2	Failure to detect the tampering / interchanging of register numbers by the Chief Superintendent / Joint Chief Superintendent (Custodian)/ Invigilator / Office Superintendent at the end of examination at the time of inserting the answer books to the confidential covers.	No remuneration shall be paid. They shall be debarred from being appointed as Chief Superintendent / Invigilator / relieving invigilator / Joint Chief Superintendent / Officer Superintendent, for two years and shall be imposed a penalty, of Rs. 500/-

Sl.No.	Nature of the wrong	Penalties
3	Failure to insert correct answer scripts according to marks list entries into the confidential covers by the chief superintendent / joint superintendent (custodian) / office superintendent.	No remuneration shall be paid. Chief superintendent / Joint chief superintendent (custodian) / office superintendent, shall be imposed a penalty of Rs 200.
4	Failure to obtain signature of the candidate / s in the invigilators diary at the time of issuing answer books as well as taking of over answer books.	No remuneration shall be paid to the concerned invigilator and shall be imposed a penalty of Rs. 50/- for each mistake.
5	Failure to collect the answer script and additional sheets from the candidate /s at the end of the examination.	No remuneration shall be paid and shall be debarred from examination work for a period of 5 years.
6	For removing the written answer scripts / replacing a new answer book by any of the examination staff from the bundle of answer scripts to be sent to the camp officer.	No remuneration shall be paid and shall be debarred from examination work for a period of 5 years.
7	Failure to report taking away of question papers from the examination centre / hall / room before half an hour of the commencement of the examination or before leaving the examination room / hall by joint chief superintendent (custodian) / chief superintendent / invigilator.	No remuneration shall be paid and shall be debarred from the examination work for a period of 5 years.
III	PENALTIES FOR THE WRONGS COMMITTED BY THE EXAMINERS : No TA & DA shall be paid to such examiners when called for enquiry.	
1	(a) Mistakes in Totalling upto 3 mistakes	A penalty of Rs. 100/- per mistake shall be levied.
	(b) Mistakes in totalling results in alteration of results or varies by 10 or more marks.	No remuneration shall be paid. The examiners shall be debarred from appointment as examiners for 5 years.
2	Failure to award marks to questions or part of questions up to 3 numbers	A penalty of Rs. 100/- per omission shall be levied and shall be debarred from appointment as examiner for 3 years.

Sl.No.	Nature of the wrong	Penalties
3	<p>Failure to award marks to more than 3 questions or part of questions resulting in the alteration of result.</p> <p>(a) Mistakes in transfer of marks from answer script to marks list.</p> <p>(b) Mistakes in transfer of marks from answer script to marks list of serious nature / major mistake.</p>	<p>No remuneration shall be paid to the examiners and shall be debarred from appointment as examiner for 5 years.</p> <p>A penalty of Rs. 100/- per mistake shall be levied and the examiner shall be debarred from appointment as examiner for 3 years.</p> <p>No remuneration shall be paid. The examiner shall be debarred from appointment as examiner for 5 years.</p>
4	Failure to record marks of each question on the facing sheet of the answer script or against each answer inside the answer script or failure to round off the extra marks.	A penalty of Rs. 200/- per mistake shall be levied.
	Failure to write marks in words or figures or attestation in the marks list in figures and words.	A penalty of Rs. 50/- per mistake under each category shall be levied.
5	<p>Failure to affix signature on the facing sheet of the answer book or on the marks list</p> <p style="text-align: center;">OR</p> <p>Failure to affix their code nos. legibly on the facing sheet of the answer book or on the marks list.</p>	A penalty of Rs. 50/- per mistake under each category shall be levied.
6	Failure to record and report the discrepancies in the number of answer scripts or a different answer script is found in the cover with regard to the entry in the marks list.	The Examiners shall be debarred for 3 years.
7	Failure to notice over writing or tampering of register numbers on the script or additional sheets or interchange of register numbers on the answer scripts or additional sheets.	The examiner shall be debarred for 3 years.

Sl.No.	Nature of the wrong	Penalties
8	Inter change of marks while transferring from answer scripts to marks list.	No remuneration shall be paid and the examiner shall be debarred for 3 years.
9	For removing of answer scripts from the camp office by CE / DCE / AE / Camp. Officers / Staff. OR Interchanging or replacing with a new answer script.	No remuneration shall be paid. Shall be debarred for 5 years.
10	For changing the marks on the answer script or on the marks list by CE & DCE, without the attestation of the Assistant Examiner.	No remuneration shall be paid. Shall be debarred for 5 years.
11	Failure to write numbers on the confidential covers as per the marks list during valuation.	A penalty of Rs. 50/- for each mistake shall be levied.
12	Inserting marks list in the answer book packet / bundle without handing over to camp officer.	A penalty of Rs. 100/- in each case shall be levied.
13	Inserting answer books in the packet / bundle without valuation.	(a) The examiners shall be debarred for the next two examinations in case the answer scripts are inserted in the packet without valuation. (b) The examiner shall be debarred for the next five years in case a packet is left without valuation.
IV	PENALTIES FOR THE WRONGS COMMITTED BY THE COMPUTER OPERATORS :	
1	Mistakes (Wrong entry) in keying of applications.	A penalty of 20 paise per each mistake / record / application shall be levied.
2	Mistakes (wrong entry) in keying of marks list.	A penalty of Rs. 100/- per mistake / record shall be levied and disciplinary action may be initiated.

Explanation :- (1) 'Examination Centre' means any premises consisting examination halls.

(2) 'Examination hall' includes any room, hall laboratory, work shop or any other premises used for holding examinations.

(3) 'Malpractices' includes anyone or more of the acts specified above committed by a candidate appearing for the examination conducted by the department.

(4) The term examiner includes Assistant examiner, Deputy Chief Examiner and Chief Examiner appointed for valuation work and scrutiny work.

(5) Penalty specified in the table imposed on examiners and others shall be deducted from the remuneration payable to them. If no remuneration is payable it shall be recovered from the salary through the Principal.]¹

* * *

¹[THE
**KARNATAKA PRE-UNIVERSITY COURSE STATE LEVEL PUBLIC EXAMINATION
 (AMENDMENT) RULES, 1998.**

Whereas, the draft of the Karnataka Pre-University Course State Level Public Examination (Amendment) Rules, 1997 was published in Notification No. Ed 187 TPU 97, dated 5th May, 1998 in Part IV, Section 2C(i) of the Karnataka Gazette Extraordinary dated 11th May, 1998, inviting objections and suggestions from all persons likely to be affected within thirty days from the date of its publication in the Official Gazette.

Whereas, the said Gazette was made available to the public on 11th May, 1998.

And whereas, no objections and suggestions have been received in this regard by the Government.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 22 and read with sections (1) and (2) of Section 145 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules further to amend the Karnataka Pre-University Course State Level Public Examination Rules, 1997.

1. Title, commencement.- (1) These rules may be called the Karnataka Pre-University Course State Level Public Examination (Amendment) Rules, 1998.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule 29.- For sub-rule (4) of Rule 29 of the Karnataka Pre-University Course State Level Public Examination Rules, 1997 (hereinafter referred to as the said rules), the following shall be substituted, namely:-

"(4) (a) If there is an upward revision of marks by six percent of the total marks of the concerned paper or more after the revaluation, in any of the subjects then the fee paid for revaluation shall be refunded to the student.

1. Published in the Karnataka Gazette, Extraordinary, dated 5-10-1998, vide Notification No. ED 187 TPU 97, dated 22-9-1998.

(b) If the marks awarded already remains the same or gets reduced or increased by five percent of the total marks of the concerned paper then the amount of fee paid for revaluation shall stand forfeited.

(c) If there is an upward or downward revision of marks by six percent of the total marks of the concerned paper or more in revaluation in respect of any answer paper, then the marks awarded in the first revaluation in respect of that answer paper shall stand annulled and the fresh marks awarded in the revaluation shall only be the marks for the said answer paper and a fresh marks card shall be issued incorporating the marks awarded in the revaluation".

3. Insertion of new Rule 30-A.- After Rule 30 of the said rules, the following shall be inserted, namely.-

"30-A. Rejection of results by the candidate.- (1) A candidate who has passed in the examination conducted by the Department can give the examination again, in any of the

subjects, by rejecting the result in that subject. The candidate may so reject the result in any subject twice and in consecutive three examinations only.

(2) The candidate cannot opt for the marks of the previous examination, once the candidate writes the answer paper in the subsequent examination, in accordance with sub-rule (1).

(3) A candidate who rejects the result in any subject but does not give the examination subsequently in that subject may retain the rejected result by intimating in writing his intention to the Department, subject to payment of fee specified by the Department for issue of a duplicate marks certificate, before the commencement of the next consecutive examination".

4. Insertion of new Rules 38 and 39.- After Rule 37 of the said rules, the following shall be inserted, namely.-

"38. Withholding of marks card or pass certificate.- Where there is a doubt that a second year annual Pre-University marks card or certificate is not genuine or not the one issued by the Department, the Director shall detain such marks card or pass certificate and make such enquiry as he deems fit, after giving the candidate an opportunity of being heard and may order withholding the marks card or pass certificate or to return it to the candidate. The burden of proving the genuineness of such marks card or pass certificate shall be on the candidate. The Director may take appropriate action in accordance with law against persons responsible for altering or fabricating or forging a marks card or pass certificate.

39. Categories of malpractices and penalties.- (1) Without prejudice to the provisions of the Act and any rules made or deemed to have been made under the Karnataka Civil Services Act, 1978 (Karnataka Act 14 of 1990), as a measure of discipline, where any person indulges in any malpractice specified in column (2) of the Table below, and is found guilty, the Director, Pre-University Education (hereinafter referred to as the Director) or such other officer as may be specified by the Government, after following the procedure hereinafter provided, proceed to impose the penalty specified in the corresponding entries in column (3) thereof.

(2) The procedure for reporting malpractice shall be as follows.-

- (a) Where the Room Superintendent/Invigilator notices a malpractice being committed by the candidate, he shall seize the incriminating material and the answer script or other substance forming part of the answer and report the same to the Chief Superintendent immediately;
- (b) If the candidate refuses to handover the incriminating material or destroys or runs away with the material or causes it to disappear, the facts shall be noted and got attested by two members of the Supervisory Staff and reported to the Chief Superintendent immediately;
- (c) If the candidate refuses to give the statement, the candidate should be asked to record in writing his refusal to give a statement. If he refuses to do even that, the fact shall be noted and got attested by two members of the Supervisory Staff;

- (d) The Chief Superintendent shall hold a summary enquiry, record the report of the Room Superintendent and obtain statement of the candidate if any, in the presence of a teacher other than the Room Superintendent concerned. He shall forward a report along with answer script or other substance and the incriminating material in a sealed cover or box, the statement of the candidate, if any, to the Deputy Director of the Examinations by name, who shall in turn, place before the Director all the materials and records received by him;
 - (e) The Chief Superintendent shall forthwith suspend the candidate from writing the examination and withdraw the admission ticket. Further, action taken under this clause shall be reported to the Director;
 - (f) The examiner, shall, if he suspects malpractice while valuing the answer script or other material, return the answer script or other material without valuation or further valuation to the Director by name after recording his reasons for suspicion on the answer script. If already valued, the marks shall not be entered in the regular marks list in which the marks awarded to other candidates are furnished but shall be entered in a separate list which shall be placed in a sealed cover and forwarded to the Director.
- (3) No penalty shall be imposed on a candidate except after holding an enquiry as far as may be, in the manner hereinafter provided.-
- (a) The Director shall frame definite charges and communicate such charges together with a statement of allegations on which they are based, to the candidate in writing and he shall be required to submit within such time as may be specified by the Director, a written statement of his defence and also to state whether he desires to be heard in person:

Provided, if any candidate has admitted having committed the malpractice before the Chief Superintendent of the Examination Centre, the Director may serve the charge-sheet and if the candidate accepts the charges without contest, proceed to impose the penalty provided in the rules;
 - (b) On receipt of the written statement of defence or if no such statement is received within the time specified, the Director shall inquire into the charges alleged against the candidate;
 - (c) The Director may nominate any official or officer to present the case in support of the charges. The candidate may present his case himself but shall not engage a legal practitioner for the purpose;
 - (d) The Director shall, in the course of enquiry consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charge or charges. The candidate shall be entitled to cross-examine the witness examined in support of the charges and to give evidence in defence. The person presenting the case in support of the charges shall be entitled to cross-examine the witnesses examined in defence;

- (e) For the different acts of malpractice specified in column (2) of the Table below the penalties that may be imposed by the Director are as specified in column (3).

TABLE

Sl.No.	Nature of the wrong	Penalties
1	PENALTIES AND REMEDIAL ACTION IN RESPECT OF WRONGS COMMITTED BY CANDIDATES:	
	Candidates found guilty of Malpractices in the Examinations conducted by the Department shall be punished as shown below. For any other type of malpractices not specified below, the Director shall have the power to impose such penalty as he deems fit.	
1	Tampering with the entries in the records attached to the application for admission to the Pre-University Examination conducted by the Department.	Such a candidate shall be debarred from giving two examinations including the one to which the candidate sought admission
2	Possession of a manuscript or literature not relating to the subject of examination in examination hall / room by a candidate.	A severe warning be given by the Chief Superintendent of the centre.
3	(a) Possession of a manuscript or literature relating to the subject of examination in the examination hall / room. (b) Copying from manuscript, books or notes or from answer book of a neighbour. (c) Communication in the examination Hall / room by gestures and / or conversation with the purpose of committing malpractice.	Shall be debarred from giving two examinations in all the subjects including the one in which the candidate commits the malpractice. -ditto- -ditto-
4	Tampering with the answer papers anytime after the examinations with the intention of gaining good marks.	The candidates shall be debarred from appearing in five subsequent examinations and the results of all the subjects of the examination in which he/she committed the tampering shall be annulled.

Sl.No.	Nature of the wrong	Penalties
5	Giving the examination as a fresh candidate concealing the fact that he or she completed the two years study and had either given the PUC or XII standard examination elsewhere and had passed in all the subjects or had failed in a few .	The results of all the subjects in the examination in which the candidate committed the malpractice shall be annulled and the marks card shall be impounded.
6	Writing the answers in the answer books either supplied by the department or obtaining the same outside the examination hall, either during the examination hours or after the examination hours and including them with the answer books of the rest of the candidates in that examination centre with or without the help of the officials entrusted with the examination work.	The results of all the subjects of the examination in which he or she committed the malpractice shall be annulled and he or she shall be debarred from appearing in subsequent six (6) examination. The marks card shall be impounded.
7	Possession and use of fake marks cards by a candidate or a person claiming to have studied PU Course in a college affiliated to the department.	The fake marks card shall be impounded and the offence shall be reported to the Police for criminal prosecution.
8	Serious misbehavior on the part of the candidate in the examination hall / room or in the examination centre.	The candidate shall be sent out of examination hall / room and shall not be admitted to the examination hall / room on that day and on subsequent days of examination.
9	Manhandling or resorting to any other kind of violence by the candidate at the examination centre.	Such a candidate shall be debarred from taking examination for three years i.e., Six examinations including ONE in which the candidate resorts to manhandling of the staff.
10	Communication with the examiner through the answer book or otherwise.	Shall be debarred from the examinations in which he / she commits the malpractice in case such communication is of the serious nature

Sl.No.	Nature of the wrong	Penalties
11	Impersonation at the Examination.	The candidate on whose behalf impersonation takes place shall be debarred from giving subsequent examination for THREE years, i.e., six examinations including the one in which the malpractice took place.
12	Tampering with the Register No. Name, etc., in the Admission ticket with the intention of committing malpractice.	Such a candidate shall be debarred from giving two examinations including the one in which he/she had tampered the Admission Ticket.
13	Attaching currency note / notes in the answer book.	The Candidate shall be debarred for SIX examinations including the ONE in which he / she has committed the malpractice.
14	Taking away or tampering with the answer books of the other candidate in the examination hall / room.	Such candidate shall be debarred for SIX examinations including the ONE in which he/she has committed the malpractice.
15	Attempting to send out or take out of the examination hall / room blank answer books or additional sheets and to receive the answer book or sheets from outside the examination hall / room	The candidate shall be sent out immediately and not to be allowed to give the examination on subsequent days. He/she shall be debarred from giving TWO examinations including the ONE in which he or she commits the malpractice.
16	Appealing and promising to offer illegal gratification to examiners.	The candidate shall be debarred from giving TWO examinations including the one in which he or she committed the malpractice.
17	Taking out or sending out question paper outside the examination hall / room within the first half an hour from the commencement of the examination.	The candidate shall be debarred for TWO examinations including the one in which he or she committed the malpractice.

Sl.No.	Nature of the wrong	Penalties
II	PENALTIES FOR THE WRONGS COMMITTED AT EXAMINATION CENTRES BY THE EXAMINATION CENTRE STAFF : No. TA & DA shall be paid for the erring staff when called for-enquiry.	
1	Failure to prevent mass copying by Chief Superintendent / Joint Chief Supdt. (Custodian) / Invigilator / Relieving Invigilator in the examination hall / room and later reported by the examiners at the time of valuation.	No remuneration shall be paid. They shall be debarred from being appointed as Chief Superintendent / Joint Chief Superintendent (Custodian) Invigilator / Relieving invigilator for 3 years, and shall be imposed a penalty of Rs. 500/-
2	Failure to detect the tampering / interchanging of register numbers by the Chief Superintendent / Joint Chief Superintendent (Custodian)/ Invigilator / Office Superintendent at the end of examination at the time of inserting the answer books to the confidential covers.	No remuneration shall be paid. They shall be debarred from being appointed as Chief Superintendent / Invigilator / relieving invigilator / Joint Chief Superintendent / Officer Superintendent, for two years and shall be imposed a penalty, of Rs. 500/-
3	Failure to insert correct answer scripts according to marks list entries into the confidential covers by the chief superintendent / joint superintendent (custodian) / office superintendent.	No remuneration shall be paid. Chief superintendent / Joint chief superintendent (custodian) / office superintendent, shall be imposed a penalty of Rs 200.
4	Failure to obtain signature of the candidate / s in the invigilators diary at the time of issuing answer books as well as taking of over answer books.	No remuneration shall be paid to the concerned invigilator and shall be imposed a penalty of Rs. 50/- for each mistake.
5	Failure to collect the answer script and additional sheets from the candidate /s at the end of the examination.	No remuneration shall be paid and shall be debarred from examination work for a period of 5 years.
6	For removing the written answer scripts / replacing a new answer book by any of the examination staff from the bundle of answer scripts to be sent to the camp officer.	No remuneration shall be paid and shall be debarred from examination work for a period of 5 years.

Sl.No.	Nature of the wrong	Penalties
7	Failure to report taking away of question papers from the examination centre / hall / room before half an hour of the commencement of the examination or before leaving the examination room / hall by joint chief superintendent (custodian) / chief superintendent / invigilator.	No remuneration shall be paid and shall be debarred from the examination work for a period of 5 years.
III	PENALTIES FOR THE WRONGS COMMITTED BY THE EXAMINERS : No TA & DA shall be paid to such examiners when called for enquiry.	
1	(a) Mistakes in Totalling upto 3 mistakes	A penalty of Rs. 100/- per mistake shall be levied.
	(b) Mistakes in totalling results in alteration of results or varies by 10 or more marks.	No remuneration shall be paid. The examiners shall be debarred from appointment as examiners for 5 years.
2	Failure to award marks to questions or part of questions up to 3 numbers	A penalty of Rs. 100/- per omission shall be levied and shall be debarred from appointment as examiner for 3 years.
3	Failure to award marks to more than 3 questions or part of questions resulting in the alteration of result. (a) Mistakes in transfer of marks from answer script to marks list. (b) Mistakes in transfer of marks from answer script to marks list of serious nature / major mistake.	No remuneration shall be paid to the examiners and shall be debarred from appointment as examiner for 5 years. A penalty of Rs. 100/- per mistake shall be levied and the examiner shall be debarred from appointment as examiner for 3 years. No remuneration shall be paid. The examiner shall be debarred from appointment as examiner for 5 years.
4	Failure to record marks of each question on the facing sheet of the answer script or against each answer inside the answer script or failure to round off the extra marks.	A penalty of Rs. 200/- per mistake shall be levied.

Sl.No.	Nature of the wrong	Penalties
	Failure to write marks in words or figures or attestation in the marks list in figures and words.	A penalty of Rs. 50/- per mistake under each category shall be levied.
5	Failure to affix signature on the facing sheet of the answer book or on the marks list OR Failure to affix their code nos. legibly on the facing sheet of the answer book or on the marks list.	A penalty of Rs. 50/- per mistake under each category shall be levied.
6	Failure to record and report the discrepancies in the number of answer scripts or a different answer script is found in the cover with regard to the entry in the marks list.	The Examiners shall be debarred for 3 years.
7	Failure to notice over writing or tampering of register numbers on the script or additional sheets or interchange of register numbers on the answer scripts or additional sheets.	The examiner shall be debarred for 3 years.
8	Inter change of marks while transferring from answer scripts to marks list.	No remuneration shall be paid and the examiner shall be debarred for 3 years.
9	For removing of answer scripts from the camp office by CE / DCE / AE / Camp. Officers / Staff. OR Interchanging or replacing with a new answer script.	No remuneration shall be paid. Shall be debarred for 5 years.
10	For changing the marks on the answer script or on the marks list by CE & DCE, without the attestation of the Assistant Examiner.	No remuneration shall be paid. Shall be debarred for 5 years.
11	Failure to write numbers on the confidential covers as per the marks list during valuation.	A penalty of Rs. 50/- for each mistake shall be levied.
12	Inserting marks list in the answer book packet / bundle without handing over to	A penalty of Rs. 100/- in each case shall be levied.

Sl.No.	Nature of the wrong	Penalties
	camp officer.	
13	Inserting answer books in the packet / bundle without valuation.	(a) The examiners shall be debarred for the next two examinations in case the answer scripts are inserted in the packet without valuation. (b) The examiner shall be debarred for the next five years in case a packet is left without valuation.
IV	PENALTIES FOR THE WRONGS COMMITTED BY THE COMPUTER OPERATORS :	
1	Mistakes (Wrong entry) in keying of applications.	A penalty of 20 paise per each mistake / record / application shall be levied.
2	Mistakes (wrong entry) in keying of marks list.	A penalty of Rs. 100/- per mistake / record shall be levied and disciplinary action may be initiated.

Explanation :- (1) 'Examination Centre' means any premises consisting examination halls.

(2) 'Examination hall' includes any room, hall laboratory, work shop or any other premises used for holding examinations.

(3) 'Malpractices' includes anyone or more of the acts specified above committed by a candidate appearing for the examination conducted by the department.

(4) The term examiner includes Assistant examiner, Deputy Chief Examiner and Chief Examiner appointed for valuation work and scrutiny work.

(5) Penalty specified in the table imposed on examiners and others shall be deducted from the remuneration payable to them. If no remuneration is payable it shall be recovered from the salary through the Principal.

* * *

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (APPELLATE AUTHORITY) RULES
1998**

CONTENTS

Rules

1. Title and Commencement.
2. Definition.
3. Period for making Appeal and Appellate Authority.

TABLE

THE KARNATAKA EDUCATIONAL INSTITUTION (APPELLATE AUTHORITY) RULES 1998
NOTIFICATION

¹[No.ED 65 VIVIDA 98, Bangalore, dated 3rd August 1998]¹

(As amended by Notification No. ED 11 MPS 2004 dt. 22.10.2005)

Whereas the draft of the Karnataka Educational Institutions (Appellate Authority) Rules, 1998 was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No.ED 65 VIVIDA 98, dated 16th June, 1998 in Part-IV Section 2 C (i) of the Karnataka Gazette Extraordinary dated 16th June, 1998, inviting objections and suggestions from the persons likely to be affected thereby.

Whereas the said Gazette was made available to the public on 16th June, 1998.

And whereas no objections and suggestions have been received in this regard by the Government.

Now, therefore, in exercise of the powers conferred by section 130 read with section 145 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and Commencement.-(1) These rules may be called the Karnataka Educational Institutions (Appellate Authority) Rules 1998.

2. Definition.-In these rules, unless the context otherwise requires.-

(a) "Act", means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995)

1. Published in the Karnataka Gazette Part IV section 2c(i) Extraordinary No. 879 dated 3.8.1998.

(b) "Section" means a Section of the Act.

3. Period for making Appeal and Appellate Authority.-(1) Any person or Governing council may prefer an appeal under Section 130 within a period of thirty days from the date of the order appealed against.

(2) For the purpose of section 130, authorities specified in column (3) of the Table below shall be the prescribed appellate authorities in respect of the category of Educational Institutions specified in the corresponding entries in column (2) thereof.

TABLE

Sl. No.	Category of Educational Institutions	Authorities	Authority to which the Authorities specified in column (3) are Sub-ordinate
(1)	(2)	(3)	(4)
¹ [1.	(a) Pre-Primary and Primary Schools/ Institutions other than Pre-Primary and Primary Urdu and other minority languages Schools / institutions of Bangalore and Mysore Division	Director, Primary Education, Office of the CPI, Bangalore	CPI, Bangalore
	(b) Pre-Primary and Primary Schools/ Institutions other than Pre-Primary and Primary Urdu and other minority languages schools/institutions of Belgaum Division.	Director of Public Instructions, Office of the Addl. CPI. Dharwad.	CPI, Dharwad.
	(c) Pre-Primary and Primary Schools/ Institutions other than Pre-Primary and Primary Urdu and other minority languages schools/Institutions of Gulbarga Division.	Director of Public Instructions, Office of the Addl. CPI, Gulbarga.	CPI, Gulbarga
	(d) Pre-Primary and Primary schools/ Institutions of Urdu and other minority languages	Director of Public Instructions, Urdu and other minority languages Schools, Bangalore	CPI, Bangalore
2.	(a) Secondary/High Schools other than Secondary / High Schools/Institutions of Urdu and other minority languages of Bangalore and Mysore division.	Director of Secondary Education, Office of the CPI, Bangalore	CPI, Bangalore
	(b) Secondary/High Schools other than Urdu and other minority languages Secondary/High Schools of Belgaum Division.	Director of Public Instruction, Office of the Additional CPI, Dharwad.	CPI, Dharwad
	(c) Secondary/High Schools other than Urdu and other minority languages secondary/High Schools of Gulbarga Division	Director of Public Instruction, Office 3 of the Additional CPI, Gulbarga	CPI, Gulbarga
	(d) Secondary/High Schools/Institutions of Urdu and other minority languages in the State	Director of Public Instruction, Urdu and other Minority languages Schools, Bangalore.] ¹	CPI, Bangalore.

¹ Sl. No. (1) & (2) substituted by Notification No. ED 11 MPS 2004 dt. 22.10.2005 w.e.f. dt. 15.11.2005

(1)	(2)	(3)	(4)
3.	Pre-university College/ Junior Colleges	Director of Pre-University Education	Government
4.	Colleges under the control of Department of Collegiate Education	Commissioner of Collegiate Education	Government
5.	Engineering Colleges, Polytechnics and Fine Arts Colleges	Director of Technical Education	Government
6.	Institutions running Vocational Courses	Director of Vocational Education	Commissioner of Public Instruction
7.	Teachers Training Institutions, (TCH Institutions) CPED Institutions, Colleges of Education, Colleges of Physical Education	Director of State Educational Research and Training	Commissioner of Public Instruction

Provided that if any Authority specified in column (3) of Table itself has passed an order appealable under section 130, an appeal against such an order shall lie, within thirty days from the date of the order, to the Authority specified in column (4) to which it is subordinate.

Provided further that if any Authority specified in column (4) of the Table, other than the Government itself has passed an order appealable under section 130, an appeal against such an order shall lie, within thirty days from the date of the order, to the Government.

By Order and in the name of the
Governor of Karnataka,

M.S.ASWATHANARAYANA RAO

Deputy Secretary to Govt.,
Education Department.

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (APPELLATE AUTHORITY) RULES
2005**

CONTENTS

Rules

1. Title and Commencement.
2. Amendment of rule 3

**THE KARNATAKA EDUCATIONAL INSTITUTION (APPELLATE AUTHORITY)
(AMENDMENT) RULES 2005**

NOTIFICATION

No.ED 11 MPS 2004, Bangalore, dated 22nd October 2005

Whereas the draft of the rules which the Government of Karnataka proposes to make in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) further to amend the Karnataka Educational institutions (Appellate Authority) Rules, 1998, was published in Notification No. ED 11 MPS 2004 (III) dated: 14.09.2004 in the Karnataka Gazette Extra-ordinary No.1085 dated: 29.09.2004 as required under sub-section (1) of section 145 of the said Act, for the information of person likely to be affected thereby and notice thereby given, that the said draft will be taken into consideration after fifteen days from the date of its publication in the Official Gazette;

And Whereas the said Gazette was made available to the public on 29th September, 2004.

And whereas no objections and suggestions have been received in this regard by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and Commencement.-(1) These rules may be called the Karnataka Educational Institutions (Appellate Authority) (Amendment) Rules 2005

(2). They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of rule 3.-In sub-rule (2) of rule 3 of the Karnataka Educational Institutions (Appellate Authority) Rules, 1998, in the Table, for the entires relating to Sl.No.1 and 2, the following shall be substituted, namely:-

"1.	(a) Pre-Primary and Primary Schools/ Institutions other than Pre-Primary and Primary Urdu and other minority languages Schools / institutions of Bangalore and Mysore Division	Director, Primary Education, Office of the CPI, Bangalore	CPI, Bangalore
	(b) Pre-Primary and Primary Schools/ Institutions other than Pre-Primary and Primary Urdu and other minority languages schools/institutions of Belgaum Division.	Director of Public Instructions, Office of the Addl. CPI. Dharwad.	CPI, Dharwad.
	(c) Pre-Primary and Primary Schools/ Institutions other than Pre-Primary and Primary Urdu and other minority languages schools/Institutions of	Director of Public Instructions, Office of the Addl. CPI,	CPI, Gulbarga

	Gulbarga Division.	Gulbarga.	
	(d) Pre-Primary and Primary schools/ Institutions of Urdu and other minority languages	Director of Public Instructions, Urdu and other minority languages Schools, Bangalore	CPI, Bangalore
2.	(a) Secondary/High Schools other than Secondary / High Schools/Institutions of Urdu and other minority languages of Bangalore and Mysore division.	Director of Secondary Education, Office of the CPI, Bangalore	CPI, Bangalore
	(b) Secondary/High Schools other than Urdu and other minority languages Secondary/High Schools of Belgaum Division.	Director of Public Instruction, Office of the Additional CPI, Dharwad.	CPI, Dharwad
	(c) Secondary/High Schools other than Urdu and other minority languages secondary/High Schools of Gulbarga Division	Director of Public Instruction, Office 3 of the Additional CPI, Gulbarga	CPI, Gulbarga
	(d) Secondary/High Schools/Institutions of Urdu and other minority languages in the State	Director of Public Instruction, Urdu and other Minority languages Schools, Bangalore.	CPI, Bangalore.

By Order and in the name of the
Governor of Karnataka

M.N. SOMASHEKHAR
Under Secretary to Government,
Education Department.

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (GRANT IN AID FOR PRIMARY,
SECONDARY AND PRE-UNIVERSITY EDUCATION INSTITUTIONS)
RULES, 1998**

CONTENTS

Rules

1. Title and Commencement.
2. Definition.
3. Ineligibility of certain Private Education Institutions to get grant-in-aid.

**¹[THE KARNATAKA EDUCATIONAL INSTITUTIONS (GRANT IN AID FOR PRIMARY,
SECONDARY AND PRE-UNIVERSITY EDUCATION INSTITUTIONS)
RULES, 1998]¹**

(As amended in Notification No ²[ED 175 PMC 97 dated 29.12.98]², ED 16 VIVIDA 99,
dt: 20.8.2001, ED 33 VIVIDA 2003, dt. 26.5.2003, ED 127 SEP 2004, dt: 27.4.2004 and
ED 32 SEP 2006 dtd. 16th September 2006)

EDUCATION SECRETARIAT

No. ED 175 PMC 97

Karnataka Government Secretariat,
Multystoreyed Building,
Bangalore, dated 7.9.1998.

Whereas the draft of the Karnataka Educational Institutions (Grant in Aid for Primary, Secondary and Pre-university Education Institutions) Rules, 1998 was published in exercise of the powers conferred by Subsection (1) of Section 49 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995) read with Section 145 of the said Act vide Notification No. ED 175 PMC 97 dated 23.7.1998 inviting objections and suggestion from any person or organisation likely to be affected, within 15 days from the date of its publication in the official gazette.

And whereas the said Gazette was made available for the public on 23rd July 1998.

And whereas the objections and suggestions received in respect of said draft within the specified period have been considered by the State Government.

Now therefore in exercise of the powers conferred by the Sub section (1) of section 49 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) read with Section 145 of the said Act, the Government of Karnataka hereby makes the following rules namely:-

1. Published in the Karnataka Gazette Part IV section 2c(i) Extraordinarily No 955 dated 7.9.1998
2. Published in the Karnataka Gazette Part IV section 2c(i) Extraordinarily No 51 dated 8.1.99

RULES

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Grant-in-Aid-for-Primary, Secondary and Pre-university Educational institutions) Rules, 1998.

(2) They shall be deemed to have come into force with effect from the First day of June, 1995.

2. Definition.- In these rules, unless the context otherwise requires,-

- (a) "Act" means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995)
- (b) "Section" means a Section of the Act.

¹[2A. Discontinuance of Maintenance Grant.- Notwithstanding anything contrary contained in the Grant-in-Aid Code applicable to Primary Schools, Grant-in-Aid Code applicable to Secondary Schools and Grant-in-Aid code applicable to Pre-University Educational

Institutions and in any other order, rule, notification issued in this behalf in respect of the said Institutions, no maintenance grant shall be payable to such institutions after the coming into force of the Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Amendment) Rules, 2001 and no arrears with respect to maintenance grant shall be payable for the period prior to the coming into force of these rules if such maintenance grants have not been claimed.]¹

1. Inserted by Notification No. ED 16 VIVIDA 99 dated 20.8.2001 w.e.f. 20.8.2001

3. Ineligibility of certain Private Education Institutions to get grant-in-aid.- Notwithstanding anything contained in order No. ¹[ED 26 SEP 96, dated 8.2.1996]¹ which is continued to be in force in accordance with section 146, all private educational institutions (including all private educational institutions run by Scheduled Caste and Scheduled Tribe) established or permitted to be established on or after the First day of June 1987, ²[or such of those Institutions permitted to be established prior to the first day of June 1987, but started functioning from the Academic year 1987-88 and onwards]² for imparting primary education, secondary education or Pre-university education shall be permanently ineligible for grant-in-aid.

¹ Substituted by Notification No. ED 175 PMC 97, dt. 29.12.98 w.e.f. 7.9.98

² Inserted by Notification No. ED 175 PMC 97, dt. 29.12.98 w.e.f. 7.9.98

¹[Provided and nothing contained in this rule shall be applicable to ²[Private Educational Institutions imparting Primary Education and Secondary Education]² established between First day of June 1987 and ³[First day of July 1992]³ by the Managing Committee comprising an individual or a body of individuals of whom all are persons belonging to the Schedule Castes or the Scheduled Tribes]¹

¹ Inserted by Notification No. ED 33 VIVIDHA 2003, dt. 26th May 2003 w.e.f. 20.8.2001

² Deemed to have been substituted by Notification No. ED 127 SEP 2004, dt. 27.4.2004 w.e.f. 26.5.2003

³ Substituted by Notification No. ED 32 SEP 2006, dt. 16.9.2006 w.e.f. 20.9.2006

By Order and in the Name of the
Governor of Karnataka,

(S. DIVAKAR)
Under Secretary to Government,
Education Department.

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (GRANT-IN-AID FOR PRIMARY,
SECONDARY AND PRE-UNIVERSITY EDUCATION INSTITUTIONS) (AMENDMENT)
RULES, 1998.**

Contents

1. Title and Commencement
2. Amendment of Rule 3

**THE KARNATAKA EDUCATIONAL INSTITUTIONS
(GRANT-IN-AID FOR PRIMARY, SECONDARY AND
PRE-UNIVERSITY EDUCATION INSTITUTIONS) (AMENDMENT) RULES, 1998.**

EDUCATION SECRETARIAT

No ED 175 PMC 97

Karnataka Government secretariat,
Multy-storied Building,
Bangalore, dated 29.12.98.

NOTIFICATION

Whereas the draft Karnataka Education Institutions (Grant-in-aid for Primary, Secondary & Pre-University Education Institutions) Rules, 1998 was published as required by Section 145 of Karnataka Education Act. 1983 (Karnataka Act 1 of 1995) in Notification No.ED 175 PMC 97 dated 7.11.98 in Part IV 2c(i) of the Karnataka Gazette Extra ordinary dated 11.11.98 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of the Publication of the draft in Official Gazette.

And Whereas the said Gazette was made available for the Public on 7.11.98.

And whereas the objections / Suggestions received in respect of said draft within the specified period have been considered by the State Government.

Now, therefore in exercise of the powers conferred by Section 145 of the Karnataka Educational Act 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules namely:-

Published in the Karnataka Gazette Part IV Section 2c(i) Extraordinary No. 51 dt 8.1.1999

RULES

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Grant-in-aid for Primary, Secondary and Pre-University Education Institutions) (Amendment) Rules, 1998.

(2) They shall be deemed to have come into force with effect from the seventh day of September, 1998.

2. Amendment of rule 3.- In rule 3 of the Karnataka Educational Institutional Institutions (Grant-in-aid for primary, Secondary and Pre-University Education Institutions) Rules, 1998,-

(i) for the words, letters and figures "ED 252 SEP 92, dated 7.4.1994" the words, Letters and figures "ED 26 SEP 96, dated 8.2.1996" shall be substituted.

(ii) after the words and figures " on or after the First day of June, 1987" the words and figures "or such of those institutions permitted to be established prior to the First day of June, 1987, but started functioning from the academic year 1987-88 and onwards" shall be inserted.

By Order and in the Name of the
Governor of Karnataka,

S. DIVAKAR
Under Secretary to Government,
Education Department.

The Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Amendment) Rules, 2001

Contents

Rules

1. Title and Commencement
2. Insertion of new rule
- 2A. Discontinuance of Maintenance Grant

Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Amendment) Rules, 2001.

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 16 ViVida 99, Bangalore, dated 20th August, 2001

Whereas the draft of the rules to amend the Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) Rules, 1998 was published in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), in Notification No. ED 16 Vivida 99 dated 28.5.2001 in part IV-A of the Karnataka Gazette Extraordinary dated 28.5.2001 inviting objections and suggestions from the persons likely to be effected thereby:

And whereas the said Gazette was made available to public on 28.5.2001.

And whereas no objection and suggestions have been received in this regard by the State Government:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka makes the following rules namely:-

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Amendment) Rules, 2001.

Published in the Karnataka Gazette Part IV-A Extraordinary No. 1562, dated 20.8.2001

(2) They shall come into force from the date of their publication in the official Gazette.

2. Insertion of new rule.- After rule 2 of the Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) Rules, 1998 the following shall be inserted, namely:-

“2A. Discontinuance of Maintenance Grant.- Notwithstanding anything contrary contained in the Grant-in-Aid Code applicable to Primary Schools, Grant-in-Aid Code applicable to Secondary Schools and Grant-in-Aid code applicable to Pre-University Educational Institutions and in any other order, rule, notification issued in this behalf in respect of the said Institutions, no maintenance grant shall be payable to such institutions after the coming into force of the Karnataka Educational Institutions Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions (Amendment) Rules, 2001 and no arrears with respect to maintenance grant shall be payable for the period prior to the coming into force of these rules if such maintenance grants have not been claimed.”

By Order and in the name of
the Governor of Karnataka

K.S. GOPALA KRISHNA
Under Secretary to Government,
Education Department (General).

The Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (First Amendment) Rules, 2003

Contents

Rules

1. Title and Commencement
2. Amendment of rule 3

Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (First Amendment) Rules, 2003.

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 33 VIVIDHA 2003, Bangalore, dated 26th May, 2003

Whereas the draft of the Karnataka Educational Institution (Grant-in-aid for Primary, Secondary and Pre-university Education Institution) (Amendment) Rules, 2002 was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No: ED 255 SEP 2002, dated: 13th January 2003 in Part IV-A of the karnataka Gazette Extra-ordinary dated 24th January 2003 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of the publication of the draft in Official Gazette.

And whereas the said Gazette was made available to the public on 24th January 2003

And whereas no objection or suggestions were received in this regard within the specified period, by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka makes the following rules namely:-

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (First Amendment) Rules, 2003.

Published in the Karnataka Gazette Part IV-A Extraordinary No. 1562, dated 20.8.2001

(2) They shall come into force from the date of their publication in the official Gazette.

2. Amendment of rule 3.- In rule 3 of the Karnataka Educational Institutions (Grant-in-aid for Primary, Secondary and Pre-University Education Institutions) Rules, 1998, the following proviso shall be inserted, namely:-

"Provided and nothing contained in this rule shall be applicable to Private Educational Institutions established between First day of June 1987 and First day of April 1992 by the Managing Committee comprising an individual or a body of individuals of whom all are persons belonging to the Schedule Castes or the Scheduled Tribes."

By Order and in the name of the
Governor of Karnataka

SUNDARA RAJA GUPTHA

Under Secretary to Government,
Education Department (University & General-1).

The Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Second Amendment) Rules, 2004

Contents

Rules

1. Title and Commencement
2. Amendment of rule 3

Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Second Amendment) Rules, 2004.

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 127 SEP 2004, Bangalore, dated 27th April 2004

Whereas the draft of the Karnataka Educational Institution (Grant-in-aid for Primary, Secondary and Pre-university Education Institution) (Amendment) Rules, 2004 was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No: ED 127 SEP 2004, dated: 24th March 2004 in Part IV-A No.411 of the karnataka Gazette Extra-ordinary dated 26th March 2004 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of the publication of the draft in Official Gazette.

And whereas the said Gazette was made available to the public on 26th March 2004.

And whereas no objection or suggestions were received in this regard within the specified period, by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka makes the following rules namely:-

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Second Amendment) Rules, 2004.

(2) They shall be deemed to have come into force with effect from the 26th day of May 2003.

2. Amendment of rule 3.- In rule 3 of the Karnataka Educational Institutions (Grant-in-aid for Primary, Secondary and Pre-University Education Institutions) Rules, 1998, in the proviso, for the words "Private Educational Institutions" the words "Private Educational Institutions imparting Primary Education and Secondary Education" shall be substituted.

By Order and in the name of the
Governor of Karnataka

SIDDALINGAIAH

Under Secretary to Government,
Education Department

The Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Second Amendment) Rules, 2004

Contents

Rules

1. Title and Commencement
2. Amendment of rule 3

**Education Secretariat
Notification
No. ED 32 SEP 2006, Bangalore, Dated 16th September 2006**

Whereas the draft of the Karnataka Private Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Amendment) Rules, 2006, was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), Notification No. ED 32 SEP 2006, dated 25th July 2006 in Part – IVA of the Karnataka Gazette Extraordinary No. 940, dated 25th July 2006 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of the publication of the draft in Official Gazette.

And whereas, the said Gazette was made available to the public on 25th July 2006.

And whereas, no objections or suggestions were received in this regard within the specified period, by the State Government.

Now therefore, in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules namely:-

Rules

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) (Amendment) Rules, 2006

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule 3.- In the Karnataka Educational Institutions (Grant-in-Aid for Primary, Secondary and Pre-University Educational Institutions) Rules, 1998, in rule 3, in the proviso, for the words and figures, "First day of April 1992", the words and figures "First day of July, 1992" shall be substituted.

By Order and in the name of the Governor of Karnataka,

SIDDALINGAIAH,
Under Secretary to Government,
Education Department.

**THE KARNATAKA EDUCATIONAL PRIVATE AIDED INSTITUTIONS
(PRE-PRIMARY EDUCATION EMPLOYEES' PENSION) RULES, 1998.**

Rules

1. Title and commencement
2. Definition.
3. Eligibility for pension
4. Conditions for grant of Pension
5. Miscellaneous
6. Amendment of Karnataka State Aided School Employees Contributory Provident Fund.
Insurance, Pension Rules.

**THE KARNATAKA EDUCATIONAL PRIVATE AIDED INSTITUTIONS
(PRE-PRIMARY EDUCATION EMPLOYEES' PENSION)**

RULES, 1998.

EDUCATION SECRETARIAT

(As amended by Notification No. ED 151 PMC 95, dt. 10.1.2000)

No ED 113 PMC 98

Karnataka Government secretariat,
Multystoried Building,
Bangalore, dated 19th December 1998

NOTIFICATION

Whereas the draft of the Karnataka Educational Private Aided Institutions (Pre-Primary Education Employees' Pension) Rules, 1998 was published as required by Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 113 PMC 98 dated 9.11.98 in Part IV Section 2c(i) of the Karnataka Gazette Extra-ordinary dated 12.11.98 inviting objections and suggestions from all persons likely to be affected there by within fifteen days from the date of the publication of the draft in the Official Gazette.

And whereas the said Gazette was made available for the public on 9.11.1998.

And no objection / suggestions in this regard have been received by the State Government.

Now therefore in exercise of the powers conferred by Section 145 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995) the Government of Karnataka here by makes the following Rules namely:-

1. Published in the Karnataka Gazette Part IV section 2c(i) Extraordinarily No 1509 dated 19.12.1999

RULES

1. Title and commencement.- ¹[(1)]¹ These rules may be called the Karnataka Educational private Aided Institutions (Pre-Primary Education Employees' Pension) Rules, 1998.

¹[(2)]¹ They shall come into from the date of publication in the Official Gazette.

¹ Substituted by Notification No. ED 151 PMC 95, dt. 10.1.2000 w.e.f. 10.2.2000.

2. Definition.- In these rules unless the context otherwise requires,-

" Pre-Primary Education" means informal education imparted in classes which are below first standard for children between the age of three and five years in institution vis. Pre-primary, Nursery or Kindergarten or by whatever name called.

3. Eligibility for pension.- ¹[(1)]¹ Subject to the provisions hereinafter contained, the employees of Pre-primary Educational Institutions receiving grants at the rate of twenty-five, fifty and seventy percent and established prior to 1.4.84 who have put in a continuous service for a period of not less than ten years without any break shall be entitled to a consolidated amount of pension at the rate of Rs. ²[500]² per month with effect from ²[9.8.1999]².

¹[(2)]¹ The actual service of the employee rendered shall be verified with reference to his service register or Baraward Register and Appointment Order approved by the concerned officers of the Commissioner of Public Instruction and recognised management of the Pre-primary Educational Institution or school.

¹[(3)]¹ The existing procedure for payment of consolidated pension ³[xxx]³ to the Pre-Primary school staff shall continue.

¹ Substituted by Notification No. ED 151 PMC 95, dt. 10.1.2000 w.e.f. 10.2.2000

² Deemed to have been substituted by notification No. ED 151 PMC 95, dt. 10.1.2000 w.e.f. 9.8.1999

³ Omitted by Notification No. ED 151 PMC 95, dt. 10.1.2000 w.e.f. 10.2.2000

4. Conditions for grant of Pension.- Pension under these rules shall be paid subject to the following conditions, namely:-

(i) No Family Pension shall be paid after the person who was in receipt of pension under these rules has expired.

(ii) No pension shall be payable in respect of persons who are already in receipt of any kind of pension either from State Government or Central Government.

(iii) The consolidated amount of pension is payable during the life time of the employee. On the death of the pensioner, Pension shall lapse.

5. Miscellaneous.- ¹[(1)]¹ The concerned Educational Officer shall certify in every monthly drawal Bill about the amount claimed in this respect and also ensure the fulfillment of conditions specified in these rules.

¹[(2)]¹ The Education Officer shall maintain a register to see that there are no mis-use of the fund.

¹ Substituted by Notification No. ED 151 PMC 95, dt. 10.1.2000 w.e.f. 10.2.2000

6. Amendment of Karnataka State Aided School Employees Contributory Provident Fund. Insurance, Pension Rules. In rule 3 of the Karnataka State Aided School Employees Contributory Provident Fund Insurance Pension Rules annexed to Government Order No.ED 65 SES 62, dated 24.8.1963. clause (i) shall be omitted.

By Order and in the Name of the
Governor of Karnataka,

S.DIVAKR
Under Secretary to Government
Education Department.

1[THE KARNATAKA EDUCATIONAL PRIVATE AIDED INSTITUTIONS (PRE-PRIMARY EDUCATION EMPLOYEES' PENSION) (AMENDMENT) RULES, 1999.

GSR 8.- Whereas, the draft of the Karnataka Educational Private Aided Institutions (Pre-Primary Employees' Pension) Rules, 1998 was published as required by Section 145 of Karnataka Education Act, 1993 (Karnataka Act 1 of 1995) in Notification No. ED 151 PMC 95, dated 4.10.1999 in Part IV, Section 2c(i) of the Karnataka Gazette Extra-ordinary dated 5.10.1999 inviting objections and suggestions from all persons likely to be affected thereby within 30 days from the date of publication of the draft in the Official Gazette.

And whereas, the said Gazette was made available for the public on 6.10.1999.

And no objection / suggestions in this regard have been received by the State Government.

Now, therefore, in exercise of the powers conferred by Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka here by makes the following Rules namely:-

1. Title and commencement.- (i) These rules may be called the Karnataka Educational private Aided Institutions (Pre-Primary Education Employees' Pension) (Amendment) Rules, 1999.

(2) They shall come into from the date of publication in the Official Gazette.

1. Published in the Karnataka Gazette, dated 10-2-2000, vide Notification No. ED 151 PMS 95, dated 10-1-2000.

2. Amendment of Rule 1.- In Rule 1 of the Karnataka Educational private Aided Institutions (Pre-Primary Education Employees' Pension) Rules, 1998 (hereinafter referred as the said rules), for the brackets and figures "(i) and (ii)", the brackets and figures "(1) and (2)" shall respectively be substituted.

3. Amendment of Rule 3.- In Rule 3 of the said Rules.-

(i) for the brackets and figures "(i), (ii), (iii)", the brackets and figures "(1), (2), (3)" shall respectively be substituted".

(ii) in sub-rule (1) as so renumbered, for the figures "380" and "26-7-1994", the figures "500" and "9-8-1999" shall be deemed to have been substituted with effect from the 9th day of August, 1999.

(iii) in sub-rule (3) as so renumbered, the word, letters and figures "of Rs. 380/-" shall be omitted.

4. Amendment of Rule 5.- In Rule 5 of the said rules, for the brackets and figures "(i) and (ii)", the brackets and figures "(1) and (2)" shall respectively be substituted.

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (RECOGNITION OF PRIMARY AND
SECONDARY SCHOOLS) RULES, 1999.**

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Rules

1. Title and commencement.
2. Definitions.
3. Procedure for recognition of registered educational institution.-
4. Conditions to grant recognition to an Educational Institution.-
5. Provisional approval.
6. Issue of certificate of recognition to existing educational institutions etc.
7. Grant of recognition user sub-section (2) of section 38

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THE KARNATAKA EDUCATIONAL INSTITUTIONS (RECOGNITION OF PRIMARY AND SECONDARY SCHOOLS) RULES, 1999.

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 131 VIVIDA 98. Bangalore, Dated 04th November 1999.

Whereas the draft of the Karnataka Educational Institutions (Recognition of Primary and Secondary Schools) Rules 1999 was published as required by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 131 VIVIDA 98, dated 24.08.1999 in Part IV-Section 2C (i) of the Karnataka Gazette Extraordinary dated 24th August 1999 inviting objections and suggestions from the persons likely to be affected thereby:

And whereas the said gazette was made available to the Public on 24th August 1999;

And whereas the objections and suggestions have been received in this regard by the State Government :

Now, therefore in exercise of the powers conferred by Sub-section 36 to 39 read with sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act No. 1 of 1995) the Government of Karnataka hereby makes the following rules, namely :-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recognition of Primary and Secondary Schools) Rules, 1999.

(2) They shall come into force from the date of their publication in the official Gazette.

1. Published in the Karnataka Gazette Part IV section 2c(i) Extraordinarily No 1343

2. Definitions.-(1) In the rules, unless the context otherwise requires,-

(a) "Act" means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995).

(b) "Form" means a form appended to these rules.

(c) "Registered Institution" means an Educational Institution registered under the Act to run a Primary or Secondary School.

(d) "Section" means a section of the Act.

(2) Words and expressions used in these rules but not defined shall have the same meaning assigned to them in the Act.

3. Procedure for recognition of registered educational institution.- (1) Every registered institution shall file an application for recognition in the month of July of the academic year in which the institution has been started but not later than 31st August, to the competent authority. The application shall be filed in triplicate and shall be in form-1. If the management fails to submit the proposal in the prescribed form within the time stipulated above, a notice shall be issued to such management directing to submit the proposal within a period of two weeks from

the date of receipt of such notice, falling which the permission granted to the institution shall be withdrawn.

(2) The amount of security deposit shall be as specified in column (4) of the Table below for the class of Educational Institutions and standards specified in the corresponding entries in columns (2) and (3) thereof respectively.

TABLE

Sl. No.	Class of Educational Institutions	Standards governed	Value of Security Deposit
1	2	3	4
1	Lower Primary School	I-IV	10,000/-
2	Upper Primary School (Including Composite School)	V-VII	20,000/-
3	Secondary School (Including composite school)	VIII-X	30,000/-

Provided that in respect of an Institution run by a management belonging to Scheduled Caste and Scheduled Tribe, Security deposit shall be fifty percent of the amount specified above.

(3) Every application seeking recognition shall be accompanied by a copy of the Security Deposit Certificate for the amount as specified in sub-rule (2). The Security Deposit certificate shall be in the term of a 'Fixed Deposits' deposited in the joint name of the receiving authority and the Secretary/President of the School Managing Committee, in a Nationalised Bank. The Management shall have the liberty to utilise the interest earned on the Security Deposit for the development of the institution. In case of default or closure of school, the department shall have the right to utilise the Security Deposit to clear any dues payable by the management towards staff on the department.

4. Conditions to grant recognition to an Educational Institution.- (1) The competent authority shall after verification, ensure and satisfy itself that every education institution seeking recognition,-

- has a site registered in the name of the governing council or the managing committee of such educational institution, the area of which shall be sufficient to provide building and accommodation facilities specified in rules 4 and 5 of the Karnataka Educational Institutions (Classification, Registration and Prescription of curricula etc.) Rules, 1995 (hereinafter referred to as the 1995 rules).
- has good building facility, sufficient accommodation with water, toilet and other facilities sufficient as specified in rules 4, 5, 6 and 8 of the 1995 rules;
- has provided laboratory equipment, library books, sports materials, maps, charts and other teaching aids;

- (d) has provided the required staff as stipulated by the State Government from time to time;
- (e) has constituted the school managing committee or the governing council as the case may be in accordance with the provisions of Section 42;
- (f) has financial viability and has produced the required documents in this regard in accordance with the norms specified in rule 4 of the Karnataka Educational Institutions (Classification and Registration) Rules, 1997;
- (g) has followed the admission and fee regulations and rules for the time being in force;
- (h) has followed the norms relating to curricula, text books, medium of instruction, examination rules, working days, working hours, home work etc. In accordance with the rules 18, 19 and 20 of the 1995 rules;
- (i) has kept the location of site and institution open and acceptable to all;
- (j) has maintained all records and registers as required by the Act and rules made thereunder;
- (k) has maintained a minimum strength of 40 students in respect of lower primary, 100 students in respect of upper primary schools and 25 students in each standard in respect of High schools.

(2) Every registered educational institution seeking recognition shall give an undertaking to the effect that,-

- (a) it shall abide by all the provisions on the Act and the rules made thereunder;
- (b) it shall spare the building and staff for the purpose of conduct of examinations, training programmes, census work and any other departmental work as and when they are required to do so;
- (c) it shall be subject to the inspection by the department and abide by such instruction as may be issued by the department, from time to time;
- (d) the educational institution shall be secular, attendance at religious instructions, if there be any; shall not be compulsory and such classes shall not be conducted during regular school hours;
- (e) the institution shall provide all facilities required in the rules for the time being in force;
- (f) the institution shall not make any claim for recognition on the basis of registration accorded;
- (g) the institution shall abide by any other conditions that the competent authority may impose from time to time.

(3) The recognition granted under section 36 shall be in form-II and it shall contain,-

- (a) the name of the governing council in whose favour the recognition is granted;

- (b) the class of institution for which recognition is granted lower primary, upper primary, secondary etc;
- (c) the standards with number of sections for which the recognition is granted;
- (d) the year or years for which the recognition is valid;
- (e) the conditions to be fulfilled by the governing council and time specified for this, which in respect of school building and playground shall be three years from the date granting approval provisionally and one year in respect of other infrastructural facilities such as furniture, teaching aid etc;
- (f) any other information as desired necessary by the competent authority.

5. Provisional approval.-(1) The provisional approval granted under clause (b) of sub-section (6) of section 36 shall be in Form-III and it shall contain,-

- (a) the name of the Governing council in whose favour the provisional approval is granted;
- (b) the reasons for according provisional approval and the conditions which are not fulfilled;
- (c) the class of registered institution with the standards and number of sections for which the provisional approval is granted;
- (d) the time schedule within which the conditions are to be fulfilled;
- (e) whether the recognition has been granted with aid or without aid;
- (f) any other information as desired necessary by the competent authority.

(2) The provisional approval shall be valid only for the class of registered institution, the standards and sections and the year for which it is granted. The Governing council or the Managing Committee shall fulfill all the conditions laid down in the provisional approval and the rules for the time being in force within the time specified by the competent authority.

(3) The registered institution granted with provisional approval shall be given an opportunity to rectify the defects as pointed out in the inspection Report and fulfill all the conditions of recognition and submit a compliance report within a period of one month from the date of granting provisional approval. If the action taken by the management of the registered Institution is satisfactory and satisfies all the conditions of recognition, the Competent Authority shall issue a certificate of Recognition in Form-II. If the competent authority is not satisfied with the report, it may refuse to grant such certificate.

(4) Every such order refusing to grant a certificate shall indicate the reasons for such refusal and shall be communicated in writing to the Governing council. Such order of refusal shall contain instructions for transferring of stability fund certificate in favour of management and shall contain a direction to the jurisdictional Educational Officer concerned to make necessary alternate arrangements for admission of students in near by recognised school for the furthering of their education.

6. Issue of certificate of recognition to existing educational institutions etc.- (1) Every educational institutions specified in clause (b) of sub-section (1) of section 38 shall file a statement in form IV before the competent authority within a period of six months from the date of coming into force of these rules.

(2) The statement shall be delivered in person in the office of the competent authority after obtaining acknowledgment or shall be sent by speed or registered post with acknowledgment due.

(3) The competent authority shall after satisfying itself issue a fresh certificate of recognition in Form V with in sixty days from the date of filing the application.

7. Grant of recognition user sub-section (2) of section 38.- (1) Every Educational Institution seeking recognition under sub-section (2) of section 38 shall submit the application for recognition under these rules within sixty days from the date of coming into force of these rules.

(2) The procedure for filing of application, processing of application and grant of recognition or provisional approval or refusal shall be as stipulated in these rules.

By Order and in the name of the Governor of Karnataka,

H.S. Venkatesaiah,
Under Secretary to Government,
Education Department (General).

FORM I
(See Rule 3)

Application form Recognition of Primary / Secondary Schools

1	Name of School: (a) Composition of the school Boys / Girls / Co-education (b) Medium of instruction				
2	Date of starting Working hours of the Schools				
3	Whether Registered under the Societies Registration Act (Furnish copy) Date:				
4	Name and address the Management. Type of the Management Gen/minority/SCand ST				
5	List of Management Committee Members.				
6	Name of the Secretary/Correspondent with full address Telephone: Fax:				
7	Whether the Management is running any other institutions, if so furnish the list.				
8	Financial position of the Management (enclose audit report of the last three years) (a) furnish details of stability fund (b) furnish details of fees/donations or any other amount collected				
9	Aided or unaided (if aided enclose a copy of the G.O.) (a) whether permitted by the Government.				
10	If any subject or activity that is not included in the curricular is prescribed. If so details.				
11	Class or Classes to be recognised.				
	Nomenclature	No. of Pupils of the date of application in each class/section	Average attendance during the month		
	I				
	II				
	III				
	IV				
	V				
	VI				
	VII				
	VIII				
If the additional sections have been sanctioned enclose copy of the order					
12	Year of latest recognition obtained (enclose a copy.....)				
13	Staff Particulars:				
Sl. No.	Name of the Teacher	Date of Birth	Qualification	Date of entry into service	Whether approved or not
1	2	3	4	5	6

14	Accommodation (enclose copy) (a) Total area of the school buildings (i) No. of rooms / size (ii) Rented or own (b) Total area of playground (c) Toilet provided or not both for staff and Students (d) Electricity facility available or not (e) Whether the special provision is made in the school building for disabled, children to	
15	Drinking water facility - provided or not	yes / No
16	Library:- (a) No. of bookset (b) Appointments value	
17	A.V. aids. furnish the list	
18	Sports and Games furnish the list.	
19	Laboratory facilities	Available / Not available
20	Co-curricular activities provided	
21	Furnish Annual Public Examination results of the last three years.	
22	Any unique features of the school	
22		

Note: (Enclose copies of relevant G.O's / records whether applicable)

Date :

Place :

Signature
Secretary / Correspondent
with seal.

Form II

(See sub-rule (a) of Rule 6)

Certified No.

Certified that (Specify here the name and address of the local authority, Society or trust as the case may be) Governing Council has been recognised under Section 36 of the Karnataka Education Act, 1983 (Karnataka Act No. 1 of 1995) on the day of one thousand nine hundred for the purpose of running the following class of educational institution at (Specify the place here).

1. Name of the Institution.
2. Serial No.
3. Class of educational institution.
4. Standards permitted.
5. The academic year the standards are to be opened.
6. Medium of instruction permitted details of registration.
7. Fees paid.

The educational institution is registered at Sl. No. at page No..... of volume No..... of the register of educational institutions maintained in the office. The recognition certificate issued here is subject to conditions stipulated under.

1. The validity of the registration certificate shall be governed by the Rule 6.
2. That the governing council shall fulfil all the general conditions as stipulated in Rule 4 & 5.
3. The conditions to be fulfilled in respect of site, area building, equipment, staff, financial viability etc.
4. Any other condition specified by the authority.

Place :
Date :

Signature and Name & Designation
and Official seal of the registering
authority.

FORM III

(See rule 7)

Provisional approval of recognition.

- (1) Registration No.
- (2) The name and address of the Governing Council and the School.
- (3) The reason for according provisional approval.
- (4) Conditions which are not fulfilled.
- (5) Class of educational institutions.
- (6) Standard permitted.
- (7) The time in which the conditions are to be fulfilled.

The educational institutions is provisional approved of Sl. No. at Page No. of Volume No..... of the recognitions of the Register of Educational Institutions maintained in this office to provisional approval certificate issued or subject to rectification of the conditions to be fulfilled. Any other conditions specified by the authority.

FORM IV

(See rule 8)

RECOGNITION OF EXISTING INSTITUTIONS

Form of application for recognition of existing educational institution

(Specify her the designation and address of Recognition Authority)

Sir,

FOR AND ON BEHALF OF (SPECIFY HERE THE NAME OF THE LOCAL AUTHORITY, TRUST OF SOCIETY, AS THE CASE MAY BE) THIS APPLICATION IS BEING SUBMITTED FOR RECOGNITION OF THE SAID INSTITUTION UNDER SECTION 38 OF THE KARNATAKA EDUCATIONAL ACT, 1983 (Karnataka Act No. 1 of 1995) FOR RECOGNITION OF AN EXISTING EDUCATIONAL INSTITUTION NAMELY.

(SPECIFY HERE NAMED AND ADDRESS OF THE EDUCATIONAL INSTITUTIONS)

PARTICULARS ARE AS FOLLOWS :-

1. NAME LOCATION OF EXISTING
EDUCATIONAL INSTITUTION. :

2. NAME & ADDRESS AND NATURE
OF THE LOCAL AUTHORITY,
OR THE GOVERNING COUNCIL
(ENCLOSED A COPY OF THE
CERTIFICATE OF REGISTRATION,
COPY OF THE MEMORANDUM
OF ASSOCIATION ETC., OF THE
SOCIETY, TRUST, ETC.)
(SEE SECTION 2 (17) :

3. OBJECTIVES OF THE
EDUCATIONAL INSTITUTION :

4. DETAILS OF THE COURSE BEING RUN :

SL. NO.	NAME OF THE COURTS	INTAKE	RECOG- NISING AUTHORITY	NO. AND DATE OF THE ORDER RECOGNISING THE COURSE	MEDIUM OF INSTITUTION

5. NO OF TEACHING STAFF AND
NON-TEACHING STAFF EMPLOYED :

6. ANY OTHER INFORMATION THE
APPLICANT WISHES TO FURNISH :

I REQUEST THAT RECOGNITION CERTIFICATE MAY PLEASE BE ISSUED.

CERTIFIED THAT THE INFORMATION FURNISHED ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNATURE OF THE APPLICANT
WITH NAME & DESIGNATION
AND WITH OFFICIAL SEAL.

PLACE :

DATE :

FORM V

(See Rule 9)

Recognition Order

XX

XX

XX

CERTIFICATE OF RECOGNITION

1. Registration No.
2. Name and Address of the Educational Agency and the School.
3. Reference to provisional certificate so far enjoyed.

xx here specify the details.

XX

XX

XX

xx here specify the details.

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (REGISTRATION AND RECOGNITION
OF COMMERCE INSTITUTE) RULES, 1999.**

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Schedule of Class fees

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**THE KARNATAKA EDUCATIONAL INSTITUTIONS (REGISTRATION AND RECOGNITION
OF COMMERCE INSTITUTE) RULES, 1999.**

EDUCATION SECRETARIAT

No. ED 114 Vivida 98, Bangalore, dated, 04-11-1999.

(As amended by Notification No. ED 4 LCE 2002, dt. 28.1.2003)

NOTIFICATION

Whereas the draft of the Karnataka Educational Institutions (Registration and Recognition of Commerce Institutes) Rules 1999 was published in Notification No. ED 114 VIVIDA 98, dated 22.3.1999 in the Karnataka Gazette in Part IV Section 2C (i) of the Karnataka Gazette Extraordinary dated 30th March, 1999 inviting objection and suggestion from the persons likely to be affected thereby;

And whereas the said gazette was made available to the Public on 30-03-1999;

And whereas the objections and suggestions received in this regard have been duly considered by the State Government.

Now, therefore in exercise of the powers conferred by Sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules namely;

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Registration and Recognition of Commerce Institute) Rules, 1999.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,-

Published in the Karnataka Gazette Part IV section 2c(i) Extraordinary No. 1351 dt 15.11.1999

(a) "Act" means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995);

(b) "Form" means forms appended to these rules;

(c) "Institute" means the Commerce Institute where education in Typewriting, Shorthand and other Commerce subjects is imparted;

(d) "Registering Authority" means the Joint Director of Public Instruction of the respective Division;

(e) "Section" means section of the Act.

3. Procedure for Registering of Institutes.- (1) Every application for registering an Institute under section 31 shall be in form I and shall be filed before the registering authority, only in the month of October every academic year.

(2) Every such application shall be accompanied by a Registration Fee which shall be one thousand rupees in case of applicant belonging to the Scheduled Castes or the Scheduled Tribes and two thousand rupees in case of others, in the form of a Account Payee Demand

Draft, drawn within one month before the date of application for registration, in favour of the Registering Authority. The demand draft shall be made payable at the Bank, located in the headquarters of the registration authority or in the surrounding locality.

(3) The registration fee once paid shall not be refunded where Registration is granted. Where registration is refused, the amount of the registration fee paid shall be refunded without interest to the applicant, through a crossed cheque within three months from the date of refusal.

(4) The applicant shall furnish information regarding:-

- (a) the exact location of starting the Institute;
- (b) its full postal address;
- (c) accommodation proposed to be provided;
- (d) whether it has own building or rented building, along with necessary documents;
- (e) Staff proposed to be appointed;
- (f) funds at the disposal of the Management; and
- (g) such other information as may be specified by the Registering Authority.

4. Registration of New Institutes.- (1) The Registering Authority shall, before issue of a Certificate of registration, satisfy itself that;

- (a) there is an actual need for an Institute in the locality and there is no Institute within a distance of two kilometers from the proposed Institute in the case of rural areas, and one kilometer in the case of urban areas, by the shortest public road;
- (b) the proposed Institute is financially sound;
- (c) the premises are well-lighted and ventilated with sufficient accommodation for conducting Typwriting, Shorthand and other subjects;
- (d) the teaching Staff appointed are duly qualified as specified under rule 23.
- (e) the applicant has enclosed a photocopy of the Khata certificate in case of own building, or a consent letter from the owner in case of rented building.

(2) The Registering Authority shall, 'within a period of three months from the date of receipt of the application, register the Institute and issue a Certificate or Registration in Form 2, if all the conditions specified for registration have been complied with. The certificate of Registration shall be sent to the applicant by Registered post.

(3) The Institute shall start functioning within two months from the date of receipt of Certificate of Registration, and the date of starting the Institute shall be intimated to the Registering Authority, within two months from the date of receipt of Certificate of Registration.

(4) The Registration Fee received under the sub-rule (2) shall be held in a fixed Deposit Account, opened in the name of the Registering Authority, in the nearest Nationalised Bank/Scheduled Bank. The Registering Authority shall maintain the accounts in a register in respect of registration and registration fees received in Form-3.

(5) The refusal order shall indicate the grounds for such refusal and shall be in writing and communicated to the applicant.

5. Registration of an Existing Recognised Institute.- (1) For registration of a Institute referred to in Section 33 shall file a statement in Form 4 within six months from the date of commencement of these rules, or from the date of appointment of the registering authority whichever is later.

(2) No fee shall be payable for registration of an Institute under sub-rule (1).

(3) On being satisfied that the Institute is fit in all respects to be registered, the Registering authority shall issue a certificate of Registration in Form 5, within a period of three months.

6. Form of Register of Institutes.- The Registering Authority shall maintain a Register of registered Institutes in Form 6. Every such Register shall be firmly bound and given running Folio Number. On exhaustion of all the Folios, the date of such exhaustion shall be recorded by the Registering Authority on the first inner page.

7. Recognition of New Institutes.- Every Registered Institute shall make an application in Form-7 to the competent authority alongwith a Fee of one hundred rupees by way of a Demand Draft, made payable to the Joint Director of Public Instruction of the respective Division, and seeking Recognition, within a period of two months from the date of starting the Institute.

8. Conditions for Recognition.- (1) Every Institute seeking Recognition shall-

- (a) Pays a Security Deposit of One Thousand rupees through Demand Draft, made payable to the Joint Director of Public Instruction of the respective Division, and enclosed to the application;
- (b) Meet the conditions specified for teaching staff, accommodation, furniture, equipment, syllabi and reference books under these rules;
- (c) Make admissions in accordance with these rules;
- (d) Charge only such rate of fees as prescribed by the Department from time to time.
- (e) Does not undertake or allow job-typing within the premises of the Institute;
- (f) Maintain all records and registers specified under the Act and the rules;
- (g) provide reading and reference facilities;
- (h) ensure that the principal and staff possess the qualifications prescribed for appointment;
- (i) ensure that in the case of an institute in a town having a population of twenty-five thousand and above at least six type writers and in the case of an institute situated in places where population is less than twenty- five thousand, at least four typewriters are kept in good working condition at all times;
- (j) provide furniture of the following minimum dimensions:
Tables 27 "wide x 30" height x 18" breadth/length

Stools 12 "wide x 21" height x 12" breadth/length;

- (k) provide all the reference/text books, teaching aids, equipment like black board, wall clocks, stopwatch, storage cabinet and a set of essential typewriter tools;
- (l) provide in respect of Shorthand classes, either desks, or tables and stools or chairs, if tables are provided, each student should have an independent table with a stool or chair. The institute should have Shorthand Dictionary, General Dictionary, Shorthand Charts and approved books;
- (m) provide in respect of theory subjects, desks, or tables and stools or chairs;
- (n) submit periodical statistical returns as on 31st December every year, in form-9 to the Competent Authority.
- (o) undertake to abide by the orders and instructions issued by the Department from time to time;
- (p) keep open the institute for visits and inspections by the officers of the Department not below the rank of the Assistant Director of Public Instruction (Commerce Education), unless it is specifically notified as exempt;
- (q) not teach a subject or grade for which it is not recognised without the previous permission of the Department; and
- (r) present candidates only for commerce Examination conducted by the Karnataka Secondary Education Examination Board.

(2) The institute which does not fulfil the conditions specified in sub-rule (1) may be approved provisionally for a period of three months in accordance with clause (b) of sub-section (6) of section 36. Such institute shall not admit fresh batch of students during the period of such provisional approval.

(3) The Institute granted provisional approval shall be given an opportunity to rectify the defects as pointed out in the Inspection Report, and fulfil all the conditions of Recognition and submit a compliance report within a period of one month from the date of granting provisional approval. If the action taken by the Management of the Institution is satisfactory and fulfils all the conditions of Recognition, issue a certificate of Registration in Form 8. If the competent authority is not for satisfied with the report, he may refuse to grant such certification.

(4) Every order of grant or refusal of recognition passed under section 36 shall be communicated to the Registering Authority and to the applicant.

9. Recognition of Existing Institutes.- (1) An Institute referred to in clause (a) of sub-section (1) of section 38 shall fulfil all the conditions of recognition, except that,-

- (i) no such institute shall be required to pay the security deposit;
- (ii) no fee shall be collected if it is a Government institute provided it complies with the provisions of the Act and the rules within a period of six month, and makes an application to the Competent Authority in Form-7.

(2) All the Institutes which are established and recognised in accordance with rules in force immediately before the commencement of this Act and in existence at such commencement shall be deemed to be Educational Institutions established and recognised under this Act and the rules made thereunder.

(3) The Institute imparting Commerce Education, which is in existence at the commencement of this Act, but which has not been recognised in accordance with the rules in force immediately before such commencement shall discontinue to impart Commerce Education from such commencement unless within sixty days of such commencement, an application for recognition is made as per form-8 in accordance with the provisions of the Act and the rules made thereunder, and every such application shall be disposed of within sixty days of its receipt by the competent authority. No such Institute shall run after the application for its recognition is rejected.

10. Up-gradation of Institute.- For the purpose of section 32, an Institute may make an application to the Registering Authority in Form-7 for grant of permission or up-gradation accompanied by a fee of fifty rupees only, and such application shall be made only in the month of October. The Certificate of Registration issued to such Institute shall be amended accordingly. The Institute shall apply for grant of recognition, in form-7 for the additional subject for which permission has been granted. The Department shall grant recognition for such additional subject only, if the Institute is already granted recognition for the other subjects.

11. Withdrawal of Recognition.- If an Institute which has been recognised or approved provisionally fails to fulfil one or more of the conditions of recognition and fails to comply with the orders of the Competent Authority, such non-compliance shall be recorded in writing and communicated to the Institute to remedy the defects and submit compliance report to the Competent Authority within one month from the date of receipt of such communication. If such Institute fails to submit compliance report within the specified period or if the action taken by the Institute in remedying the defects, in the opinion of the Competent Authority, is unsatisfactory, the Management shall be asked to show cause as to why recognition should not be withdrawn. If the explanation offered by the Institute is not acceptable, the Competent Authority may withdraw the recognition granted to the said Institute by an order, which shall be communicated to the Institute by Registered Post.

12. Appeal.- Any person may prefer an appeal under section 130 within a period of thirty days from the date of order made under these rules. For the purpose of this rule the Commissioner for Public Instruction shall be the appellate authority. The provisions of the Karnataka Educational Institutions (appeal, revisions and review) Rules 1998 shall apply *mutatis and mutandis*.

13. Admission.- (1) Application for admission to the Institute shall be made in Form-10. A single application be issued for all the subjects together, in case a student seeks admission for all subjects at a time. Only one admission fee and one reading room fee shall be collected from such students. If the student takes up an additional subject during the term only admission fee shall be collected for the additional subject but not the reading room fee. A student desirous of joining the higher grade after passing the lower grade shall seek fresh admission.

(2) No Institute shall admit a student who has studied in another recognised Institute without production of the Transfer Certificate

(3) No Institute shall be refused admission merely on the ground that he/she belongs to a particular community, religion, caste or creed.

14. Category of students.- Students of the Institute are categorised as follows:-

(a) School candidates.- School candidates shall fulfil the following conditions namely:-

- (i) Students who possess the minimum educational qualifications prescribed shall be admitted as school candidates. Only such students shall be eligible to take the examination conducted by the Karnataka Secondary Education Examination Board. Students who are on the rolls of the Institutes as on 15th February are eligible to take up examinations in the month of November of the same year and such of the students who are on the rolls as on 15th September are eligible to take up examinations in the month of May of the following year, provided their names appear in the list of school candidates submitted to the Karnataka Secondary Education Examination Board and also they have put in a minimum attendance of one hundred and eighty days from the date of admission up to the date of examination.
- (ii) The minimum qualification for admission to the Junior Grade in Typewriting, Shorthand and other theory subjects shall be a pass in S.S.L.C. or equivalent examination.

¹[Provided that a candidate who has failed (including an absentee) in SSLC examination may also be permitted to appear for Junior Grade Typewriting Examination (both Kannada and English) as a School candidate.]¹

1. Inserted by Notification No. ED 4 LCE 2002, dt. 28th January, 2003

- (iii) A student who has passed the Junior Grade Examination in English Shorthand or equivalent Examination and has put in an minimum of sixty working days of attendance from the date of admission up to the date of the examination, shall be eligible to appear for the intermediate Examination in English Shorthand at the immediate next examination.
- (iv) A student who has passed the Junior Grade Examination in English Typewriting or Kannada Typewriting or Kannada Shorthand shall be eligible to appear for the Senior Grade Examination in the respective subject and language provided ¹[he/she has passed the SSLC or equivalent examination and has put in a minimum attendance of one hundred eighty days from the date of admission upto the date of examination]¹.

1. Substituted by Notification No. ED 4 LCE 2002, dt. 28th January, 2003

- (v) A student who has passed the Intermediate Grade Examination in English Shorthand and has put in a minimum attendance of sixty working days up to the

date of the examination shall be eligible to appear for the Senior Grade Examination in English Shorthand, at the immediate next examination.

- (vi) A student who has passed the Senior Grade Examination in English Typewriting or Kannada Typewriting or English Shorthand or Kannada Shorthand or equivalent examination and has put in a minimum of one hundred and eighty working days of attendance up to date of the examination shall be eligible to appear for the Proficiency Grade Examination in the respective subject and language.
- (vii) A student who has passed the Junior Grade Examination in Theory Subjects, and has put in a minimum of one hundred and eighty working days of attendance up to the date of examination shall be eligible to appear for the Senior Grade Examination in the respective subjects.
- (viii) The Examination in English Typewriting, Kannada Typewriting , and Kannada Shorthand in Junior, Senior and proficiency Grades; in English Shorthand in Junior, Intermediate, Senior and Proficiency Grades, and in Theory Subjects in Junior and Senior Grade shall be held twice every year, i.e., in May/June and November/December.

(b) Practising Students.- A student who does not possess the minimum prescribed educational qualification may be admitted to the Institute as a Practising Student. He shall not be eligible to appear for the Commerce Examination until he is qualified in accordance with rules and has put in minimum term days after acquiring the minimum qualification.

(c) Repeaters.- A candidate who has once appeared for the Commerce Examination and failed at the examination shall be treated as Repeater for the respective subject and grade. A candidate who has completed term days and absent for the Examination may also be treated as a Repeater.

(d) Private Candidates.- The following classes of candidates shall be considered as Private Candidates. They need not put in the required term days for appearing for commerce examinations. Candidates mentioned under (i) and (ii) below shall apply and obtain permission of the Karnataka Secondary Education Examination Board before the end of December for the next May/June Examination, and before the end of July for the November/December Examination.

- (i) Candidates who have obtained prior permission of the Karnataka Secondary Education Examination Board to appear by private study, on the conditions laid down by the Karnataka Secondary Education Examination Board for time to time.
- (ii) Teachers of Commerce Institute shall be eligible to appear for the Commerce Examinations as private candidates.

(e) Candidates desiring Improvement in Results.- A candidates desirous of improving his/her result shall be eligible to appear for the Examination for the same subject and grade within two years from the date of announcement of result, after applying and obtaining necessary permission in writing from the Karnataka Secondary Education Examination Board.

(f) Candidates from other States.- In case of students from other States who wish to take up the Commerce Examination in this State at the higher grades, in the absence of any parity of standards with other States, such candidates in all only be eligible to be admitted as school candidates, for the subject at the lowest level, irrespective of the Certificate they may have obtained in their native State.

15. Parity of Standards.- (1) The Diploma-in-Craftsmanship in Stenography (English) awarded by the Directorate General of Employment, and Training Ministry of Labour and Employment Government of India is treated as equivalent to the Junior Shorthand and Junior Typewriting Examination in English.

(2) A pass in II Year Diploma Examination in Commercial Practice conducted by the Board of Technical Education of Karnataka is equivalent to a pass in Junior Grade Examination in Typewriting and Shorthand of the Karnataka Secondary Education Examination Board in the respective language.

(3) A pass in III Year Diploma Examination in Commercial Practice conducted by the Board of Technical education of Karnataka is equivalent to a pass in Senior Grade Examination in Typewriting and Shorthand of the Karnataka Secondary Education Examination Board in the respective language.

(4) A pass in the Basic Examination of Secretarial Practice (English) of the Directorate General of Employment and Training, Ministry of Labour and Employment, Government of India, is equivalent to a pass in the Junior Grade Examination in English Typewriting and English Shorthand of the Karnataka Secondary Education Examination Board.

(5) A pass in the Advanced Examination of Secretarial Practice (English) of the Directorate, General of Employment and Training, Ministry of Labour and Employment, Government of India, is equivalent to a pass in the Senior Grade Examination in English Typewriting and English Shorthand of the Karnataka Secondary Education Examination Board.

(6) A pass in the II Year B.A. (Secretarial Practice) Examination of the University of Mysore, is equivalent to a pass in Junior Grade Examination in English Typewriting and English Shorthand of the Karnataka Secondary Education Examination Board.

(7) A pass in the III Year B.A. (Secretarial Practice) Examination of the University of Mysore, is equivalent to a pass in Senior Grade Examination in English Typewriting and English Shorthand of the Karnataka Secondary Education Examination Board.

16. Rustication of Students.- (1) Students shall be rusticated for such period which shall not exceed one year by the Registering Authority in the following cases:

(a) Students who are found to have secured admission or attempted to secure admission by means of false or forged School Leaving Certificate or by false representation of any kind.

(b) Students who have been found guilty of misconduct.

(2) No students shall be rusticated without giving an opportunity of being heard.

17. Fees for Transfer Certificate.- No fees shall be charged for Transfer Certificate or Pass Certificate/Marks Card. A fee of Five Rupees may be charged for duplicate copy of the Transfer/Leaving Certificate.

18. Class Hours.- The duration of each class in Typewriting Shorthand and Theory Subjects shall be forty-five minutes. The Institutes shall work six days in a week. The Institute shall notify the working hours, for information of the public.

19. Holidays and Vacations.- The Institute shall observe all the General Holidays approved by the Department of Public Instruction. The Institute may observe, in addition, four days of holidays in a year, according to local needs, with due intimation to the Registering Authority. It shall also observe two vacations of one week duration each, one after the May/June examination and another after November/December examination each year.

20. Qualification of teaching staff.- (1) Following shall be the minimum qualifications for the teaching staff of the Institute.

- (a) The Principal employed in the Institute shall have Passed at least Pre-University Course or equivalent examination and in addition, shall have passed Senior Grade Examination in Typewriting or Shorthand or equivalent examination, as the case may be.
- (b) The Instructor employed in the Institute to teach Typewriting and Shorthand in Junior and Senior Grades shall have passed atleast Pre-University Course or equivalent examination and shall have passed Senior Grade Examination in Typewriting or Shorthand or equivalent examination in the respective language, as the case may be.
- (c) The Instructor employed in the Institute to teach proficiency Grade Typewriting or Shorthand shall be a Graduate of a recognised University and shall have passed Senior Grade Examination in the respective subjects or a pass in the Pre-University Course or equivalent examination, and in addition shall have passed the Proficiency Grade Examination in Typewriting or Shorthand in the respective language, conducted by the Karnataka Secondary Education Examination Board.
- (d) The Instructor for teaching Theory subjects shall have passed a Degree in Commerce of a recognised University, or any graduate with Diploma in Commerce awarded by the Karnataka Secondary Education Examination Board or Equivalent Examination.

(2) The Principal and the Instructor employed in the Institute must have attained the age of eighteen years and not attained the age of sixty years.

(3) The management shall report to the Registering Authority all the appointments made within three months from the date of such appointments and the Registering Authority shall grant approval for such appointments, in accordance with the rules, within three months from the date of receipt of the application.

21. Instructor/Student Ratio.- The Instructor/Student Ratio in respect of typewriting and shorthand classes shall be 25:1, and in respect of theory subjects 40:1.

22. Change in Management.- (1) If the Management of a duly recognised Institute is inherited by a legal successor, it shall be deemed as no change in the Management. The Legal Successor shall duly intimate the change in the Management in Form-12 to the Registering Authority, with necessary documents, and shall obtain approval within three months from the date of change in the Management.

(2) If the Management of a recognised Institute is changed due to sale, and the Institute continues to be in the same building, it shall be deemed as change in the Management. The buyer shall intimate the change in the Form-12, with necessary documents, to the Registering Authority within three months from the date of purchase of the Institute and obtain approval of the same. The buyer shall also give a declaration in writing to run the Institute in accordance with the rules, and instructions of the Department, issued from time to time.

(3) In case of change in the Management under sub-rule (1) and (2) the Institute is shifted to a different place, it shall be treated as a new institute. The Management of such institute shall seek fresh Registration and Recognition as per rules, within three months from the date of such change, and obtain approval from the Registering Authority.

23. Shifting of Institute.- (1) A Recognised Institute should not be shifted from the permitted place to any place without obtaining prior permission by the Registering Authority. The Registering Authority after necessary verification of the new premises, with respect to its suitability to run the Institute, and if there is no violation of the conditions of the Registration and Recognition, approve such shifting.

(2) No Registered and Recognised Institute shall be permitted to shift from one town to another town, or one city to another city.

(3) The application for shifting the Institute shall be submitted in Form-12 to the Registering Authority.

24. Maintenance of Records.- (1) Every Recognised Institute shall maintain the following Registers and Records, namely :-

- (a) **Admission Form File.-** The Application Form for Admission to the Institution shall be serially numbered and properly filled for each financial year separately, from 1st April to the 31st March of the next year. The files are to be preserved for at least Five years.
- (b) **Admission Registers.-** Fresh Admission Numbers shall be assigned from 1st April every year. All the columns in the Admission Registers shall be properly filled and attested by the Head of the Institute every month. This shall be a permanent record.
- (c) **Fee receipt.-** Printed Fee Receipt Books should be maintained in Form 14. It shall be serially numbered and shall have full details of the different kinds of fees collected. The carbon copy of the Fee Receipt should be preserved for atleast Five years.

- (d) **Fee Collection Register.-** All kinds of fees collected shall be entered in the Fee Collection Register. Monthly abstract of the fees collected shall be properly drawn. The Fee Collection Register shall be in Form - 15 and shall be retained for atleast Five years.
- (e) **Cash Book.-** Daily receipts and payments shall be recorded in the Cash Book as per in Form - 16 and balanced every month. Cash Book shall be preserved for atleast Five years.
- (f) **Library and Reading Room Account.-** Library and Reading Room Fee collected shall be maintained separately and expenditure shall be accounted for. This shall be retained for atleast Five years.
- (g) **Staff Attendance Register.-** Attendance Register of the staff shall be maintained, irrespective of the number of staff. This shall be a permanent record.
- (h) **Students Attendance Register.-** The names of the students, in each subject and grade, shall be entered in the Attendance Register under separate serial numbers. Attendance shall be marked daily and initialed by the Instructor. The Students Attendance Register shall be retained for Five years.
- (i) **Voucher File.-** Vouchers shall be obtained in respect of every payment made. They shall be kept from 1st April to 31st March every year, and shall be serially numbered and filed. Cross reference to voucher numbers shall be indicated in voucher column of the Cash Book. The Voucher's File shall be retained for atleast Five years.
- (j) **Acquittance Roll.-** Payment of honorarium shall be recorded in the Acquittance Roll, the signature of the receiver obtained and the disbursement certified. This shall be a permanent record.
- (k) **Stock Registers.-** The stock of the assets of the Institute shall be classified and recorded in the Stock Register with details of the items, date of purchase, invoice value, etc., as in Form-17. This shall be a permanent record.
- (l) **Transfer Certificate Book.-** The Transfer Certificate Book shall be maintained in Form-11. This shall be a permanent record.
- (m) **Records of Periodical Tests.-** Records of conduct of periodical tests and mechanism classes shall be maintained. This shall be retained for atleast Five years.
- (n) **Admission Ticket, Marks Card and Certificate Issue Register.-** Admission Ticket, Marks Card and Certificates issue Register shall be maintained. This shall be a permanent record.
- (o) **Follow-up Register.-** Observations made and instructions issued by the Departmental Officers at the time of visits or inspections shall be recorded and action taken shall be noted and intimated to the Registering Authority.
- (p) **Examination Fees Collection Receipt.-** The Receipt of Collection Examination Fees shall be in Form 18.

(2) The Head of the Institute/principal shall be responsible for maintenance of accounts, records and registers.

25. Correspondence.- The Institute filling applications, letters, appeals, etc., shall address to the concerned authorities, duly indicating the Registration number and date, if any, and applications, letters, appeals, etc., shall be personally delivered in the concerned office and due acknowledgment obtained, or shall be sent by registered post acknowledgment due.

26. The functions and the powers of the Board.- (1) The Board established for the Commerce Education under sub-section (4) of Section 10, shall have the following powers and functions namely:-

- (a) To advise the State Government on the Co-ordinated development of Commerce Education in the State, and
- (b) To advise on such other matters as may be entrusted by the State Government from time to time.

(2) The terms of appointment, terms of reference and other terms and conditions shall be specified in the Notification.

(3) The recommendations of the Board shall be made by a simple majority of the members present and voting. In case of equal division of votes, the Chairman of the Board shall have the right to exercise the casting vote.

(4) The Board will meet at least once in six months and will examine the need for affecting from time to time, modifications or changes in the conditions of Registration, recognition, etc., if necessary. The Board will examine the development of commerce Education and examination, its fee structure, demands of the Commerce Educational Institutes Association of Karnataka, and such other matters as may be referred to it by the State Government.

By Order and in the name of
Governor of Karnataka

H.S. Venkatesaiah
Under Secretary to Government
Education Department (General)

FORM 1

(See Rule 3)

Government of Karnataka

(Department of Public Instruction)

(Commerce Education)

Form of Application for Registering of New Commerce Institute

To

Specify here the Registering Authority

Sir,

Court fee Stamp of Rs 10.00 should be affixed here

- 1 Name of the Applicant (in Block letter) Sri / Smt./ Kum.
Name of the father (in Block letters)
And Full Address Door No.
Cross / Main / Street/Locality / Block / Stage /
Phase with PIN code Taluk
District
- 2 Name of the proposed Institute
- 3 Whether he/she is a Government /
Quasi / Government Servant ?
If yes, permission letter obtained from
his / her Employer to run the Institute
should be enclosed.
- 4 His / Her Qualifications
General
Technical / Commercial
- 5 Management and its constitution
(individual proprietorship / Registered
Society / Partnership)
SC / ST / Minorities / Others
- 6 Exact location of the proposed
commerce institute Door No.
Cross, Main, Street
Locality / Block
Stage / Phase
Place with PIN code
Taluk
District

- 7 Whether proposed building is own or rented ?
If it is own building, attested copy of Khata certificate enclosed.
If it is rented building, consent letter from the landlord to spare the building to run the commerce institute enclosed.
- 8 Staff proposed to be appointed (Whether full-time or part-time) shall be indicated.
- 9 His / Her financial capacity to start the Institute
- 10 Proposed subjects and grades
- 11 Whether he/she is able to provide all equipment as per Rules ?
- 12 Number of existing Commerce Institutes in the locality (Distance from the proposed institute to the existing institute documentary proof to be enclosed)

13. Whether he/she has enclosed the demand draft being the Registration Fee ?

Demand Draft
Name of the Bank Issuing
Office No.

Amount Date

I, Sri /Smt. / Kum. hereby declare that the information furnished above are true to the best of my knowledge, and I agree to follow the rules and of the Department, if Registration is granted to run the Institute.

Place :

Date :

- Enclosures :
1. Permission letter Employer
 2. Attested copy of Khata Certificate
 3. Consent letter from landlord
 4. Distance Certificate
 5. Demand Draft / Banks's Cheque

FORM 2
(See Rule 4 (2))

GOVERNMENT OF KARNATAKA
(Department of Public Instruction)
(Commerce Education)

Office of the

Certificate No.

Date

Certificate of Registration (Commerce Education)

Certified that

..... (Full address of the person/ Management) has
been registered under section 31 of the Karnataka Education Act, 1983 (Karnataka Act No. 1 of
1995) this day the
(month and year) for the purpose of running a commerce institute at

(detailed address of the institute with PIN code)

1. Serial No
2. Registration fees paid Rs
3. Type of Institution : SC/ ST or Minority / Others
4. Subjects and grades for which permission is accorded;

The commerce Institute is registered at Sl. No..... AT page No of
Volume No of the Register of Registered Commerce Institutions Maintained
in this office. The Certificate of Registration issued herein is subject to conditions stipulated
under rule 4(1) or under any provision of the Commerce Education Rules, 1998 as amended
from time to time.

The registration granted is subject to withdrawal at any time in case any of the conditions
of registration are violated.

Signature Name and description and Office
Seal of the Registering Authority.

Place
Date

FORM 3

See Rule 4 (4)

Name and Address of the Institute

Office of the Joint Director of Public Instruction Division

REGISTER OF REGISTRATION FEE, SECURITY FEE AND RECOGNITION FEE

Sl. No.	Date	Name of Applicant (Person or management shall be specified person, father's name shall be specified) with full postal address	Nature of management Individual/ Partnership/ Society / Trust	nature payment regn. Fee Security Fee Recognition Fee	Amount	Bank Name and Addr.	DD No. and Date	Remarks	Signature of the Registering Authority

(One Sheet for each Institute)

FORM 4

(See Rule 5)

(Information against all columns to be furnished in full failing which the application is able to be rejected)

To

(Specify here the designation and address of the Registering Authority)

Sir,

For and behalf of the Mangement of / For and on behalf of partners / on my own behalf

.....

.....

.....this application is being submitted for registration of the said Institution under Section 33 of the Karnataka Education Act, 1983 (Karnataka Act No. 1 of 1995) for registration of an existing recognised commerce Institution, namely.....

.....

Particulars are as follows :

- 1) Name and address of the existing recognised Commerce Institution
- 2) Nature of the Management :
 - a) Individual propriorship
 - b) Partnership
 - c) Society / Trust
 (Attested copy of permission letter / Partnership Deed / Memorandum of Association / Trust Deed enclosed)
- 3) Details of Subjects and grades for which recognition has been granted
- 4) No. and date of the order giving recognition and the authority (Attested copy enclosed)
- 5) Nature of recognition temporary / Permanent
- 6) KSEEB Institute Code Number
- 7) Number of teaching staff and non-teaching staff employed (details enclosed)
- 8) Any other Information the applicant wished to furnish

I request that a Registration Certificate may please be issued. certified that the Information furnished above is true and correct to the best of my knowledge and belief.

Yours faithfully,

Place :

Date :

Signature, Name and Designation of the applicant seal of the Institute

Enclosures :

1. Attested copy of certificate of Registration of Trust / Management
2. Attested copy of Memorandum of Association of Trust / Management
3. Attested copy of Certificate of Recognition
4. Details of teaching and non-teaching staff

FORM 5

(See Rule 5 (3))

**CERTIFICATE OF REGISTRATION FOR RECOGNISED COMMERCE INSTITUTION
EXISTING AT THE COMMENCEMENT OF THE ACT**

SL. No.

Certified that.....

.....
.....
has been running the following courses at the commencement of the Karnataka Education Act, 1983 (Karnataka Act No. 1 of 1995)

1. KSEEB Institute Code
2. Subjects, Grades and intake
3. Name and Address of the Registering Authority
4. Recognition Order Number and Date
5. Nature of recognition. Temporary / permanent
6. Security amount paid Rs.

(DD / Banker's Cheque No Dated.....)

This Certificate is issued this day of..... of one thousand nine hundred

.....
This Commerce Institution is registered at Sl. No. of page No of Volume No of Register of Recognised Commerce Institutions maintained in this office.

The Certificate of Registration is issued in accordance with section 33 of the Karnataka Education Act 1983 (Karnataka Act No. 1 of 1995) and rule 5 of the Karnataka Educational

Institutions (Registration and Recognition of Commerce Institutes) Rules, 1998, and is subject to withdrawal for violation of any of the conditions.

Place :

Signature, Name and Designation

Date :

of the Registering Authority Official Seal

Enclosures :

1. Attested copy of certificate of Registration of Trust / Management
2. Attested copy of Memorandum of Association of Trust / Management
3. Attested copy of Certificate of Recognition
4. Details of teaching and non-teaching staff

FORM 6
(See Rule 6)

Office of the Joint Director of public Instruction..... Division

REGISTER OF REGISTERED COMMERCE INSTITUTES

Sl. No.	Name of Application with full postal address	Name and address of the Institute (full postal address)	Whether Institute belongs to SC/ ST or Minority or Others	Registration No. and Date	Recognition No and Date	Subject/ grade for which recognition is granted	Nature of recognition temporary/ permanent	Re- marks	Signature of the Registering Authority
1	2	3	4	5	6	7	8	9	10

(One Sheet for each Institute)

FORM 7

See Rule (7,8,9,10,11)

FORM OF APPLICATION FOR RECOGNITION OF COMMERCE INSTITUTES

(Note : Information against all columns to be furnished in full
Failing which the application is liable to be rejected.)

Fresh Recognition for the year	Registration number
Provisional approval of existing	
recognition Permanent Recognition	KSEEB Institute Code
UPGRADATION	
1 Name of Institute(in Block Letter)	
2 Location Door No. Cross / Main / Street Locality / Block / Stage / Phase Place, pin Code, Taluk District	
3 Registration Number and Date and the Registering Authority (Copy of the Certificate of Registration enclosed)	
4 Date of Establishment	
5 Date of Fresh Recognition Date of renewal of Recognition (Copy of Certificate of Recognition enclosed)	
6 KSEEB Institute code	
7 Society, Association or person owning the institute attested copy of the Bye- laws or Trust Deed or partnership Deed enclosed	
8 Person authorised to correspond with the Department (consent or Authority letter by the owner of the Institute enclosed)	
9 Financial position of the Institute (Permanent Fund and other sources of income approximate annual income and expenditure)	
10 Subjects and grades for which recognition is sought	
11 Number of candidates on the roll as on	Subject Grade Number
13 Accommodation available (Number of rooms to be specified)	

14	Details to Typewritersfurniture and other equipment	
15	Working Hours of the Institute	
16	If Library is provided the number of books in the Library	General Professional
17	Rates of Fees levied	
18	Details of the Records and Registers maintained	
19	Whether the Demand Draft in respect of Security deposit and Recognition Fee is enclosed	Name of Bank Place of Issue No Date Amount
20	Remarks	

DECLARATION

Sri / Smt. / Kum. on behalf of the Management of the Institution, hereby declare that the information furnished above are true and correct to the best of my knowledge and belief and I agree to abide by all the rules laid down in the conditions of Recognition of Commerce Institutes.

The Management also agrees to the condition that the Institution once recognised temporarily or permanently shall not be closed down abruptly at any time. In case of closure of the institute, the institute shall obtain

the permission of the Department. In case the Institute is closed without obtaining previous permission for closure from the Registering Authority, the security deposit may be forfeited.

Place :

Date :

Signature of

the Head of the

Institute / Management

- Enclosures :
1. Copy of Certificate of Registration
 2. Copy of certificate of Recognition
 3. Attested copy of the Bye laws of Trust Deed of Partnership Deed
 4. Consent letter by the owner of the Institute
 5. DD / Banker's Cheque

FORM 8

[See Rule 8(3)]

Office of the

Date

No

CERTIFICATE OF RECOGNITION

Certified that.....
 (Full Address of the person / Management) has been
 registered under section 36 of the Karnataka Education Act 1983 (Karnataka Act No. 1 of
 1995) this day the (Month and year)
 for the purpose of running a Commerce Institute name
at
 (detailed address of the Institute with PIN code)

1. Serial No.
2. Registration No Dated
3. Recognition fees paid :
 Rs
4. Nature of Recognition : Temporary / permanent
5. Type of Institution : SC /ST / Minority / Others
6. Security Deposit paid : Rs
7. Subjects and Grades for which recognition is granted

The Commerce Institute is registered at Sl. No. at page No
 of Volume No of the Register of
 Recognised Commerce Institutes maintained in this office. The Certificate of Recognition
 issued herein is subject to conditions stipulated under rule 9 of the Commerce Registration and
 recognition of Rules 1998, as amended from time to time.

The recognition granted is subject to withdrawal at any time in case any of the conditions
 of recognitions are violated.

Signature with name and Designation of the Registering Authority with Office Seal

**STATISTICAL RETURN FOR THE YEAR ENDING
FROM 1ST JANUARY TO 31ST DECEMBER**

FORM 9

[See Rule 8 (2)]

STATISTICAL RETURNS

Name and Address
of the Commerce Institute

To :

**STATISTICAL RETURN FOR THE YEAR ENDING
FROM 1ST JANUARY TO 31ST DECEMBER**

1	Name of the Institution	
2	Address of the Door No. Institution Cross / Main / Street Locality / Block / Stage / Phase Place with PIN Taluk District	
3	KSEEB Institution Code	
4	Date of Establishment	
5	Registration Number and Date (Copy of Order enclosed)	
6	Recognition number and Date (copy of order enclosed)	
7	Name of the owner / Management (if run by Management, bye-law copy enclosed)	
8	Subjects taught 1. 2. 3. 4. 5. 6. 7. 8.	Grade No of students on roll
9	Details of students	

10	Principal / Instruction / staff 1. 2. 3. 4. 5.	
11	Typewriters	
12	Own Building or Rented building Furniture and other equipment	Kannada English Total
13	(Details to be furnished)	1. Tables 2. Chairs 3. Stools 4. Desks 5. Benches 6. 7. 8. 9.
14	Financial Position of the Institution	1. Total Receipts 2. Total Payment
15	Whether the Institute is getting any financial aid from the State Government / Central Government or from any other sources, If yes give full details and enclose order copy	Balance
16	Remarks	

The information furnished above are true and correct to the best of my knowledge.

Place :

Date :

Signature of the Principal / Owner
Seal of the Institute

ENCLOSURES :

1. Copy of Certificate of Registration
2. Copy of Certificate of Recognition
3. Copy of Bye-Law of Trust / management
4. Copy of order of financial aid

Financial Position of the Institution

FORM 10
(See Rule 11)

**APPLICATION FOR ADMISSION
TO THE COMMERCE EDUCATIONAL INSTITUTION**

Name of the Institute and Address :

1	Name of the applicant (in Block letter)	
2	Father's Name	
3	Residential Address	
4	Sex	
5	Date of Birth (in figures and in words)	
6	Occupation and income of (a) Father (b) Guardian (c) Applicant	
7	(a) Nationality and Religion (b) Whether He / She belongs to SC /ST	Reg. No Year of passing
8	Educational Qualifications (a) General (b) Commercial	
9	Last Commerce Institute attended	
10	Whether leaving certificate attached	
11	Subjects / Grades for which admission is sought	

I hereby declare that the information furnished above are true and correct. I shall abide by the rules, regulations and instructions of the Department issued from time to time

Place :

Date :

Signature of applicant

Admission No.

Date

Signature of Principal
Seal of the Institute

FORM 11

[See Rule 13 (2) and 23 (1)]

TRANSFER CERTIFICATE

Name and Address of the Commerce Institute

Institute Code :

Registration No:

T. C. No.

Date :

1	(a) Name of the Candidate (in Block Letter) (b) Sex	
2	Father's Name	
3	Date of Birth (in words and figures)	
4	Admission No. and Date	
5	(a) Whether he/she paid the fees up to date (b) Whether he/she has returned library books	
6	Subject and grade in which the candidate was studying at the time of leaving	
7	No. of working days and number of days actually attended by the student on the date of leaving	
8	Last date attended the class	
9	Sl. No. in the list of students sent to the Department as on 15 th February/15 th September	Sl. No. List as on 15 th February/ 15 th September
10	Date of application for Transfer Certificate	
11	Date of Issue of Transfer Certificate	
12	Character and Conduct	
13	Remarks	

Place :

Date :

SIGNATURE OF THE PRINCIPAL
SEAL OF THE INSTITUTE

FORM 12
(See Rule 21)

**APPLICATION FOR CHANGE OF MANAGEMENT OF REGISTERED/RECOGNISED
COMMERCE EDUCATIONAL INSTITUTION**

From

To

The Joint Director of Public Instruction
..... Division ,
.....

Sir,

I hereby furnish the details regarding change of management of the Institute. I request you to kindly consider and approve and communicate the same at an early date.

1	Name and address of the Registered Commerce Institution	
2	KSEEB Institute Code	
3	Registration Number and Date (Copy enclosed)	
4	Particulars of Management as registered (Attested copy enclosed)	
5	Particulars of Management as modified (Attested copy enclosed)	
6	Reasons for change of management (Certified copies of necessary documents such as will, death certificate, sale deed, etc., enclosed)	
7	Date of Change	
8	Person authorised to correspond with the Department (Consent of Authority Letter by the owner of the Institute enclosed)	
9	Consent letter from the landlord to rent out the building to the new owner enclosed	
10	Any other Particulars	

DECLARATION

I Sri/Smt./Kum. on behalf of the Management of the Institution, hereby declare that the information furnished above are true and correct to the best of my knowledge and belief, and I agree to abide by the rules and regulations laid down in the Conditions of Recognition of Commerce Institutions.

Yours faithfully,

Place :

Date :

Signature of the Owner/Management

Seal of the Institute

Enclosures :

1. Copy of Certificate of Registration
2. Copy of Particulars of Management as registered
3. Copy of Particulars of Management as modified
4. Certified copy of Will/Death Certificate/Sale Deed
5. Consent letter from the Management
6. Consent letter from the landlord

(NOTE: The institution should submit application to the concerned authority within three months from the date of change of management. Failure to do so will attract action as per rule 412.)

FORM 13
(See Rule 22)

**APPLICATION FOR SHIFTING OF MANAGEMENT OF REGISTERED COMMERCE
EDUCATIONAL INSTITUTION**

Note: Information against all columns to be furnished in full failing which the application is liable to be rejected)

From

To

The Joint Director of Public Instruction,
..... Division,
.....

Sir,

I hereby furnish the details regarding shifting of management of the Institute. I request you to kindly consider and approve and communicate the same at an early date.

1	Name and institution	
2	Permitted Location (Copy enclosed)	
3	KSEEB Institution code	
4	Registration Number and date (Copy enclosed)	
5	Date of Establishment	
6	Recognition Order number and date (Copy enclosed)	
7	Nature of recognition	
8	Details of proposed location (full address shall be given)	
9	Whether the proposed building own or rented. If it is own building certified copy of khata certificate enclosed. If rented building, consent letter from the landlord agreeing to rent out the building to run the institute enclosed	
10	Reasons for the proposed shifting	
11	Whether it is shifting first time or shifted early. If shifted previously, copy of order obtained from the Department approving the shifting enclosed	
12	Distance by shortest public road to the nearest existing recognised Commerce Institutions (Distance Certificate enclosed)	
13	Any objections from nearby recognised Commerce Institutions	
14	Remarks	

Yours faithfully,

Place :

Date :

Signature of the Applicant

Seal of the Institute.

ENCLOSURES : 1. Copy of Certificate of Registration
2. Copy of Certificate of Recognition
3. Certified Copy of Khata Certificate
4. Consent letter from landlord
5. Distance Certificate.

FORM 14
[See Rule 23 (c)]

Name of Institution
with Address

KSEEB Institute Code

Fee Collection Receipt
No.

Date

Name of the Student

Subject

Grade

Month

1	Application Fees	
2	Admission Fees	
3	Reading Room Fees	
4	Monthly Fees	
5	Fine	
6	Re-admission Fees	
7		
8		
	Total:	

Place :

Signature of Principal/Instructor

FORM 15
(See Rule 23 (d))

NAME AND ADDRESS OF THE INSTITUTE :
FEE COLLECTION REGISTER FOR THE MONTH OF

Sl. No.	Name of the Candidate	Subject	Grade	Appmn Fees	Admn Fees	R.R Fees	Monthly Fees	Read mission	Fine	Arr-ears	Total	Rt No.	Date	Re-marks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

ABSTRACT OF FEE COLELCTION DURING THE MONTH OF

Application Fees
Admission Fes
Reading Room fees
Monthly Fees
Fine
Re-admission Fees
Arrears
Total

Signature of the Principal

FORM 16
(See Rule 23 (e))

Name of the Institution and Address

C A S H B O O K

Dr.				Cr.		
To	Receipt	Rs.	Rs. By	Payment	Rs.	Rs.
	Balance B/f					
	Excess of Expenditure over income contributed by the Management			Excess of Income over expenditure Transferred to Management A/c		
Total				Total		

Signature of the Principal

FORM 18
(See Rule 23(P))

Name of the Institution with Address

KSEEB Institution Code :

EXAMINATION FEE COLLECTION RECEIPT

No.

Date

Name of the Student

Subject	Grade	Month
1	Application Fees	
2	Marks Card Fees	
3	Examination Fees Subject	Grade
4	Fine	
5	Mechanism Fees	
6	Machine Hire	
7	Furniture Hire	
8	Transportation Charges	
	Total :	

Place :

Signature of Principal / Instructor

DIPLOMA IN COMMERCE AND DIPLOMA IN STENOGRAPHY :

Candidates who pass in the Senior Grade Examination in the following subject will be eligible for award of Diploma in Commerce :

Compulsory Subjects :

1. Book-Keeping and Accountancy
2. Elements of Commerce
3. Office Practice and Procedure

Any one of the Elective Subjects :

- (a) Salesmanship and Marketing; or
- (b) Banking Practice; or
- (c) Insurance Practice

Candidates who pass in the Senior Grade Examination in the following subjects will be eligible for award of Diploma in Stenography (English).

English Typewriting
English Shorthand
Office Practice and Procedure

Candidates who pass in the Senior Grade Examination in the following subjects will be eligible for award of Diploma in Stenography (Kannada)

Kannada Typewriting
Kannada Shorthand
Kacheri Adalitha.

SCHEDULE OF CLASS FEES :

Grade	Application Fees (Per Student)	Admission aFees (Per Student)	Reading Room Fee (Per Student)	Re-admission Fee (Per Student)	Monthly Fee (Per Student)	Fine (Per Subject)
	Rs. 5.00	Rs. 10.00	Rs. 10.00	Rs. 1.00		No fine up to 10 th of the month
Junior					Rs. 35.00	If Fees paid from 11 th to 15 th Rs.2.00
Intermediate					Rs. 40.00	From 16 th to the end of the month Rs. 5.00
Senior					Rs. 40.00	(If 10 th or 15 th holidays. the next working day to be considered)
Proficiency					Rs. 55.00	

(Note: Monthly fees shall have to be paid on or before the 10th of every month).

SCHEDULE OF EXAMINATION FEES:

All Subjects	Application fees per Subject/ Grade	Marks Card Fees per Subject/ Grade	Examination Fees per Subjects @	Mechanism Fees (for Eng/Kan Typewriting)	Typewriter Hire (for Eng/Kan Typewriting)	Furniture Hire (for Eng/Kan typewriting)	Transportation on charges (for Eng/Kan Typewriting)
	Rs. 5.00	Rs. 5.00					
Junior Grade			Rs. 30.00	Rs. 40.00	Rs. 40.00	Rs. 15.00	Rs. 10.00
Intermediate Grade			Rs. 35.00				
Senior Grade			Rs. 35.00	Rs. 50.00	Rs.40.00	Rs. 15.00	Rs. 10.00
Proficiency Grade			Rs.50.00	Rs. 60.00	Rs.40.00	Rs. 15.00	Rs.10.00

@ SC/ST Candidates are exempted from payment of Examination Fees.

. Repeaters are exempted from payment of Mechanism Fees. + Only for English Shorthand.

DURATION OF CLASSES : 45 Minutes a Day, Six Days a Week.

FREESHIP: The Management of the Institute may grant freeships and half-freeships up to 10% of the total strength of Institute after due intimation to and approval of the Registering Authority.

SCHEME OF EXAMINATIONS :

Sl. No.	Name of the Subject	Grade	I Paper	II Paper	III Paper
1	Typewriting English/Kannada	Junior Senior Profeiciency	15 min. 15 min. 15 min.	90 min 90 min 90 min	- - 30 min (for both examiners)
2	Shorthand English	Junior Intermediate Senior Proficiency	Dictation : 10 min Transcription: 90 min Dictation : 10 min Transcription: 105 min Dictation: 10 min Transcription: 120 min Dictation: 7 min Transcription: 105 min	120 min 120 min Dictation: 5 min Elaboration 120 min Dictation: 5 min Elaboration: 180 min	- - 120 min Dictation: 10 min Condensation: min
3	Shorthand Kannada	Junior Senior Profeciciency	Dictiation: 10 min Transcription: 90 min Dictaion: 10 min Transcription: 120 min Dictation: 7 min Transcription: 105 min	90 min Dictation: 5 min Elabration: 120 min Dictation: 5 min Elabration: 180 min	- 150 min Dictation: 10 min Condensation: 90 min
4	Kacheri Adalitha (Kannada)	Junior Senior	150 min 150 min	- -	- -
5	Office Practice & Procedure	Junior Senior	150 min 150 min	- -	- -
6	Book-keeping & Accountancy	Junior Senior	150 min 150 min	150 min 150 min	- -
7	Elements of Commerce	Junior Senior	150 min 150 min	150 min 150 min	- -
8	Electives : Salesmanship and Marketing, or, Banking Practice Insurance Practice	Junior Senior	150 min 150 min	- -	- -

MAXIMUM MARKS : Maximum Marks for each paper shall be 100, 75 % and above First Class, 60% and above up to 75% Second Class 45% and above up to 60% pass class minimum 35% and aggregate 45%.

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (REGISTRATION AND RECOGNITION
OF COMMERCE INSTITUTE) (AMENDMENT) RULES, 2003.**

CONTENTS

Rules:

1. Title and Commencement
2. Amendment of Rule 14

**THE KARNATAKA EDUCATIONAL INSTITUTIONS (REGISTRATION AND RECOGNITION
OF COMMERCE INSTITUTE) (AMENDMENT) RULES, 2003.**

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 4 LCE 2002, Bangalore, dated: 28th January, 2003

Whereas the draft of the following rules to amend the Karnataka Educational Institutions (Registration and Recognition of Commerce Institutes) Rules, 1999 was published in Notification No. ED 1 VIVIDA 2002, dated: 12.6.2002 in the Karnataka Gazette Part IV-A Extraordinary No.848 dated: 12th June 2002, inviting objections and suggestions from persons likely to be affected thereby:

And Whereas the said Gazette was made available for the Public on 12th June 2002.

And whereas the objections and Suggestions have been received in this regard by the State Government.

Now, therefore in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Educational Act 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Registration and Recognition of Commerce Institutes) (Amendment) Rules, 2003.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Amendment of rule 14.- In rule 14 of the Karnataka Educational Institutional Institutions (Registration and Recognition of Commerce Institutes) Rules, 1999 in clause (a),-

(a) in item (ii), the following proviso shall be inserted, namely:-

"Provided that a candidate who has failed (including an absentee) in SSLC examination may also be permitted to appear for Junior Grade Typewriting Examination (both Kannada and English) as a School candidate".

- (b) in clause (iv), for the words "**he/she has put in a minimum attendance of one hundred eighty days from the date of admission upto the date of examination**" the words "**he/she has passed the SSLC or equivalent examination and has put in a minimum attendance of one hundred eighty days from the date of admission upto the date of examination**" shall be substituted.

By Order and in the name of the
Governor of Karnataka

M.N. SOMASHEKAR
Under Secretary to Government,
Education Department
(Library, Adult Education & Services-III).

THE KARNATAKA EDUCATIONAL INSTITUTIONS (RECRUITMENT AND TERMS AND CONDITIONS OF SERVICE OF EMPLOYEES IN PRIVATE AIDED PRIMARY AND SECONDARY EDUCATIONAL INSTITUTIONS) RULES, 1999.

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4. Age:-
5. Schedule of employment:
6. Constitution of Selection Committee

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10. Retrenchment of employees
11. Procedure to be followed by Competent Authority under section 98
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NOTIFICATION-I

NOTIFICATION-II

The Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999.

EDUCATION SECRETARIAT

¹[No.ED 52 ViViDa 99, Bangalore, dated: 10-12-1999]¹

(As amended by Notification No. ED 64 Vivida 2000 dated 31-1-2001, ED 65 VIVIDA 2000, dt. 3.2.2001, ED 95 VIVIDA 2000, dt. 5.7.2001, ED 48 VIVIDA 2002, dt. 4.9.2002, ED 32 VIVIDA 2003, dt. 26.5.2003, ED 80 VIVIDA 2003 dt. 20.6.2003, ED 1007 SEW 2001, dt. 24.4.2004, ED 1007 SEW 2001, dt. 22.10.2005, ED 79 SLB 2006, dt. 4.1.2007, ED 166 SLB 2006, dt.16.6.2007, ED 161 SEP 2006, dt. 25.10.2007, ED 146 SLB 2007 dt. 27.12.2007 and ED 262 SLB 2007 dt. 7.5.2008)

NOTIFICATION

Whereas the draft of the Karnataka Education Institutions (Terms and conditions of service of employees in Private Educational Institutions) Rules, 1999, was published as required by sub section (i) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No.ED 52 ViViDa 99, dated 10.12.99 in Part-IV-2 (c) (i) of the Karnataka Gazette Extraordinary dated 10.12.99, inviting objections and suggestions from the persons likely to be affected thereby.

Whereas the said gazette was made available to the public on 10.12.99.

And whereas the objections and suggestions received in this regard have been considered by the Government.

Now therefore, in exercise of the powers conferred by Section 87 to 101 read with section 145 of the Karnataka Education Act, 1983, (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely -

1. Published in the Karnataka Gazette Part IV - 2c(i) Extraordinary No. 224 dated 10.12.99

1. Title, Application and Commencement :- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999.

(2) These rules shall apply to the Primary and Secondary Educational Institutions receiving grant-in-aid.

(3) They shall come into force from the date of their publication in the official Gazette.

2. Definition: - (1) In these rules unless the context otherwise requires—

(a) 'Act' means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995)

(b) 'Annexure' means an annexure appended to these rules.

(c) 'Appointing Authority' means —

- (i) in respect of all the employees of the aided Primary and Secondary Educational Institution, other than the Head of the Institution, the Managing Committee of the Institution.
- (ii) in respect of the Head of the Institution, the Governing Council.
- (d) 'Disciplinary Authority' means the Managing Committee or as the case may be, the Governing Council.
- (e) 'Form' means a form appended to these rules.
- (f) 'Head of the Department' means –
 - (i) the Commissioner for Public Instruction.
 - (ii) the Director of Public Instruction (Secondary) in respect of Secondary Schools.
 - (iii) the Director of Public Instruction (Primary) in respect of Primary Schools.
- (g) 'Institution' means a Private Aided Primary or Secondary Educational Institution.
- (h) 'Local body' means a duly constituted Zilla Panchayat, Taluk Panchayat, Grama Panchayat or Municipal Corporation or Municipal Council or a Town Panchayat or any other body notified by the Government from time to time as a local body for purposes of grant-in-aid under these Rules.
- (i) 'Section' means a section of the Act.

(2) Words used but not defined in these rules shall have the meaning assigned to them in the Act or as the case may be in the Karnataka Civil Services Rules or the rules made or deemed to have been made under the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990).

3. Qualification and conditions of service of employees.- (1) Subject to the other provisions in these rules:

(a) The categories of posts, the staffing pattern and the qualifications for recruitment to posts in an Institution shall be as specified in Annexure III, IV and V. In respect of employees other than teachers, the prescribed qualifications for recruitment, etc. in Institutions shall be the same as those applicable for the corresponding category of employees in Government Educational Institutions. The procedure for selection of candidates to posts identified for recruitment shall be ¹[as specified in Annexure-I and the procedure for filling up of the post of Head Master and Head Mistress in High schools shall be specified in Annexure VI]¹.

1. Substituted by Notification No. ED 64 Vivida 2000 dated 31.1.2001 w.e.f. 1.2.2001.

(b) Subject to the financial capacity of the State Government the salary of employees in respect of posts admitted into aid in recognised private educational institutions receiving aid from the State Government shall generally be the same as those applicable for the corresponding category of employees in government educational institutions as per orders issued by the State Government in respect of this category of employees from time to time.

Provided that no employees of an aided Institution shall be entitled to the benefits enumerated in Annexure – II.

(c) Subject to the financial capacity of the State Government pensionary benefits is admissible to aided employees of aided institution as per the provisions of Triple Benefit Scheme Rules and gratuity is admissible as per the orders issued by the government from time to time.

Provided that in respect of employees appointed prior to 1.1.86, pension and gratuity is admissible if management contribution of 3% is paid upto the period of 4.9.86.

(2) The State Government may vary the qualification, method of recruitment and conditions of service from time to time.

¹[**3A. Salary in respect of appointments made in contravention of rules etc.,-** Where the management commits any wrongful act or makes any default in appointment of any person or appoints any person contrary to these rules, salary of such person shall be paid by the management from its own fund and not from the financial assistance from the State Government.]¹

1. Inserted by Notification No. ED 32 VIVIDA 2003, dt. 26.5.2003

4. Age:- No employee who is not within the age limit prescribed for recruitment to the corresponding posts in government educational institutions shall be eligible for appointment to any post in any Institution.

5. Schedule of employment: (a) Every private educational institution shall maintain a schedule of employment as per seniority indicating therein the name, qualification, scale of pay and other particulars in respect of each employee, in Form-1.

(b) In case the management is running more than one institution the schedule of employment shall be maintained management wise also as per seniority and roster.

6. Constitution of Selection Committee:- For the purpose of recruitment to teaching and non-teaching posts, other than the post of head of the institution, to an Institution, the Managing Committee shall constitute a “selection committee” consisting of:-

- (i) the president of the Head of the Managing Committee or his nominee;
- (ii) ¹[xxx]¹

1. Omitted by Notification No. ED 32 VIVIDA 2003, dt. 26.5.2003

- (iii) The Head of the Institution.
- (iv) An educationist or an expert in the subject to which recruitment is to be made, selected by the Governing Council.

CHAPTER – II**SERVICE CONDITIONS IN RESPECT OF EMPLOYEES OF AIDED INSTITUTIONS**

7. Period of probation:- A person appointed under these rules shall be on probation for a period of two years.

Provided that the appointing authority may for the reasons to be recorded in writing extend the period of probation by a further period of six months.

8. Seniority:- (a) The Managing Committee shall cause to be prepared and maintained every year a separate seniority list of employees for each category of posts in the institution.

(b) In case the managing committee is running more than one institution, the managing committee shall cause to prepare a common seniority list for all the institution under its control.

9. Resignation:- Any employee appointed under these rules may resign from service by giving one month's notice in writing in Form I to the Governing Council or surrendering one month's salary in lieu thereof. A copy of such notice shall be sent to the competent authority or a person, or an authority authorised by him for verifying the contents of the resignation notice and forward it to the Governing Council for acceptance, if the resignation is found to be voluntary. The Governing Council shall not accept the resignation until the notice is forwarded to it by the competent authority.

Provided that the employee who has submitted resignation may withdraw the same if he so desires within the intended period of resignation or before resignation is accepted whichever is earlier.

10. Retrenchment of employees:- (1) An employee in an Institution may be retrenched by the Governing Council on the following grounds:

- (a) Where the teacher pupil ratio falls below the Standard staffing pattern specified in Annexure IV and V as the case may be.
- (b) Due to changes relating to curriculum or student strength the work load of a teacher in a particular subject does not warrant his continuation in a particular institution.
- (c) Closure of school due to lack of infrastructural facilities, dispute within the management or between management and teachers or any other reasons which may be recorded in writing.
- (d) The employee does not possess the required educational qualification.
- (e) Where the competent authority or the Government deletes the post from salary grant for the reasons to be recorded in writing.
- (f) For any of the above or for any other reason as the Government may deem fit which may be recorded in writing.

(2) The procedure to be followed by the Governing Council for retrenchment of an employee of a Institution shall be as follows:

- (a) no employee of an Institution whose appointment has been approved with aid by the Department shall be retrenched by a Governing Council except for reasons specified in sub-rule (1) or section 98 of the Karnataka Education Act 1983.
- (b) Where retrenchment is due to the employees becoming surplus, the junior most employee in terms of seniority list maintained in accordance with the rule 8 in the particular cadre and subject, shall be retrenched.
- (c) A notice shall be issued to the employee proposed to be retrenched stating the reasons in writing for such retrenchment, giving the employee an opportunity to submit his written statement of objection if any within fifteen days from the receipt of such notice.
- (d) On receipt of the written objection received from the employee, he shall be afforded an opportunity to explain his stand in person if such request has been made by him/her in the written statement.
- (e) The Governing Council shall on the basis of grounds so established send proposals to the competent authority.
- (f) The Competent Authority shall on receipt of the proposal verify the same and after ascertaining the facts, that:-
 - (i) the reason stated in the proposal are in conformity with the reasons stated in sub-rule (1);
 - (ii) that the employee is junior most as per the seniority list maintained by the management in the particular subject and cadre;
 - (iii) accord approval to the Governing Council to retrench the employee so proposed by giving one month's notice or one month's salary in lieu of the same.
- (g) The Competent Authority shall thereafter withdraw salary grant in respect of such excess / retrenched staff.

(3) If the Governing Council does not send the proposal, in accordance with clause (e) of sub-rule (2)) the Competent Authority may give directions to the Governing Council to send proposals within a period of one month, failing which salary grants in respect of the entire institution shall be withdrawn forthwith.

11. Procedure to be followed by Competent Authority under section 98:- (1) The Competent Authority may either suomotu after personally ascertaining facts or on the report of one of the subordinate officers initiate action to retrench an employee by following as far as may be the procedure under rule 10 and pass an order giving necessary directions to the Governing Council after having fully satisfied that retrenchment is called for due to any one or more of the reasons specified in rule 10 or section 98.

(2) The Competent Authority shall cause a list of all eligible and qualified retrenched employees to be maintained at the State level. The list of teachers shall be prepared subject-wise and cadre-wise, the list shall be prepared on the basis of seniority, taking the date of approval of appointment with aid as the basis. The details of category of reservation and roster of such an employee shall also be recorded.

(3) The Competent Authority shall submit periodically and every time an employee is retrenched, the details of such retrenchment to the head of the department.

(4) The Competent Authority shall also submit the vacancy position in respect of each of the institution, district-wise, category-wise and in case of teachers subject-wise with details of roster to the head of the department.

(5) The Competent Authority shall publish periodically during every quarter the details of candidates enlisted as per sub-rule (1).

(6) On receipt of the vacancy position, the Government or Competent Authority shall without prejudice to initiating action under sub-rule (1) allot through computerized counselling, the retrenched employee on the basis of seniority and after taking into consideration the subject requirement and reservation and roster point, to any other institution where a regular sanctioned vacancy exists and direct the concerned management to issue appointment order to such candidates and direct such candidates to report for duty in the said institution.

Provided that in all cases where no person is available in the reservation category and roster as per the requirement of the institution, then the senior-most candidate irrespective of reservation and roster shall be allotted.

Provided further that no recruitment shall be made by any aided institution, until the list of retrenched teachers are exhausted.

Provided also that the retrenched employee so appointed in the new institution will get seniority in the new institution from the date of joining the institution. However, the services rendered in the earlier institution will count for pay, leave and pensionary benefits.

Provided also further that the retrenched employee who is allotted to a new institution shall not be entitled to any compensation provided under the Act.

¹[Provided also that no retrenched employee / staff shall be allotted to a Minority Institutions for being appointed against a vacancy:

Provided also that in so far as minority institutions are concerned, where the competent authority on his own verification or on the report of its subordinate officers finds that there is an excess strength of teachers / staff on account of reasons mentioned in the above rules, shall take action to retrench the excess teachers / staff following the same procedure as specified under these rules. The Competent Authority shall withdraw salary grants in respect of such excess / retrenched staff.]¹

1. Substituted by Notification No. ED 1007 SEW 2001, dt. 24.4.2004 w.e.f 30.4.2004

- (i) ¹[Provided also that the excess teachers so identified in minority Educational Institutions under these rules may be allotted to any other Educational Institutions under the same management or non-minority educational institutions in accordance with sub-rule (6).]¹

1. Substituted by Notification No. ED 1007 SEW 2001, dt. 22.10.2005

12. Transfer of employees from one aided institution to another aided institution:

(1) Transfer of an employee can be permitted by the competent authority subject to the following conditions:-

- (a) that there is need for the post so vacant in accordance with subject, strength and attendance.
- (b) that the vacancy so proposed for transfer is a clear vacancy and is in accordance with the staffing pattern.
- (c) the management has clearly mentioned the nature and cause of vacancy supported by facts.'
- (d) that an employee receiving salary grant from Government earlier is proposed for transfer in the place of another employee o post which is also included in salary grant and no employee occupying a post receiving salary grant is proposed for transfer to an unaided post.
- (e) that consent of both the management is there.

(2) The competent authority may grant permission to transfer in the following cases:

- (a) in the case of a request by the management or the employee for a transfer within the institutions of the same management;
- (b) in the case of a request by management or the employee for a transfer to an institution of different management, with the consent of both the management;

Provided that in case of request by the management or the employee for a transfer within the schools of the same management or request by an employee for a transfer to an institution belonging to a different management, ¹[the competent authority]¹ head of the department may accord permission for the same, subject to the condition that in respect transfer involving different management, the employee earns the seniority in the concerned institution from the date of reporting for duty in the new institution. However, his service in the previous aided institution will count for the purpose of salary, leave and pensionary benefits. In all other cases of transfer effected within the same management the services in the previous institution shall count for seniority in the new institution and his service in the previous institution of the same management shall count for salary, leave and pensionary benefits. Transfer orders of the employees within the institution of the same management or different management shall be issued only by ¹[the competent authority]¹.

¹ Substituted by Notification No. 166 SLB 2006 dt. 16.6.2007

¹[Provided further that in the event of a school being duly transferred to a new management, the service rendered by the employees concerned under the previous management shall count for the purpose of seniority, salary, leave and pensionary benefits]¹.

¹ Inserted by notification No. 166 SLB 2006 dt. 16.6.2007

¹[(3) Government may grant permission to transfer an employee of an educational institution imparting primary or secondary education, in the following cases :-

- (a) In the case of request by the management of an Aided educational institution located within the State of Karnataka for transfer of its employee with the consent of the employee, to a comparable post in any of the institutions of the same management located in any other state for a period not exceeding five years;
- (b) In the case of request by the management of an Aided educational institution located in any other State, from the State Government concerned, for transfer of its employee to a grant-in-aid vacancy in a comparable post in any of the institutions of the same management, located into the State of Karnataka for a period not exceeding five years subject to the condition that the employee concerned possesses the educational qualification prescribed as per the rules of recruitment applicable to such a post and is in receipt of grant-in-aid from the State Government concerned and subject to fulfillment of other conditions of method of recruitment and grant-in-aid and the said vacancy has arisen on account of retirement, resignation, death of transfer, as the case may be ; and
- (c) In the case of request by the management for a permanent transfer of its employee, which is in receipt of grant-in-aid, subject to consent of the employee and both management of Government of other state to or from and institution in receipt of grant-in-aid, which is located in any other State and which may belong to either the same management or a different management;

¹ Sub-Rule (3) to (7) inserted by notification No. 166 SLB 2006 dt. 16.6.2007

(4) In the case of transfer referred to in clause (a) of sub-rule (3), it shall be treated as re-deployment On return of the employee concerned to the State of Karnataka, the period of such re-deployment shall be treated as "dies-non" as defined in sub rule (14-A) of the rule 8 of the Karnataka Civil Service Rules. Application of the Karnataka State-Aided School Employees Contributory Provident Fund, Insurance Pension Rules as contained in the Government Order No. ED 65 SES 1962, dated : 24-08-1963, as amended from time to time, shall be deemed to have been kept in abeyance in relation to such an employee for the period of his re-deployment which shall be resumed after he returns to the State of Karnataka and assumes charge of the post he held before his re-deployment. The management shall not fill the vacancy caused by such re-deployment except on temporary basis by placing re-deployment shall not count for pension and pay fixation. The parent management or the management which has borrowed the services of such an employee, as the case may be, shall be liable to pay salary to the employee

and no grant-in-aid shall be payable by Government of Karnataka during the period of such re-deployment ;

(5) In the case of a transfer under clause (b) of sub-rule (3), it shall also be treated as redeployment subject to the condition that the employee concerned, according to the rules applicable to him in his parent state, is not required to resign and there is provision to maintain his lien until his return to his parent school. On return to his parent school, such redeployment shall be treated as "dies non", as defended in sub-rule (14-A) of rule 8 of the Karnataka Civil Services Rules. Further, the rules applicable to such an employee in his parent school in respect of his pension, gratuity, provident fund etc. Shall be deemed to have been kept in abeyance in relation to such an employee for the period of his redeployment to the educational institution located in the State of Karnataka, which shall be resumed after the returns to his State and assumes charge of the post held by him in his parent school before his re-deployment. The service rendered on such re-deployment shall not count for pension and pay fixation. The liability of the Government of Karnataka shall be limited to payment of grant-in-aid equivalent to the amount calculated on the average of the minimum and maximum of the scale of the post held by such an employee in Karnataka or actual pay drawn, whichever is less ;

(6) In the case of a transfer referred to in clause (c) of sub-rule (3), if the transfer of an employee is from any other State to a post in an educational institution which received grant-in-aid from Government located in Karnataka on permanent basis against a vacancy caused on account of retirement, death, resignation or promotion of a teacher, the employee concerned possesses the educational qualification prescribed as per the rules of recruitment applicable to such a post and he shall be deemed to have resigned his post in his parent school and his transfer treated as a fresh appointment and grant-in-aid paid to him prospectively from the date of his reporting for duty. His pay shall be fixed at the minimum of the scale of pay of the post to which he is transferred ;

(7) In the case of a transfer from an educational institution located in Karnataka to any other State, referred to in clause (c) of sub rule (3), the employee concerned shall be deemed to have been permitted to retire from service and the pensionary benefits/gratuity etc due to him shall be paid to him accordingly as per the provisions of the rules applicable to him."

13. Closure of Institutions:- (1) Institutions not having the prescribed student strength among other factors shall be ordered to be closed down by the competent authority.

(2) Where an institution is so ordered to be closed, the teaching and non-teaching staff working in such institution, shall be retrenched in the manner specified in rules 10 and 11.

(3) Students undergoing course of study in such institutions shall be accommodated in other institutions located near by the closed institution, as the competent authority may by order direct.

CHAPTER - III**DISCIPLINE**

14. Nature of Penalties:- One or more of the following penalties for good and sufficient reasons and as hereinafter provided may be imposed on the employees namely:-

- (i) fine;
- (ii) censure;
- (iii) withholding of increments;
- (iv) withholding of promotions;
- (v) recovery from pay of the employees in whole or part of any pecuniary loss caused by negligence or breach of orders to the governing council, the state government or the central government.
- (vi) reduction to a lower stage in a time scale of pay for a specified period with further direction as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay;
- (vii) reduction to a lower time scale of pay, grade, post of service which, shall, unless otherwise directed, be a bar to the promotion of the employee to the time scale of pay, grade, post or service from which he was reduced with or without further directions regarding;
 - (a) seniority and pay in the scale of pay, grade, post or service to which the employee is reduced;
 - (b) conditions of restoration to the scale of pay grade of post of service from which the employee was reduced and his seniority and pay or such restoration to the scale of pay, grade, post or service.
- (viii) compulsory retirement;
- (ix) removal from service.
- (x) dismissal from service;

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the order of disciplinary authority, no penalty other than those specified in clause (viii) to (x) shall be imposed for any established charge of corruption.

Provided further that every order of private management receiving aid from government keeping employees admitted to grant-in-aid under suspension from service, etc., shall be confirmed by the competent authority who has approved the appointment.

Explanation: The following shall not amount to be penalty within the meaning of this rule:

- (i) withholding of increments of an employee for failure to pass a departmental examination in accordance with the rules or order governing the service or post or terms of his appointment;
- (ii) stoppage of pay of the employee at the efficiency bar in the time scale on the ground of his unfitness to cross the efficiency bar;
- (iii) non-promotion, whether in a substantive or officiating capacity of an employee after consideration of his case to a grade or post for promotion to which he is eligible;
- (iv) reversion to his permanent service, grade or post of an employee appointed on probation to another service, grade or post during or the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing probation;
- (v) compulsory retirement of an employee in accordance with the provision relating to superannuation or retirement;
- (vi) termination of services;
 - (a) of an employee appointed for three months or less;
 - (b) of a person employed under an agreement in accordance with the terms of such agreement.
- (vii) Retrenchment of an employee.

15. Disciplinary authorities: (1) The Disciplinary Authority may impose, any of the penalties specified in rule 14 on any employee.

(2) Without prejudice to the provision of sub-rule (1) the head of the institution may impose any of the penalties specified in clauses (i) and (ii) of rule 14.

16. Suspension: (1) The appointing authority may place an employee under suspension under the following circumstances and conditions:-

- (a) (i) a disciplinary proceeding against an employee is pending; or
- (ii) a case against an employee in respect of any criminal offence is under investigation or court trial; or
- (iii) a preliminary inquiry against an employee has made out a “prima facie” case which would justify disciplinary proceeding or criminal prosecution against him and the proceedings are likely to end in his conviction and or dismissal or removal from service; and
- (b) the disciplinary proceeding or criminal offences involves one or more of the following misdemeanour:-
 - (i) moral turpitude;
 - (ii) corruption, embezzlement or misappropriation;

(iii) negligence and dereliction of duty resulting in considerable pecuniary loss to the institution;

(iv) desertion of duty;

(v) refusal or deliberate failure to carry out written orders of superior authority: Competent Authority.

¹[(vi) Sexual harassment of women employees in working places.

Explanation:- "Sexual harassment "includes such unwelcome sexually determined (whether directly or by implication) behaviour as:-

(a) Physical contact and advances;

(b) A demand or request for sexual favours;

(c) Sexually coloured remarks;

(d) Showing pornography; or

(e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.]¹

1. Inserted by Notification No. ED 95 VIVIDA 2000, dt. 5.7.2001

(2) Any employee shall be deemed to have been placed under suspension by an order of the appointing authority:

(a) with effect from the date of his detention, if he is detained in custody whether on criminal charge or otherwise, for a period exceeding forty-eight hours;

(b) with effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

(3) Where a penalty of dismissal or removal or compulsory retirement from service imposed upon an employee under suspension is set aside in appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal or removal or compulsory retirement from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority on a consideration of the circumstances of the case, decides to hold further inquiry against him on the allegations on which the penalty of dismissal or compulsory retirement was originally imposed, the employee shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal or removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) (a) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b)) Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made on or is deemed to have made the order or by any authority to which that authority is subordinate.

17. Subsistence allowance during suspension:- (1) Every employee placed under suspension shall be entitled to the following payment, namely:

(a) Subsistence allowance at an amount equivalent to fifty percent of the pay drawn immediately prior to the date of suspension.

Provided that where the period of suspension exceeds six months, the employee shall be entitled to subsistence allowance equivalent to seventy-five percent of the pay drawn immediately prior to the date of suspension subject to conditions contained in sub-rule (6):

Provided further that when an employee is convicted by a competent court and sentenced to imprisonment, no subsistence allowance shall be payable.

(2) Where an employee who has been dismissed or removed or compulsorily retired or suspended is reinstated or would have been reinstated but for his retirement on superannuation while under suspension, the authority competent to order the reinstatement shall consider and make a specific order.

(a) regarding the pay and allowance to be paid to the employee for the period of his absence from duty or for the period of suspension ending with the date of retirement of superannuation, as the case may be; and

(b) whether or not the said period shall be treated as the period spent on duty.

(3) Where such competent authority holds that the employee has been fully exonerated, the employee shall be given the full pay to which he would have been entitled had he not been dismissed or removed from service and the period of absence from duty shall be treated as a period spent on duty for all purposes.

(4) In other cases, the employee shall be given such proportion of such pay and allowance, as the competent authority may prescribe and the period of absence from duty shall not be treated as period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that the payment of allowance under sub-rule (2) or (3) shall not be less than subsistence allowance and other allowance admissible under these rules.

(5) Where on the conclusion of the inquiry against an employee placed under suspension, the authority competent to impose any punishment:-

- (i) makes an order fully exonerating or acquitting him, the period during which he was under suspension pending the enquiry shall be entitled to full pay and allowance as if he had not been under suspension;
- (ii) makes an order imposing penalty other than the penalty of compulsory retirement from service or dismissal from service, the employee shall be paid for the period of suspension such proportion of his pay and allowances as the said authority may in his discretion specify and where no such proportion is specified, the employee shall be entitled to subsistence allowance admissible under these rules and the period of suspension shall count as duty unless the said authority has otherwise directed.
- (iii) makes an order imposing the penalty of compulsory retirement from service or dismissal or removal shall be paid for the period of suspension such proportion of his pay and allowances as the said authority may in its discretion specify and where no such proportion is specified, the subsistence allowance admissible under these rules and the period of suspension shall not count as duty for any purpose unless the said authority has otherwise directed.

(6) The subsistence allowance under these rules and consequential amount to be paid under sub-rule (5) shall be paid from the management from its own funds, except in respect of employees working in aided posts where the suspension is approved by the competent authority.

Provided further that the disciplinary authority shall complete the enquiry within a period of 6 months. In cases, where enquiry other than in criminal cases continue beyond 6 months, management is liable to pay subsistence allowance.

Provided further that the delay in enquiry beyond six months is attributable to the employee the subsistence allowance may be restricted to 50% or below as deemed fit by the disciplinary authority..

18. Leave while under suspension:- (1) Leave of absence for a definite period is not admissible to an employee who has been suspended from duty and without obtaining the permission of the authority competent to fill up the appointment, an employee under suspension should not leave the station where his office is situated.

(2) No payment of subsistence allowance shall be made unless the employee continues to reside in the station where his office is situated or in the station in which he is permitted by the authority which made or which is deemed to have made the order of suspension.

19. Authority to institute proceedings:- (1) The Managing Committee may impose on the employee any of the penalties specified in clauses (1) to (vii) of the rule 14 except after:-

- (a) informing the employee in writing of proposal to take action against him and of imputation of misconduct or misbehavior on which it is proposed to be taken and giving him a reasonable opportunity for making such representation as he may make against the proposals; and

(b) such representation or explanation, if any, is considered by the Head of the Institution as the case may be;

(2) The record or proceedings in all cases should be a “speaking order”.

20. Procedure for imposing minor penalties:- (1) No order imposed on any employee of any of the penalties specified in clauses (i) to (v) of rules 14 shall be made except after:-

(a) informing the employee in writing of proposal to take action against him and of imputation of misconduct or misbehaviour on which it is Proposed to be taken and giving him a reasonable opportunity making such representation as he may make against the proposal; and

(b) such representation or explanation, if any is considered by the Board of Management, Manager or the Head of the Institution as the case may be.

(2) The record of proceeding in such cases shall include.

- (i) a copy of the intimation to the employees of the proposal to take action against him.
- (ii) a copy of the statement of imputations of misconduct or misbehaviour communicated to him;
- (iii) his/her representations if any;
- (iv) the evidence produced during the inquiry, if any;
- (v) the finding on each imputation of misconduct or misbehaviour; and
- (vi) the orders on the case together with reasons therefor.

21. Procedure for imposing major penalties:- (1) No order imposing any of penalties specified in clauses (iii) to (ix) of 1[rule 14] shall be made except after an inquiry is held, in the manner provided in these rules.

(2) Wherever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior or breach of any provision of the code of conduct specified in Chapter0-IV against an employee, it may itself inquire into, or appoint an enquiry officer or an enquiry committee consisting of more than one or more persons.

(3) The disciplinary authority shall frame definite charges on the basis of the allegations on which the inquiry is proposed to be held. Such charges, which shall include a statement of allegations on which they are based shall be communicated in writing to the employee and he shall be required to submit within such time as may be specified by the enquiry committee, a written statement of his defence and also to state whether he desires to be heard in person.

(4) The employee shall for the purpose of preparing defence be permitted to inspect and take extracts from such records as he may specify:

Provided that such permission may be refused if the record for reasons to be recorded are not relevant for the purpose and it is against the interest of the institution to allow his access thereto.

(5) On receipt of the statement of defence in writing by the employee of if no such statement is received within the time specified, the enquiry committee shall proceed with the enquiry.

(6) The disciplinary authority may nominate any person to present its case before the enquiry committee. The employee may present his case with the assistance of any other person approved by the enquiry committee, but may not engage a legal practitioner for the purpose unless the person nominated by the disciplinary authority to present its case as a legal practitioner or the inquiry committee having regard to the circumstances of the case so permits.

1. Corrigendum No. ED 52 Vivida 99 dated 18.11.2000

(7) The inquiry committee shall, in the course of the inquiry, consider such documentary evidence and take such other evidence as may be relevant or material in regard to the charges. The employee shall be entitled to cross examine witnesses examined in support of the charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross examine the employee and the witnesses examined in his defence. If the inquiry committee declines to examine any witness on the ground, that his evidence is not relevant or material, it shall record its reasons in writing.

(8) At the conclusion of the inquiry, the inquiry committee shall prepare a report of the inquiry, record its findings on each of the charges together with the reason thereon. If in the opinion of the inquiry committee, original charges differ from those framed, it may record findings on such charges:

Provided that findings on such charges shall not be recorded unless the employee has had an opportunity of defending himself against them:-

(1) The record of inquiry shall include :

- (i) the charges framed against the employee and the statement of allegations furnished to him;
- (ii) his written statement of defence, if any;
- (iii) the documentary evidence considered in the course of the inquiry
- (iv) the orders, if any made by the disciplinary authority and the inquiry committee in regard to the inquiry;
- (v) the oral evidence taken in the course of the inquiry;
- (vi) a report setting out the finding on each charge and the reasons thereof and
- (vii) any suggestion of the inquiry committee, if it considers necessary, for the imposition of any penalty.

(9) The disciplinary authority shall consider the report of inquiry and record its findings on each charge.

(10) If the disciplinary authority having regard to its findings on the charges is of the opinion that any of the penalties specified in clauses (iii) to (ix) of rule 14 should be imposed, it shall, furnish to the employee a copy of the report of inquiry committee and a statement of its findings, if any.

(11) The disciplinary authority shall consider the representation, if any, made by the employee in response to the notice and determine what penalty, if any, should be imposed on the employee and pass appropriate orders in the case.

(12) If the disciplinary authority having regard to its findings is of the opinion that any of the penalties specified in clauses (i) to (vi) shall be imposed, it shall pass appropriate orders in the case.

22. Non payment of salary arrears in certain cases - If the orders of the disciplinary authority imposing penalty of dismissal or removal or compulsory retirement or reduction in rank etc., is subsequently set aside by the court or appellate authority, the government shall not be liable to pay salary arrears and such arrears of salary shall be paid by the Management only.

23. Communication of orders and Appeal:- Orders passed by the Disciplinary Authority shall be communicated to the employees who shall also be supplied with a copy of the report of inquiry committee and statement of its findings if they have not been already been supplied to him. Any appeal against any of the penalties imposed by the disciplinary authority except those specified under section 94 of the Act and also subject to provisions contained in section 94 of the Karnataka Education Act, shall lie to the Director of Public Instruction (Primary) and Director of Public Instruction (Secondary) as the case may be. Every order of the disciplinary authority imposing any penalty or otherwise affecting his conditions of service to his prejudices, shall be served in person or communicated to the employees by registered post acknowledgement due, and copy of the order be sent to the competent authority at the same time.

CHAPTER – IV

CODE OF CONDUCT

24. Code of conduct for employees of Educational Institutions:- Maintain absolute integrity, devotion to duty and do nothing which is unbecoming of an employee of an Educational Institution.

25. ¹[Professional Duties and Misconduct]¹ :- (1) (a) Every employee shall:-

1. Substituted by Notification No. ED 95 VIVIVDA 2000, dt. 5.7.2001

- (i) be punctual in attendance in respect of his work and any other work connected with the duties assigned of him by the end of the institution.
 - (ii) Abide by the rules and regulations of the institution and show due respect to constituted authority.
- (b) no employee shall
- (i) knowingly or willfully neglect his duties:
 - (ii) remain absent from the institution without leave or without the previous permission of the head of the institution;
 - (iii) include in, or encourage, any form of mal-practice connected with examinations or any other school activity;
 - (iv) accept private tuition.
- (2) The following also constitute mis-conduct:-
- (a) indulging in communal activities or propagating casteism;
 - (b) ill-treatment of students, other employees and indulging in rowdy or disorderly behaviour or violence;
 - (c) taking part in politics or elections;
 - (d) joining an Association, the object of which is prejudicial to the interest of the country;
 - (e) participation in a demonstration or strike
 - (f) criticising in public and current policies of State or Central Government.
 - (g) Accepting contribution or raising collection without previous sanction of the management;
 - (h) Bringing or attempt to bring political or other influence for furtherance of his own interest;
 - (i) Accepting any gift except a casual meal, lift or other social hospitality. However, on social occasions a gift could be accepted if its value is less than Rs. 100/- or on other occasions, if it is less than Rs. 250/-.
 - (j) Giving, taking or abetting the giving or taking of dowry;
 - (k) Engaging in any private trade or employment;

- (l) Writing or editing any text book while being a member of the Text book committee.
- (m) Speculating in stock, share or investment;
- (n) Becoming insolvent and/or getting into habitual indebtedness;
- (o) Non-submission of Annual Assets and Liability Returns;
- (p) Acquisition, disposal of movable or immovable properties without previous sanction of management or entering into any transaction with any foreigner or foreign organisation/Government for acquisition and disposal of property;
- (q) Acting as a legal guardian of minor other than his dependant without the previous sanction of management;
- (r) Contracting another marriage without obtaining permission of the management or entering into a bigamous marriage against the personal law of employee;
- (s) Consumption of intoxicating drugs or drinks.

¹[(i) subjecting any woman employee to sexual harassment in working places.

Explanation.- "Sexual harassment" includes such unwelcome sexually determined (whether directly or by implication) behaviour as:-

- (f) Physical contact and advances;
- (g) A demand or request for sexual favours;
- (h) Sexually coloured remarks;
- (i) Showing pornography; or
- (j) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.]¹

1. Inserted by Notification No. ED 95 VIVIVDA 2000, dt. 5.7.2001

CHAPTER – V**Leave Rules**

26. General Rules:- (1) The leave rules applicable to both teaching and non-teaching staff in Government Educational Institutions shall mutatis-mutandis be applicable to the teaching and non-teaching staff or the aided Education Institutions.

By order and in the name of the
Governor of Karnataka,

(H.S.Venkateshaiah)
Under Secretary to Government,
Education Department (General)

ANNEXURE-I

(See rule – 3)

1[1. Method of Recruitment: - (1) Recruitment under these rules shall be made on the basis of the percentage of total marks secured in the qualifying examination determined in the manner specified in clause (3), by the selecting authority.

2. Advertisement in the News Paper: - The selecting authority of an educational institution shall, subject to the economy orders banning filling of vacancies, issued by Government from time to time, firstly obtain prior permission of the competent authority to fill up the vacancies arising due to retirement, resignation, promotion and death against posts which were admitted to grant-in-aid excluding the vacancies caused on account of sanction of additional sections/subjects/combinations. Permission shall be granted to fill the vacant posts as per the reservation roster points by the competent authority. Thereafter it shall notify at least in one State level daily newspaper having large circulation in the State and in one leading district level daily newspaper having large circulation in the district, inviting applications from candidates indicating therein the categories of posts, number of vacancies, minimum qualification prescribed, classification of vacancies as per the reservation roster etc., Copy of the advertisement shall also be sent to the concerned Deputy Director of Public Instruction, Block Educational Officer and the concerned employment exchange for displaying on the notice board of their offices. The managing committee of the institution shall also display the advertisement on the notice board of its office.

3. Qualifying Examination:- For the purpose of this rule :-

- (a) “ **Qualifying Examination,** ” means the examination or examinations prescribed as the minimum qualification to be eligible for appointment as per the rules of recruitment in respect of the posts concerned, as specified in Annexure – III;
- (b) Where the qualifying examination consists of more than one examination, the percentage of total marks secured in the qualifying examination shall be the average of the percentage of total marks secured in those examinations;
- (c) Where different qualifying examinations have been prescribed alternatively, in the rules of recruitment applicable to a post or category of posts and a candidate has passed more than one such qualifying examination, the percentage of total marks obtained in such qualifying examination in which he has obtained highest percentage of total marks shall be taken into consideration.

4. List of Selected Candidates: -

- (1) The selecting authority shall, on the basis of the percentage of the total marks secured in the qualifying examination as determined under Clause 3 and taking into consideration the orders in force relating to reservation of vacancies for the Scheduled Castes, the Scheduled Tribes, and the other Backward Classes, prepare, in the order of merit, a list of candidates eligible for appointment to the cadre of post. If the aggregate

of the percentage of total marks secured in the qualifying examinations as determined under Clause 3, of two or more candidates is equal, the order of merit in respect of such candidates shall be fixed on the basis of their age, the person older in age being placed higher in the order of merit. The number of names of candidates to be included in such list shall be equal to the number of vacancies notified;

- (2) The selecting authority shall, in accordance with provision of sub- clause (1) also prepare an additional list of names of candidates not included in the list prepared under sub-clause (1) in which the number of candidates to be included shall, as far as possible be ten percent of the number of vacancies notified. This list shall be operated only to the extent of the number of persons included in the main list not reporting for duty.
- (3) The lists so prepared under sub-clauses (1) and (2) shall be published on the notice board of the office of the managing committee and a copy thereof shall be sent to the appropriate competent authority within 15 days from the last date fixed for receipt of applications. At the same time, the fact of selection shall be intimated by the managing authority to the selected candidates.

5. (1) In respect of candidates whose names are included in the list published under sub-clause (1) of clause 4, proposal shall be sent to the Competent Authority through the Block Education Officer concerned in case of primary schools and Deputy Director of Public Instruction in case of posts in high schools. The competent authority shall, after verifying that the selection procedure as specified under the rules, has been complied with, shall cause to place the proposal immediately before the Screening Committee through the concerned Chief Executive Officer. The Screening Committee shall consist of the following, namely: -

In respect of High Schools	
Chief Executive Officer of the concerned Zilla Panchayat	Chairman.
Deputy Director of Public Instruction of the concerned District.	Member.
Senior most Education Officer of the office of the Deputy Director of Public Instruction.	Member-Secretary.

In respect of Primary Schools	
Chief Executive Officer of the concerned Zilla Panchayat	Chairman.
Senior most Education Officer of the office of the Deputy Director of Public Instruction of the concerned District.	Member.
Block Education Officer of the concerned block.	Member-Secretary.

- (2) The Chief Executive Officer of the concerned Zilla Panchayath, on receipt of the proposal from the competent authority, shall send it to the Member Secretary of the Screening Committee for preparation of background notes and other materials connected with the selection of candidates. Further, the Member-Secretary shall prepare the relevant background notes and place the same before the Screening Committee and also on conclusion of deliberation of the screening committee shall prepare proceedings of the committee and obtain signature of the Chairman and Members of the screening committee and forward the same to the competent authority along with all the relevant documents for issue of necessary orders.
- (3) The screening Committee shall verify with reference to the records submitted by the Member Secretary as to whether the selection is-
 - a) to a vacancy which has arisen against an aided post to which grant in aid has been sanctioned by the competent authority ; and
 - b) is in accordance with the roster and the qualifications and other eligibility criteria specified under the rules and whether the other conditions of recruitment are complied with.

and shall make recommendations either for approval or rejection of the selection made. The Competent Authority shall consider the recommendation of the screening committee and take a decision with regard to approval or rejection, as the case may be and convey the same. In case of rejection, the reasons for such rejection shall also be recorded in writing. The entire procedure including the placing of the proposal before the screening committee and conveying approval or rejection and issue of orders thereon by the competent authority shall be completed within a period of ninety days from the date of receipt of proposal in the office of the competent authority.

- (4) The screening committee shall meet as many times as necessary, but not less than once in a month;
- (5) The inclusion of the name of a candidate in any list published under paragraph 4 shall not confer any right of appointment;
- (6) The list of candidates published by the selecting authority shall cease to be operative as from the date of publication of a list prepared in respect of such cadre or post on the next selection;
- (7) Candidates whose names are included in the main list prepared in the manner indicated above may be appointed in the vacancies in the order in which their names appear in the list.
- (8) In case, a candidate selected in the manner specified above is appointed by the appointing authority before the competent authority has conveyed its approval in accordance with sub-clause (3), the managing committee shall be liable to pay salary to the candidate so appointed and grant-in-aid at the minimum of the scale applicable to

the post shall be payable only from the date the selection has been approved by the competent authority;

In case, however, a candidate, who has been selected is not appointed by the appointing authority until the selection has been approved by the competent authority, grant-in-aid at the minimum of the scale applicable to the post shall be payable only from the date of reporting for duty after such approval.]¹

¹Substituted by notification no. 161 SEP 2006 dtd. 25.10.2007 w.e.f. 29.10.2007

ANNEXURE – II

(See rule – 3)

List of benefits not admissible in respect of employees of aided institutions.

- (1) Benefits not available for service rendered during the unaided period for purpose fixation of pay, leave and pension or any other service benefits by the Government.
- (2) Weightage of five years to for calculation qualifying services of an employee who retires on voluntary basis.
- (3) Medical reimbursement facilities.
- (4) ¹[xxx]¹ House Building Advance, House Purchase Advance or any type of Advance.

1. Deemed to have been omitted by Notification No. ED 80 VIVIDA 2002, dt. 20.6.2003 w.e.f. 12.12.2002

- (5) Transfer Travelling Allowance and Daily Allowance.
- (6) Invalid pension before the completion of qualifying service of fifteen years.
- (7) Such other conditions or benefits as may be specified by order of the State Government from time to time.
- (8) In respect of retirement benefits, no employee who has retired between 1-4-1995 to 31.3.1998 shall be entitled to merger of 90% DA to Basic Pay for calculation of DCRG. In respect of employees retiring after 31.3.1998, DCRG will be calculated as per specific orders issued by the Education Department in this behalf from time to time.

ANNEXURE – III

(See Rule 3)

Category of posts and qualifications

Category of posts	Number of posts	Minimum qualification
Assistant Master/ Physical Education Teacher in Lower/Higher Primary School	As per approved staffing pattern specified in Annexure-IV.	As prescribed under Karnataka Education Department Services (Department of Public Instruction) (Recruitment)(Rules), 1967, as amended from time to time.

Note: The senior most Assistant Master will act as Head Master of Primary School.

Head Master, Secondary School/ Secondary School Assistant Grade-I/ Secondary School Assistant, Grade-II/ Physical Education Teacher/ Craft Teacher / Craft Teacher Grade-II/ Drawing Teacher/Second Division Assistant/ Peon	As per approved staffing pattern specified in Annexure-IV	As prescribed under Karnataka Education Department Services (Department of Public Instruction) (Recruitment)(Rules), 1967, as amended from time to time
<p>¹“Fifty percent of the posts of Assistant Masters Grade-II in aided private high schools under each management shall be filled by promotion of primary school teachers in aided private primary schools under the same management who possess the qualification prescribed for direct recruitment.</p> <p>Provided that, if sufficient number of eligible primary school teachers are not available for promotion, such number of posts shall be filled by direct recruitment.”¹</p>		

¹ Inserted by notification ED 146 SLB 2007 dtd. 27.12.2007 w.e.f. 29.12.2007

ANNEXURE- IV

(See rule- 3)

STANDARD STAFFING PATTERN FOR HIGH SCHOOLS

The minimum strength that is actual student attendance in each class of the High School from Standard VIII to Standard X shall be 25 in each section of each class. Accordingly in a High School with a minimum student attendance of 25 in each section of the VIII, IX and X standards, the following teaching posts may be sanctioned:-

1. Head Master/Mistress : 1 Among these and including the Head Master there shall be one
2. Assistant Masters : 3 PCM and one CBZ teacher and one each for Social studies and English.
3. Language Teachers : 1 (Kannada, Urdu, Tamil, may be Marathi etc. as the case)
4. Physical Education Teacher : 1 Grade-1
(4) Hindi Teacher (if taught as a compulsory language) : 1
- ¹[6. Teacher (craft or Drawing or music : 1 (one)]¹

¹ Inserted by notification no. ED 166 SLB 2006, dtd. 16.6.2007

NOTE: 1 (1) Additional section may be sanctioned only if the actual student attendance exceeds 70 in the original section. Further additional sections (over and above the first additional section) may be sanctioned only if each existing section has minimum actual attendance of 70.

(2) In respect of Minority language Schools one post of Kannada Language Teacher may be sanctioned over and above the sanctioned staffing pattern.

(3) If Sanskrit is taught as a language with prior approval of the Department and there is a minimum student strength of 25 per class opting for learning Sanskrit then one post of Sanskrit teacher may be sanctioned.

NOTE-2:- For each additional section opened beyond 5 sections with the prior sanction of the Competent Authority one and a half post of teacher may be sanctioned excluding the Head Master. No additional section shall be opened without prior permission of the competent authority.

¹[XXX]¹

¹ Omitted by Notification no. ED 166 SLB 2006 dtd. 16.6.2007

NOTE-4:- Beyond 5 sections, the post of Physical Education Teacher, Hindi teacher, Language Teacher and other subject teacher shall be within the prescribed limit of 1.5 teacher per section only.

Non-teaching Staff:-

The following number of non-teaching staff may be sanctioned for a High School with minimum 3 sections of VIII, IX and X standard irrespective of the total number of sections in the school.

- | | |
|--------------------------------|---|
| 1. Second Division Assistant : | 1 |
| 2. Group D : | 1 |

Note-1:- In case of non-teaching staff already admitted into grant in excess of the above staffing pattern, the posts held by such excess staff shall cease to exist consequent to their retirement, promotion, resignation, dismissal or removal or redeployment or death.

ANNEXURE-V

(See Rule -3)

**STANDARD STAFFING PATTERN FOR
PRIMARY SCHOOLS**

The minimum strength that is actual student attendance in each class of the Primary Section from I to Standard VII or from I to IV or from Standard V to VII as the case may be shall be 40 per class. Accordingly for a class of 40 students one post of Primary School teacher shall be sanctioned. However in a Primary school with classes from I to IV or from V to VII if the number of students in each class is less than forty, then a maximum number of two teachers shall be sanctioned for a minimum total student attendance of 80 irrespective of the number of children attending in each class. Further in a primary school with classes from I to VII if the number of students in each class is less than forty then a maximum of 4 posts of Primary School Teachers shall be sanctioned for a minimum total student strength of 160 irrespective of the number of children attending in each class.

1[Annexure – VI

(5) Inserted by Notification No. ED 64 Vivida 2000 dated 31.1.2001 w.e.f. 1.2.2001.

(See Rule 3)

The procedure for filling up of the Head Master / Head Mistress in Private Aided High Schools:

i) The post of Head Master / Head Mistress in Private Aided High School shall be filled up by promotion from the cadre of Secondary School Assistant Grade-I. If no eligible Secondary School Assistants Grade-I is available, Secondary School Assistant Grade-II may be considered. Secondary School Assistants Grade-I and Grade-II includes Science, Arts, Language (Kannada, Urdu, Tamil, Marathi, as the case may be) ²[Hindi and Sanskrit]² Teachers.

² Substituted by Notification No. ED 79 SLB 2006 dtd. 4.1.2007

ii) Promotion to the post of Head Master or Head Mistress shall be made on the basis of seniority of a teacher, seniority being determined by counting the total number of years of continuous service from the date of entry into the cadre of Secondary School Assistant Grade-I or Grade-II as the case may be and by following Roster Rules, if they are applicable as per the orders issued by the Government in the matter of reservation from time to time. The service rendered in the cadre of Secondary School Assistant Grade-II (Untrained) may be protected for service benefits but shall not be counted for fixing the seniority.

(6) The eligible teacher must be a trained Secondary School assistant and must have put in not less than five years of approved teaching service in the Secondary School.

(7) If the management is running more than one school common seniority based on the date of approval of appointment of the teacher with aid shall be prepared and notified. If the date of approval of appointment of more than one teacher happens to be the same day, the seniority shall be fixed on the basis of date of birth and the person older in age shall become seniority. Such notified common seniority list shall be the basis for making promotion.

Based on the notified seniority list the appointing Authority shall pass a resolution and send suitable proposals for approval to the Competent Authority Viz., The Regional Secretary, Karnataka Secondary Education Examination Board and Ex-officio Joint Director of Public Instruction of the concerned Divisions with all relevant documents relating to seniority, qualification, service register, service particulars of all the teachers, fulfillment of roster rules etc. If the Competent Authority after verifying the records is satisfied that all the requirements prescribed in the rules have been complied with, he may convey approval for promotions of the selected candidates. In case the promotion is not in accordance with the procedure specified under these rules, the Competent Authority may reject the proposal after recording reasons for such rejection in writing. Such approval or rejection shall be conveyed by the Competent Authority within 90 days from the date of receipt of proposal in his office, failing which disciplinary action will be taken against her / him under KCS (CCA) Rules 1957. Candidates

shall be promoted by the Appointing Authority only after such approval by the Competent Authority and benefits of fixation of pay of such candidates shall be payable from the actual date of assuming the charge of the promotional post.

- (8) The procedure specified above shall also apply to the Minority Institutions except it is not mandatory to consider only the senior most Secondary School Assistant for Promotion as Head Master or Head Mistress.

Form – I
(See Rule – 5)

1. Name of the employee
2. Father name
3. Date of Birth
3. Qualification
4. Date of appointment
5. Nature of appointment - Permanent / Temporary
6. Name of the Post to which appointed
7. Scale of pay
8. Reservation category to
which the employee belongs to
9. Whether appointment approved or not
10. Date of approval & reference.
11. If approved, whether it is with aid or without aid details to be furnished.
12. Any other details

Signature of the Head of the Institution

Form – II
(See Rule – 9)

I, working as
.....
in..... ☐ arnat Management, voluntarily tender
my resignation w.e.f. for reasons.

(9) I request that my resignation may be accepted with effect from
..... (one month thereafter).

(ii) I ☐ arnata that my resignation may be accepted with immediate effect. I surrender
one month's salary in lieu of one month's notice as provided under rule 9 of Karnataka
Educational Institutions (Recruitment and terms and conditions of service of employees in
Private Aided Primary and Secondary Education Institutions)Rules, 1999.

Signature of the employee

Date:

Name of the Employee
(IN BLOCK LETTERS)

Place:

[Note: Strike off (i) or (ii) above which is not applicable]

(10) * * *

**The Karnataka Educational Institutions (Recruitment and terms and conditions of service
of employees in Private Aided Primary and Secondary Educational Institutions)
(Amendment) Rules, 2000**

Arrangement of Sections

1. Title and Commencement
2. Amendment of rule 3
3. Insertion of new annexure-VI

The Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2000

Education Secretariat

Notification

No. ED/64/ViVida/2000, Bangalore, Dated: 31st January 2001

Whereas the draft of Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2000 was published as requested by sub-section (1) of Section 145 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995) in Notification No. ED/64/Vividia/2000, dated 9-10-2000 in part IV-A of the Karnataka Gazette Extraordinary dated 9-10-2000 inviting objections and suggestions from the persons likely to be affected thereby,

And whereas the said Gazette was made available for the public on 10th October 2000.

And whereas the objections and suggestions received in this regard have been considered by the Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka makes the following Rules namely:-

Published in the Karnataka Gazette Part IV-A, Extraordinary No. 153, dated 1.2.2001

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2000.

They shall come into force from the date of their publication in the official Gazette.

2. Amendment of rule 3.- In rule 3 of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999 (hereinafter referred to as the said rules) in sub-rule (1) in clause (a), for the words and figure “as specified in Annexure-I appended to these rules” the words and figures “as specified in Annexure-I and the procedure for filling up of the post of Head Master and Head Mistress in High Schools shall be specified in Annexure-VI” shall be substituted.

3. Insertion of new Annexure-VI.- After Annexure V of the said Rules, the following Annexure shall be inserted, namely:-

Annexure – VI

(See Rule 3)

The procedure for filling up of the Head Master / Head Mistress in Private Aided High Schools:

(11) The post of Head Master / Head Mistress in Private Aided High School shall be filled up by promotion from the cadre of Secondary School Assistant Grade-I. If no eligible Secondary School Assistants Grade-I is available, Secondary School Assistant Grade-II may be considered. Secondary School Assistants Grade-I and Grade-II includes Science, Arts, Language (Kannada, Urdu, Tamil, Marathi, as the case may be) and Hindi Teachers.

ii) Promotion to the post of Head Master or Head Mistress shall be made on the basis of seniority of a teacher, seniority being determined by counting the total number of years of continuous service from the date of entry into the cadre of Secondary School Assistant Grade-I or Grade-II as the case may be and by following Roster Rules, if they are applicable as per the orders issued by the Government in the matter of reservation from time to time. The service rendered in the cadre of Secondary School Assistant Grade-II (Untrained) may be protected for service benefits but shall not be counted for fixing the seniority.

iii) The eligible teacher must be a trained Secondary School assistant and must have put in not less than five years of approved teaching service in the Secondary School.

iv) If the management is running more than one school common seniority based on the date of approval of appointment of the teacher with aid shall be prepared and notified. If the date of approval of appointment of more than one teacher happens to be the same day, the seniority shall be fixed on the basis of date of birth and the person older in age shall become seniority. Such notified common seniority list shall be the basis for making promotion.

(12) Based on the notified seniority list the appointing Authority shall pass a resolution and send suitable proposals for approval to the Competent Authority Viz., The Regional Secretary, Karnataka Secondary Education Examination Board and Ex-officio Joint Director of Public Instruction of the concerned Divisions with all relevant documents relating to seniority, qualification, service register, service particulars of all the teachers, fulfillment of roster rules etc. If the Competent Authority after verifying the records is satisfied that all the requirements prescribed in the rules have been complied with, he may convey approval for promotions of the selected candidates. In case the promotion is not in accordance with the procedure specified under these rules, the Competent Authority may reject the proposal after recording reasons for such rejection in writing. Such approval or rejection shall be conveyed by the Competent Authority within 90 days from the date of receipt of proposal in his office, failing which disciplinary action will be taken against her / him under KCS (CCA) Rules 1957. Candidates shall be promoted by the Appointing Authority only after such approval by the Competent Authority and benefits of fixation of pay of such candidates shall be payable from the actual date of assuming the charge of the promotional post.

vi) The procedure specified above shall also apply to the Minority Institutions except it is not mandatory to consider only the senior most Secondary School Assistant for Promotion as Head Master or Head Mistress.

By Order and in the name of
the Governor of Karnataka

K.S. GOPALA KRISHNA
Under Secretary to Government,
Education Department (General).

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2000.

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 65 ViVida 2000, Bangalore, dated: 3rd February 2001

Whereas the draft of Karnataka Education Institutions (Recruitment and terms and conditions of service of employees in Private Educational Institutions) (Amendment) Rules, 1999 was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 65 ViVida 2000 dated: 9th October, 2000 in part-IV-A of Karnataka Gazette Extraordinary dated: 9th October, 2000 inviting objections and suggestions from the persons likely to be affected thereby.

Whereas the said Gazette was made available to the public on 9th October, 2000.

Suggestions received in this regard have been considered by the Government.

Now, therefore, in exercise of powers conferred by sub-section (1) of Section 145 of Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2000.

(2) They shall come into force from the 1[date]1 of their publication in the official Gazette.

2. Amendment of Annexure-I.- In Annexure-I to the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999 for sub-clause (1) of clause 7, the following shall be substituted, namely:-

“(a) In respect of candidates whose names are included in the list published under sub-clause (1) of clause 6, proposal shall be sent to the Competent Authority through Block Education Officer in case of Primary School and Deputy Director of Public Instruction in the case of High School. The Competent Authority shall after verifying the selection procedure as specified under the rules has been complied with, shall cause to place the proposal immediately before the Screening Committee through the concerned Chief Executive Officer. The Screening Committee shall consist of the following, ☐ arnat:-

In respect of High School

- | | | |
|---|--|----------|
| 1 | Chief Executive Officer of the concerned Zilla Panchayat | Chairman |
| 2 | Deputy Director of Public Instruction of the concerned Dist. | Member |

- | | | |
|---|---|--------------------|
| 3 | Senior Education Officer of the office of the Deputy Director of Public Instruction | Member - Secretary |
|---|---|--------------------|

Published in the Karnataka Gazette Part IV-A, Extraordinary No. 236, dated 5.2.2001

In respect of Primary School

- | | | |
|---|--|------------------|
| 1 | Chief Executive Officer of the concerned Zilla Panchayat | Chairman |
| 2 | Senior Education Officer of the Office of the Deputy Director of Public Instruction of the concerned District. | Member |
| 3 | Block Education Officer of the concerned Block. | Member-Secretary |

(b) The Chief Executive Officer of the concerned Zilla Panchayat on receipt of the proposal from the Competent Authority shall send it to the Member Secretary of the Screening Committee for preparation of Background Notes and other materials connected with the selection of candidates. Further, the Member-Secretary shall prepare the relevant background notes and place the same before the Screening Committee and also on conclusion of deliberations of the Screening Committee shall prepare Proceedings of the Committee and obtain signatures of the Chairman and Member of the Screening Committee and forward the same to the Competent Authority along with all the relevant documents for issue of necessary orders.

I The Screening Committee shall verify with reference to the records submitted by the Member Secretary as to whether the selection is in accordance with the roster and the qualifications and other eligibility criteria specified under the rules and whether the other conditions of recruitment are complied with and shall make recommendations either for approval or rejection of the selections made and make suitable recommendations in relation thereto. Based on the recommendation of the Screening Committee, the Competent Authority shall convey the approval or rejections as the case may be. In case of rejection, the reasons for such rejections shall also be given in writing. The entire procedure including the placing of the proposal before Screening Committee and conveying approval or rejections and issue of orders thereon by the Competent Authority shall be complied within a period of ninety days from the date of receipt of proposal in the Office of the Competent Authority the salary of such candidates shall be payable from the actual date of joining duty. The management shall be liable for payment of salary and other benefits till the date such posts are admitted into grant-in-aid.

(d) The Screening Committee shall meet as many times as necessary, but not less than once in a month.

(2) The inclusion of the name of a candidate in any list published under clause 6 shall not confirm any right of appointment.

(3) The list of candidates published by the selecting authority under clause 6 shall cease to be operative as from the date of publication of a list prepared in respect of such cadre of post on the next selection.

(4) Candidates whose names are included in the main lists prepared in the manner indicated above may be appointed in the vacancies in the order in which names appear in the list.

By Order and in the name
of the Governor of Karnataka

K.S. GOPALA KRISHNA
Under Secretary to Government,
Education Department.

**Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions)
(Amendment) Rules, 2001**

Contents

Rules

1. Title and Commencement
2. Amendment of Rule 16
3. Amendment of rule 25

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2001

NOTIFICATION

No. ED 95 Vivida 2000, Bangalore, dated 5th July, 2001.

Whereas the draft of the rules to amend the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 1999 was published in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), in Notification No. ED 95 Vivida 2000, dated: 27.3.2001 in Part IV-A of the Karnataka Gazette Extraordinary dated: 27.3.2001 inviting objections and suggestions from the persons likely to be affected there by:

And Whereas the said Gazette was made available to public on 27.3.2001.

And whereas the objections and suggestions have been received in this regard by the State Government.

Now, therefore in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2001.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Amendment of Rule 16.- In rule 16 of Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999, (hereinafter referred as the said rules) in sub-rule (i) in clause (b) after item (v), the following item shall be inserted namely,-

“(vi) Sexual harassment of women employees in working places”.

Explanation:- “Sexual harassment “includes such unwelcome sexually ☐arnataka[□] (whether directly or by implication) behaviour as:-

- (a) Physical contact and advances;
- (b) A demand or request for sexual favours;
- l Sexually coloured remarks;
- (d) Showing pornography; or
- (e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature”.

3. Amendment of rule 25.- in rule 25 of the said rules,-

- (i) for the heading, the following shall be substituted, namely,-
“Professional Duties and Mis-conduct”.

- (13) In sub-rule (2), after clause (s), the following shall be inserted, namely:-

“(i) subjecting any woman employee to sexual harassment in working places.

Explanation.- “Sexual harassment” includes such Karnataka sexually determined (whether directly or by implication) behaviour as:-

- (f) Physical contact and advances;
- (g) A demand or request for sexual favours;
- (h) Sexually coloured remarks;
- (i) Showing pornography; or
- (j) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature”.

By Order and in the name of the
Governor of Karnataka

K.S. GOPALA KRISHNA
Under Secretary to Government,
Education Department.

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2002

Contents

Rules

1. Title and Commencement
2. Amendment of Rule 11

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2002

NOTIFICATION

No. ED 48 Vivida 2002, Bangalore, dated 4th September, 2002.

Whereas the draft of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2002 was published in Notification No. ED 48 ViVida 2002, dated:11.6.2002 in Part IV-A of the Karnataka Gazette Extraordinary dated:11.6.2002 inviting objections and suggestions from the persons likely to be affected thereby;

Whereas the said Gazette was made available to the public on 11th June 2002;

And whereas the objections and suggestions received in this regard have been duly considered by the State Government;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2002.

1. Published in the Karnataka Gazette Part IV-A Extraordinary No. 1283 dated 5.9.2002.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Amendment of Rule 11.- In rule 11 of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999, in sub-rule (6), for the fifth and sixth provisios, the following shall be substituted, namely:-

“Provided also that,-

- (14) the excess teachers so identified in Minority Educational Institutions under these rules, shall be allotted as per sub-rule (6) of rule 11; and
- (ii) the eligible excess teachers identified in other Aided Non-Minority Educational Institutions shall be allotted against sanctioned Aided posts that are vacant in the Aided Minority Institutions in accordance with rule 10.”

By Order and in the name of the
Governor of Karnataka,

S. Nagaraju
Under Secretary to Government,
Education Department (University & General-1)

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (First Amendment) Rules, 2003

Contents

Rules

1. Title and Commencement
2. Insertion of new rule 3A
3. Amendment of rule 6

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (First Amendment) Rules, 2003

NOTIFICATION

No. ED 32 Vivida 2003, Bangalore, dated: 26th May, 2003

Whereas the draft of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of Employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2002 was published in Notification No. ED 204 SEP 2002, dated: 13th January 2003 in Part-IVA of the Karnataka Gazette Extraordinary dated: 24.01.2003 inviting objections and suggestions from the persons likely to be affected thereby.

Whereas the said Gazette was made available to public on 24th January 2003.

And whereas, no objections or suggestions were received in this regard.

Now, therefore in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (First Amendment) Rules, 2003.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Insertion of new rule 3A.- After rule 3 of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999, (hereinafter referred as the said rules), the following shall be inserted namely:-

“3A. Salary in respect of appointments made in contravention of rules etc.,- Where the management commits any wrongful act or makes any default in appointment of any person or appoints any person contrary to these rules, salary of such person shall be paid by the management from its own fund and not from the financial assistance from the State Government.

(15) **Amendment of rule 6.-** in rule 6 of the said rules, clauses (ii) shall be omitted.

By Order and in the name of the
Governor of Karnataka

SUNDARA RAJA GUPTHA

Under Secretary to Government,
Education Department (University & General-1).

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Second Amendment) Rules, 2002

Contents

Rules

1. Title and Commencement
2. Amendment of Annexure II

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Second Amendment) Rules, 2002

NOTIFICATION

No. ED 80 VIVIDA 2002, Bangalore, dated: 20th June, 2003

Whereas the draft of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of Employees in Private Aided Primary and Secondary Educational Institutions) (Second Amendment) Rules, 2002 was published in Notification No. ED 80 VIVIDA 2002, dated: 22nd January 2003 in Part-IVA of the Karnataka Gazette Extraordinary dated: 22nd January 2003 inviting objections and suggestions from the persons likely to be affected thereby.

And Whereas the said Gazette was made available to public on 22nd January 2003.

And whereas, no objections or suggestions were received in this regard by the Government.

Now, therefore in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Second Amendment) Rules, 2002.

(2) These rules shall be deemed to have come into force with effect from the 12th day of December, 2002.

2. Amendment of Annexure II.- In Annexure II of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999 in item (4), the word "Festival advance" and comma shall be omitted.

By Order and in the name of the
Governor of Karnataka

SUNDARA RAJA GUPTHA

Under Secretary to Government,
Education Department (University & General-1).

**Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions)
(Amendment) Rules, 2004**

Contents

Rules

1. Title and Commencement
2. Amendment of Rule 11

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2004

NOTIFICATION

No. ED 1007 SEW 2001, Bangalore, dated: 24th April, 2004

Whereas the draft of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of Employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2003 was published as required by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 1007 SEW 2001, dated: 9.1.2004 in Part-IV-A No.77 of the Karnataka Gazette Extra-ordinary dated: 24.1.2004 inviting objections and suggestions from the persons likely to be affected thereby;

Whereas the said Gazette was made available to public on 24.01.2004;

And whereas, no objections and suggestions have been received in this regard by the Government.

Now, therefore in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2004.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule 11.- In Rule-11 of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999, in sub-rule (6), for the fifth proviso, the following shall be substituted, namely:-

“Provided also that no retrenched employee / staff shall be allotted to a Minority Institutions for being appointed against a vacancy:

Provided also that in so far as minority institutions are concerned, where the competent authority on his own verification or on the report of its subordinate officers finds that there is an excess strength of teachers / staff on account of reasons mentioned in the above rules, shall

take action to retrench the excess teachers / staff following the same procedure as specified under these rules. The Competent Authority shall withdraw salary grants in respect of such excess / retrenched staff”.

By Order and in the name of the
Governor of Karnataka

SIDDALINGAIAH
Under Secretary to Government,
Education Department.

**Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions)
(Amendment) Rules, 2005**

Contents

Rules

1. Title and Commencement
2. Amendment of Rule 11

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2005

NOTIFICATION

No. ED 1007 SEW 2001, Bangalore, dated: 22nd October, 2005

Whereas the draft of the following rules further to amend the Karnataka Educational Institutions (Recruitment and terms and conditions of service of Employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2005 was published as required by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 1007 SEW 2001, dated: 9.8.2005 in Part-IV-A No.1572 of the Karnataka Gazette Extra-ordinary dated: 10.8.2005 inviting objections and suggestions from the persons likely to be affected thereby;

Whereas, the said Gazette was made available to public on 10.08.2005;

And whereas, no objections and suggestions have been received in this regard by the Government.

Now, therefore in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2005.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule 11.- In Rule-11 of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999, in sub-rule (6), for the sixth proviso, the following shall be substituted, namely:-

“Provided also that the excess teachers so identified in minority Educational Institutions under these rules may be allotted to any other Educational Institutions under the same management or non-minority educational institutions in accordance with sub-rule (6)”.

By Order and in the name of the
Governor of Karnataka

SIDDALINGAIAH
Under Secretary to Government,
Education Department.

Education Secretariat

Notification

No. ED 79 SLB 2006, Bangalore, Dated 4th January 2007

The draft of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 2006, which the Government of Karnataka proposes to make in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), is hereby published as required by sub-section for the information of the persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after thirty days from the date of its publication in the Official Gazette.

Whereas, the said Gazette was made available to the public on 15-9-2006.

Whereas, only one Objection has been received in this regard by the Government.

Whereas, the objection received has been considered by the Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules, namely:-

Rules

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and Terms and Conditions of Service of employees in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2006.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Annexure VI.- In the Karnataka Educational Institutions (Recruitment and Terms and Conditions of Service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999, in Annexure-VI in clause (i), at the end, for the words “and Hindi”, the words “Hindi and Sanskrit” shall be substituted.

By order and in the name of the Governor of Karnataka,

SIDDALINGAIAH

Under Secretary to Government,
Education Department

Education Secretariat**NOTIFICATION****No. ED 166 SLB 2006, Bangalore, Dated: 16th June, 2007**

Whereas, the draft of the Karnataka Educational Institutions [Recruitment and Terms and Conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] [Amendment] Rules, 2007, was published as required by subsection (1) of section 145 of the Karnataka Education Act, 1983 [Karnataka Act 1 of 1995], in Notification No. Ed 166 SLB 2006, dated : 12-04-2007 in Part-IV-A in No. 639 of the Karnataka Gazette extraordinary dated : 21-04-2007 inviting objections and suggestions from the persons likely to be affected thereby.

Whereas, the said Gazette was made available to the public on 21-04-2007 ;

Whereas, no suggestion/objection has been received in this regard by the Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 [Karnataka Act 1 of 1995], the Government of Karnataka hereby makes the following rules, namely :-

RULES

1. Title and Commencement :- (1) These rules may be called the Karnataka Educational Institutions [Recruitment and Terms and Conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] [Amendment] Rules, 2007.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of Rule-12 :- In the Karnataka Educational Institutions [Recruitment and Terms and Conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] Rules, 1999, in rule 12, in sub-rule (2), in the proviso ;-

- (i) for the words “the head of the department” the words “the competent authority”, shall be substituted ; and
- (ii) for the words “Director of Public Instruction (Primary) in respect of Primary and the Director of Public Instruction (Secondary) in respect of Secondary Schools” the words, “the competent authority” shall be substituted.

(2) In rule 12, in sub rule (2) of rule 12 after the first proviso, the following second proviso shall be inserted, namely,

“Provided further that in the event of a school being duly transferred to a new management, the service rendered by the employees concerned under the previous management shall count for the purpose of seniority, salary, leave and pensionary benefits”.

(16) In Rule 12, after sub-rule – (2), the following shall be inserted namely:- “(3) Government may grant permission to transfer an employee of an educational institution imparting primary or secondary education, in the following cases :-

- (d) In the case of request by the management of an Aided educational institution located within the State of Karnataka for transfer of its employee with the consent of the employee, to a comparable post in any of the institutions of the same management located in any other state for a period not exceeding five years;
- (e) In the case of request by the management of an Aided educational institution located in any other State, from the State Government concerned, for transfer of its employee to a grant-in-aid vacancy in a comparable post in any of the institutions of the same management, located into the State of Karnataka for a period not exceeding five years subject to the condition that the employee concerned possesses the educational qualification prescribed as per the rules of recruitment applicable to such a post and is in receipt of grant-in-aid from the State Government concerned and subject to fulfillment of other conditions of method of recruitment and grant-in-aid and the said vacancy has arisen on account of retirement, resignation, death or transfer, as the case may be ; and
- (f) In the case of request by the management for a permanent transfer of its employee, which is in receipt of grant-in-aid, subject to consent of the employee and both management of Government of other state to or from and institution in receipt of grant-in-aid, which is located in any other State and which may belong to either the same management or a different management;

(4) In the case of transfer referred to in clause (a) of sub-rule (3), it shall be treated as re-deployment. On return of the employee concerned to the State of Karnataka, the period of such re-deployment shall be treated as “dies-non” as defined in sub rule (14-A) of the rule 8 of the Karnataka Civil Service Rules. Application of the Karnataka State-Aided School Employees Contributory Provident Fund, Insurance Pension Rules as contained in the Government Order No. ED 65 SES 1962, dated : 24-08-1963, as amended from time to time, shall be deemed to have been kept in abeyance in relation to such an employee for the period of his re-deployment which shall be resumed after he returns to the State of Karnataka and assumes charge of the post he held before his re-deployment. The management shall not fill the vacancy caused by such re-deployment except on temporary basis by placing re-deployment shall not count for

pension and pay fixation. The parent management or the management which has borrowed the services of such an employee, as the case may be, shall be liable to pay salary to the employee and no grant-in-aid shall be payable by Government of Karnataka during the period of such re-deployment ;

(5) In the case of a transfer under clause (b) of sub-rule (3), it shall also be treated as redeployment subject to the condition that the employee concerned, according to the rules applicable to him in his parent state, is not required to resign and there is provision to maintain his lien until his return to his parent school. On return to his parent school, such redeployment shall be treated as “dies non”, as defended in sub-rule (14-A) of rule 8 of the Karnataka Civil Services Rules. Further, the rules applicable to such an employee in his parent school in respect of his pension, gratuity, provident fund etc. Shall be deemed to have been kept in abeyance in relation to such an employee for the period of his redeployment to the educational institution located in the State of Karnataka, which shall be resumed after the returns to his State and assumes charge of the post held by him in his parent school before his re-deployment. The service rendered on such re-deployment shall not count for pension and pay fixation. The liability of the Government of Karnataka shall be limited to payment of grant-in-aid equivalent to the amount calculated on the average of the minimum and maximum of the scale of the post held by such an employee in Karnataka or actual pay drawn, whichever is less ;

(6) In the case of a transfer referred to in clause I of sub-rule (3), if the transfer of an employee is from any other State to a post in an educational institution which received grant-in-aid from Government located in Karnataka on permanent basis against a vacancy caused on account of retirement, death, resignation or promotion of a teacher, the employee concerned possesses the educational qualification prescribed as per the rules of recruitment applicable to such a post and he shall be deemed to have resigned his post in his parent school and his transfer treated as a fresh appointment and grant-in-aid paid to him prospectively from the date of his reporting for duty. His pay shall be fixed at the minimum of the scale of pay of the post to which he is transferred ;

(7) In the case of a transfer from an educational institution located in Karnataka to any other State, referred to in clause I of sub rule (3), the employee concerned shall be deemed to have been permitted to retire from service and the pensionary benefits/gratuity etc due to him shall be paid to him accordingly as per the provisions of the rules applicable to him.”

3. Amendment of Annexure – IV :- In the Karnataka Educational Institutions [Recruitment and Terms and Conditions of Service of employees in Private Aided Primary and Secondary Educational Institutions] Rules, 1999-in Annexure-IV (i) after Sl. No. “5 and entries relating

thereto i.e., Hindi Teacher (if taught as compulsory language)” the following shall be inserted, namely,

- i) “6 Teacher (Craft or drawing or music): 1[One]
- ii) Note-3 shall be omitted.

By order and in the name of the Governor of
Karnataka,

M. M. HIREMATH
Under Secretary to Government,
Education Department

Education Secretariat**Notification****No. ED 161 SEP 2006, Bangalore, Dated: 25th October, 2007**

Whereas the draft of the Karnataka Private Educational Institutions [Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] Rules, 1999, was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 [Karnataka Act 1 of 1995], in Notification No. ED 161 SEP 2006, dated: 28th December 2006 in Part – IV –A of the Karnataka Gazette Extraordinary No. 18, dated: 4th January 2007 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of the publication of the draft in official gazette.

And whereas, the said Gazette was made available to the public on 4th January 2007.

And whereas, no objections or suggestions were received in this regard within the specified period, by the State Government.

Now therefore, in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules namely:-

RULES

1. Title and Commencement: - (1) These rules may be called the Karnataka Private Educational Institutions [Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] (Amendment) Rules, 2006.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment to Annexure-1: - In the Karnataka Educational Institutions (Recruitment and Terms and Conditions of service of employees in private aided Primary and Secondary Educational Institutions), Rules 1999, for **Annexure – 1** the following shall be substituted, namely: -

“ ANNEXURE – 1

1. Method of Recruitment: - (1) Recruitment under these rules shall be made on the basis of the percentage of total marks secured in the qualifying examination determined in the manner specified in clause (3), by the selecting authority.

2. Advertisement in the News Paper: - The selecting authority of an educational institution shall, subject to the economy orders banning filling of vacancies, issued by Government from time to time, firstly obtain prior permission of the competent authority to fill up the vacancies

arising due to retirement, resignation, promotion and death against posts which were admitted to grant-in-aid excluding the vacancies caused on account of sanction of additional sections/subjects/combinations. Permission shall be granted to fill the vacant posts as per the reservation roster points by the competent authority. Thereafter it shall notify at least in one State level daily newspaper having large circulation in the State and in one leading district level daily newspaper having large circulation in the district, inviting applications from candidates indicating therein the categories of posts, number of vacancies, minimum qualification prescribed, classification of vacancies as per the reservation roster etc., Copy of the advertisement shall also be sent to the concerned Deputy Director of Public Instruction, Block Educational Officer and the concerned employment exchange for displaying on the notice board of their offices. The managing committee of the institution shall also display the advertisement on the notice board of its office.

3. Qualifying Examination:- For the purpose of this rule :-

- (a) “ **Qualifying Examination,** ” means the examination or examinations prescribed as the minimum qualification to be eligible for appointment as per the rules of recruitment in respect of the posts concerned, as specified in Annexure – III;
- (b) Where the qualifying examination consists of more than one examination, the percentage of total marks secured in the qualifying examination shall be the average of the percentage of total marks secured in those examinations;
- (c) Where different qualifying examinations have been prescribed alternatively, in the rules of recruitment applicable to a post or category of posts and a candidate has passed more than one such qualifying examination, the percentage of total marks obtained in such qualifying examination in which he has obtained highest percentage of total marks shall be taken into consideration.

4. List of Selected Candidates: -

- (17) The selecting authority shall, on the basis of the percentage of the total marks secured in the qualifying examination as determined under Clause 3 and taking into consideration the orders in force relating to reservation of vacancies for the Scheduled Castes, the Scheduled Tribes, and the other Backward Classes, prepare, in the order of merit, a list of candidates eligible for appointment to the cadre of post. If the aggregate of the percentage of total marks secured in the qualifying examinations as determined under Clause 3, of two or more candidates is equal, the order of merit in respect of such candidates shall be fixed on the basis of their age, the person older in age being placed higher in the order of merit. The number of names of candidates to be included in such list shall be equal to the number of vacancies notified;

(18) The selecting authority shall, in accordance with provision of sub- clause (1) also prepare an additional list of names of candidates not included in the list prepared under sub-clause (1) in which the number of candidates to be included shall, as far as possible be ten percent of the number of vacancies notified. This list shall be operated only to the extent of the number of persons included in the main list not reporting for duty.

(19) The lists so prepared under sub-clauses (1) and (2) shall be published on the notice board of the office of the managing committee and a copy thereof shall be sent to the appropriate competent authority within 15 days from the last date fixed for receipt of applications. At the same time, the fact of selection shall be intimated by the managing authority to the selected candidates.

5. (1) In respect of candidates whose names are included in the list published under sub-clause (1) of clause 4, proposal shall be sent to the Competent Authority through the Block Education Officer concerned in case of primary schools and Deputy Director of Public Instruction in case of posts in high schools. The competent authority shall, after verifying that the selection procedure as specified under the rules, has been complied with, shall cause to place the proposal immediately before the Screening Committee through the concerned Chief Executive Officer. The Screening Committee shall consist of the following, namely: -

In respect of High Schools	
Chief Executive Officer of the concerned Zilla Panchayat	Chairman.
Deputy Director of Public Instruction of the concerned District.	Member.
Senior most Education Officer of the office of the Deputy Director of Public Instruction.	Member-Secretary.
In respect of Primary Schools	
Chief Executive Officer of the concerned Zilla Panchayat	Chairman.
Senior most Education Officer of the office of the Deputy Director of Public Instruction of the concerned District.	Member.
Block Education Officer of the concerned block.	Member-Secretary.

- (9) The Chief Executive Officer of the concerned Zilla Panchayath, on receipt of the proposal from the competent authority, shall send it to the Member Secretary of the Screening Committee for preparation of background notes and other materials connected with the selection of candidates. Further, the Member-Secretary shall prepare the relevant background notes and place the same before the Screening Committee and also on conclusion of deliberation of the screening committee shall prepare proceedings of the committee and obtain signature of the Chairman and Members of the screening committee and forward the same to the competent authority along with all the relevant documents for issue of necessary orders.
- (10) The screening Committee shall verify with reference to the records submitted by the Member Secretary as to whether the selection is-
 - a) to a vacancy which has arisen against an aided post to which grant in aid has been sanctioned by the competent authority ; and
 - b) is in accordance with the roster and the qualifications and other eligibility criteria specified under the rules and whether the other conditions of recruitment are complied with.

And shall make recommendations either for approval or rejection of the selection made. The Competent Authority shall consider the recommendation of the screening committee and take a decision with regard to approval or rejection, as the case may be and convey the same. In case of rejection, the reasons for such rejection shall also be recorded in writing. The entire procedure including the placing of the proposal before the screening committee and conveying approval or rejection and issue of orders thereon by the competent authority shall be completed within a period of ninety days from the date of receipt of proposal in the office of the competent authority.

- (11)The screening committee shall meet as many times as necessary, but not less than once in a month;
- (12)The inclusion of the name of a candidate in any list published under paragraph 4 shall not confer any right of appointment;
- (13)The list of candidates published by the selecting authority shall cease to be operative as from the date of publication of a list prepared in respect of such cadre or post on the next selection;
- (14) Candidates whose names are included in the main list prepared in the manner indicated above may be appointed in the vacancies in the order in which their names appear in the list.

- (15) In case, a candidate selected in the manner specified above is appointed by the appointing authority before the competent authority has conveyed its approval in accordance with sub-clause (3), the managing committee shall be liable to pay salary to the candidate so appointed and grant-in-aid at the minimum of the scale applicable to the post shall be payable only from the date the selection has been approved by the competent authority;
- (16) In case, however, a candidate, who has been selected is not appointed by the appointing authority until the selection has been approved by the competent authority, grant-in-aid at the minimum of the scale applicable to the post shall be payable only from the date of reporting for duty after such approval ”.

By order and in the name of the Governor of Karnataka,

SWARNALATHA M.BHANDARE

Under Secretary to Government,
Education Department.

Education Secretariat**Notification****No. ED 146 SLB 2007, Bangalore, Dated 27th December, 2007**

The draft of the following rules further to amend the Karnataka Educational Institutions (Recruitment and Terms and Conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999, which the Government of Karnataka proposes to make in exercise of the powers conferred by sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), published in Notification No. ED 146 SLB 2007, dated 27-10-2007 in Part-IVA in No. 1996 of the Karnataka Gazette extraordinary dated 6-11-2007 inviting objections and suggestions from the persons likely to be affected thereby.

Whereas, the said Gazette was made available to the public on 6-11-2007. Whereas, no suggestions/objections have been received in this regard by the Government. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 145 of Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following rules, namely:-

Rules

1. Title and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and Terms and Conditions of service of employees in private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2007.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment to Annexure-III.- The Karnataka Educational Institutions (Recruitment and Terms and Conditions of service of employees in Private Aided Primary and Secondary Educational Institutions), Rules, 1999, in Annexure-III, after the entries relating to Head Master, Secondary School / Secondary School Assistant Grade-I / Secondary School Assistant, Grade-II / Physical Education Teacher / Craft Teacher / Craft Teacher Grade-II / Drawing Teacher / Second Division Assistant / Peon, the following shall be inserted at the end, namely:-

“Fifty percent of the posts of Assistant Masters Grade-II in aided private high schools under each management shall be filled by promotion of primary school teachers in aided private primary schools under the same management who possess the qualification prescribed for direct recruitment.

Provided that, if sufficient number of eligible primary school teachers are not available for promotion, such number of posts shall be filled by direct recruitment.”

By order and in the name of the President of India,

SWARNALATHA M. BHANDARE

Under Secretary to Government,
Education Department.

Education Secretariat**NOTIFICATION****No. ED 262 SLB 2007, Bangalore, Dated: 7th May, 2008**

Whereas the draft of the following rules further to amend the Karnataka Educational Institutions [Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] Rules, 1999 and the Karnataka Pre-University Education [Academic, Registration, Administration and Grant-in-Aid etc.,] Rules, 2006 was published as required by Sub-section (1) of Section 145 of the Karnataka Education Act, 1983 [Karnataka Act 1 of 1995] in Notification No. ED 262 SLB 2007, dated: 29th December 2007 in Part-IVA of the Karnataka Gazette Extraordinary dated: 07-01-2008, inviting objections and suggestions from the persons likely to be affected thereby within thirty days from the date of its publication in the official Gazette.

Whereas the said Gazette was made available to the public on 07-01-2008 ;

And whereas, no objections and suggestions in respect of the said draft have been received by the Government.

Now therefore, in exercise of the powers conferred by Sub-section (1) of Section 145 of Karnataka Education Act, 1983 [Karnataka Act 1 of 1995], the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and Commencement: - (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employee in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2008 and the Karnataka Pre-University Education [Academic, Registration, Administration and Grant-in-aid etc.,] [Amendment] Rules, 2008.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of the Karnataka Educational Institutions [Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] Rules, 1999:- In the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions), Rules, 1999, in **Annexure - 1**, in clause 6, in sub clause (1), at the end, the following shall be inserted, namely: -

“ The provisions of the Karnataka Civil Services [General Recruitment] Rules, 1977 relating to [horizontal] reservation of posts in favour of the persons belonging to the categories of ex-servicemen, physically handicapped, project displaced persons, women and Kannada medium candidates and the provisions of the Karnataka Reservation of Appointments or Posts [in the Civil Services of the State] for Rural Candidates Act, 2000 (Karnataka Act 1 of 2001) relating to the each category of rural candidates shall mutatis mutandis apply in respect of every recruitment made under these rules”.

- (20) **Amendment of the Karnataka Pre-University Education [Academic, Registration, Administration and Grant-in-Aid etc.,] Rules, 2006 :-** In the Karnataka Pre-University Education [Academic, Registration, Administration and Grant-in-aid etc.,) Rules, 2006, in rule 15, after sub-rule (1), at the end, the following shall be inserted, namely :-

“ The provisions of the Karnataka Civil Services [General Recruitment] Rules, 1977 relating to (horizontal) reservation of posts in favour of the persons belonging to the categories of ex-servicemen, physically handicapped, project displaced persons, women and Kannada medium candidates and the provisions of the Karnataka Reservation of Appointments or Posts (in the Civil Services of the State) for Rural Candidates Act, 2000 (Karnataka Act 1 of 2001) relating to the each category of rural candidates shall mutatis mutandis apply in respect of every recruitment made under these rules”.

By order and in the name of the President of India,

Swarnalatha M.Bhandare

Under Secretary to Government,
Education Department.

The Karnataka Educational Institutions (Ancillary Services in Recognised Educational Institutions) Rules, 2000**Arrangement of Sections**

1. Title and Commencement
2. Definition
3. Medical Examination and Health Service
4. Recreation and Physical Training
5. Guidance Service
6. Library Services

Karnataka Educational Institutions (Ancillary Services in Recognised Educational Institutions) Rules, 2000.

Education Secretariat

Notification

No. ED/135/ViVida/98, Bangalore, Dated: 31st January 2001

Whereas the draft of the Karnataka Educational Institutions (Ancillary Services in Recognised Educational Institutions) Rules, 2000 was published as required by sub section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED/135/ViVida/98, dated: 24-11-2000 in part-IV-A of Karnataka Gazette Extraordinary dated 24th November, 2000 inviting objections and suggestions from the persons likely to be affected thereby.

Whereas the said Gazette was made available to the public on 24th November, 2000.

And whereas no objections and suggestions have been received in this regard by the Government.

Now, therefore, in exercise of powers conferred by sub-section (1) of Section 145 of Chapter viii of Karnataka Education Act 1983 (Karnataka Act 1 of 1995) The Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called the Karnataka Educational Institutions (Ancillary Services in Recognised Educational Institutions) Rules, 2000.

2. These rules shall come into force from the date of their publication in the official Gazette.

2. Definition.- In these rules, unless the context otherwise requires.-

(1) "Act" means the Karnataka Education Act 1983, (Karnataka Act 1 of 1995).

(2) "Institution" means a Recognised Educational Institution.

3. Medical Examination and Health Service.- (1) Every Institution shall arrange Medical Examination of the students by a Medical Officer not below the rank of an Assistant Surgeon of Government Hospital or a registered Medical Practitioner with a minimum qualification of M.B.B.S After the examination the Medical Officer shall make entries in the health records of every student.

(2) It shall be the duty of the Head of the Institution to maintain the health records and make facilities for medical check up.

(3) The Head of the Institution shall get the approval of the Competent Authority for appointing a doctor other than a Government Doctor, for Medical Examination and to provide medicines to the student.

(4) The expenses in respect of Medical Examination of the students and the medicine given to students shall be met out of the medical fees collected from the students. Any short fall shall be borne by the Institution.

(5) The head of the Institution shall maintain accounts of all such expenditure and shall submit it for verification to the Competent Authority at the time of inspection.

(6) Every Institution shall give proper attention to all factors relating to health of students and make them health conscious. In addition to these provisions and subject to other rules made in this behalf, the institutions shall give particular attention,-

- a) to the personal and social hygiene of students.
- b) for making make provision, in the time table for intervals of rest.
- c) to take first measures for safety.
- d) to provide for pure drinking water.
- e) to take steps to stop sale of unhygienic or harmful food, drinks or eatables in or near the premises of the institution.

4. Recreation and Physical Training.- It shall be the responsibility of the management of every Institution to provide facility for physical educational activities, such as different sports and games, summer camps, vocation classes, mass activity and such other activities which may include discipline. In addition to the above the management may endeavour to provide facilities for physical fitness and encourage the students to gain courage, patriotism and the spirit of co-operation. The management may with the help of parents and if necessary with the co-operation of Non-Government Organisation conduct special campus to students, to enable them to know about cleanliness, hygiene, spirit of group living, mutual trust and brotherhood etc.

5. Guidance Service.- The Management of every Institution shall endeavor to provide for guidance and conducting appropriate courses. To achieve this the management may create a guidance cell, which shall consist of two senior most teachers and one of them shall be a lady teacher. The cell shall meet once in two months to identify the problems of the students and to discuss the ☐arnatak measures. The cell may ☐arnata the services of Non-Government Organisations, Doctors etc., as they deem fit. The Management shall provide necessary guidance materials like brochures, leaflets etc., to the students.

6. Library Services.- (1) The Management of every Institution shall provide adequate library facilities to the students.

(2) As far as possible, separate building or rooms shall be provided for the purpose of providing Library facilities the number of books in the library shall be commensurate with the strength of the students. The books may include text books of varied interest. The books shall be selected according to the age group and interests of the students.

(3) The books shall also include reference books, text books, maps, dictionary and such other books as may be necessary for reference to the Teachers.

(4) The library and the reading room shall be open for the students atleast onehour before commencement of the classes and one hour after close on all the working days.

(5) For Superintendent and development of the library every Institution shall appoint a librarian with necessary qualifications or a teacher with attitude and qualification may be placed in additional charge of library and it will be the duty of such person to maintain the library.

By Order and in the name of the Governor
of Karnataka

K.S. GOPALA KRISHNA
Under Secretary to Government,
Education Department (General).

**The Karnataka Educational Institutions (Control of Private Educational Institutions)
Rules, 1999**

Arrangement of Sections

1. Title and Commencement
2. Definition
3. The duties and the code of conduct for the Governing Council
4. Furnishing of list of properties
5. Utilisation of funds and properties of the Institution
6. Accounting of deposit of institutions funds
7. Closure of Institutions etc.
8. Appeal
 - Form I
 - Form II
 - Form III

**The Karnataka Educational Institutions (Control of Private Educational Institutions)
Rules, 1999**

Education Secretariat

Notification

No. ED/145/Vivida/98, Bangalore, Dated: 31st January 2001

Whereas the draft of the Karnataka Educational Institutions (Control of Private Educational Institutions) Rules, 1999 was published as required by sub section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act of 1995) in Notification No. ED/145/Vivida/98, dated: 4-10-1999 in part-IV-2c(i) of the Karnataka Gazette Extraordinary dated 5th October, 1999 inviting objections and suggestions from the persons likely to be affected thereby.

And Whereas the said Gazette was made available to the public on 5th October, 1999.

And whereas no objections and suggestions have been received in this regard.

Now, therefore, in exercise of powers conferred by Section 102, 103, 104, 105, 106, 107 and 108 read with sub-section (1) of section 145 of Karnataka Education Act 1983 (Karnataka Act 1 of 1995) The Government hereby makes the following rules, namely:-

1. Title and commencement.- (1) These rules may be called Karnataka Educational Institutions (Control of Private Educational Institutions) Rules, 1999.

2. They shall come into force from the ¹[date]¹ of their publication in the official Gazette.

1. Published in the Karnataka Gazette Part IV-A Extraordinary No. 155 dated 1-2-2001

2. Definition.- In these rules, unless the context otherwise requires.-

(a) "Act" means the Karnataka Education Act 1983.

(b) "Form" means form appended to these rules.

I "Institution" means Private Educational Institution.

(d) "Section" mans section of the Act.

3. The duties and the code of conduct for the Governing Council.- (1) It shall be the duty of the Governing Council.

1. to uphold the dignity and integrity of the nation;

2. to ensure that none of the employees of the institution engage in private tuition, anti-social activities or active politics;

3. to endeavor to promote the education of the weaker sections and the handicapped.

4. to adhere to and act in accordance with provisions of the Act, the rules made thereunder, and orders made or instructions given by the Head of the Department from time to time.

5. to follow the curricula, syllabi and text books for any course of instruction prescribed by the Government from time to time.

6. to make necessary arrangements like sparing the building furniture etc., for conduct of any type of examination conducted by the Department / Government and not to encourage any kind of malpractice during the period of the above mentioned examination.

7. to levy or collect any fees or charges or any payment by whatever name it is called only as provided in the rules made by the State Government in this behalf;

8. to ☐arnata the amounts levied or collected by the Educational Institution in accordance with such rules as may be made by the State Government.

9. to intimate the details of receipt of voluntary donations within ninety days from the date of receipt of Block Education Officer of the jurisdiction and deposit such amounts as directed by Block Education Officer.

10. to ☐arnata all moneys received for the purpose for which they are intended and shall be accounted for;

11. to hold and protect the interest of the staff and students of the institution

12. to make available all the account books and other documents to the inspecting authority at the time of inspection or enquiry.

13. not to open or teach a standard or standards higher than those for which recognition is accorded;

14. not to transfer and property related to the Educational Institution without prior permission of the State Government;

15. to make the provisions for contingent expenditure, in case Government makes provision for Midday meals and such other incentives schemes;

16. to abide by the rules and regulation in respect of recruitment, appointment and service conditions of its employees framed by the State Government from time to time;

17. not to close down the institutions run by them without prior and proper intimation to and approval of the State Government.

18. to hand over all its properties, records to the officer ☐arnataka by the Government on its closure;

19. not to sell, mortgage, lease, pledge, transfer or otherwise its properties without previous permission in writing of the State Government on an application made in this behalf;

(2) The Governing Council shall be governed by the code of conduct prepared by it with respect to the matters not covered in the above code of conduct. However such code of conduct is subject to the prior approval of the State Government.

4. Furnishing of list of properties.- (1) Every institution shall send on or before the First January of each year to the competent authority, the statement in triplicate in form-1 of details of desks, benches, tables and of movable properties the value of which individually, is

Rs. 5000 or more and of all immovable properties. In respect of immovable properties the statement shall contain the following particulars and shall be authenticated by the Educational Agency,-

- a) Name of Property
- b) Description, address and location
- c) Area / extent together with survey number
- d) In case of cultivable land, its classification, and the crops grow
- e) Market value
- f) Annual income derived from the property
- g) Remarks, if any

Explanation.- A certificate from an officer of the Revenue Department not lower in rank than that of a Tahsildar shall be obtained in respect of (e) and (f) above at the time of the first submission of the statement. When there is any change in the movable or immovable properties such change should be indicated in the statement.

(2) The movable and immovable properties referred to in sub-rule (1) shall be the movable and immovable properties for the purpose of section 107.

5. Utilisation of funds and properties of the Institution.- (1) The funds of the Institution shall be ☐arnatak for the bonafide purposes connected with the institutions only with prior permission of the competent authority. If any donations are collected with the previous permission of the competent authority they shall be ☐arnatak only for that purpose. Balance if any shall be credited in the funds of the institution.

(2) An Institution may deposit funds not required for immediate use in the following Banks.-

(a) State Bank of India constituted under the State Bank of India Act, 1955 (Central Act 23 of 1955) or.

(b) In a subsidiary Bank as defined in the State Bank of India (subsidiary banks) Act, 1959 (Central Act 38 of 1959) or

I In any corresponding new Bank as defined in the Banking Companies (Acquisition and Transfer of undertakings) Act, 1970 (5 of 1970) or Post Offices Saving Bank ; or

(d) in any other Schedule Bank as approved by the competent authority.

6. Accounting of deposit of institutions funds.- (1) All funds properties grants etc collected in the name of Institutions whether from the Government or the public or private individual shall be brought to account in the case book and financial statement of that institution and it shall be used for the purpose of which the funds were collected or donated. They shall not be used for any other purpose without approval of the competent authority. The school fees, grant from Government and their income shall be pooled together as institution's funds.

(2) Funds not required for immediate use shall be deposited in the Nationalised Bank referred to above on behalf of the institution and not in the name of any individual. Every institution shall maintain day to day accounts, registers and their records are at all times open to Inspection by the competent authority.

7. Closure of Institutions etc.- Notice under section 105 shall be in Form II or III as may be appropriate. Every such notice shall set out the alternate arrangements proposed to be made for the continuance of instruction to the students of the institution or class or course, as the case may be.

8. Appeal.- (1) Every appeal under sub-section (3) of section 107 may be made to the following officers in respect of the Institutions indicated against each in column-3.

	Officers	Educational Institutions
1	2	3
1.	Commissioner for Public Instructions.	Primary schools, Secondary schools, TCH, CPED, Bed, Colleges, Sanskrit, Urdu & other Minority language Schools.
2.	Director of Pre-University Education.	Pre-University College / Junior College.
3.	Commissioner for Collegiate Education.	Colleges and Law Colleges.
4.	Director of Technical Education	Engineering College, Polytechnics, Junior Technical Schools.

(2) Every appeal shall be either presented by the party making such appeal or by his Karnataka agent in the office during office hours or be sent by registered post addressed to the authority to whom it is presented by designation.

(3) Every appeal shall clearly state the grounds of appeals.

By Order and in the name of the Governor of Karnataka

K.S. GOPALA KRISHNA

Under Secretary to Government,
Education Department (General).

Form – I

(See Rule 4)

Sl. No.	Name of Pro-erty	Movable/ Immo- vable	Descri-ption of property	How acquired	When acquired	Value of purc-hase
1	2	3	4	5	6	7

Signature of the Secretary/
Correspondent with seal

Form II

(Rule 7)

Form of Notice to be given by the Management to the Competent Authority in Case of Closure or Discontinuance of Private Education Institution

1. Date of opening of the Institution.
2. Name of the educational Institution.
3. Whether it is located in own building (rented) rent-free.
4. Mention the media of instruction in the school.
5. Name of educational district.
6. Names of other ☐arnataka☐ institution of similar type of functioning within a radius of 5 K.M. from the institution under reference.
7. Details of standards now functioning in the institution (Standard wise strength particulars of boys and girls as on 1st September of the year in which notice is given should also be furnished.)
8. Nature of recognition enjoyed by the institution. If temporary, period up to which the recognition has been granted and conditions laid down for grant of provisionally recognition etc.
9. Particulars of staff employed as approved by the Department (Teaching and non-teaching should be finished separately).
10. Whether the constitution of the educational agency provides for the closure of the institution. Furnish an extract of the constitution.
11. Reasons for the closure to be given clearly.
12. Alternative arrangements made or proposed to be made for the continuance of instruction of the pupils.
13. Cash balance in the general fund account on the date of notice.
14. Details of endowments created. Full details to be given in respect of immovable property and cash endowment.
15. Details of public contribution ☐arnatak for the benefit of the institution from the date of opening of the institution.

Cash Kind:	Rs. Movable: Immovable:	Present Value	Rs. P.
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16. Liabilities if any to be discharged by the management. Details to be specified. The arrangements made to settle them to be furnished.

17. Grants other than staff grant received from State Government should be furnished in detail.-

i) Amount of grant

ii) Date of drawal

(21) Purpose for which granted

iv) Authority Number and date of orders sanctioning of grant.

(Copy of sanction order to be furnished).

18. Whether the educational agency proposes to run any other educational institution anywhere else in the State? If so, the details may be furnished.

19. How the endowed property movable / immovable, cash balance in the general fund account is proposed to be used for educational purposes.

20. Whether the educational agency is prepared to refund the full amount of grant drawn from State Government.

21. Whether the educational agency is willing to transfer to State Government unconditionally the site, buildings, furniture endowment, staff of the institution, in case a State Government institution is opened to provide alternative arrangement for catering to the educational needs of the locality.

22. Whether any special scheme of scholarship, etc., has been instituted for the benefit of students of the institution. Full details of the scheme to be given.

23. Whether there are any orders passed by the Department as Appellate authority remaining without compliance.

24. Whether there is any case pending in a court of law concerning the institution.

25. Whether any action against the institutions pending.

26. The date of notice signed by the Secretary of the Institution Correspondent of the Schools.

DECLARATION

1. I agree that the institution will be closed only after obtaining the prior Permission of the competent authority and the closure shall take effect from the date of expiry of an academic year, as specified by the competent authority.

2. I agree to make alternative arrangements for the continuance of instruction to the pupils in the course of study for which they have been admitted.

3. In case the permission required for closure is refused by the competent authority, I shall continue to run the institution.

4. In the event of closure of the institution with the permission, I shall abide by the orders of the competent Authority with regard to transfer of institutional staff, properties, settlement of accounts etc.

Signature of the Applicant.
Secretary / Correspondent of the
Institution with seal.

Place:

Date:

Form III

(See Rule 7)

Form of Notice to be given by the Management to the Competent Authority in cases of closure or Discontinuance of Class / Course of Instruction in a Private Educational Institution

1. Name of the Institution.
2. The media of instruction in the institution.
3. Name of the educational district.
4. Details of standards / sections now functioning in the institution. (Standardwise strength (boys / girls) should be furnished.
5. Details of courses / medium introduced in the institution. The dates from which such courses are offered.
6. Details of recognition accorded to each standard. Period upto which recognition accorded should also be noted.
7. Particulars of approved staff employed in the institution including non-teaching staff for the class or course of instruction or medium of instruction proposed to be closed.
8. Whether the proposal is for closure of –
 - a) Class / Classes
 - b) Courses of instruction
9. Reason for such closure.
10. Alternative arrangement made / proposed to be made for the continuance of instructions to the pupils of the class / course of instruction.
11. The date of notice signed by the Secretary / corresponding of the institution.

DECLARATION

1. I agree that the Class / Course will be closed only after obtaining the prior approval of the competent authority and the closure shall take effect from the expiry of an academic year.
2. I agree to make alternative arrangements for the continuance of instruction to the pupils in the course for which they have been admitted.
3. In case the permission requested, refused by the competent authority, I shall continue to conduct the class / course of instruction.
4. I shall abide by the conditions / rules that are specified by State Government from time to time for the closure of class /course of instruction.

5. If due to the proposals of closure of class / course of instruction any staff is rendered surplus, their service will not be dispensed with and they will be allowed to continue in service will further orders are received regarding their absorption in needy institutions.

Place:

Signature of the Applicant.

Date:

Secretary / Correspondent of the
Institution with seal.

The Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Aided Colleges of Education and Teachers Training Institutions)

Rules, 2001

Arrangement of Sections

1. Title and Commencement
2. Definition
3. Qualification and conditions of service of employees
4. Age
5. Schedule of employment
6. (a) Constitution of Selection Committee
(b) Constitution of Selection Committee for selection of the Head of the Institution
I Constitution of Governing Council

Chapter-II

Service Conditions in Respect of Employees

7. Period of probation
8. Seniority
9. Resignation
10. Retrenchment of employee
11. Procedure to be followed by Competent Authority under Section 98
12. Transfer of employees from one aided institution to another aided institution
13. Closure of Institutions

Chapter-III

Discipline

14. Nature of Penalties
15. Disciplinary authorities
16. Suspension
17. Subsistence allowance during suspension
18. Leave while under suspension
19. Authority to institute proceedings
20. Procedure for imposing minor penalties
21. Procedure for imposing major penalties

- 22. Non payment of salary arrears in certain cases
- 23. Communication of orders and Appeal

Chapter-IV

Code of Conduct

- 24. Code of conduct for employees of Educational Institutions
- 25. Professional duties

Chapter-V

Leave Rules

- 26. General Rules
 - Annexure-I
 - Annexure-II
 - Annexure-III
 - Annexure-IV
 - Annexure-V
 - Form-I
 - Form-II

Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Aided Colleges of Education and Teachers' Training Institutes) Rules, 2001.

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 6 ViVida 2001, Bangalore, dated: 12th October, 2001

Whereas the draft of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Aided Colleges of Education and Teachers' Training Institutes) Rules, 2000 was published in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 6 ViVida 2001 dated 20.4.2001 in part-IVA of the Karnataka Gazette Extraordinary dated 21.4.2001 inviting objections and suggestions from the persons likely to be effected thereby :

And whereas the said Gazette was made available to public on 21.4.2001

And whereas no objection and suggestions have been received in this regard by the State Government:

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka makes the following rules namely:-

1. Title, Application and Commencement:- (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Aided Colleges of Education and Teachers' Training Institutes) Rules, 2001.

(2) These rules shall apply to the Colleges of Education and Teachers' Training Institutes receiving grant-in-aid.

(3) They shall come into force from the ¹[date]¹ of their publication in the official Gazette.

2. Definition:- (1) In these rules unless the context otherwise requires-

(a) 'Act' means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995)

(b) 'Aided Institutions' means any institution which receives Grant-in-aid from the Government.

I 'Annexure' means an annexure appended to these rules.

(d) 'Appointing Authority' means

(i) in respect of all the employees of the aided colleges of Education and Teacher's Training Institutes, other than the Head of the Institution, the Managing Committee of the Institution.

(ii) in respect of the Head of the Institution, the Governing Council

(e) 'Disciplinary Authority' means the Managing Committee or as the case may be, the Governing

(f) 'Form' means a form appended to these rules

(g) 'Government' means Government of Karnataka.

(h) 'Governing Council' means a Committee constituted under Rule 6 (c) of these rules.

1. Published in the Karnataka Gazette Part IV-A Extraordinary No. 1810, dated 12.10.2001

(i) 'Head of the Department' means –

(i) the Commissioner for Public Instruction.

(ii) the Director of Public Instruction (Research & Training).

(iii) the Principal of District Institute of Education and Training of the concerned District.

(j) 'Institution' means –

(i) either a College of Education affiliated to a University under section 53 of Karnataka State Universities Act 1976 imparting teaching in Education at degree level (B.Ed.) and ☐arnataka☐ by National Council of Teachers' Education or

(ii) in respect of Teachers' Training Institute any Institute established or ☐arnataka☐ by the Government and the National Council for Teachers Education for imparting pre-service Teachers Training leading to T.C.H. Certificate issued by the Karnataka Secondary Education Examination Board.

(k) 'Local body' means a duly constituted Zilla Panchayat, Taluk Panchayat, Grama Panchayat or Municipal Corporation or Municipal Council or a Town Panchayat or any other body notified by the Government from time to time as a local body for purposes of grant-in-aid under these Rules.

(l) 'Management' means a person a body of persons, a local body or a registered association, a managing committee or committees maintaining one or more Institutions and registered and ☐arnataka☐ as such by the Government.

(m) 'Schedule' means the Schedule to these Rules.

(n) 'Section' means a section of the Act.

(o) 'University' means a University established under the Karnataka State University Act 1976 to which B.Ed Colleges are affiliated

Words used but not defined in these rules shall have the meaning assigned to them in the act or as the case may be in the Karnataka Civil Services Rules or the rules made or deemed to have been made under the Karnataka State Civil Services Act 1978 (Karnataka Act 14 of 1990)

3. Qualification and conditions of service of employees:- (1) Subject to the other provisions in these Rules:

(a) The categories of posts, the staffing pattern and the qualifications for recruitment to posts in an Institution shall be as specified in Annexure III, IV and V. In respect of employees other than teacher educators/lecturers, the prescribed qualifications for recruitment, etc. in Institutions shall be the same as those applicable for the corresponding category of employees

in Government Educational Institutions. The procedure for selection of candidates to posts identified for recruitment shall be as specified in Annexure-1 appended to these rules.

(b) Subject to the financial capacity of the State Government the salary of employees in respect of posts admitted into aid in □arnataka□ private educational institutions receiving aid from the State Government shall generally be the same as those applicable for the corresponding category of employees in Government educational institutions as per orders issued by the State Government in respect of this category of employees from time to time.

Provided that no employee of an aided institution shall be entitled to the benefits enumerated in Annexure-II.

I Subject to the financial capacity of the State Government pensionary benefits is admissible to aided employees of aided institution as per the provisions of Triple Benefit Scheme Rules and gratuity is admissible as per the orders issued by the government from time to time.

Provided that in respect of employees appointed prior to 1-1-86, pension and gratuity is admissible if management contribution of 3% is paid up to the period of 4-9-86.

(2) The State Government may vary the qualification, method of recruitment and conditions of service from time to time.

4. Age:- No employee who is not within the age limit prescribed for recruitment to the corresponding posts in Government Educational Institutions shall be eligible for appointment to any post in any Institution.

5. Schedule of employment:- (a) Every private educational institution shall maintain a schedule of employment as per seniority indicating therein the name, qualification, scale of pay and other particulars in respect of each employee, in Form-1.

(b) In case the management is running more than one institution, the schedule of employment shall be maintained management wise also as per seniority and roster.

6. (a) Constitution of Selection Committee:- For the purpose of recruitment to teaching and non-teaching posts other than the post of head of the institution, to an Institution, the Managing Committee shall constitute a "Selection Committee" consisting of :-

- (i) the President of the Head of the Managing Committee or his nominee- Chairman;
- (ii) the Competent Authority or his nominee other than in minority institutions;
- (iii) The head of the Institution ;
- (iv) An educationist or an expert in the subject to which recruitment is to be made, selected by the Governing Council.

(b) Constitution of Selection Committee for selection of the Head of the Institution- For the purpose of recruitment to the post of Head of the Institution, to an Institution, the Managing committee shall constitute a 'Selection Committee' consisting of :-

- (i) the President or the Head of the Managing Committee or his nominee -Chairman

- (ii) the Competent Authority or his nominee other than in minority institutions:-
- (iii) Two senior staff members;
- (iv) Two nominees of the concerned Universities in case of B.Ed Colleges or the Principal of the concerned D.I.E.T. in case of T.T.Is.

I Constitution of Governing Council:- The Governing Council shall consists of all the members of the selection Committee constituted under clause (ii) of rule 6. In addition to this the Head of the Institution.

CHAPTER – II

SERVICE CONDITIONS IN RESPECT OF EMPLOYEES

7. Period of probation:- A person appointed under these rules shall be on probation for a period of two years.

Provided that the appointing authority may for the reasons to be recorded in writing extend the period of probation by a further period of six months.

8. Seniority:- (a) The Managing Committee shall cause to be prepared and maintained every year a separate seniority list of employees for each category of posts in the institution.

(b) In case the managing committee is running more than one institution, the managing committee shall cause to prepare a common seniority list for all the institutions under its control.

9. Resignation:- Any employee appointed under these rules may resign from service by giving one month's notice in writing in Form 1 to the Governing Council or surrendering one month's salary in lieu thereof. A copy of such notice shall be sent to the competent authority or a person or an authority ☐arnataka☐ by him for verifying the contents of the resignation notice and forward it to the Governing Council for acceptance, if the resignation is found to be voluntary. The Governing Council shall not accept the resignation until the notice is forwarded to it by the competent authority.

Provided that the employee who has submitted resignation may withdrawn the same if he so desires within the intended period of resignation or before resignation is accepted whichever is earlier.

10. Retrenchment of employees:- (1) An employee in an institution may be retrenched by the Governing Council on the following grounds:

Where the teacher pupil ratio falls below the standard staffing pattern specified in Annexure IV and V as the case may be.

- (a) On account of either change of curriculum or reduction of student strength, the work load of a teacher educator/lecturer in a particular subject or any other teaching and non-teaching staff does not warrant his continuation in a particular institution.

- (b) Closure of institution due to lack of infrastructural facilities, dispute within the management or between management and staff members or any other reason which may be recorded in writing.
 - (c) The employee does not possess the required educational qualification.
 - (d) Where the competent authority or the Government deletes for reasons to be recorded in writing the post from salary grant.
 - (e) For any of the above or for any other reason recorded in writing as the Government may deem fit.
- (2) The procedure to be followed by the Governing Council for retrenchment of an employee of an institution shall be as follows:-
- a) No employee of an institution whose appointment has been approved with aid by the Department shall be retrenched by a Governing Council except for reasons specified in sub-rule(1) of section 98.
 - b) Where retrenchment is due to the employees becoming surplus, the Junior most employee in terms of seniority list maintained in accordance with rule 8 in the particular cadre and subject, shall be retrenched.
 - c) A notice shall be issued to the employee proposed to be retrenched stating the reasons in writing for such retrenchment, giving the employee an opportunity to submit his written statement of objection if any within fifteen days from the receipt of such notice.
 - d) On receipt of the written objection received from the employee, he shall be afforded an opportunity to explain his stand in person if such request has been made by him/her in the written statement.
 - e) The Governing Council shall on the basis of grounds so established send proposals to the competent authority.
 - f) The Competent Authority shall on receipt of the proposal, verify the same and after ascertaining the facts, that:-
 - (i) the reason stated in the proposal are in conformity with the reasons stated in sub-rule (1);
 - (ii) that the employee is junior most as per the seniority list maintained by the management in the particular subject and cadre;
 - (iii) accord approval to the Governing Council to retrench the employee so proposed by giving one month's notice or one month's salary in lieu of the same.
 - g) The Competent Authority shall thereafter withdraw salary grant in respect of such excess/retrenched staff.

(3) If the Governing Council does not send the proposal, in accordance with clause (e) of sub-rule (2), the Competent Authority may give directions to the Governing Council to send proposal within a period of one month, if the Governing Council fails to send the proposal over thereafter salary grants for institution shall be liable to be withdrawn totally.

11. Procedure to be followed by Competent Authority under Section 98:- (1) The Competent Authority may either suo motu after personally ascertaining facts or on the report of one of the subordinate officers initiate action to retrench an employee by following directions to the Governing Council after having fully satisfied that retrenchment is called for due to any one or more of the reasons specified in rule 10 or section 98.

(2) The Competent Authority shall cause a list of all eligible and qualified retrenched employees to be maintained at the State level. The list of teacher educators/lecturers shall be prepared subject-wise and cadre-wise and the list of other non-teaching staff shall also be prepared cadre-wise. The list shall be prepared on the basis of seniority, taking the date of approval of appointment with aid as the basis. The details of category of reservation and roster of such an employee shall also be recorded.

(3) The competent authority shall submit periodically and every time an employee is retrenched, the details of such retrenchment to the head of the department.

(4) The competent authority shall also submit the vacancy position in respect of each of the institution, district-wise, category-wise and in case of teacher educator/ lecturers subject-wise and also in case of other categories of teaching and non-teaching staff cadre-wise with details of roster to the Head of the Department.

(5) The competent authority shall publish periodically during every quarter the details of candidates enlisted as per sub-rule (1).

(6) On receipt of the vacancy position, the Government or Competent Authority shall without prejudice to initiating action under sub-rule(1) allot through computerized ☐arnataka☐, the retrenched employee on the basis of seniority and after taking into consideration the subject requirement and reservation and roster point, to any other institution where a regular sanctioned vacancy exists and direct the concerned management to issue appointment order to such candidate and direct such candidates to report for duty in the said institution.

Provided that in all cases where no person is available in the reservation category and roster as per the requirement of the institution, then the senior-most candidate irrespective of reservation and roster shall be allotted.

Provided further that no recruitment shall be made by any aided institution, until the list of retrenched teaching and non-teaching staff are exhausted.

Provided also that the retrenched employee so appointed in the new institution will get seniority in the new institution from the date of joining the institution. However, the services rendered in the earlier institution will count for pay, leave and pensionary benefits.

Provided also further that the retrenched employee who is allotted to a new institution shall not be entitled to any compensation provided under the act.

Provided also that no retrenched employee/staff shall be allotted to a minority institution for being appointed against a vacancy.

Provided also that in so far as minority institutions are concerned, the competent authority on his own verification or on the report of his subordinate officers finds that there is an excess strength of teaching and non-teaching staff on account of reasons mentioned in the above rules shall take action to retrench the excess teaching and non-teaching staff following the same procedure as specified under these rules. The Competent authority shall withdraw salary grants in respect of such excess/retrenched staff.

12. Transfer of employees from one aided institution to another aided institution:-

(1) Transfer of an employee can be permitted by the competent authority subject to the following conditions.

- (a) that there is need for filling up the post in terms of subject, strength and attendance.
 - (b) that the vacancy so proposed for transfer is a clear vacancy and is in accordance with the staffing pattern.
 - (c) the management has clearly mentioned the nature and cause of vacancy supported by facts.
 - (d) that an employee receiving salary grant from Government earlier is proposed for transfer in the place of another employee or post which is also included in salary grant and no employee occupying a post receiving salary grant is proposed for transfer to an unaided post.
 - (e) that both the management have consulted.
- (22) The competent authority may grant permission to transfer in the following cases:-
- (a) in the case of a request by the management or the employee for a transfer within the institution of the same management;
 - (b) in the case of request by management or the employee for a transfer to an institution of different management, with the consent of both the management.

Provided that in case of request by the management or the employee for a transfer within the institutions of the same management or request by an employee for a transfer to an institution belonging to a different management, the head of the department may accord permission for the same, subject to the condition that in respect of transfer involving different management, the employee earns the seniority in the concerned institution from the date of reporting for duty in the new institution. However, his service in the previous Aided Institution will count for the purpose of salary, leave and pensionary benefits. In all other cases of transfer effected within the same management the services in the previous institution shall count for seniority in the new Institution and his service in the previous Institution of the same management shall count for salary, leave and pensionary benefits. Transfer orders of the

employees within the institution of the same management or different management shall be issued only by Director of Public Instruction (Research and Training).

13. Closure of Institutions:- (1) Institutions not having the prescribed student strength among other factors shall be ordered to be closed down by the competent authority.

(2) Where an institution is so ordered to be closed, the teaching and non-teaching staff working in such institution, shall be retrenched in the manner specified in rules 10 and 11.

(3) Students undergoing course of study in such institutions shall be accommodated in other institutions located near by the closed institution, as the competent authority may by order direct.

CHAPTER- III

DISCIPLINE

14. Nature of Penalties:- One or more of the following penalties for good and sufficient reasons and as hereinafter provided may be imposed on the employees namely :-

- (i) Fine;
- (ii) censure;
- (iii) withholding of increments;
- (iv) withholding of promotions;
- (23) recovery from pay of the employees in whole or part of any pecuniary loss caused by negligence or breach of orders to the governing council, the state government or the central government.
- (vi) reduction to a lower stage in a time scale of pay for a specified period with further direction as to whether or not the employee will earn increments of pay during the period of such reduction and whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increment of his pay;
- (24) reduction to a lower time scale of pay, grade, post of service which, shall, unless otherwise directed, be a bar to the promotion of the employee to the time scale of pay, grade, post or service from which he was reduced with or without further directions regarding;
 - (a) seniority and pay in the scale of pay, grade, post or service to which the employee is reduced;
 - (b) conditions of restoration to the scale of pay, grade, post or service from which the employee was reduced and his seniority and pay or such restoration to the scale of pay, grade, post or service.
- (viii) compulsory retirement;
- (ix) removal from service.
- (25) dismissal from service;

Provided that in the absence of special and adequate reasons to the contrary to be mentioned in the order of disciplinary authority, no penalty other than those specified in clause (viii) to (x) shall be imposed for any established charge of corruption.

Provided further that every order of private management receiving aid from Government keeping employees admitted to grant-in-aid under suspension from service, etc., shall be confirmed by the competent authority who has approved the appointment.

Explanation: The following shall not amount to be penalty within the meaning of this rule:

- (i) withholding of increments of an employee for failure to pass a departmental examination in accordance with the rules or order governing the service or post or terms of his appointment;
- (ii) stoppage of pay of the employee at the efficiency bar in the time scale on the ground of his unfitness to cross the efficiency bar;
- (iii) non-promotion, whether in a substantive or officiating capacity of an employee after consideration of his case to a grade or post for promotion to which he is eligible.
- (iv) reversion to his permanent service, grade or post of an employee appointed on probation to another service, grade or post during or the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing probation;
- (v) compulsory retirement of an employee in accordance with the provision relating to super annuation or retirement;
- (vi) termination of services;
 - (a) of an employee appointed for three months or less;
 - (b) of a person employed under an agreement in accordance with the terms of such agreement.
- (vii) Retrenchment of an employee.

15. Disciplinary authorities: (1) The Disciplinary Authority may impose, any of the penalties specified in rule 14 on any employee.

(2) Without prejudice to the provision of sub-rule (1) the head of the Institution may impose any of the penalties specified in clauses (i) and (ii) of rule 14.

16. Suspension : (1) The appointing authority may place an employee under suspension under the following circumstances and conditions:-

- (a) (i) a disciplinary proceeding against an employee is pending ; or
- (ii) a case against an employee in respect of any criminal offence is under investigation or court trial; or

- (iii) a preliminary inquiry against an employee has made out a “prima facie” case which would justify disciplinary proceeding or criminal prosecution against him and the proceedings are likely to end in his conviction and or dismissal or removal from service; and
- (26) the disciplinary proceeding or criminal offences involves one or more of the following misdemeanor:-
- (i) moral turpitude;
 - (ii) corruption, embezzlement or misappropriation;
 - (iii) negligence and dereliction of duty resulting in considerable pecuniary loss to the institution;
 - (iv) desertion of duty;
 - (v) refusal or deliberate failure to carry out written orders of superior authority of the Competent Authority.
- (27) Any employee shall be deemed to have been placed under suspension by an order of the appointing authority:
- (a) with effect from the date of his detention, if he is detained in custody whether on criminal charge or otherwise, for a period exceeding forty eight hours;
 - (b) with effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.
- (3) Where a penalty of dismissal or removal or compulsory retirement from service imposed upon an employee under suspension is set aside in appeal or on review under these rules and the case is remitted for further inquiry or action or with any other directions the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal or compulsory retirement and shall remain in force until further orders.
- (4) Where a penalty of dismissal or removal or compulsory retirement from service imposed upon an employee is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority on a consideration of the circumstances of the case, decides to hold further inquiry against him on the allegations on which the penalty of dismissal or compulsory retirement was originally imposed, the employee shall be deemed to have been placed under suspension by the appointing authority from the date of the original order of dismissal or removal or compulsory retirement and shall continue to remain under suspension until further orders.
- (5) (a) An order of suspension made or deemed to have been made under this rule shall continue to remain in force until it is modified or revoked by the authority competent to do so.
- (b) Where an employee is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) any other disciplinary proceeding is

commenced against him during the continuance of that suspension, the authority competent to place him under suspension may for reasons to be recorded by him in writing, direct that the employee shall continue to be under suspension until the termination of all or any of such proceedings.

I An order of suspension made or deemed to have been made under this rule may at any time be modified or revoked by the authority which made on or is deemed to have made the order or by any authority to which that authority is subordinate.

17. Subsistence allowance during suspension :- (1) Every employee placed under suspension shall be entitled to the following payment, namely:-

(a) Subsistence allowance at an amount equivalent to fifty percent of the pay drawn immediately prior to the date of suspension.

Provided that where the period of suspension exceeds six months, the employee shall be entitled to subsistence allowance equivalent to seventy five percent of the pay drawn immediately prior to the date of suspension subject to conditions contained in sub-rule(6):

Provided further that when an employee is convicted by a competent court and sentenced to imprisonment, no subsistence allowance shall be payable.

(28) Where an employee who has been dismissed or removed or compulsorily retired or suspended is reinstated or would have been reinstated but for his retirement on superannuation while under suspension, the authority competent to order the reinstatement shall consider and make a specific order.

(a) regarding the pay and allowance to be paid to the employee for the period of his absence from duty or for the period of suspension ending with the date of retirement of superannuation, as the case may be; and

(b) whether or not the said period shall be treated as the period spent on duty.

(3) Where such competent authority holds that the employee has been fully exonerated, the employee shall be given the full pay to which he would have been entitled had he not been dismissed or removed from service and the period of absence from duty shall be treated as a period spent on duty for all purposes.

(4) In other cases the employee shall be given such proportion of such pay and allowance, as the competent authority may prescribed and the period of absence from duty shall not be treated as period spent on duty unless the competent authority specifically directs that it shall be so treated for any specified purpose:

Provided that the payment of allowance under sub-rule (2) or (3) shall not be less than subsistence allowance and other allowance admissible under these rules.

(5) Where on the conclusion of the inquiry against an employee placed under suspension, the authority competent to impose any punishment:-

- (i) makes an order fully exonerating or acquitting him, the period during which he was under suspension pending the enquiry shall be entitled to full pay and allowance as if he had not been under suspension;
 - (ii) makes an order imposing penalty other than the penalty of compulsory retirement from service or dismissal from service, the employee shall be paid for the period of suspension such proportion of his pay and allowances as the said authority may in his discretion specify and where no such proportion is specified, the employee shall be entitled to subsistence allowance admissible under these rules and the period of suspension shall count as duty unless the said authority has otherwise directed.
 - (iii) makes an order imposing the penalty of compulsory retirement from service or dismissal or removal shall be paid for the period of suspension such proportion of his pay and allowances as the said authority may in its discretion specify and where no such proportion is specified, the subsistence allowance admissible under these rules and the period of suspension shall not count as duty for any purpose unless the said authority has otherwise directed.
- (29) The subsistence allowance under these rules and consequential amount to be paid under sub-rule(5) shall be paid from the management from its own funds, except in respect of employees working in aided posts where the suspension is approved by the competent authority.

Provided that the disciplinary authority shall complete the enquiry within a period of six months. In cases, where enquiry other than in criminal cases continue beyond six months, management is liable to pay subsistence allowance.

Provided further that where the delay in enquiry beyond six months is attributable to the employee the subsistence allowance may be restricted to fifty percent or below as deemed fit by the disciplinary authority.

18. Leave while under suspension:- (1) Leave of absence for a definite period is not admissible to an employee who has been suspended from duty and without obtaining the permission of the authority competent to fill up the appointment, an employee under suspension should not leave the station where his office is situated.

(2) No payment of subsistence allowance shall be made unless the employee continues to reside in the station where his office is situated or in the station in which he is permitted by the authority which made or which is deemed to have made the order of suspension.

19. Authority to institute proceedings:- (1) The managing Committee may impose on the employee any of the penalties specified in clauses (i) to (vii) of the rule 14 expect after:-

- (a) informing the employee in writing of proposal to take action against him and of imputation of misconduct or misbehavior on which it is proposed to be taken and giving him a reasonable opportunity for making such representation as he may make against the proposals; and

(b) such representation or explanation, if any, is considered by the Head of the Institution as the case may be;

(2) The record of proceedings in all cases should be a “ speaking order.”

20. Procedure for imposing minor penalties:- (1) No order imposed on any employee of any of the penalties specified in clauses (i) to (v) of rules 14 shall be made except after :-

(a) informing the employee in writing of proposal to take action against him and of imputation of misconduct or misbehavior on which it is proposed to be taken and giving him a reasonable opportunity for making such representation as he may make against the proposal; and

(b) such representation or explanation, if any is considered by the Board of Management, Manager or the Head of the Institution as the case may be.

(30) The record of proceeding in such cases shall include:

(i) a copy of the intimation to the employees of the proposal to take action against him.

(ii) a copy of the statement of imputations of misconduct or misbehavior communicated to him;

(iii) his representations if any;

(iv) the evidence produced during the inquiry, if any;

(v) the finding on each imputation of misconduct or misbehavior; and

(vi) the orders on the case together with reasons thereof.

21. Procedure for imposing major penalties:- (1) No order imposing any of penalties specified in clauses (iii) to (x) of rule 14 shall be made except after an inquiry is held, in the manner provided in these rules.

(2) Wherever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehavior or breach of any provision of the code of conduct specified in Chapter-IV against an employee, it may itself inquire into, or appoint an enquiry officer or an enquiry committee consisting of more than one or more persons.

(3) The disciplinary authority shall frame definite charges on the basis of the allegations on which the inquiry is proposed to be held. Such charges, which shall include a statement of allegations on which they are based shall be communicated in writing to the employee and he shall be required to submit within such time as may be specified by the enquiry committee, a written statement of his defence and also to state whether he desires to be heard in person.

(4) The employee shall for the purpose of preparing defence be permitted to

Provided that such permission may be refused if the record for reasons to be recorded are not relevant for the purpose and it is against the interest of the institution to allow his access thereto.

(5) On receipt of the statement of defence in writing by the employee or if no such statement is received within the time specified, the enquiry committee shall proceed with the enquiry.

(6) The disciplinary authority may nominate any person to present its case before the enquiry committee. The employee may present his case with the assistance of any other person approved by the enquiry committee, but may not engage a legal practitioner for the purpose unless the person nominated by the disciplinary authority to present its case as a legal practitioner or the inquiry committee having regard to the circumstances of the case so permits.

(7) The inquiry committee shall, in the course of the inquiry, consider such documentary evidence and take such other evidence as may be relevant or material in regard to the charges. The employee shall be entitled to cross examine witnesses examined in support of the charges and to give evidence in person. The person presenting the case in support of the charges shall be entitled to cross examine the employee and the witnesses examined in his defence. If the inquiry committee declines to examine any witness on the ground, that his evidence is not relevant or material, it shall record its reasons in writing.

(8) At the conclusion of the inquiry, the inquiry committee shall prepare a report of the inquiry, record its findings on each of the charges together with the reason thereon. If in the opinion of the inquiry committee, original charges differ from those framed, it may record findings on such charges;

Provided that findings on such charges shall not be recorded unless the employee has had an opportunity of defending himself against them:-

The record of inquiry shall include :

- (i) the charges framed against the employee and the statement of allegations furnished to him;
- (ii) his written statement of defence if any;
- (iii) the documentary evidence considered in the course of the inquiry;
- (iv) the orders, if any made by the disciplinary authority and the inquiry committee in regard to the inquiry;
- (v) the oral evidence taken in the course of the inquiry;
- (vi) a report setting out the finding on each charge and the reasons thereof and
- (vii) any suggestion of the inquiry committee, if it considers necessary, for the imposition of any penalty.

(9) The disciplinary authority shall consider the report of inquiry and record its findings on each charge.

(10) If the disciplinary authority having regard to its findings on the charges is of the opinion that any of the penalties specified in clauses (iii) to (x) of rule 14 should be imposed, it shall, furnish to the employee a copy of the report of inquiry committee and a statement of its findings, if any.

(11) The disciplinary authority shall consider the representation, if any, made by the employee in response to the notice and determine what penalty, if any, should be imposed on the employee and pass appropriate orders in the case.

(12) If the disciplinary authority having regard to its findings is of the opinion that any of the penalties specified in clauses (i) to (vi) shall be imposed, it shall pass appropriate orders in the case.

22. Non payment of salary arrears in certain cases:- If the orders of the disciplinary authority imposing penalty of dismissal or removal or compulsory retirement or reduction in rank etc., is subsequently set aside by the court or appellate authority, the government shall not be liable to pay salary arrears and such arrears of salary shall be paid by the Management only.

23. Communication of orders and Appeal:- Orders passed by the Disciplinary Authority shall be communicated to the employees who shall also be supplied with a copy of the report of inquiry committee and statement of its findings if they have not been already supplied to him. Any appeal against any of the penalties imposed by the disciplinary authority except those specified under section 94 of the Act and also subject to provisions contained in section 94 shall lie to the Director of Public Instruction (Research and Training). Every order of the disciplinary authority imposing any penalty or otherwise affecting his conditions of service to his prejudices, shall be served in person or communicated to the employees by registered post acknowledgement due, and copy of the order be sent to the competent authority at the same time.

CHAPTER – IV

CODE OF CONDUCT

24. Code of conduct for employees of Educational Institutions:- Maintain absolute integrity, devotion to duty and do nothing which is unbecoming of an employee of an Educational Institution.

25. Professional duties:- (1) (a) Every employee shall:-

- (i) be punctual in attendance in respect of his work and any other work connected with the duties assigned to him by the Head of the institution.
- (ii) abide by the rules and regulations of the institutions and show due respect to constituted authority.

(31) no employee shall

- (i) knowingly or willfully neglect his duties :

- (ii) remain absent from the institution without leave or without the previous permission of the Head of the institution;
- (iii) include in, or encourage, any form of mal-practice connected with examinations or any other institution activity;
- (iv) accept private tuition.

(32) The following also constitute mis-conduct:-

- (a) indulging in communal activities or propagating casteism;
- (b) ill-treatment of students, other employees and indulging in rowdy or disorderly behavior or violence.
- (c) taking part in politics or elections;
- (d) joining an Association, the object of which is prejudicial to the interest of the Country;
- (e) participation in a demonstration or strike;
- (f) criticizing in public and current policies of state or central Government;
- (g) accepting contribution or raising collection without previous sanction of the management;
- (h) bringing or attempt to bring political or other influence for furtherance of his own interest;
- (i) accepting any gift except a casual meal, lift or other social hospitality. However, on social occasions a gift could be accepted if its value is less than Rupees One hundred only or on other occasions, if it is less than Rupees Two hundred fifty only.
- (j) giving, taking or abetting the giving or taking of dowry;
- (k) engaging in any private trade or employment;
- (l) writing or editing any textbook while being a member of the text book committee.
- (m)speculating in stock, share or investment.
- (n) becoming insolvent and / or getting in to habitual indebtedness.
- (o) non submission of annual Assets and Liability Returns.
- (p) acquisition, disposal of movable or immovable properties without previous sanction of management or entering into any transaction with any foreigner or foreign Karnataka Government for acquisition and disposal of property;
- (q) acting as a legal guardian of minor other than his dependant without the previous sanction of management;

- (r) contracting another marriage without obtaining permission of the management or entering into a bigamous marriage against the personal law of employee;
- (s) consumption of intoxicating drugs or drinks.

CHAPTER – V

LEAVE RULES

26. General Rules:- (1) The leave rules applicable to both teaching and non-teaching staff in Government Educational Institutions shall mutatis-mutandis be applicable to the teaching and non-teaching staff of the aided Educational Institutions.

By Order and in the name of
the Governor of Karnataka.

K.G.HIREMATH

Under Secretary to Government, (Incharge)
Education Department(General).

ANNEXURE-1**(See rule – 3)**

1. Method of recruitment:- (1) Recruitment under these rules shall be made on the basis of the percentage of total marks secured in the qualifying examination as determined under clause 3 and of the marks secured at the interview under clause 4 by the selecting authority.

2. Advertisement in the News Papers:- The selecting authority of an Educational Institution shall after obtaining prior permission from the competent authority to fill up the vacancies shall notify at least in one leading news paper having largest circulation in the local area inviting applications from candidates indicating therein the number of vacancies and categories of posts etc. In addition to this an institution shall request the concerned Employment Exchanges to send a list of eligible candidates for the purpose of selection. Copy of the advertisement shall also be sent to the Director of Public Instruction (Research and Training) and further to the Principals of concerned D.I.E.Ts in case of T.T.Is and to the concerned Universities in case of B.Ed Colleges for displaying on the Office Notice Board. The management of the institution shall also display the Notification on its Notice Board.

3. Eligibility of Candidates for the Interview:- (1) For the purposes of selection of candidates for the interview, the selecting authority shall prepare a list of names of candidates on the basis of the percentage of total marks in the qualifying examination, in the order of merit and if two or more candidates have secured equal percentage of total marks in the qualifying examination the order of merit in respect of such candidates shall be fixed on the basis of their age, the person older in age being placed higher in the order of merit. Candidates as equal to ten times the number of vacancies notified, selected in the order of merit, shall be eligible for interview.

(2) Where posts are reserved for Scheduled Castes, Scheduled Tribes, Backward Tribes or other Backward classes and the required number of candidates in terms of sub-clause (1) belonging to such castes, tribes or other classes are not eligible for the interview, then, notwithstanding anything contained in sub-clause (1) such number of candidates as will make up the deficiency, belonging to such castes, tribes or classes selected in the order of merit on the basis of the percentage of total marks secured in the qualifying examination from the list of names of candidate shall also be eligible for the interview.

4. Qualifying Examination:- For the purposes of this rule:-

- (a) Qualifying examination means the examination or examinations prescribed as the minimum qualification required for appointment in the rules of recruitment to the post concerned, specified in Annexure –III.
- (b) Where the qualifying examination consists of more than one examination shall be the average of percentage of total marks secured in those examinations.
- (c) Where different qualifying examinations have been prescribed alternatively in the rules of recruitment applicable to a post of or category of posts and a candidate has

passed more than one such qualifying examination, the percentage of total marks obtained in such qualifying examination in which he has obtained highest percentage of total marks shall be taken into consideration.

5. Interview:- (1) Selecting authority shall interview the eligible candidates selected under clause-3 and award marks on the basis of their performance in the interview. The maximum marks for interview shall be fifteen.

(2) The selecting authority shall publish on the notice board or its office on the day on which interview is held or on that day following but before the commencement of the interview on that day, a list of marks obtained by each candidates in the said interview.

Provided that where the interview is held in any place other than the place of its office, the said list shall also be published in such other place in addition to the office.

6. List of selected candidates:- (1) The selecting authority shall on the basis of the aggregate of percentage of the total marks secured in the qualifying examination as determined under clause 4 and of the marks secured at the interview under clause 5 and taking into consideration the orders in force relating to reservation of posts for Scheduled Castes, Scheduled Tribes, Backward Tribes and other Backward Classes prepare in the order of merit a list of candidates eligible for appointment to the cadre or post and if the aggregate of the percentage of total marks secured in the qualifying examinations as determined under clause 4 and of the marks secured at the interview under clause 5 two or more candidates is equal, the order of merit in respect of such candidates shall be fixed in accordance with clause 4. The number of names of candidates to be included in such list shall be equal to the number of vacancies notified.

(2) The selecting authority shall in accordance with the provisions of sub-clause (1) also prepare an additional list of names of candidates not included in the list prepared under sub-clause (1) in which the number of candidates to be included shall, as far as possible, be ten percent of the number of vacancies notified.

Provided that if the appointing authority so requires the number of candidates to be included in the list shall be such as may be specified by the appointing authority but not exceeding fifty percent for the number of vacancies notified.

(3) The lists so prepared under sub-clauses (1) and (2) shall be published in such manner as the competent authority and a copy thereof shall be sent to the appropriate appointing authority.

7. Appointment of candidates:- (1) Proposals shall be sent to the Competent Authority in respect of candidates whose names are included in the list published under sub-clause (1) of clause 6. The Competent Authority shall after verifying that the selection procedure as prescribed under the rules has been complied with, convey approval for appointment of the selected candidates. In case the selection is not in accordance with the procedure prescribed under these rules the competent authority shall convey rejection recording the reasons for such rejection in writing. Such approval or rejection shall be conveyed by the competent authority within 90 days from the date of receipt of proposal in his office. Candidates

shall be appointed by the Appointing Authority only after such approval by the Competent Authority and salary of such candidates shall be payable from the actual date of joining duty. The management shall be liable for payment of salary till the date of admission of such posts into grant-in-aid.

(2) The inclusion of the name of a candidate in any list published under clause 6 shall not confirm any right of appointment.

(3) The list of candidates published by the selecting authority under clause 6 shall cease to be operative as from the date of publication of a list prepared in respect of such cadre or post on the basis of next selection.

(4) Candidates whose names are included in the main lists prepared in the manner indicated above may be appointed in the vacancies in the order in which names appear in the list.

ANNEXURE-II

(See rule – 3)

LIST OF BENEFITS NOT ADMISSIBLE IN RESPECT OF EMPLOYEES OF AIDED INSTITUTIONS

- 1) Benefits not available for service rendered during the unaided period for purpose of fixation of pay, leave and pension or any other service benefits by the Government.
- 2) Weightage of five years for calculation of qualifying services of an employee who retires on voluntary basis.
- 3) Medical reimbursement facilities.
- 4) Festival advance, House Building Advance , House Purchase Advance or any type of Advance.
- 5) Transfer Travelling Allowance and Daily Allowance .
- 6) Invalid pension before the completion of qualifying service of fifteen years.
- 7) Such other conditions or benefits as may be specified by order of the State Government from time to time.
- 8) In respect of retirement benefits, no employee who has retired between 1-4-1995 to 31-3-1998 shall be entitled to merger of 90% DA to Basic Pay for calculation of DCRG. In respect of employees retiring after 31-3-1998, DCRG will be calculated as per specific orders issued by the Education Department in this behalf from time to time.

ANNEXURE-III

(See rule – 3)

CATEGORY OF POSTS AND QUALIFICATIONS

(33) In Teachers Training Institutes with an intake capacity of 30 candidates each in I year T.C.H and II Year T.C.H. Classes.

Category of Posts	Number of posts	Minimum Qualification
1. Principal/ Superintendent	As per	1. As prescribed under the Norms and
2. Graduate Teacher	approved	Standards for Teacher Education
Educators/Lecturers	staffing pattern	Institutions . (Elementary), by the
3. Craft Teachers	specified in	N.C.T.E., New Delhi and
4. Part time teachers to teach	Annexure IV	
Kannada, Hindi, Drawing,		2. As prescribed under Karnataka
Music and Physical		Education Department services
Education, Tamil, Telugu,		(Department of Public Instruction)
Urdu, Marathi,		(Recruitment Rules) 1967, as amended
5. Second Division Clerk/		from time to time.
Office Assts.		
6. Class IV		

(34) In Colleges of Education Imparting B.Ed. Course with an Intake capacity of 100 candidates:-

1. Principal/Head	As per	1. As prescribed under the Norms and
2. Reader/lecturer	approved	standards for Teacher Education
3. Librarian	staffing pattern	Institutions (Secondary-B.Ed) by the
4. Library Clerk/	specified in	National Council for Teacher
Library Asst.	Annexure-V	Education, New Delhi. And
5. First Division Clerk /		2. As prescribed under Karnataka
First Division Asst./		Education Department Services.
Accountant/Head Clerk		(Department of Public Instruction)
6. Attenders-For library &		(Recruitment Rules) 1967, as
Office.		amended from time to time.
7. Watchmen		
8. Scavenger		
9. Peons/Class IV		
10. Technician (Film Operator		
Or Mechanic)		
11. Clerk-cum-Typists		

ANNEXURE-IV**(See rule – 3)****STANDARD STAFFING PATTERN FOR TEACHERS TRAINING INSTITUTIONS
IMPARTING T.C.H. COURSE**

In Teachers Training Institutions with a minimum students attendance of 30 each in I Year T.C.H. and II Year T.C.H. Classes, following teaching posts and non-teaching posts may be sanctioned.

1. Principal/Superintendent	1 (one)
2. Graduate Teacher Educators/lecturers {Lecturer for General Subjects (01) Lecturers in Methodology of teaching school Subjects (03) and lecturer in Educational Technology (01)}	5 (five)
3. Craft Teachers	2 (two)
4. Part time teachers to teach Kannada, Hindi, Drawing, Music, Physical Education, Tamil, Telugu, Urdu and Marathi	5 (five)
5. Second Division Clerk/ Office Assistant	1 (one)
6. Class IV	1 (one)

Note:- A Part time Language Teacher will have to be approved for each Language with a minimum strength of 10.

2. For every additional section sanctioned, subject to the provisions of clause-(d) of Rule 10 of Grant-in-Aid Code for Primary Teachers' Training Institutions, one additional Graduate Teacher Educator/lecturer will be admitted, where the work load, warrants the appointment of a full time teacher in place of part time teacher, normally admissible as per the above pattern. Specific approval of the Director of Public Instruction (Research and Training) should be obtained before the full time appointment is actually made.

3. Total number of Teacher Educators/lecturers to be appointed will have to be calculated as per Teacher Pupil ratio of 1:12.

4. The total number of non-teaching posts as mentioned above, shall be the same for an institution, irrespective of the number of sections in I year T.C.H. and II Year T.C.H. Classes in that Institution.

Annexure-V**(See rule 3)****STANDARD STAFFING PATTERN FOR COLLEGES OF EDUCATION IMPARTING B.Ed. COURSE.**

In Colleges of Teachers Education imparting B.Ed. Course, with an intake capacity of 100 students, the following teaching and non-teaching posts may be sanctioned.

1. Principal/Head	-	1 (one)
2. Readers/Lecturers	-	9 (nine)
3. Librarian	-	1 (one)
4. Library Clerk/ Library Assistant	-	1 (one)
5. First Division Clerk/First Division Assistant/ Accountant/ Head Clerk	-	2 (two)
6. Attenders for Library and Office	-	3 (three)
7. Watchman	-	1 (one)
8. Scavenger	-	1 (one)
9. Peons/Class IV	-	4 (four)
10. Technician (Film Operator or Mechanic)	-	1 (one)
11. Clerk-cum-Typists	-	2 (two)
12. Physical Education Instructor	-	1 (one)

NOTE:- 1) Out of three attenders, one will be for the Library and the other two will be for Office.

2) Library Clerk/Library Assistant can be appointed only if the number of Volumes in the library exceeds 10,000 books.

3) Total number of Reader/Lecturers to be appointed in an institution will have to be calculated on the basis of teacher-pupil ratio of 1:10. For this purpose, the post of Principal /Head to be included while calculating Teacher- Pupil ratio.

4) Out of 9 Lecturers, at least two for general subjects, five lecturers for methodology of teaching school subjects, one lecturer in Educational Technology should be appointed.

Form –I
(See Rule – 5)

1. Name of the employee
2. Father's name
3. Date of birth
4. Qualification
5. Date of appointment
6. Nature of appointment – Permanent / temporary
7. Name of the Post to which appointed
8. Scale of pay
9. Reservation category to which the employee belongs to
10. Whether appointment approved or not
11. Date of approval & reference.
12. If approved, whether it is with aid or without aid details to be furnished.
13. Any other details

Signature of the Head of the Institution

FORM – II
(See Rule –9)

I, working as
 in Institution
Management, voluntarily tender my resignation w.e.f.
 for reasons.

(i) I request that my resignation may be accepted with effect from
(one month thereafter).

(ii) I request that my resignation may be accepted with immediate effect. I surrender one month's salary in lieu of one month's notice as provided under rule 9 of Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Colleges of Education and Teachers Training Institutes) Rules, 2000.

Signature of the employee

Date:

Place:

Name of the Employee
 (IN BLOCK LETTERS)

[Note: Strike off (i) or (ii) above which is not applicable]

The Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001

Arrangement of Sections

1. Short title and commencement
 2. Definitions
 3. Procedure for registration of Tutorial Institution
 4. Registration of existing Tutoria Institutions
 5. Coditions for registration of Tutorial Institutions
 6. Inspection of Tutorial Institutions
 7. Annual Reports
 8. Duty of an Inspection Authority to send Inspection Report to the Registering Authority
 9. Prohibition or appointment or Lecturer/ Teachers and non-teaching staff in the Tutorial Institutions
 10. Maintenance of Registers
 11. Power to cancel registration
 12. General Instruction
- Form-I
- Form-II

**THE KARNATAKA TUTORIAL INSTITUTIONS (REGISTRATION AND REGULATION)
RULES, 2001**

EDUCATION SECRETARIAT

NOTIFICATION

¹[No. ED 43 ViVida 2000, Bangalore, dated: 5th March, 2002]¹

Whereas the draft of the Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001 was published as required by in exercise of the powers conferred by section 35 read with section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 43 Vivida 2001 dated 2.11.2001 in part IV-A of the Karnataka Gazette Extraordinary dated 5.11.2001 inviting objections and suggestions from the persons likely to be affected thereby.

And whereas the said Gazette was made available for the public on 5th November 2001.

And no objections and suggestions received in this regard.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka makes the following Rules namely:-

1. Short title and commencement.- (1) These rules may be called “The Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001”.

(2) They shall come into force at once.

1. Published in the Karnataka Gazette Part IV-A Extraordinary No. 258, dated 5.3.2002

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) ‘Act’ means a Karnataka Education Act, 1983;

(b) ‘Form’ means the form appended to these rules;

3. Procedure for registration of Tutorial Institution.- (1) Applications for registration of a Tutorial Institution under clause (a) of sub-section (1) of section 35 shall be made in Form-I to the registering authority by delivering it in person or sending it through registered post acknowledgement due.

(2) Every such application for registration by the Tutorial Institutions specified in column (2) of the table shall be accompanied by a registration fee as specified in the corresponding entries in column (3) thereof. The registration fee shall be paid in the form of an account payee cheque or demand draft drawn within one month from the date of application and in favour of the registering authority. The demand draft shall be made payable at the branch of the Bank located in the headquarters of the registering authority or in the surrounding locality.

TABLE

Sl. No.	Class of Tutorial Institutions	Registration fee to be paid
1	2	3
1	Upto Lower Primary Institutions (Standard I to VII)	5,000
2	Secondary School (Standard VII to X)	10,000
3	Pre-University	25,000
4	Degree Courses	25,000
5	Other Courses	25,000

(3) Registration fee once paid shall not be refunded where registration is granted and where registration is refused, the amount of the fee paid shall be refunded without interest to the applicant. The refund shall be made in the form of an account payee cheque drawn by the registering authority on the local treasury where the applicant resides.

(4) The registration fee received under sub-rule (2) shall be held in a personal deposit account opened in the name of the registering authority in the nearest District Treasury.

(5) (a) The registering authority after satisfying itself whether or not the applicant has complied with the provisions of Section 35 and these rules. It may register the institution in the register maintained for the purpose or refuse the registration.

(b) The registration certificate shall be issued in Form-II.

I The refusal order shall indicate the reasons for refusal and shall be accompanied by the voucher of refund of registration fee.

(d) The Applicants in whose favour the registration certificate is issued shall start the institution and the standard during the academic year as per specifications laid down in the registration certificate and the date of starting shall be intimated to the registering authority. Failure on the part of the Applicant to start the institution and the standard during the specified academic year shall result in automatic cancellation of registration certificate and on no account it will be treated as valid for the subsequent academic years.

4. Registration of existing Tutorial Institutions.- (1) For registration of a Tutorial Institution specified in clause (b) of sub-section (1) of section 35 such Tutorial Institutions shall make an application in Form-I to the registering authority, within a period of ninety days from the date of commencement of these rules or from the date of appointment of the registering authority whichever is later.

(2) The Application under sub-rule (1) shall be accompanied by the fee specified in sub-rule (2) of rule 3 and it shall be delivered personally in the office of the registering authority and due acknowledgement obtained or shall be sent by speed post or registered post acknowledgement due.

(3) The provisions of rule 3 shall apply *matatis-mutandis* in respect of the applications received under this rule.

5. Conditions for registration of Tutorial Institutions.- Conditions for registration of the Tutorial Institutions shall be as follows:-

(a) It should have suitable building with one room for each class, course or section. Each student shall have five to seven square feet space. The number of students in each class, course or section shall not exceed thirty.

(b) Each class room shall have sufficient number of long benches of dual desks and one table and chair for the teacher. Each classroom shall have one black-board, either of wooden or roll up or walled one.

(c) The building shall have sufficient sanitary facilities with proper ventilation and safe drinking water facilities. There shall be separate lavatories for boys, girls and staff;

Note: A certificate shall be obtained from the appropriate authority of the Municipal Corporation, Municipal Council or other Local Authority regarding the sanitary conditions of the building and it shall be produced before the registering authority alongwith the application for registration.

(d) There shall be adequate number of teachers possessing qualification prescribed for the teachers teaching at the corresponding level of Institutions.

6. Inspection of Tutorial Institutions.- (1) The Officer ☐arnataka☐ in this behalf shall conduct inspection of tutorial institutions whenever there is a complaint and submit his inspection report to the Deputy Director of Public Instruction of the concerned district.

(2) The Deputy Director of Public Instruction of the concerned district may himself conduct inspection of the Tutorial Institution to find out the financial irregularities and other matters relating to account, records, buildings, libraries, laboratory equipments etc., or any other matter relating to the violation of the Act and rules.

(3) It shall be the duty of every Tutorial Institution to provide the required information to the officers and to produce all the documents required by them for inspection.

7. Annual Reports.- Every Tutorial Institutions registered under these rules shall submit the Annual Report under sub-section (3) of Section 35 to the Registering Authority within two months after the end of the academic year.

8. Duty of an Inspection Authority to send Inspection Report to the Registering Authority.- Every Inspection Report under sub-rule (1) of rule 6 shall be sent to the Registering Authority by the Inspecting Officer under intimation to the Head of the Department.

9. Prohibition of appointment of Lecturer/Teachers and non-teaching staff in the Tutorial Institutions.- No person in the employment of Government or an aided institution as a Lecturer, Teacher or non-teaching staff shall be appointed in the Tutorial Institutions.

10. Maintenance of Registers.- Every Tutorial Institution shall maintain the following registers and shall keep regular accounts of all receipts and expenditure:

- (1) Register of admissions and withdrawal of pupils;
- (2) Attendance register for pupils;
- (3) Attendance register for teachers;
- (4) Register showing receipts and expenditure;
- (5) Inspection Book; and
- (6) Such other registers as the Registering authority may specify from time to time.

11. Power to cancel registration.- The Registering Authority may cancel the Certificate of Registration if the Tutorial Institution has violated any of the provisions of the Act, the rules, circulars, orders instructions etc issued under the Act. Provided that the cancellation of the Registration under this rules, not be made unless, the Institution is given a reasonable opportunity of being heard.

12. General Instruction.- (1) The Tutorial Institution shall indicate the registration number under which it is registered in all its correspondences with the department or otherwise.

(2) The Tutorial Institution shall co-operate with the inspecting officers whenever they visit the institutions for inspection, by providing accessibility to various records and registers, etc.

(3) The Tutorial Institutions shall communicate to the Registering authority whenever there is change in its address or whenever the institution is shifted to different locality or even out of place. However shifting of institution from a place under the jurisdiction of one Registering authority to a place under the jurisdiction of another Registering authority shall not be permitted.

(4) The Tutorial Institution shall obey all the instructions which may be issued by the departmental authorities from time to time.

N. MAHALAKSHMAMMA

Under Secretary to Government (Incharge)
Education Department (General).

FORM NO. I**(See Rules 3 & 4)****APPLICATION FOR THE REGISTRATION OF TUTORIAL INSTITUTIONS**

1. Name and address of the institution.
2. Name and address of the individual owning the institution/proposing to establish a tutorial institution.
3. Aims and objects of the Tutorial Institution in establishing the institution.
4. Date on which the institute has been established or is proposed to be opened.
5. Particulars of the treasury challan under which the prescribed application fee has been paid.
6. Particulars of Registration Deposit amount, if already deposited in the joint account of other District Educational Officer and the individual/Educational agency (documentary evidence to be produced).
7. Whether the applicant is seeking registration of the tutorial institution afresh or of the already existing tutorial institution.
8. Particulars of the original registration, if any (true-copy of the original registration shall be enclosed).
9. Details of the assets and liabilities including the investments in the banks and other commercial concerns.
10. Details of the infra-structural facilities provided in the institution:
 - 1) Accommodation (details of the number of class-rooms with dimensions –sketch plan of the building to be enclosed)
 - 2) Details of furniture provided.
 - 3) Details of the equipment and other material provided in the laboratory.
 - 4) Details of the books provided in the library.
 - 5) Details of the sanitary facilities provided (Sanitary certificate issued by Corporation or Municipal medical officer to be enclosed).
11. Details of the teachers appointed, if already appointed such as names, salary/wages paid, qualification and whether the qualification is adequate to teach the subjects to which they are asked to handle.
12. Clauses/courses in which students are given coaching/proposed to be given coaching.
13. Details of records and registers maintained by the institution, if already opened.
14. Details of other institutions run by the Education agency, if any.

15. Details of hostel facility provided, if any.

16. Any other information the applicant would like to furnish.

DECLARATION

I Sri/Smt./Kum..... Son/wife/daughter of
Sri..... do hereby declare that the particulars furnished above
are correct to the best of my knowledge and belief. I am prepared to undergo any penal action
that may be imposed on me if any of the particulars furnished in the application are found to be
false and misleading at any time subsequently. I further declare that I am prepared to obey the
instructions which may be issued by the competent authorities from time to time.

Place:

SIGNATURE OF.....

DATE:

(with office stamp)

FORM No.II**(See Rules 3 & 4)****PROFORMA FOR THE
CERTIFICATE OF REGISTRATION
GOVERNMENT OF KARNATAKA**

*

*here specify
the Directorate
& Department.

CERTIFICATE OF REGISTRATION

1. Registration No.
2. Name and address of the Tutorial Institution.
3. Address of the tutorial institution:

In exercise of the powers conferred under rules 4 and 5 of the Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001 and in view of □arnataka□□ of the prescribed conditions to the satisfaction of the authority, the Registering authority is pleased to accord registration, to the Tutorial Institution whose details are mentioned above.

PLACE:
DATE:

SIGNATURE OF REGISTERING AUTHORITY.
(with office stamp)

EDUCATION SECRETARIAT**NOTIFICATION****No. ED 43 VIVIDHA 2001, Bangalore, Dated: 5th May 2003**

In exercise of the powers conferred by clause (31) of section 2 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby appoints the officers specified in column (3) of the Table below to perform the functions and discharge the duties of the registering Authority under section 35 of the said Act and the Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001, in respect of the areas specified in column (4) thereof.

TABLE

Sl. No.	Class of Tutorial Institution	Registering Authority	Jurisdiction
1	Up to Primary Institutions (Standard I to VII)	Deputy Director of the respective District	Within his Jurisdiction
2	Secondary School (Standard VIII to X)	Deputy Director of the respective District	Within his Jurisdiction
3	¹ [Pre-University Classes including CET coaching centres	Deputy Director of Pre-University College of the respective District	Within his jurisdiction] ¹
4	Degree Courses including MBA coaching centres	Joint Director, Collegiate Education	Within his jurisdiction
5	Technical Education courses polytechnics and Engineering Colleges	Joint Director of Technical Education (Curriculum Development)	The State Karnataka

¹ Corrected vide corrigendum ED 65 VIVIDA 2006, dtd. 25.8.2006

By Order and in the name of the Governor of
Karnataka,

SUNDARA RAJA GUPTA

Under Secretary to Government,
Education Department. (University and General-I)

[illegible]

Existing				Amended			
Sl. No.	Class of Tutorial Institution	Registering Authority	Jurisdiction	Sl. No.	Class of Tutorial Institution	Registering Authority	Jurisdiction
3.	Pre-University Classes including CET coaching centres	Director, Pre-University Education	The State of Karnataka	3.	Pre-University Classes including CET coaching centres	Deputy Director of Pre-University College of the respective District	Within his jurisdiction

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EDUCATION SECRETARIAT**NOTIFICATION****No. ED 09 VIVIDHA 2006, Bangalore, Dated: 18th April 2006**

In notification NO. ED 43 Vivida 2001 dated: 05.05.2003 certain officers were authorized to perform the functions and discharge the duties of Registering Authorities under section 35 of the Karnataka Education Act 1983 (Karnataka Act 1 of 1995) and the Karnataka Tutorial Institutions (Registration and Regulation) Rules, 2001. In this Notification under the table, after Sl.No.5 the following shall be inserted, Namely:-

Sl. No.	Class of Tutorial Institution	Registering Authority	Jurisdiction
6	Coaching for competitive examinations for selection to IAS, IPS, IFS, KAS, language coaching or any other course not included in Sl.No.1 to 5	Director, Collegiate Education	The State of Karnataka.

By Order and in the name of the Governor of
Karnataka,

S.M. NANDAKUMAR

Under Secretary to Government,
Education Department. (General)

**KARNATAKA EDUCATIONAL INSTITUTIONS (SELECTION OF PARENT MEMBERS TO
THE MANAGING COMMITTEE) RULES, 2001**

Contents

1. Title and Commencement
2. Definitions
3. Procedure for selection of Parents under Section 42(3)

KARNATAKA EDUCATIONAL INSTITUTIONS (SELECTION OF PARENT MEMBERS TO THE MANAGING COMMITTEE) RULES, 2001

NOTIFICATION

No. ED 48 Vivida 2001, Bangalore 18th November 2002

Whereas the draft of the Karnataka Educational Institutions (Selection of Parent Members to the Managing Committee) Rules, 2001 was published as requested by sub-section (3) of section 42 read with section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No.ED 48 Vivida 2001, dated:26.9.2001 in part IV-A of the Karnataka Gazette Extraordinary dated:27.9.2001 inviting objections and suggestions from the persons likely to be affected thereby.

And whereas the said Gazette was made available for the public on 27th September, 2001.

And whereas no objection and suggestions have been received in this regard by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 42 read with section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title and commencement. (1) These rules may be called the Karnataka Educational Institutions (Selection of Parent Members to the Managing Committee) Rules, 2001.

1. Published in the Karnataka Gazette Part IV-A Extraordinary No. 1535, dated 19.11.2002

(2) They shall come into force at once.

2. Definitions.- In these rules, unless the context otherwise required,-

(a) 'Act' means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995).

(b) 'Section' means section of the Act.

3. Procedure for selection of Parents under Section 42(3).- (1) Parents of the students of the concerned Private Educational Institution may register their names in such Institution. Such registered parents are eligible for being selected as representatives of parents in the Managing Committee of such Institution.

(2) A person nominated by the Governing Council of the Private Educational Institution shall announce the list of registered parents after duly obtaining the same from the Head of the Private Educational Institution before the constitution of the Managing Committee under section 42. He shall not act as the Returning Officer in the said selection. Under no circumstances, the staff members of the Private Educational Institution shall be nominated to act as the Returning Officer.

(3) The Returning Officer appointed by the Governing Council shall call upon the parents so registered to select amongst themselves two persons to represent them on the Managing Committee.

(4) The Returning Officer shall issue an order specifying in particular:-

- (a) the last date and time for making nomination and place at which the selection is to be held and to whom the nomination papers shall be delivered;
- (b) the date, time and place of scrutiny of the nominations;
- (c) the last date for withdrawal of candidates;
- (d) the date and time on which selection shall be held, if necessary; and
- (e) the date on which and time on which the votes shall be counted and the result of the selection shall be announced.

(5) Amongst the persons contesting the selection two persons who have secured the maximum votes shall be selected to represent the parents in the Managing Committee of such Institution.

(6) If there is no contest, the result of the selection will be forthwith announced by the Returning Officer.

By Order and in the name of the Governor of
Karnataka,

Sundara Raja Gupta,
Under Secretary to Government,
Education Department.
(University and General-I)

Education Secretariat

Notification

No. ED 136 TPU 1999, Bangalore, Dated 9th October, 2006

(As amended by notification No. ED 262 SLB 2007 dt. 7.5.2008)

The draft of the following rules which the Government of Karnataka proposes to make in exercise of the powers conferred by section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) is hereby published in Notification No. ED 136 TPU 99, dated 09-10-2006 part-IV A No. 1334 of the Karnataka Gazette ex-ordinary dated 09-10-2006. Inviting objections and suggestions from the persons likely to be affected thereby.

And whereas the said gazette was made available to the public on 09th October 2006.

And whereas the objections and suggestions received in this regard have been duly considered by the state government.

Now therefore in exercise of the powers conferred by sub-section(1) of section 145 of the Karnataka Education Act, 1983

(Karnataka Act 1 of 1995), the Government of Karnataka hereby makes the following Rules, namely:-

CHAPTER I

Preliminary

1. Title and commencement.- (1) These rules may be called the Karnataka Pre-University Education (Academic, Registration, Administration and Grant-in-aid etc.) Rules, 2006.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Definitions.- In these rules, unless the context otherwise requires,-

(1) 'Act' means, the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995);

(2) 'Aided College' means, a recognised private Pre-University college or a Pre-University college run by a local authority getting grant-in-aid partly or wholly from the Government;

(3) 'Department' means the Department of Pre-University Education in Karnataka;

(4) 'Director', 'Joint Director', 'Deputy Director' and 'Assistant Director' shall mean respectively the 'Director of Pre-University Education in Karnataka', 'Joint Director of Pre-University Education', 'Deputy Director of Pre-University Education' and 'Assistant Director of Pre-University Education';

(5) 'Form' means a Form appended to these rules;

(6) 'Government Pre-University college' means a college established, and administered or maintained by the State Government, but does not include a private college whose management has been taken over for a limited period for the purpose of better management;

(7) 'Inspection Committee' means a committee comprising of the Senior most Principal of Government Pre-University College, who shall act as the chairperson and a Senior Principal of an aided College nominated by Deputy Director of whom one shall belong to Science faculty;

(8) 'Optional subjects' means any combination of four subjects specified in Schedule-I;

(9) "Pre-University College" means recognised college or an educational institution imparting education for students who are appearing for I year and II year Pre-University examination conducted by the Department of Pre-University Education;

(10) 'Private Un-aided Pre-University College' means a recognised Pre-University College run by a private managing committee, which does not get grant-in-aid partly or wholly from the State Government;

(11) "Private aided Pre-University College" means a recognised Pre-University College run by a private managing committee which gets grant-in-aid partly or wholly from the State Government;

(12) "Schedule" means Schedule appended to these rules;

(13) 'Section' means, unless it refers specifically to a section in a college, a section of the Act;

(14) 'Student strength' means the aggregate of the number of students who would have actually appeared and written the II Pre-University examination in a subject in a college in the three consecutive annual examinations proceeding the relevant year, increased by ten percent:

Provided that the 'student strength' in the first year Pre-University Class of admission in a new college shall be computed by actual head count of the students who have produced their SSLC or 10th standard pass certificates and transfer certificates and present during the working hours in a class room when such head count is taken;

(15) 'Subject' means a subject of study specified in Schedule-II and taught in a Pre-University college in accordance with the syllabus as may be specified by the department by notification.

CHPATER II

Classification and procedure for

Establishment of Private Pre-University Colleges.

3. Classification of Pre-University colleges.- (1) The Pre-University colleges shall be classified as, Government Pre-University colleges, Local Authority Pre-University college, Private aided Pre-University and Private unaided Pre-University colleges.

(2) The private aided and unaided Pre-University colleges which are functioning on the date of commencement of these rules shall further be categorised into following groups, namely:-

- (a) Category A: Pre-University college with own land and building as specified in rule 4 and with full supplement of teaching and non-teaching staff as specified in sub-rule (8) of rule 4.

- (b) Category B: Pre-University college with own land and building but not with sufficient land and building as required under rule-4 and with full strength of teaching and non-teaching staff as specified in sub-rule (8) of rule 4.
- (c) Category C: Pre-University college without own land and located in an unsuitable insufficient building but with full strength of teaching and non-teaching staff as specified in sub-rule (8) of rule 4.

4. Procedure for establishing a new Private Pre-University college.- (1) A registered Managing Committee which is intending to establish a Pre-University college shall intimate its intention to do so to the Director, in Form- I along with a fee of Rs. 500.00 The Director shall record such intimation in a register kept in Form II and thereafter issue a letter of intent to the managing committee within thirty days from the date of intimation from the managing committee.

(2) Upon receipt of the letter of intent, the managing committee intending to establish a Pre-University college shall,-

(a) Within one year from the date of letter of intent, acquire a minimum of 25,000 Sq. ft. of land on which it intends to construct the college building including the principal's chambers, class rooms, library etc;

(b) within three years from the date of letter of intent construct on the said land a building with the following facilities and rooms which shall have a corridor or a veranda of at least 8 ft. width abutting the entrance to the room, namely:-

- (i) Principal's chamber with a minimum plinth area of 250 sq. ft.,
- (ii) Office room with a minimum plinth area of 250 sq. ft.,
- (iii) Staff room with a minimum plinth area of 500 sq. ft.,
- (iv) Waiting room with a minimum plinth area of 500 sq. ft for the girls with attached toilets for simultaneous use by 10 persons with sufficient water storage facilities,
- (v) Toilets for boys with facility for simultaneous use by 10 persons,
- (vi) Library with a minimum plinth area of 1000 sq. ft.,
- (vii) Reading room with a minimum plinth area of 1000 sq. ft.,
- (viii) At least 6 lecture halls, each measuring at least 22 ft. x 30 ft.,
- (ix) Bicycle stand with a provision for parking minimum 100 bicycles at a time,
- (x) If science subjects are taught, then three laboratories, one for Physics, one for Chemistry and one for Biology and if Electronics or Computer science subjects are taught separate laboratories for these subjects with a minimum plinth area of 24 ft. x 60 ft. each;

(c) Provide water, electricity and sanitary facilities in the laboratories, class rooms, office rooms and toilets making the building fit for running a Pre-University college;

(d) Provide desks, benches, tables, office furniture, shelves, office equipments, apparatus and equipment in the laboratories.

(3) The minimum requirements specified in sub-rule (2), are meant for six sections and where language subjects in Part-I are only two. For every additional language subject in Part-I, one lecture hall and for every additional subject in Part-II, two lecture halls shall be provided.

(4) The managing committee shall after complying with the requirements of sub-rules (2) and (3), intimate in writing to the Director the fact that they have acquired the necessary land, constructed the building and provided the basic facilities and civil amenities, etc., as required under sub-rule (2) and also specify the combinations of subjects which they intended to teach.

(5) The Director shall record such intimation in the register kept for the purpose and shall within the next thirty days request the Inspection Committee to visit the place of the intended location of the Pre-University college and hold inspection.

(6) The Inspection Committee shall within thirty days thereafter inspect the land and building and submit its report to the State Government through the Director giving specific findings in respect of compliance of the specifications of this rule.

(7) The managing committee shall furnish an undertaking to the Director in respect of the land and building acquired and built as contemplated under this rule in the proforma specified in Form-III to these rules and shall deposit of an amount of Rs.1,00,000/- in a scheduled bank or a post office branch in the name of the Director of Pre-University Education in Karnataka.

(8) After satisfying that the managing committee has complied with the requirements of sub-rules (2) and sub-rule (7), the State Government shall cause the Director to register the Pre-University college in the register maintained in accordance with section 31, and shall within one month from the date of undertaking under sub-rule (7), authorise the Managing Committee to recruit the minimum teaching and non-teaching personnel, as follows:-

- (i) one principal;
- (ii) one lecturer for each subject permitted to be taught including the subject taught by the principal;
- (iii) one clerk, one peon and where science subjects are to be taught, one laboratory attender.

(9) The managing committee shall recruit the minimum teaching and non-teaching staff specified under sub-rule (8) within three months from the date of issue of such an authorisation.

(10) The Director shall accord recognition to the Pre-University college only after it has been registered in accordance with the sub-rule (8) and that the managing committee has complied with the requirements of sub-rule (9) and there after record the same in the register maintained under sub-rule (1).

(11) If, in a Pre-University college recruitment of teaching and non-teaching staff is completed in all respects within the month of May of a calendar year, then the academic activities, such as, admission of students, teaching in class rooms etc., may commence from the month of June of the same calendar year. If the recruitment of the teaching and non-teaching

staff is completed after the month of May of a calendar year, then the academic activities, shall commence only in the month of June of the next calendar year.

(12) If the managing committee fails to acquire the land within the stipulated time or construct the building as required under sub-rule (2) the letter of intent if any given under this rule shall be cancelled after providing an opportunity of being heard to the managing committee.

5. Applicability of these rules to the Pre-University colleges which are already functioning with the permission of the Government.- (1) A Private Pre-University College of category B which is functioning with the permission of the State Government and recognition accorded by the Director prior to the date of commencement of these rules, shall, provide the basic infra-structure and facilities specified in sub-rule (2) of rule 4 within two years from the date of commencement of these rules and shall furnish the undertaking agreement with deposit in accordance with sub-rule (7) of rule 4.

(2) The managing committee of a Private Pre-University College of Category C recognised prior to the date of commencement of these rules shall shift the college to a regular building either owned, rented or leased, if such an opportunity was not already given by the Director, earlier, the managing committee shall simultaneously acquire the land as specified in sub-rule (2) of rule 4, and provide the basic infra-structural facilities in accordance with rule 4 within a period of two years.

(3) A private pre-university college of Category B in existence or functioning on the date of commencement of these rules, fails to provide the infra-structural facilities as specified in sub-rule (2) of rule 4 within the said period of two years, or if a Private Pre-University College of Category C in existence or functioning on the date of commencement of these rules, fails to comply with the requirements of sub-rule (2), of rule-4 then the permission granted by the State Government to start the said college and the academic recognition granted by the Director shall stand be withdrawn after giving an opportunity of being heard, to the managing committee.

(4) The Director shall publish in the notice board of his office and in the newspaper a list of all the Pre-University colleges which are recognised for the academic year, at least by the end of May of the previous academic year and cause to publish the said list in the notice Board of all the Pre-university Colleges in the State. No Pre-University College which has not been recognised shall admit students either to the first Pre-University Course or to the second Pre-University Course during the academic year.

(5) Publication of the list of recognised colleges in the notice board of the recognised colleges is deemed to be a sufficient notice to the students and their parents about such colleges.

6. Supervision and Control of Pre-University colleges.- The Director shall be responsible for the proper functioning of Pre-University colleges in the State. He shall ensure proper academic activity in the Pre-University colleges. The Director shall be responsible for implementation and adherence and compliance of these rules by all the Pre-University colleges

by conducting periodical inspections of such colleges in accordance with section 57. The Director may be assisted by Joint Directors, Deputy Directors and Assistant Directors in discharging these duties. In every district, the Director shall also be assisted by a Deputy Director, who shall have the power to inspect Pre-University colleges and verify compliance to these rules.

CHAPTER – III

Recognition and Admissions in Private Pre-University Colleges

7. Recognition of Pre-University Colleges.- (1) The Pre-University colleges of Category A which is in existence for a continuous period of not less than ten years and the students of which are not involved in mass examination malpractice in the previous ten years and which have a total student strength of not less than 200 including first and second year Pre-University classes for a continuous period of last ten years shall be recognised permanently. However, the permanent recognition may be revoked for any violation of the provisions of these rules or Karnataka Pre-University Course State Level Examination Rules 1997, after giving a notice to make representation, if any within a period of thirty days.

(2) The provisional approval to a Pre-University college granted under sub-section (6) of section 36 may be extended for a period of three years at a time until it is permanently recognised, subject to the following conditions, namely:-

- (a) The college shall comply with the requirements in respect of infrastructure and facilities specified in these rules;
- (b) The managing committee shall give an undertaking to the Government in respect of the land and building on which the college is located;
- (c) The students of the college should not have been involved in mass examination malpractice during the previous academic year;
- (d) The college should have remitted the prescribed fees to the treasury.

(3) No private Pre-University College falling under Category C of rule 3 shall be eligible for recognition.

8. Eligibility for admission to I Year and II Year Pre-University Courses.- (1) A pass in Secondary School Leaving Certificate Course or tenth standard examination conducted by the Karnataka State Secondary Education Examination Board or pass in an equivalent examination shall be the minimum qualification for admission to the first year Pre-University Course.

(2) No student shall be admitted to first year Pre-University Course unless he produces the Secondary school leaving certificate issued by the Karnataka State Secondary Examination Board or by any other appropriate authority and the certificate shall not be returned to the candidate till he completes the course or lawfully takes a discharge from the college. A student shall have passed in the first year annual examination or equivalent examination to qualify for admission to the second year Pre-University class by securing a minimum of thirty marks in each subject and an aggregate of thirty- five percent in Part-I and Part-II.

(3) The Pre-University colleges shall conduct an annual examination for the students of first year Pre-University classes at the end of each academic year as far as possible in the month of March. There shall be a supplementary examination for students who fail in the first year annual Pre-University examination in the month of June. Students who pass in this examination are also eligible for admission to the second year Pre-University Course in the same year.

9. Admissions of students, students numbers and approval.- (1) At the beginning of each academic year and not later than the month of June of the that academic year, every Pre-University College shall notify its intention to admit students to the combination of subjects approved by the Director, and in conformity with the reservation policy of the State Government and shall issue applications for admission of students to first and second year Pre-University course. The admission fees in aided college shall not exceed the amount specified in Schedule-II to these rules.

(2) Every Pre-University college shall complete the admission process complying with reservation policy and any other direction that may be given by the State Government from time to time, within the 15th of July each year and shall furnish a statement of student admissions in Form-II and III containing the details of the students admitted etc., to the Director within the 31st of August of the academic year.

(3) The Director shall scrutinize the statement of students admitted, and, after satisfying himself that the admissions have been made only to the approved combinations or subjects and that the students admitted have the minimum educational qualifications prescribed under these rules and also that the reservation of seats in favour of the Scheduled Castes and Schedules Tribes and Other Backward Classes have been maintained, shall approve the same, assign a student number to each student so admitted and send a copy of the approved statement to the college.

(4) A student whose admission is not approved by the Director and who has not been assigned with a student number shall not be eligible to study Pre-University course or appear for the first year or the second year annual examination.

(5) A student seeking change from one Pre-University college to another Pre-University college within the state shall apply to the Director in Form-IV after paying the requisite fee. The Principals of both the colleges shall give consent to such a change in the prescribed form and the receiving college shall have a vacancy of seat in a section to accommodate the student seeking the change. No student seeking change of college shall be admitted without prior permission of the Director.

CHAPTER – IV

Subjects of study, Attendance, Teaching hours etc.,

10. Subjects of study, Change of subjects of study and re-admission.- (1) A student who has passed in all the subjects and has completed the Pre-University course or equivalent course is not eligible to join the Pre-University Course in the same subjects and combination as

a fresh student either in the college in which he had studied earlier or in another college, either to first Pre-University course or to the second Pre-University Course.

(2) A student who has passed in all the subjects and completed the Pre-University course can join the Pre-University course as a fresh student to the first Pre-University class with a combination with distinctly different subjects, with the prior approval of the Director.

(3) A student who has completed the two year Pre-University Course but who has not passed the second Pre-University examination is not eligible to join second Pre-University class afresh either in the same subject or in different subjects.

(4) Every student shall compulsorily study six subjects in the first year and the same six subjects in the second year and of the six subjects, two shall be languages grouped as Part-I and a combination of four optional subjects, grouped as Part-II. The languages that can be studied by a student in Part-I are detailed in Schedule-II. The optional subjects which can be selected by a student in Part II is detailed in Schedule-I.

(5) A student can change the subject or subjects of his study in the first year Pre-University Course within the first three months of the first year Pre-University class, on condition that he/she shall put in the required 75% of attendance in the intended changed subject/s. The Principal is empowered to effect this change.

(6) After passing the I year PUC, if the candidate wishes to change a maximum of two subjects (one language and one subject) in the II year Pre-University course due to a valid reason permission may be given by the Director on condition that the candidate has to pass the district level examination of the I year Pre-University securing minimum marks in the subjects he/she has changed over to at the II year Pre-University. However no change of subject/s shall be permitted if it involves practical examination subjects.

(7) A student who has completed the two years study period but has not been able to complete the course by passing in all the subjects or who has completed the course by passing in all the subjects desires to study altogether different combination of subjects can do so by obtaining prior permission of the Director to join the course afresh.

11. Minimum student strength and sections.- (1) Student strength shall be the basis for determination of sections in a college. A section may comprise of not more than eighty students. The Director shall determine the number of sections that can be allowed to be formed in a college taking into consideration the student strength, the infra-structural facilities available in the college and requirement of the area. The managing committee and the principal shall not admit students beyond the limit of the sections so determined.

(2) A practical batch in a science subject shall have a minimum of twenty students unless the total number of students in the subject itself is less than that, in which case the entire section itself shall be the batch.

(3) Every Pre-University college may have upto three sections with three distinct combination of subjects during the first year of its commencement, but there shall be at least two distinct combinations. The minimum and maximum student strength for a Section shall be

forty and eighty respectively. No Pre-University college shall be entitled to have a fourth combination of subjects in the second or the subsequent years unless the student strength in at least two such combinations of subjects exceeds forty. A fifth combination may be allowed only when the student strength in the first three combinations exceeds forty in each combination and so on and so forth. Additional sections in any approved combination shall not be allowed unless the student strength in the existing section exceeds hundred.

(4) A minimum of ten students shall be necessary in each of the languages taught in Part-I. If the student strength in any of the approved languages or optional subjects gets reduced below the prescribed student strength successively for three years then the college shall not admit students to the said language or optional subjects in the next academic year. Any admission made in violation of these rules shall be void, ab-initio and the students shall not be eligible to appear for the annual examinations.

12. Minimum days of attendance.- (1) A student shall have attendance of 75 percent of the total number of periods in each subject during the academic year to become eligible to appear for the annual examination.

(2) The Director shall notify the minimum number of hours of periods of teaching in respect of each subject and also the minimum number of hours of experiments to be conducted by the student in each science subject. A student who fails to put in the minimum period of study and attendance in the class and also a science student who fails to conduct the minimum hours of experiments in the laboratories successfully, shall not be eligible to appear for the annual examination.

13. Teaching hours and hours of teaching for Day and Evening Pre-University colleges.- (1) Every Arts, Commerce and language subjects shall be taught for a minimum of four hours per week per section. Every Science subject shall be taught for a minimum of five hours per week per section including two hours practical and the students shall be required to do experiments in the laboratories for two hours per subject per week. Mathematics subject shall be taught for a minimum of five hours per week per section.

(2) Every Pre-University College shall work for atleast two hundred and twenty days in an academic year.

14. Quantum of work for lecturers, principals and non-teaching staff.- (1) Every lecturer teaching science subjects shall have a minimum work load of atleast twenty hours a week including practicals and in case of Mathematics twenty hours a week. Every lecturer teaching Arts or Commerce subjects or languages or subjects not involving practicals shall have a minimum teaching workload of at least sixteen hours per week. Every principal shall have a minimum teaching work load in the following manner, namely:-

(a) If the Pre-University college were to have only Arts and Commerce combinations with not more than two sections in the first year and not more than two sections in the second year and if the work load is not more than eight hours in the subject taught by the principal, then the principal himself shall teach the subject.

(b) If the Pre-University college having only Arts and Commerce combinations with more than two sections in the first year and more than two sections in the second year and the teaching workload is more than eight hours, then the principal shall teach only eight hours and the remaining work shall be entrusted to a lecturer having eight hours work load in another Government or aided Pre-University college located nearby. If such a lecturer is not available then a lecturer in that subject may be permitted to be appointed, but the principal shall teach at least four hours per week.

(c) If the Pre-University college were to be having science combination alone or in addition to other combinations, and if the number of students in the science subject involving practical taught by the principal were to be limited to one practical class batch each in first and second year Pre-University classes. then the principal himself shall teach and conduct practical in that subject.

(d) If the Pre-University college were to have more than one practical batch in the first and second year Pre-University classes, then the principal shall teach at least four hours in that subject and the remaining work shall be entrusted to a lecturer having work load upto ten hours only in another Government or aided Pre-University college located nearby. If such a lecturer is not available, then a lecturer in that subject may be permitted to be appointed, but the principal shall teach at least four hours in that subject.

(2) If a vacancy in a subject arises in an aided private Pre-University college wherein the work load is limited to 8 hours and if a lecturer in that subject with 8 hours work load is working in another aided Pre-University college located within a distance of about 15kms, then no recruitment shall be permitted against such a vacancy and the lecturer with 8 hours work load in the latter college shall teach another 8 hours in the former college and such a lecturer shall be paid fixed conveyance allowance at the rate fixed by Government from time to time.

3) Number of laboratory attenders and workload for each laboratory attender in Pre-University colleges shall be in accordance with the students strength batches and hours of work as shown in Schedule-V, in Form VIII.

(4) Number of various non-teaching staff in Pre-University colleges shall be in accordance with the pattern given in Schedule-VI.

Explanation: For the purpose of calculating work load in a language subject which is also taught as combination subject in Part-II, the total student strength in sections in Part-I and Part-II shall be taken into consideration and shall be treated as one subject.

CHAPTER – V

AIDED PRE-UNIVERSITY COLLEGES

Recruitment and Grants in aid

15. Recruitment of teaching and non-teaching staff in aided private Pre-University colleges.- (1) A Managing Committee shall be competent to appoint the teaching and non-teaching staff in a private aided Pre-University College. The Managing Committee of a private aided Pre-University college shall comply with the reservation roster for filling-up post by the

direct recruitment or by promotion to the extent and in a manner specified by the Government from time to time, whenever it is applicable. The minimum academic qualifications prescribed under the Karnataka General Services Pre-University Education Recruitment Rules, 1996, shall be applicable to the personnel of private aided pre-university colleges also. Every Managing Committee shall maintain an employment register pertaining to the teaching and non-teaching staff in which every appointment made shall be registered. An extract of employment register shall be sent to Deputy Director as on 30th September of every year.

¹[The provisions of the Karnataka Civil Services [General Recruitment] Rules, 1977 relating to (horizontal) reservation of posts in favour of the persons belonging to the categories of ex-servicemen, physically handicapped, project displaced persons, women and Kannada medium candidates and the provisions of the Karnataka Reservation of Appointments or Posts (in the Civil Services of the State) for Rural Candidates Act, 2000 (Karnataka Act 1 of 2001) relating to the each category of rural candidates shall mutatis mutandis apply in respect of every recruitment made under these rules.]¹

¹ Inserted by notification no. ED 262 SLB 2007 dtd. 7.5.2008 w.e.f. 16.5.2008

(2) While examining the appointments made by the private aided pre-university colleges, the Deputy Director shall satisfy himself/herself that the person appointed has the minimum educational qualification prescribed for the post and the caste category-wise roster has been followed. If these requirements are not complied with while making the appointment, the Director shall take necessary action to withdraw recognition and shall stop the grant given to said posts, after giving an opportunity of being heard, to the managing committee.

16. Procedure for recruitment of teaching and non-teaching staff in a private Pre-University college.- A vacancy in the cadre of lecturers in a private Pre-University college will come into operation only if the subject and the number of posts in that subject are approved by the Director on the basis of the norms prescribed under rules 10 and 13. However, eligibility for grant-in-aid shall be determined in accordance with rule 21.

17. Mode of notifying a vacancy for the purpose of recruitment.- (1) A managing committee of a private aided Pre-University college may notify a vacancy which arises in accordance with Rule 16 after obtaining prior permission for doing so from the Director. The notification shall be published on the notice board of the office of the management; Pre-University college concerned; the Deputy Director of Pre-University Education of the concerned district and further it shall be published in at least one leading newspaper having largest circulation in the district. The notification shall contain the description of the vacant post, caste category reservation if any, the number and date of permission to advertise accorded by the Director, the minimum qualification specified, the last date fixed for submitting the application and marks and caste certificates to be produced in support of the academic qualification and caste category.

(2) After the last date for submitting the application is over, the management shall verify the particulars of all the candidates whether eligible or otherwise serially in the order of their academic merit, placing the candidate with the highest marks scored in the Post Graduation degree in the first place. If the academic merit of more than one candidate is same, the candidate older in age shall be placed above the other. If the highest total marks prescribed for the qualifying examinations of different candidates vary, then, the managing committee shall prepare the list based on the percentage or a common denominator.

(3) For each post, five applicants in the top of the list prepared under sub-rule (2) shall be called for interview, unless the total number of applicants is less than 5, in which case all the applicants shall be called for the interview. The management shall consult the Deputy Director of the concerned district to fix a date and time for the interview of the candidates and shall conduct the interview in the premises of the concerned Pre-University College.

(4) The managing committee shall constitute a recruitment committee comprising of four members; two representing the managing committee, the third being the Deputy Director of the concerned district, unless the Director nominates someone else by a specific order and the fourth being a subject expert to be nominated by the managing committee.

(5) The candidates called for interview shall demonstrate their ability to teach the subject and handle a class by actually delivering a lecture before a class of students of concerned college for at least twenty minutes in the presence of the recruitment committee.

(6) Each member of the recruitment committee may award a maximum of twenty-five marks and the total interview marks that can be awarded to any candidate shall not exceed twelve percent of the marks secured in the qualifying examination.

(7) The recruitment committee shall then prepare a list of selected candidates showing the marks scored in the Post Graduation examination and the marks awarded by the recruitment committee separately and also the total marks against the name of each candidate.

(8) The recruitment committee shall prepare, in the order of merit, a panel of three selected candidates for appointment to the post on the basis of the aggregate percentage of marks in the qualifying examination and marks scored at the interview. The managing committee shall send the appointment order to the person in the order of merit. Prior approval of the Director shall be obtained before issuing the appointment order to the selected candidate.

18. Promotion to the cadre of lecturers and to the post of principal in a composite private Pre-University college.- (1) In a composite private aided Pre-University college, fifty per cent of the total posts of the lecturers shall be filled by promotion from the cadre of Secondary School Assistants- if on the date of arising of vacancy a Secondary School Assistant is eligible for promotion, in accordance with sub-rule (2).

(2) A Secondary School Assistant working in a composite private aided Pre-University college shall be eligible for promotion to the post of a lecturer, if the Secondary School Assistant possesses a post graduation degree in the subject in which he teaches in the high school.

(3) When a private higher secondary school or high school gets upgraded to a Pre-University college, the headmaster of that school may act as the principal of the Pre-University college, for the first two years of the up-gradation even if the headmaster is not academically qualified to be a lecturer. But, the headmaster shall not be eligible to become the principal beyond a period of four years unless the headmaster has a post graduation degree in any of the subjects taught in that Pre-University college and has served as headmaster for a minimum period of five years or otherwise the managing committee shall take necessary action for filling the post of principal by appointing either a lecturer from the same or any other college who has put in not less than five years of service as a lecturer in a recognised college in a post approved by the Department or a person who has worked as a principal in another Pre-University college which has been recognized by the Government.

19. Appointment of a principal in a private aided Pre-University college managed by a linguistic or religious minority management.- The Managing committee of a linguistic or religious minority college may appoint any person, even if he is not working as a lecturer or as a headmaster in the Pre-University college or the high school section of the Pre-University college, as the principal of the Pre-University college managed by it, if the person has a post graduation degree in any of the subjects taught in the Pre-University college and has worked as a lecturer in a Pre-University college for a period of not less than five years or in case of up-gradation of high school to a Pre-University college, as a headmaster in a high school for not less than a period of ten years.

20. Reservation in Aided Pre-University Colleges.- All direct recruitment and promotion vacancies in aided Pre-University colleges shall be filled in accordance with the reservation Policy of the State Government as provided from time to time.

21. Grant-in-aid to Private Pre-University colleges.- (1) Subject to the financial capacity of the Government, the scale of pay applicable to lecturers and non-teaching personnel in Government Pre-University Colleges in accordance with Karnataka General Services (Pre-University Education Recruitment) Rules, 1996 shall generally be applicable to the teaching and non-teaching personnel in the Aided Pre-University Colleges unless otherwise ordered by the Government for the purpose of release of grant-in-aid as extended by the Government, for teaching and non-teaching aided employees from time to time. The employees of Aided Pre-University Colleges shall be eligible only for such benefits and allowances that have been extended and sanctioned specifically to such employees by the Government from time to time.

(2) The posts and the persons working in such posts in private aided Pre-University Colleges shall be eligible for grant-in-aid only from the date of sanction of the grant-in-aid by the Government and the earlier period of un-aided service shall not count for any pay fixation, increment, leave, seniority and other service benefits including pension.

(3) Consequent to the sanction of salary grant-in-aid to an employee of aided Pre-University College, the initial pay of such an employee shall be fixed at the minimum of the pay

scale applicable to the post and he will not be eligible for any monetary benefits either notionally or otherwise in respect of the earlier period of un-aided service.

(4) Salary to a post in private aided Pre-University College shall be stopped if the minimum students strength per section as specified under these rules is not maintained or fulfilled for consecutive three academic years.

(5) Grant-in-aid may be released to non-teaching staff of a private aided Pre-University College which started functioning prior to first June, 1987 to the posts specified in Schedule-VI of these rules if the appointment and approval is made prior to first day of June, 1992.

(6) In a private aided Pre-University College where grant-in-aid is being released to more than one non-teaching posts, if any such non-teaching post falls vacant due to death or retirement or resignation, then that post ceases to be eligible for grant. If in respect of institutions started functioning prior to first day of June 1987 all the clerical posts are unaided, as on the date of coming into force of these rules, then grant-in-aid may be released prospectively from the date of issue of such order to only one post of either First Division Assistant or Second Division Assistant as the case may be on the basis of seniority. If science sections were to exist lawfully in such a college then, grant-in-aid may be released to one post of laboratory attender. But, grant-in-aid shall not be released to non-teaching posts which were not in existence prior to first June, 1987 and the appointment had not been approved prior to first June, 1987 unless it is the only post of First Division Assistant or Second Division Assistant or the post of a Laboratory Attender.

(7) Whenever an employee of a private aided Pre-University College is placed under suspension by the Managing Committee, the managing committee shall complete the disciplinary proceedings in respect of the said employee within a period of six months from the date of suspension and the Government may release grant-in-aid for subsistence allowance of the said employee for the period of said six months if prior permission of the department is obtained for placing the official under suspension. The managing committee shall be liable to pay the subsistence allowance to such an employee beyond the period of six months of suspension.

(8) The Government may recover from the managing committee of Private aided Pre-University College the amount released by it as grant-in-aid if the same is mis-utilised or embezzled or mis-appropriated by the managing committee and it may be recovered as arrears of land revenue and while doing so, the land and building owned by the managing committee may be attached and sold by the Deputy Commissioner of the concerned district under the provisions of the Karnataka Land Revenue Act, 1964 to secure the amount and for effective recovery of the dues.

22. Ineligibility of certain Private Pre-University Colleges to grant-in-aid.- All Private Pre-University Colleges including Pre-University Colleges run by the Private Educational Institutions other than the Scheduled Castes and Scheduled Tribes established or permitted to be established on or after First day of June, 1987, but started functioning from the academic

year 1987-88 onwards shall be permanently ineligible for grant-in-aid. ** All Private Educational Institutions run by the persons belonging to the Scheduled Caste or the Scheduled Tribes established or permitted to be so established on or after the 31st day March 1992, or such of those institutions permitted to be established prior to the 31st day of March 1992, but started functioning from the academic year 1992-93 onwards for imparting Pre-University education shall be permanently ineligible for grant-in-aid.

23. Transfer of teaching and non-teaching staff from one private aided Pre-University college to another private aided Pre-University college.- (1) The staff working in aided posts in a aided private pre-university college may be transferred to an aided post in another private pre-university college with the prior approval of the Director, if the posts in both the colleges are same in nature and both the managements agree to the proposal. The person so, transferred will be the junior most in the cadre in the transferred college. However his service in the previous aided institution will count for the purposes of salary, leave and pensionary benefits.

(2) Teaching and non-teaching personnel working in an aided Pre-University college against aided posts found surplus due to lack of work load or for any other reason shall be transferred by the Commissioner/Director, Pre-University Education to another aided Pre-University college either under the same managing committee or under a different managing committee against an aided post in the the same subject. However, the grant-in-aid shall be continue for such aided posts till a vacancy is found in another aided college. Action will be taken against both the management and the officer concerned who are responsible for concealing the information regarding availability of such vacancies.

24. Fees structure.- The aided private pre-university colleges shall collect the fees from the students and utilize the same, as specified in Schedule-VI.

25. Code of conduct for employees of aided and un-aided Pre-University Colleges.- (1) Every employee in a private aided and unaided Pre-University college shall maintain absolute integrity, devotion to duty and do nothing which is unbecoming of an employee of an educational institution.

(2) (a) Every employee shall,-

(i) be punctual in attendance in respect of his work and any other work connected with the duties assigned of him by the Head of the institution;

** Inserted vide Government Notification No. ED 138 TPU 2006, dated 23-02-2007.

(ii) abide by the rules and regulations of the institution and show due respect to higher authority;

(b) No employee shall,-

(i) knowingly or unknowingly neglect his duties;

(ii) remain absent from the institution without leave or without the previous permission of the head of the institution;

- (iii) engage in, or encourage, any form of mal-practice connected with examinations or any other school activity;
- (iv) accept private tuition.
- (3) The following shall constitute misconduct,-
 - (a) indulging in communal activities or propagating casteism;
 - (b) ill-treatment of students or other employees and indulging in unruly or disorderly behaviour or violence;
 - (c) taking part in politics or elections in any manner;
 - (d) joining an Association, the object of which is prejudicial to the interest of the country;
 - (e) participation in a demonstration or strike which is prejudicial to the interest of the sovereignty and integrity of India and security of the State;
 - (f) criticising in public current policies of State or Central Government;
 - (g) Accepting contribution or raising funds without previous sanction of the managing committee;
 - (h) bringing or attempt to bring political or other influence for furtherance of his own interest;
 - (i) accepting any gift except a casual meal, lift or other social hospitality. However, on social occasions a gift could be accepted if its value is less than Rs.250/-;
 - (j) giving, taking or abetting the giving or taking of dowry;
 - (k) engaging in any private trade or employment;
 - (l) writing or editing any text book while being a member of the Text book committee;
 - (m) speculating stock, share or investment;
 - (n) becoming insolvent and/or getting into habitual indebtedness;
 - (o) acquisition, disposal of movable or immovable properties without previous sanction of management or entering into any transaction with any foreigner or foreign organisation/Government for acquisition and disposal of property;
 - (p) acting as a legal guardian of minor other than his dependant without the previous sanction of managing committee;
 - (q) contracting second marriage during the subsistence of the first marriage without obtaining permission of the managing
 - (r) committee or entering into a bigamous marriage where the personal law of employee does not permit such marriage;
 - (s) consumption of intoxicating drugs or drinks.

26. Discipline and control of the teaching and non-teaching personnel in private Pre-University colleges.- Every employee of a private aided and unaided Pre-University college shall be governed by the prescribed code of conduct as per Education Act and these rules. If he violates any provision thereof he shall be liable for disciplinary action.

27. Application of provisions of the Karnataka Civil Services (Classification, Control and Appeal) Rules to the employees of private Pre-university college.- The penalties specified Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 shall mutatis-mutandis apply to the employees of the private aided Pre-university college.

28. Procedure of conducting disciplinary enquiries.- (1) The managing committee shall be competent to impose penalties specified in rule 27.

Provided that in case of employees working in aided posts, the managing committee shall obtain the prior approval of the Director, Pre-University Education for imposing any of the penalties on any employee.

(2) A managing committee shall be competent to initiate disciplinary proceedings against its employees in accordance with these rules. However, the Director shall be competent to initiate a disciplinary enquiry and impose punishment on any employee of a private aided Pre-University college whose salary grants are released by the Government, on the grounds of misappropriation or mis-utilisation of Government funds or on charges of examination malpractice. The Director is also competent to initiate domestic enquiry against employees whenever the managing committee gives up the right in favour of the Director in accordance with the Pre-University Course State Level Examination Rules, 1997.

(3) In all the disciplinary proceedings, the Director shall be competent to appoint the enquiry officer either suo-motu if the enquiry is ordered by him under sub-rule (2) or on a proposal by a managing committee if the charges are framed by the managing committee.

(4) Where the enquiry is ordered by the Director suo-motu, then the enquiry officer shall be a serving Government servant. If the enquiry is proposed by the managing committee then the enquiry officer may be a serving or retired Government servant or a legal practitioner. If a retired government servant or a legal practitioner is appointed as the enquiry officer, then the managing committee shall deposit an amount of Rs.2,000/- with the Director and the same shall be payable to the person appointed as enquiry officer upon completion of the enquiry and submission of the report to the Director.

(5) The Director shall take a decision on the report if the enquiry is ordered by him or send the report to the managing committee for a decision if the enquiry had been sought by the managing committee. An appeal shall lie on the said decision to the Education Appellate Tribunal.

29. Procedure for imposing penalties.- (1) No order imposing any of the penalties specified as per Rule 27 and Karnataka Civil Service (C.C.A.) Rule 1957 shall be made except after an inquiry held, as far as may be, in the manner provided in these rules.

(2) Where it is proposed to hold an inquiry against an employee of a private aided Pre-University college under this rule, the Director or the managing committee as the case may be shall draw up,-

(i) the substance of the imputations of misconduct or misbehaviour into definite and distinct articles of charges;

(ii) a statement of the imputations of misconduct or misbehaviour in support of each article of charges, which shall contain,-

- (a) a statement of all relevant facts including any admission or confession made by the employee;
- (b) a list of documents by which, and list of witnesses by whom, the articles of charge are proposed to be sustained.

(3) The Director or the concerned Managing Committee as the case may be shall deliver or cause to be delivered to the employee of a private aided Pre-University college a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charges is proposed to be sustained and shall require the employee to submit, within such time as may be specified, a written statement of his defence and to state whether he desires to be heard in person.

(4) On receipt of the written statement of defence the Director or the Managing Committee as the case may be, may appoint, under sub-rule (4) of rule-28, an enquiry officer for the purpose, and where all the articles of charges have been admitted by the employee in the employee's written statement of defence, the enquiry officer shall record the findings on each charge after taking such evidence as the enquiry officer may think fit and shall submit a report to the Director or the managing committee findings in respect of each article of charges, and the reasons thereof.

(5) If no written statement of defence is submitted by the employee, the Director may enquire into the articles of charge or, if the Director considers it is necessary to do so, may appoint under sub-rule (4) of rule 29, an enquiry officer for the purpose.

(6) Where the Director appoints an Inquiry officer for holding an inquiry into such charge, the Director by an order, may appoint an officer or an employee of the Department as "Presenting Officer" to present the case in support of the articles of charge.

(7) The Director or Managing Committee as the case may be shall forward to the enquiry officer, -

- (i) a copy of the articles of charge and the statement of imputations of misconduct or misbehaviour;
- (ii) a copy of the written statement of defence, if any, submitted by the employee;
- (iii) a copy of the list of witnesses, if any, referred to in sub-rule (2);
- (iv) a copy of the list of documents, if any, referred to in sub-rule (2);and
- (v) a copy of the order appointing the "Presenting Officer.

(8) The employee of a private Pre-University college shall appear in person before the enquiry officer on such day and at such time as the enquiry officer may, by a notice in writing, specify in this behalf if the employee who has not admitted any of the articles of charge in his written statement of defence or has not submitted any written statement of defence, appears before the enquiry officer, such officer shall ask him whether he is guilty or has any defence to

make and if he pleads guilty to any of the articles of charge, the enquiry officer shall record the plea, sign the record and obtain the signature of the employee thereon.

(9) The employee may take the assistance of any colleague or an employee or a retired employee to present the case on his behalf, but may not engage a legal practitioner for the purpose unless the Presenting Officer appointed by the Director or Managing Committee as the case may be is a legal practitioner, or, the Director, having regard to the circumstances of the case, so permits:

Provided that if the retired employee is also a Legal Practitioner, the employee shall not engage such person unless the Presenting Officer appointed by the Director or Managing Committee in the case may be is Legal Practitioner or the Disciplinary Authority having regard to circumstances of the case, so permits.

(10) The Inquiry officer shall return a finding of guilt in respect of those articles of charge to which the employee pleads guilty.

(11) The Inquiry officer shall, if the employee fails to appear within the specified time or refuses or omits to plead, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charges, and adjourn the case to a later date not exceeding thirty days, after recording the reasons that the employee may for the purpose of preparing the employee's defence,-

(i) inspect within five days of the order or within such further time not exceeding five days as the enquiry officer may allow, the documents specified in the list referred to in sub-rule(2) ;

(ii) submit a list of witness to be examined on his behalf;

(iii) apply orally or in writing to inspect and take extracts of the statements, if any, of witness mentioned in the list referred to in sub rule-(2) and the enquiry officer shall permit him to take such extracts as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the disciplinary authority;

(iv) give a notice within ten days of the order or within such further time not exceeding ten days as the enquiry officer may allow for the discovery or production of any documents which are in the possession of the Department or the management but not mentioned in the list referred to in sub-rule (2):

Provided that the employee shall indicate the relevance of the documents required by him to be discovered or produced by the Department or the managing committee.

(12) The Inquiry officer shall, on receipt of the notice for the discovery or production of documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of the document by such data as may be specified in such requisition:

Provided that the Inquiry officer, for reasons to be recorded in writing may refuse to requisition such of the documents as are, in his opinion, not relevant to the case.

(13) On receipt of the requisition referred to in sub-rule (11), every authority having the custody or possession of the requisitioned documents shall produce the same before the Inquiry officer :

Provided that if the authority having the custody or possession of the requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any of such documents would be against the public interest or security of the State, it shall inform the enquiry officer accordingly and the enquiry officer shall, on being so informed, communicate the information to the employee and withdraw the requisition made by it for the production or discovery of such documents.

(14) On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the employer. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the employee. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter, without the leave of the enquiry officer. The Inquiry officer may also put such questions to the witnesses as he thinks fit.

(15) If it, appears necessary before the close of the case, the Inquiry officer may allow the Presenting Officer to produce evidence not included in the list given to the employee or may call for new evidence or recall and re-examine any witness and in such case the employee shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence, exclusive of the day of adjournment and day to which the inquiry is adjourned. The enquiry officer shall give the employee an opportunity of inspecting such documents before they are taken on the record. The Inquiry officer may also allow the employee to produce new evidence, if he is of the opinion that the production of such evidence is necessary in the interests of justice.

Note: New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called only when there is an inherent lacuna or defect in the evidence which has been produced originally.

(16) When the case of the managing committee or the Director is closed, the employee shall be required to state his defence, orally or in writing as he may prefer. If the defence is made orally, it shall be recorded and the employee shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting Officer, if any, appointed.

(17) The evidence on behalf of the employee shall then be produced. The employee may examine himself on his own behalf if he so prefers. The witnesses produced by the employee shall then be examined and shall be liable to cross-examination, re-examination and examination by the enquiry officer according to the provisions applicable to the witnesses for the Disciplinary authority.

(18) The Inquiry officer may, after the employee closes his case, and shall, if the employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.

(19) The Inquiry officer may, after the completion of the production of evidence, hear the Presenting Officer and the employee and permit them to file written arguments about their respective cases, if they so desire.

(20) If the employee, to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the enquiry officer or otherwise fails or refuses to comply with the provisions of this rule, the enquiry officer may hold the inquiry ex-parte.

(21) Whenever any Inquiry officer, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein and is succeeded by another enquiry officer who has, and who exercises, such jurisdiction, the enquiry officer so succeeding may act on the evidence so recorded by the predecessor or partly recorded by the predecessor and partly recorded by succeeding enquiry officer:

Provided that if the succeeding Inquiry officer is of the opinion that further examination of any witnesses whose evidence has already been recorded is necessary in the interest of justice, enquiry officer may recall, any witness and allow cross-examination, and re-examine of such witness as herein before provided.

(22) (i) After the conclusion of the inquiry, a report shall be prepared and it shall contain,-

- (a) the articles of charges and the statement of imputation of misconduct or misbehaviour;
- (b) the defence of the employee in respect of each articles of charge;
- (c) an assessment of the evidence in respect of each article of charge;
- (d) the findings on each article of charge and the reasons thereof.

Explanation.- If in the opinion of the enquiry officer the proceedings of the enquiry establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge:

Provided that the finding on such article of charge shall not be recorded, unless the employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(i) The Inquiry officer shall forward to the Director the record of Inquiry which shall include,-

- (a) the report prepared by him under clause(i);
- (b) the written statement of defence, if any submitted by the employee;
- (c) the oral and documentary evidence produced in the course of inquiry;

- (d) written briefs, if any, filed by the Presenting Officer or the employee or both during the course of the enquiry: and
- (e) the orders, if any made by the Director and the enquiry officer in regard to the enquiry.

30. Action on the enquiry report.- The Director or the Managing Committee as the case may be, may for reasons to be recorded in writing remit the case to the Inquiry officer for further enquiry and report, and the enquiry officer shall thereupon proceed to hold further enquiry according to the provisions of rule 29 as far as may be.

(2) The Director or the managing committee as the case may be shall in case of disagreement with the findings of the enquiry officer on any article of charges record the reasons for such disagreement and record the findings on such charge if the evidence on record is sufficient for the purpose.

(3) If the Director or managing committee as the case may be, having regard to the findings, on all or any of the articles of charges is of the opinion that one or more of the penalties specified in the Karnataka Civil Services (Classification, Control and Appeal) Rules be imposed on the employee, it shall, notwithstanding anything contained in these rule, make an order imposing such penalty.

31. Registers and books to be maintained in the Pre-University colleges.- All Pre-University colleges shall maintain the registers and books enumerated in Schedule-VII.

By order and in the name of the Governor of Karnataka,

M.M. HIREMATH

Under Secretary to Government,
Education Department.

FORM – III
UNDERTAKING

This Undertaking given on this day of year by the Managing Committee with an intention to establish a Pre-University College in applied to the Director of Pre-University Education on day seeking permission to do so and Director of Pre-university Education has issued a letter of intent under number dated in accordance with Rule-4 of the Pre-University Education Academic Administration and Grant-in-aid Rules 2006 (herein after called the Rules)

And whereas the Managing Committee has acquired the necessary land and has built the necessary building described in schedule hereto in accordance with Rule-4 of the Rules and same has been inspected by the inspection committee in accordance with the Rule-4 of the Rules, and has found that the land and building satisfy the stipulations laid down under Rule-4 of the said Rules.

Now, therefore un consideration of the permission to be granted by the Government of Karnataka to establish and run a Pre-University College at in the scheduled land and building, the Managing Committee hereby agrees to abide and remain by the rules as applicable and the terms and conditions herein contained.

1. The Managing committee undertakes to run the Pre-University College in the scheduled land and building as long as the permission granted by the Government to run the Pre-University College is subsists and in operation.
2. The Managing committee undertakes to maintain the land and building in a condition fit for academic activities and will not undertake to use the premises for any commercial or any other use.
3. The Managing committee undertakes not to alienate the scheduled land and building by way of sale, lease, rent, mortgage or otherwise as long as the Pre-University College runs in that building.

In witness there of the President/Chairman and Secretary of the Managing Committee have affixed their seal and signatures hereunder.

President/Chairman

Secretary

SCHEDULE – III**Examination fee and other fee structure of Department of
Pre-University Examination****Govt. Order No. : ED/04/TPU-2002 Bangalore dated 30th December 2004.****Govt. Order No. : ED/17/TPU-2002, dated 08th June 2007.**

Sl. No.	Details	Fee Structure	Mode of Utilisation
1	2	3	4
A. Fee Structure for Starting New Colleges (Private colleges only)			
1.	Application form fee for starting new college	25000/-	To be remitted to the treasury
2.	Solvency – (Moveable and Immovable property to the Managing Committee)	20,00,000.00	
3.	Stability fund :	1,00,000.00	Fund to be kept in a joint A/c of the Commissioner/ Director of Dept. of P.U.E. & Management
4.	Registration fee (to commence new college by the management)	50,000.00	To be remitted to the treasury
5.	To start a new combination or a subject		–do–
	1) Science Combination	20,000.00	
	2) Arts Combination	10,000.00	
	3) Commerce Combination	10,000.00	
	4) One subject (Language, Arts or Commerce)	5,000.00	
	5) One subject (Science subject)	10,000.00	
6.	Renewal of Annual Recognition	10,000.00	–do–
B. Fee to be collected from students at the time of admission (Annual Fees)			
1.	Admission form fee	15.00	To be remitted
2.	Registration Fee	15.00	To be remitted to the treasury
3.	Tuition Fee		
	i) Govt. colleges	300.00	–do–
	ii) Private colleges	600.00	–do–

4. Laboratory Fee	200.00	To be remitted to the college A/c.
5. Admission Fee	20.00	—do—
6. (i) Late Admission penal fee	300.00	To be remitted to the college A/c.
(ii) Special Late Admission penal fee	1,000.00	
Instruction : After obtaining permission from the Director by paying special penal fee, admission may be made upto 15 days from the last date fixed.		
7. Sports Fee	50.00	To be remitted to the college A/c.
8. Cultural and Literary Fee	40.00	—do—
9. Library and Reading Room Fee	50.00	—do—
10. Students' Welfare Fund	10.00	50% of the amount to be remitted to the college A/c. and rest to be sent to Student Welfare Fund Office.
11. Teachers' Welfare Fund	10.00	To be sent to Teachers Welfare Fund Office
12. Sports Fund	20.00	To be sent to Directorate by Demand Draft drawn in favour of Director
13. Maintenance of Toilets – Fee	10.00	
14. Electricity and Water Charges	10.00	
C. Practical Examination Fee :		
1. First year P.U.C. practical Examination Fee for each subject	30.00	To be remitted to the college A/c.

- | | | |
|---|-------|--------------------------------|
| 2. Second year P.U.C. Practical Examination Fee | 50.00 | To be remitted to the treasury |
|---|-------|--------------------------------|

D. P.U.C. Examination Fee :

- | | | |
|--|--|--|
| 1. First year P.U.C. Examination Fee
(Class Examination) | 100.00 | To be remitted the college A/c. |
| 2. Second year P.U.C. Examination Fee : | | To be remitted to the treasury |
| 1) For One subject | 60.00 | —do— |
| 2) For Two subjects | 120.00 | —do— |
| 3) For Three subjects or more and
fresh students | 180.00 | —do— |
| 4) For students belonging to SC/ST/
Category 1 who have been exempted
from payment of fee should compulsorily
pay the marks card fee | 20.00 | To be remitted to the treasury |
| 3. Penal Fee (after the last date to submit the
application form with Fee) | 20.00
per day
to a maximum
of Rs. 200.00
for 10 days | —do—
To be remitted to the treasury |
| 4. Special penal fee (After the last date to
submit the application form with penal fee) | 25.00
per day
to a maximum
of Rs. 500.00
(for 20 days) | —do— |
| 5. Additional penal fee (After the last date for
payment of special penal fee provided the
Director gives the permission to pay the
examination Fee). | 30.00
per day | —do— |
| 6. Second year P.U.C. class examination Fee | 100.00 | To be remitted to the college A/c. |
| 7. Second year P.U.C. Duplicate admission | 60.00 | To be remitted ticket Fee |

E. Result withdrawal Fee (Rejection) :

- | | | |
|---|--------|------|
| 1. For the First time for each subject | 75.00 | —do— |
| 2. For the Second and final attempt for
each subject | 150.00 | —do— |

F. Change of Examination Centre and College Fee :

- | | | |
|---|--------|------|
| 1. Second year P.U.C. Change of Examination centre Fee | 500.00 | —do— |
| 2. First or Second year change of college Fee (Upto October only) | 200.00 | —do— |

G. Duplicate Marks card, Application and Certificate Fee :

- | | | |
|---|--------|-------------------------------------|
| 1. Failed students Marks Card cum Application Fee | | |
| 1) Submission of application within two years after the announcement of results. | 50.00 | —do— |
| 2) Submission of application within ten years but after two years after announcement of results | 100.00 | To be remitted to the treasury A/c. |
| 3) Submission of application after ten years of the announcement of results | 200.00 | —do— |
| 2. Duplicate pass Certificates of Passed students | 250.00 | —do— |
| 3. Triplicate pass Certificate of Passed students | 750.00 | —do— |

H. Private candidates who appear for Second year P.U. Examination Directly :

- | | | |
|-------------------------------------|--------|---|
| 1. Registration Fee | 25.00 | To be remitted to college A/c. and this can be used for postage expenses and review fee by the Principal and Staff. |
| 2. Admission Fee : | 150.00 | To be remitted to the treasury |
| 3. S.C. and S.T. (Examination Fees) | 20.00 | |

I. Other Fees :

- | | | |
|---|---------|-------------------------------------|
| 1. Retotalling for each subject | 200.00 | |
| 2. To get photocopies of the answer scripts — per subject | 300.00 | |
| 3. Revaluation — per subject | 750.00 | |
| 4. Eligibility Certificate Equivalence Certificate | | |
| 1) For students studied in India | 300.00 | To be remitted to the treasury A/c. |
| 2) For students studied Abroad | 1000.00 | —do— |
| 5. Migration Certificate | 200.00 | —do— |
| 6. Change of subject / combination fee | 300.00 | |

7. To get permission for private study – fee

1) Indian languages / subjects	300.00
2) Foreign languages	2000.00

(Fee structure to be changed from time to time as approve by the Govt.)

SCHEDULE – II**Part I – Languages taught in PU Courses.**

1) Kannada (01)	2) English (02)	3) Hindi (03)	4) Tamil (04)
5) Telugu (05)	6) Malayalam (06)	7) Marathi (07)	8) Urdu (08)
9) Sanskrit (09)	10) Arabic (11)	11) French (12)	

Part II – Combination Subjects taught in PU Courses (with code numbers)

1) Optional Kannada (16)	2) History (21)	3) Economics (22)
4) Logic (23)	5) Geography (24)	6) Business Studies (27)
7) Sociology (28)	8) Political Science (29)	9) Accountancy (30)
10) Statistics (31)	11) Psychology (32)	12) Physics (33)
13) Chemistry (34)	14) Mathematics (35)	15) Biology
		Part I – Botany (3)
		Part II – Zoology
16) Electronics (46)	17) Computer Science (41)	18) Education
19) Karnatic Music (25)	20) Home Science (67)	21) Basic
		Mathematics (69)
22) Hindustani Music (26)		

Any other combination subjects as and when approved by the Government.

SCHEDULE – I**Combination Subject taught in Pre-University Courses****SCIENCE COMBINATIONS :**

1. Physics, Chemistry, Mathematics, Biology
2. Physics, Chemistry, Mathematics, Computer Science
3. Physics, Chemistry, Mathematics, Electronics
4. Physics, Chemistry, Mathematics, Statistics
5. Physics, Chemistry, Biology, Home Science
6. Physics, Chemistry, Mathematics, Geology.

HUMANITIES COMBINATIONS

7. History, Economics, Sociology, Political Science

8. History, Economics, Geography, Political Science
9. History, Economics, Logic, Political Science
10. History, Economics, Political Science, Optional Kannada
11. History, Economics, Geography, Optional Kannada
12. History, Economics, Sociology, Optional Kannada
13. History, Economics, Political Science, Psychology
14. History, Education, Economics, Optional Kannada
15. History, Education, Political Science, Optional Kannada
16. History, Education, Geography, Optional Kannada
17. History, Education, Sociology, Optional Kannada
18. History, Economics, Sociology, Psychology
19. History, Sociology, Education, Economics
20. History, Sociology, Education, Political Science
21. History, Sociology, Education, Geography
22. History, Economics, Logic, Sociology.
23. History, Economics, Optional Kannada, Karnatak Music
24. History, Economics, Optional Kannada, Hindustani Music
25. History, Sociology, Optional Kannada, Karnatak Music
26. History, Sociology, Psychology, Optional Kannada
27. History, Political Science, Education, Economics
28. History, Political Science, Education, Sociology.
29. Economics, Political Science, Education, Sociology.
30. Economics, Political Science, Education, Geography
31. Economics, Sociology, Political Science, Psychology.
32. Economics, Logic, Sociology, Psychology.

BUSINESS STUDIES COMBINATION :

33. History, Economics, Business Studies, Accountancy
34. Economics, Geography, Business Studies, Accountancy
35. Economics, Business Studies, Accountancy, Computer Science
36. Economics, Statistics, Business Studies, Accountancy
37. Business Studies, Accountancy, Business Mathematics, Statistics
38. Business Studies, Accountancy, Computer Science, Statistics
39. Business Studies, Accountancy, Political Science, Economics.
40. Business Studies, Accountancy, Economics, Business Mathematics.

(Any other combination as and when approved by the Government)

See Rule – 32**SCHEDULE – VII****LIST OF REGISTERS TO BE MAINTAINED IN THE AIDED AND GOVERNMENT****P.U. COLLEGES:**

1. Government and Non-Government cash books.
2. Subsidiary registers for Non-Government sub-heads.
3. Salary A quittance roll.
4. Accounts Register containing details of the following items
 1. Contingent Charges.
 2. Remittances – Treasury/Bank/Post Office.
 3. Admission fee collections.
 4. Tuition and other Fee collections.
 5. Daily fee collections.
 6. Fee collection for I P.U. and II P.U. class examination.
 7. II P.U. Public Examination fees collections.
 8. Cultural activities Fees collections.
 9. College Betterment Committee collections.
 10. S.W.F./T.B.F. fees collections.
 11. Sports and R.R. funds.
5. Pay Scale Register – Number and sanction of posts with pay scales in the college.
6. Admission Register
7. Staff Attendance Register
8. “To” and “From” Register
9. Staff and Students Memo book.
10. Office copies of the Transfer Certificates.
11. Service registers of employee.
12. Movement Register for Service Registers.
13. Office order Book in respect grant of leave of staff.
14. Register of Increments sanctioned.
15. Follow up Register for Audit Objections.
16. College Betterment Committee Proceeding book.
17. Scholarship disbursement Register.
18. Stock and Issue Register of stationary articles.
19. Register of permanent stock (other than Laboratory equipment, Sports articles, R.R. Articles)
20. Register of laboratory equipment.

21. Register of valuables and valuable documents.
22. Stock Register of printed receipt books.
23. Stock Register for sports articles.
24. Register for Magazines and Newspapers.
25. Library Accession Register
26. Account Book of postage.
27. Individual Marks register
28. Consolidated Marks register.

For unaided colleges one financial statement to be submitted annually as prescribed in KFC.

NOTE: In addition to the above prescribed registers, the Director shall have the powers to prescribe any other register if found necessary.

SCHEDULE-VI

NON-TEACHING STAFF

Designation	Qualification	Scale of Pay	Number of Staff to be appointed if the student strength of the PU College			
			Less than 100	Between 100-250	Between 251-500	501 and above
Superintendent	As per C and R Rules	5200-9580	-	-	-	
First Division Assistant	As per C and R Rules	3850-7050	-	-	01	01
Second Division	A pass in SSLC or equivalent examination and a pass in Junior Grade Typewriting	3000-5150	01	01		01
Librarian	As per C and R Rules	5200-9580	-	-		01
Peon	As per C and R Rules	2500-3850	01	01	01	01
Sweeper	As per C and R Rules	2500-3850	-	-		
Watchman	As per C and R Rules	2500-3850	-			

SCHEDULE – V**STAFF PATTERN FOR LAB-ATTENDERS IN P.U. COLLEGES**

	A	B	C	D	E	F
Sl. No.	Students I. Yr. I Yr.	No. of Batches I Yr. II Yr.	Work load per week for one subject	Total No. of Hours per week for 3 subjects	No. of Attenders Required	No. of Sections
	1	2	3	4	5	6
1.	20 + 20 = 40	1 + 1	4	12	1	1 + 1
2.	40 + 40 = 80	2 + 2	8	24	1	1 + 1
3.	60 + 60 = 120	3 + 3	12	36	2	1 + 1
4.	80 + 80 = 160	4 + 4	16	48	2	1 + 1
5.	100 + 100 = 200	5 + 5	20	60	2	1 + 1
6.	120 + 120 = 240	6 + 6	24	72	3	2 + 2
7.	140 + 140 = 280	7 + 7	28	84	3	2 + 2
8.	160 + 160 = 320	8 + 8	32	96	4	2 + 2
9.	180 + 180 = 360	9 + 9	36	108	4	2 + 2
10.	200 + 200 = 400	10 + 10	40	120	5	2 + 2
11.	220 + 220 = 440	11 + 11	44	132	5	3 + 3
12.	240 + 240 = 480	12 + 12	48	144	6	3 + 3

- Note :**
- 1. A batch should comprise of 20 students**
 - 2. The duration of each practical class is 2 hours.**
 - 3. The minimum dimension of one lab unit shall be 25' × 45'**

Government of Karnataka

(The particulars should be filled in English in Capital letters preferably using a Typewriter)

[illegible]

Column No. 7 : Physically handicapped mention (1) Deaf and Dumb, (2) Blind, (3) Ortho problems and (4) Others.

Signature of the Principal
with Official Seal

FORM-III**PARTICULARS OF THE OUTSIDE STUDENTS ADMITTED TO II PUC DURING THE ACADEMIC YEAR _____**

(The particulars should be filled in ENGLISH in capital letters, preferably using a typewriter)

Students of the same college promoted from I PUC in the _____ Examination should not be shown in this list.

ಶೈಕ್ಷಣಿಕ ವರ್ಷಕ್ಕಿಂತ ಹಿಂದಿನ ವರ್ಷಗಳಲ್ಲಿ ಪ್ರಥಮ ಪಿಯುಸಿ ವ್ಯಾಂಸಗ ಮಾಡಿ ರ ಶೈಕ್ಷಣಿಕ ವರ್ಷದಲ್ಲಿ ದ್ವಿತೀಯ ಪಿಯುಸಿಗೆ ದಾಖಲಾದ ವಿದ್ಯಾರ್ಥಿಗಳ ವಿಳಾಸ (ಪ್ರಥಮ ಪಿಯುಸಿಯಿಂದ ದ್ವಿತೀಯ ಪಿಯುಸಿಗೆ .. ರಲ್ಲಿ ಉತ್ತೀರ್ಣಗೊಂಡ ಸದರಿ ಕಾಲೇಜಿನ ವಿದ್ಯಾರ್ಥಿಗಳ ವಿವರಗಳನ್ನು ಈ ನಮೂನೆಯಲ್ಲಿ ಭರ್ತಿ ಮಾಡಬಾರದು)

Sl. No.	Name of the student	Mothe's Name	Father's Name	Group (caste) category	Sex M/F	Medium Kannada/English	Combi-Code of the College in which the candidate studied in I PUC	Year of passing I PUC	Subjects offered Subjects Offered in I PUC Mention Code No.						Indicate student number in PUC if assigned by the Directorate	SSLC REG. No. of passing
									Part I	Part II						

CERTIFIED THAT THE PARTICULARS FURNISHED ABOVE ARE TRUE AND CORRECT AS PER THE RECORDS MAINTAINED IN THIS COLLEGE

DATE :

Principal

Kar.PU.Edn.Rules 2006(draft)

Signature of the

with Official Seal

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 262 SLB 2007, Bangalore, dated 7th May 2008

Whereas the draft of the following rules further to amend the Karnataka Educational Institutions [Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] Rules, 1999 and the Karnataka Pre-University Education [Academic, Registration, Administration and Grant-in-Aid etc.,] Rules, 2006 was published as required by Sub-section (1) of Section 145 of the Karnataka Education Act, 1983 [Karnataka Act 1 of 1995] in Notification No. ED 262 SLB 2007, dated: 29th December 2007 in Part-IVA of the Karnataka Gazette Extraordinary dated: 07-01-2008, inviting objections and suggestions from the persons likely to be affected thereby within thirty days from the date of its publication in the official Gazette.

Whereas the said Gazette was made available to the public on 07-01-2008 ;

And whereas, no objections and suggestions in respect of the said draft have been received by the Government.

Now therefore, in exercise of the powers conferred by Sub-section (1) of Section 145 of Karnataka Education Act, 1983 [Karnataka Act 1 of 1995], the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and Commencement: - (1) These rules may be called the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employee in Private Aided Primary and Secondary Educational Institutions) (Amendment) Rules, 2008 and the Karnataka Pre-University Education [Academic, Registration, Administration and Grant-in-aid etc.,] [Amendment] Rules, 2008.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of the Karnataka Educational Institutions [Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions] Rules, 1999:- In the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions), Rules, 1999, in **Annexure - 1**, in clause 6, in sub clause (1), at the end, the following shall be inserted, namely: -

“ The provisions of the Karnataka Civil Services [General Recruitment] Rules, 1977 relating to [horizontal] reservation of posts in favour of the persons belonging to the categories of ex-servicemen, physically handicapped, project displaced persons, women and Kannada medium candidates and the provisions of the Karnataka Reservation of Appointments or Posts [in the Civil Services of the State] for Rural Candidates Act, 2000 (Karnataka Act 1 of 2001) relating to the each category of rural candidates shall mutatis mutandis apply in respect of every recruitment made under these rules”.

3. Amendment of the Karnataka Pre-University Education [Academic, Registration, Administration and Grant-in-Aid etc.] Rules, 2006 :- In the Karnataka Pre-University Education [Academic, Registration, Administration and Grant-in-aid etc.] Rules, 2006, in rule 15, after sub-rule (1), at the end, the following shall be inserted, namely :-

“ The provisions of the Karnataka Civil Services [General Recruitment] Rules, 1977 relating to (horizontal) reservation of posts in favour of the persons belonging to the categories of ex-servicemen, physically handicapped, project displaced persons, women and Kannada medium candidates and the provisions of the Karnataka Reservation of Appointments or Posts (in the Civil Services of the State) for Rural Candidates Act, 2000 (Karnataka Act 1 of 2001) relating to the each category of rural candidates shall mutatis mutandis apply in respect of every recruitment made under these rules”.

By order and in the name of the President of India,

Swarnalatha M.Bhandare

Under Secretary to Government,
Education Department.

ಶಿಕ್ಷಣ ಸಚಿವಾಲಯ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ ಇಡಿ 74 ವಿವಿಧ 2004, ಬೆಂಗಳೂರು, ದಿನಾಂಕ 14-8-2006

ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಅಧಿನಿಯಮ, 1983ರ (1995ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ, ಸಂಖ್ಯೆ (1) 145ನೆಯ ಪ್ರಕರಣದ (1)ನೇ ಉಪಪ್ರಕರಣದಿಂದ ಅಗತ್ಯಪಡಿಸಲಾದಂತೆ, ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ (ಪರಿಶೀಲನೆ, ಲೆಕ್ಕಪತ್ರಗಳು, ಲೆಕ್ಕ ಪರಿಶೋಧನೆ ಮತ್ತು ವಿವರಪಟ್ಟಿಕೆ) ನಿಯಮಗಳು, 2005ನ್ನು, ಇವುಗಳಿಂದ ಬಾಧಿತರಾಗಬಹುದಾದ ವ್ಯಕ್ತಿಗಳಿಂದ ಆಕ್ಷೇಪಣೆಗಳು ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಆಹ್ವಾನಿಸುತ್ತಾ, ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ ಇಡಿ 74 ವಿವಿಧ 2005ನ್ನು ದಿನಾಂಕ 17.1.2006ರ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ iv-ಎ ರಲ್ಲಿ ಪ್ರಕಟಿಸಲಾಗಿದೆ ಮತ್ತು 2006ರ ಮಾರ್ಚ್ 3 ರಂದು ವಾರ್ತಾ ಪತ್ರಿಕೆಯ ಮುಖಾಂತರ ವ್ಯಾಪಕ ಪ್ರಚಾರವನ್ನು ಕೂಡ ನೀಡಲಾಗಿದೆ.

ಸದರಿ ರಾಜ್ಯಪತ್ರವನ್ನು 17ನೇ ಜನವರಿ 2006ರಂದು ಸಾರ್ವಜನಿಕರಿಗೆ ಲಭ್ಯವಾಗುವಂತೆ ಮಾಡಲಾಗಿದೆ ಹಾಗೂ 2006ರ ಮಾರ್ಚ್ 3ರಂದು ವಾರ್ತಾ ಪತ್ರಿಕೆಗಳ ಮುಖಾಂತರ ವ್ಯಾಪಕ ಪ್ರಚಾರವನ್ನು ಕೂಡ ನೀಡಲಾಗಿದೆ.

ಈ ಬಗ್ಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಯಾವುದೇ ಆಕ್ಷೇಪಣೆಗಳು ಮತ್ತು ಸಲಹೆಗಳನ್ನು ಸ್ವೀಕರಿಸಿರುವುದಿಲ್ಲ.

ಆದ್ದರಿಂದ, ಈಗ ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಅಧಿನಿಯಮ, 1983ರ (1995ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 1) 145ನೇ ಪ್ರಕರಣದ (1)ನೇ ಉಪ ಪ್ರಕರಣದೊಂದಿಗೆ ಓದಿಕೊಂಡಂತೆ, 36ರಿಂದ 39ರವರೆಗಿನ ಪ್ರಕರಣಗಳಿಂದ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಿ, ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಕೆಳಕಂಡ ನಿಯಮಗಳನ್ನು ರಚಿಸುತ್ತದೆ, ಎಂದರೆ:-

1. ಹೆಸರು, ಅನ್ವಯ ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ನಿಯಮಗಳನ್ನು ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ (ಪರಿಶೀಲನೆ, ಲೆಕ್ಕಪತ್ರಗಳು, ಲೆಕ್ಕ ಪರಿಶೋಧನೆ ಮತ್ತು ವಿವರಪಟ್ಟಿಕೆ) ನಿಯಮಗಳು, 2006 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇವು, ರಾಜ್ಯ ಪತ್ರದಲ್ಲಿ ಅವುಗಳ ಪ್ರಕಟಣೆಯ ದಿನಾಂಕದಂದು ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

(3) ಈ ನಿಯಮಗಳು ರಾಜ್ಯ ನಿಧಿಗಳಿಂದ ಅನುದಾನಗಳನ್ನು ಪಡೆಯುವ ಎಲ್ಲ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಿಗೆ ಅನ್ವಯವಾಗತಕ್ಕದ್ದು.

2. ಪರಿಭಾಷೆಗಳು.-(1) ಸಂದರ್ಭವು ಅನ್ಯಥಾ ಅಗತ್ಯಪಡಿಸಿದ ಹೊರತು, ಈ ನಿಯಮಗಳಲ್ಲಿ,-

(ಎ) "ಅಧಿನಿಯಮ" ಎಂದರೆ, ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಅಧಿನಿಯಮ, 1983 (1995ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 1) ;

(ಬಿ) "ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಿ" ಎಂದರೆ, ಈ ಅಧಿನಿಯಮದ 2ನೆಯ ಪ್ರಕರಣದ (7)ನೆಯ ಖಂಡದಿಂದ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಿ ಸರ್ಕಾರವು ಅಧಿಕೃತಗೊಳಿಸಿದ ಅಧಿಕಾರಿ /ಪ್ರಾಧಿಕಾರಿ ;

(ಸಿ) "ನಿರ್ದೇಶಕ" ಎಂದರೆ, ಅನುಸೂಚಿ-1ರ (2)ನೇ ಅಂಕಣದಲ್ಲಿನ ಸಂವಾದೀ ನಮೂದುಗಳಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಪ್ರವರ್ಗಕ್ಕೆ ಸಂಬಂಧಿಸದಂತೆ ಅದೇ ಅನುಸೂಚಿಯ (3)ನೇ ಅಂಕಣದಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ನಿರ್ದೇಶಕ ;

(ಡಿ) "ಅನುಸೂಚಿ" ಎಂದರೆ, ಈ ನಿಯಮಗಳಿಗೆ ಅನುಬಂಧಿಸಲಾದ ಅನುಸೂಚಿ .

(2) ಈ ನಿಯಮಗಳಲ್ಲಿ ಬಳಸಲಾದ ಆದರೆ ಪರಿಭಾಷಿಸಿಲ್ಲದ ಪದಗಳು ಮತ್ತು ಅಭಿವ್ಯಕ್ತಿಗಳು ಕರ್ನಾಟಕ ಶಿಕ್ಷಣ ಅಧಿನಿಯಮ, 1983 (1995ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 1) ರಲ್ಲಿ ಆ ಪದಗಳು ಮತ್ತು ಅಭಿವ್ಯಕ್ತಿಗಳಿಗೆ ನೀಡಲಾದಂಥ ಅರ್ಥವನ್ನೇ ಹೊಂದಿರತಕ್ಕದ್ದು.

3. ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು ನಿರ್ವಹಿಸಬೇಕಾದ ರಿಜಿಸ್ಟರುಗಳು.-(1) ಪ್ರಾಥಮಿಕ ಶಾಲೆಗಳನ್ನು ನಡೆಸುವ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು ಅನುಸೂಚಿ-IIರಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದಂತೆ ರಿಜಿಸ್ಟರುಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

(2) ಸಂಸ್ಕೃತ, ಅರೆಬಿಕ್ ಮತ್ತು ಹಿಂದಿ ಕಲಿಸುವ ಶಾಲೆಗಳನ್ನು ಒಳಗೊಂಡಂತೆ ಮಾಧ್ಯಮಿಕ ಶಾಲೆಗಳನ್ನು ನಡೆಸುವ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು ಅನುಸೂಚಿ-IIIರಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಲಾದಂತೆ ರಿಜಿಸ್ಟರುಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

(3) ಪದವಿ-ಪೂರ್ವ ಕಾಲೇಜುಗಳು, ಜೂನಿಯರ್ ಕಾಲೇಜುಗಳು, ಕಾಲೇಜುಗಳು ಮತ್ತು ಎಲ್ಲ ಇತರ ಸಂಸ್ಥೆಗಳು, ಬೋಧಕ ತರಬೇತಿ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು ಮತ್ತು ಎಲ್ಲ ತರ ಸಂಸ್ಥೆಗಳು / ಕಾಲೇಜುಗಳು ಅನುಸೂಚಿ-iv ರಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಲಾದಂತೆ ರಿಜಿಸ್ಟರುಗಳನ್ನು ನಿರ್ವಹಿಸತಕ್ಕದ್ದು.

4. ಹಣಕಾಸು ವಿವರಪಟ್ಟಿಗೆ ಸಲ್ಲಿಸುವುದು.-(ಎಲ್ಲ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು ಅನುಬಂಧ-V ರಲ್ಲಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಲಾದಂತೆ ಹಣಕಾಸು ವಿವರಪಟ್ಟಿಗೆಗಳೊಂದಿಗೆ ಸಮರ್ಪಕ ವಿವರಪಟ್ಟಿಗೆಗಳನ್ನು ಸಲ್ಲಿಸತಕ್ಕದ್ದು.

5. ವಾರ್ಷಿಕ ಲೆಕ್ಕಪರಿಶೋಧನೆ, ಪರಿಶೀಲನೆ ಇತ್ಯಾದಿಗಳನ್ನು ನಡೆಸುವುದು ಮತ್ತು ರಿಟರ್ನುಗಳ ಸಲ್ಲಿಕೆಗೆ ಇರುವ ಕಾಲಮಿತಿ .-(1) ರಾಜ್ಯ ನಿಧಿಗಳಿಂದ ಅನುದಾನಗಳನ್ನು ಪಡೆಯುವ ಪ್ರತಿಯೊಂದು ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಯ ಲೆಕ್ಕಪತ್ರಗಳನ್ನು ನಿರ್ದೇಶಕನಿಂದ ಪ್ರತಿನಿಯೋಜನೆಗೊಂಡ ಇಲಾಖಾ ಲೆಕ್ಕ ಪರಿಶೋಧಕರು ಪ್ರತಿವರ್ಷ ಮೇ, 31ರ ಕೊನೆಯಲ್ಲಿ ಪರಿಶೀಲನೆ ಮತ್ತು ಲೆಕ್ಕ ಪರಿಶೋಧನೆ ನಡೆಸತಕ್ಕದ್ದು. ಅನುಸೂಚಿ-iv ರಲ್ಲಿ ಉಲ್ಲೇಖಿಸಲಾದಂತೆ ಸಮರ್ಪಕ ಲೆಕ್ಕಪತ್ರಗಳೊಂದಿಗೆ ಹಣಕಾಸು ವಿವರಪಟ್ಟಿಗೆಯನ್ನು ಪ್ರತಿ ವರ್ಷ ಮೇ ಮೊದಲ ವಾರದೊಳಗೆ ನಿರ್ದೇಶಕನಿಗೆ ಒಪ್ಪಿಸುವಂತೆ ವ್ಯವಸ್ಥಾಪಕ ಮಂಡಳಿಯನ್ನು ಅಗತ್ಯಪಡಿಸಲಾಗಿದೆ. ಸಮರ್ಪಕ ವಿವರಗಳೊಂದಿಗೆ ಹಣಕಾಸು ವಿವರಪಟ್ಟಿಗೆಗಳನ್ನು ಸ್ವೀಕರಿಸಿದ ನಂತರ ಮತ್ತು ವಿವರ ಪಟ್ಟಿಗೆಯ ಪ್ರಾಥಮಿಕ ಪರಿಶೀಲನೆ ನಡೆಸಿದ ನಂತರ ನಿರ್ದೇಶಕರು ಸಂಬಂಧಿಸಿದ ಸಂಸ್ಥೆಯ ಆಡಳಿತ ಮಂಡಳಿಗೆ ಸಾಕಷ್ಟು ಮುಂಚಿತವಾಗಿಯೇ ಆ ಸಂಸ್ಥೆಯ ಲೆಕ್ಕಪತ್ರಗಳ ಲೆಕ್ಕ ಪರಿಶೋಧನೆ ಆರಂಭಿಸುವ ಬಗ್ಗೆ ಲೆಕ್ಕ ಪರಿಶೋಧಕನ ವಿವರಗಳನ್ನು, ಲೆಕ್ಕ ಪರಿಶೋಧನೆ ನಡೆಸುವ ಸ್ಥಳ, ಸಮಯ ಮತ್ತು ದಿನಾಂಕ ಇತ್ಯಾದಿಗಳೊಂದಿಗೆ ತಿಳಿಸತಕ್ಕದ್ದು. ಲೆಕ್ಕಪರಿಶೋಧಕನು, ಸರ್ಕಾರದಿಂದ ನೀಡಲಾದ ಅನುದಾನಗಳನ್ನು ಮತ್ತು ಇತರ ಸಂಪನ್ಮೂಲಗಳನ್ನು ಯಾವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಅವನ್ನು ಮಂಜೂರು ಮಾಡಲಾಗಿತ್ತೋ

ಆ ಉದ್ದೇಶಕ್ಕಾಗಿ ಸೂಕ್ತವಾಗಿ ಬಳಸಲಾಗಿದೆಯೇ ಎಂಬುದನ್ನು ಖಚಿತಪಡಿಸಿಕೊಳ್ಳಲು ಸಂಸ್ಥೆಗಳ ಸುಸಂಬಂಧ ದಾಖಲಾತಿಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ವಿವರಪಟ್ಟಿಗಳ ಪರಿಶೀಲನೆ ನಡೆಸತಕ್ಕದ್ದು.

(2) ಆ ಎಲ್ಲ ದಾಖಲೆಗಳ ಪರಿಶೀಲನೆ ಮತ್ತು ಪರಿಷ್ಕರಣೆ ಮಾಡಿದ ನಂತರ, ಲೆಕ್ಕಪರಿಶೋಧಕನು ಬಿಡುಗಡೆ ಮಾಡಬೇಕಿರುವ ಅನುದಾನಗಳ ಹಸ್ತಾಂತರಣಕ್ಕಾಗಿ ಅಥವಾ ಪುನರ್ ವಸೂಲು ಮಾಡುವುದಕ್ಕಾಗಿ ಲೆಕ್ಕಪತ್ರಗಳ ವಿವರಣೆಯನ್ನು ಸಿದ್ಧಪಡಿಸತಕ್ಕದ್ದು ಮತ್ತು ಅಗತ್ಯಬಿದ್ದರೆ ಲೆಕ್ಕಪರಿಶೋಧನೆಯ ಪ್ರಮುಖ ಅಂಶಗಳ ಬಗ್ಗೆ ಸಂಬಂಧಿಸಿದ ಲೆಕ್ಕ ಸಂಸ್ಥೆಗಳೊಂದಿಗೆ ಚರ್ಚಿಸತಕ್ಕದ್ದು. ಲೆಕ್ಕ ಪರಿಶೋಧಕನು ಹಾಗೆ ಸಿದ್ಧಪಡಿಸಿದ 15 ಲೆಕ್ಕ ಪರಿಶೋಧನಾ ವರದಿಗಳನ್ನು ಅನುಮೋದನೆಗಾಗಿ ನಿರ್ದೇಶಕರಿಗೆ ಕಳಿಸಿಕೊಡತಕ್ಕದ್ದು. ಅಂಥ ಅನುಮೋದನೆಯನ್ನು ಪಡೆದ ನಂತರ ಸಕ್ಷಮನಾದ ಪ್ರಾಧಿಕಾರಿಗೆ ಕೂಡ ಲೆಕ್ಕ ಪರಿಶೋಧನೆಯ ವರದಿಯ ಒಂದು ಪ್ರತಿಯನ್ನು ಕಳಿಸಿಕೊಡತಕ್ಕದ್ದು. ಅವರು ಎರಡು ತಿಂಗಳೊಳಗಾಗಿ ಲೆಕ್ಕ ಪರಿಶೋಧನೆಯ ಆಕ್ಷೇಪಣೆಗಳನ್ನು ಪಾಲಿಸುವಂತೆ ನಿರ್ದೇಶನ ನೀಡಿ ಸಂಬಂಧಪಟ್ಟ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳಿಗೆ ವರದಿಯನ್ನು ಕಳುಹಿಸತಕ್ಕದ್ದು.

(3) ರಾಜ್ಯ ಸರ್ಕಾರ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರ, ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರದಿಂದ ಲೆಕ್ಕ ಪರಿಶೋಧನೆಯ ವರದಿಯನ್ನು ಸ್ವೀಕರಿಸಿದ ನಂತರ, ಸಂಬಂಧಪಟ್ಟ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಯು ಲೆಕ್ಕ ಪರಿಶೋಧನಾ ವರದಿಯಲ್ಲಿ ಸೂಚಿಸಿದ ತಪ್ಪುಗಳನ್ನು ಸರಿಪಡಿಸತಕ್ಕದ್ದು ಮತ್ತು ಲೆಕ್ಕ ಪರಿಶೋಧನೆಯ ವರದಿಯನ್ನು ಸ್ವೀಕರಿಸಿದ ದಿನಾಂಕದಿಂದ ಎರಡು ತಿಂಗಳ ಒಳಗಾಗಿ ಪರಿಪಾಲಿಸಿದ ವರದಿಯನ್ನು ರಾಜ್ಯ ಸರ್ಕಾರಕ್ಕೆ ಅಥವಾ ಸಂದರ್ಭಾನುಸಾರ ಸಕ್ಷಮ ಪ್ರಾಧಿಕಾರಿಗೆ ಹಾಗೂ ಅದರ ಒಂದು ಪ್ರತಿಯನ್ನು ನಿರ್ದೇಶಕರಿಗೆ ಕಳಿಸಿಕೊಡತಕ್ಕದ್ದು. ಗೊತ್ತುಪಡಿಸಿದ ಸಮಯದೊಳಗಾಗಿ ಪರಿಪಾಲಿಸಿದ ವರದಿಯನ್ನು ಸ್ವೀಕರಿಸದಿರುವಲ್ಲಿ, ವ್ಯವಸ್ಥಾಪನ ಮಂಡಲಿಗೆ ಆ ಬಗ್ಗೆ ನೀಡಲು ಅಭಿಪ್ರಾಯಗಳಿಲ್ಲವೆಂದು ತಿಳಿಯತಕ್ಕದ್ದು ಹಾಗೂ ಲೆಕ್ಕ ಪರಿಶೋಧನಾ ವರದಿಯನ್ನೇ ಅಂತಿಮವೆಂದು ಪರಿಗಣಿಸತಕ್ಕದ್ದು.

ಅನುಸೂಚಿ - I

(ನಿಯಮ 2(ಸಿ) ನೋಡಿ)

ಕ್ರ.ಸಂ.	ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳ ಪ್ರವರ್ಗ	ನಿರ್ದೇಶಕ
1	2	3
1.	ಪ್ರಾಥಮಿಕ	ಉಪನಿರ್ದೇಶಕರು, ಸಾರ್ವಜನಿಕ ಶಿಕ್ಷಣ
2.	ಮಾಧ್ಯಮಿಕ / ಪ್ರೌಢಶಾಲೆಗಳು	ಉಪನಿರ್ದೇಶಕರು, ಸಾರ್ವಜನಿಕ ಶಿಕ್ಷಣ
3.	ಪದವಿ ಪೂರ್ವ ಕಾಲೇಜು /ಕಿರಿಯ ಕಾಲೇಜುಗಳು	ಉಪ ನಿರ್ದೇಶಕರು, ಪದವಿ ಪೂರ್ವ ಶಿಕ್ಷಣ
4.	ಕಾಲೇಜು ಶಿಕ್ಷಣ ಇಲಾಖೆಯ ನಿಯಂತ್ರಣದಲ್ಲಿರುವ ಕಾಲೇಜುಗಳು	ನಿರ್ದೇಶಕರು, ಕಾಲೇಜು ಶಿಕ್ಷಣ
5.	ಎಂಜಿನಿಯರಿಂಗ್ ಕಾಲೇಜುಗಳು, ಪಾಲಿಟೆಕ್ನಿಕ್ ಮತ್ತು ಲಲಿತಕಲಾ ಕಾಲೇಜುಗಳು	ನಿರ್ದೇಶಕರು ತಾಂತ್ರಿಕ ಶಿಕ್ಷಣ
6.	ವೃತ್ತಿ ಶಿಕ್ಷಣ ಸಂಸ್ಥೆಗಳು	ನಿರ್ದೇಶಕರು, ವೃತ್ತಿ ಶಿಕ್ಷಣ
7.	ಬೋಧಕ ತರಬೇತಿ ಸಂಸ್ಥೆಗಳು (ಟಿಸಿಹೆಚ್ ಸಂಸ್ಥೆಗಳು) ಸಿಪಿಇಡಿ ಸಂಸ್ಥೆಗಳು, ಶಿಕ್ಷಣ ಕಾಲೇಜುಗಳು, ದೈಹಿಕ ಶಿಕ್ಷಣ ಕಾಲೇಜುಗಳು	ನಿರ್ದೇಶಕರು, ರಾಜ್ಯ ಶಿಕ್ಷಣ ಸಂಶೋಧನೆ ಮತ್ತು ತರಬೇತಿ
8.	ಎಲ್ಲ ಇತರ ಶಾಲೆಗಳು	ಆಯುಕ್ತರು, ಸಾರ್ವಜನಿಕ ಶಿಕ್ಷಣ

ಅನುಸೂಚಿ - II

(ನಿಯಮ 3 (1) ನೋಡಿ)

ಪ್ರಾಥಮಿಕ ಮತ್ತು ಉನ್ನತ ಪ್ರಾಥಮಿಕ ಶಾಲೆಗಳಲ್ಲಿ ನಿರ್ವಹಿಸಬೇಕಾದ ರಿಜಿಸ್ಟರುಗಳು

1. ವಿದ್ಯಾರ್ಥಿಗಳ ಪ್ರವೇಶ ಮತ್ತು ಪ್ರವೇಶ ಹಿಂತೆಗೆದುಕೊಂಡ ರಿಜಿಸ್ಟರು
2. ವಿದ್ಯಾರ್ಥಿಗಳ ಹಾಜರಾತಿ ಪುಸ್ತಕ
3. ಶಿಕ್ಷಕರ ಹಾಜರಾತಿ ಪುಸ್ತಕ
4. ತಪಾಸಣಾ ಪುಸ್ತಕ
5. ಸಂದರ್ಶಕರ ಪುಸ್ತಕ
6. ವೇತನ ಬಿಲ್ಲುಗಳ ಪುಸ್ತಕ
7. ವೇತನ ವಿತರಣಾ ಪುಸ್ತಕ
8. ಪೀಠೋಪಕರಣ, ನಕ್ಷೆಗಳು ಮತ್ತು ಉಪಕರಣಗಳ ದಾಸ್ತಾನು ಪಟ್ಟಿ
9. ಪರೀಕ್ಷೆ ಮತ್ತು ಪ್ರಗತಿ ಪುಸ್ತಕ
10. ದಾಖಲೆ ಪಟ್ಟಿಗಳ ರಿಜಿಸ್ಟರು
11. ತಪ್ಪಿತರ ರಿಜಿಸ್ಟರು
12. ಶಾಲೆಯ ಜಮಾ ಮತ್ತು ಖರ್ಚುಗಳನ್ನು ತೋರಿಸುವ ಪುಸ್ತಕ
13. ಸಾದಿಲ್ವಾರು ಲೆಕ್ಕ ಪುಸ್ತಕ
14. ನಗದು ಪುಸ್ತಕ
15. ಸರ್ಕಾರಿ ಸ್ವಾಂಸು ಲೆಕ್ಕ ಮತ್ತು ಖಾಸಗಿ ಅಂಚೆ ಚೀಟಿ ಲೆಕ್ಕ
16. ಶಾಲೆಗೆ ಲಗತ್ತಾಗಿರುವ ಶಾಲಾ ವಯಸ್ಸಿನ ಮಕ್ಕಳ ಪಟ್ಟಿಗಳ ದಾಖಲೆ
17. ಜಿಲ್ಲಾ ಶಿಕ್ಷಣ ಅಧಿಕಾರಿಯ ಆದೇಶದ ಮೂಲಕ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಯಾವುದೇ ಇತರ ದಾಖಲೆ ಅಥವಾ ಪುಸ್ತಕ

ಅನುಸೂಚಿ - III

(ನಿಯಮ -3 (2) ನೋಡಿ)

ಸಂಸ್ಕೃತ, ಸಂಗೀತ, ಅರೆಬಿಕ್ ಶಾಲೆಗಳೂ ಮತ್ತು ಹಿಂದಿ ಶಾಲೆಗಳನ್ನೂ ಒಳಗೊಂಡಂತೆ ಮಾಧ್ಯಮಿಕ ಶಾಲೆಗಳಲ್ಲಿ ನಿರ್ವಹಿಸಬೇಕಾದ (ರಿಜಿಸ್ಟರು) ಪುಸ್ತಕಗಳು

1. ವಿದ್ಯಾರ್ಥಿಗಳ ಪ್ರವೇಶ ಮತ್ತು ಪ್ರವೇಶ ಹಿಂದಕ್ಕೆ ಪಡೆದವರ ಪುಸ್ತಕ
2. ವಿದ್ಯಾರ್ಥಿಗಳ ಹಾಜರಾತಿ ಪುಸ್ತಕ
3. ಹಿಂದೆ ಓದಿದ್ದ ಶಾಲೆಗಳ ವಿವರ ತೋರಿಸುವ ಹಾಗೂ ಹೊಸ ಪ್ರವೇಶಾತಿಯ ಪುಸ್ತಕ
4. ದೈನಿಕ ಶುಲ್ಕ ಸಂಗ್ರಹಗಳ ಪುಸ್ತಕ
5. ಸಾವಧಿ ಶುಲ್ಕ ಪುಸ್ತಕ
6. ವೇಳಾ ಪಟ್ಟಿ
7. ಅಂಕಗಳ ಪುಸ್ತಕ
8. ಹಾಜರಾತಿ ಪುಸ್ತಕ
 - (ಎ) ಶಿಕ್ಷಕರಿಗಾಗಿ
 - (ಬಿ) ಬೋಧಕೇತರ ಸಿಬ್ಬಂದಿಗಾಗಿ
9. ವೇತನ ವಿತರಣಾ ಪುಸ್ತಕ

10. ಲಾಗ್ ಬುಕ್
11. (ಎ) ಗ್ರಂಥಾಲಯ ಪುಸ್ತಕಗಳ ಪಟ್ಟಿ
(ಬಿ) ಗ್ರಂಥ ನೀಡಿಕೆ ಪುಸ್ತಕ
12. ವಿದ್ಯಾರ್ಥಿ ವೇತನ ಪುಸ್ತಕ
13. ವಿದ್ಯಾರ್ಥಿ ವೇತನ ವಿತರಣಾ ಪುಸ್ತಕ
(ಎ) ಗ್ರಂಥಾಲಯ ಪುಸ್ತಕಗಳ ಪಟ್ಟಿ
(ಬಿ) ಗ್ರಂಥ ನೀಡಿಕೆ ರಿಜಿಸ್ಟರು
14. ಲೆಡ್ಜರು ಪುಸ್ತಕ
15. ಸಾರ್ವಜನಿಕ ನಿಧಿಗಳಿಂದ ಸಹಾಯಾನುದಾನದ ನೆರವಿನಲ್ಲಿ ಖರೀದಿಸಲಾದ ಪೀಠೋಪಕರಣ, ಪುಸ್ತಕಗಳು ಹಾಗೂ ಸಲಕರಣೆಗಳು
16. ದಂಡನೆಗಳನ್ನು ದಾಖಲಿಸುವ ಪುಸ್ತಕ
17. ನಾಶಪಡಿಸಿದ ದಾಖಲೆಗಳ ಪುಸ್ತಕ
18. ಸಂದರ್ಶಕರ ಪುಸ್ತಕ
19. ಅಂಚೆ ಚೀಟಿಗಳ ಪುಸ್ತಕ
20. ಸಾದಿಲ್ವಾರು ಪುಸ್ತಕ
21. ಆದೇಶ ಪುಸ್ತಕ
22. ವಿದ್ಯಾರ್ಥಿಗಳ ಪ್ರಗತಿ ಮತ್ತು ನಡವಳಿಕೆಗಳ ದಾಖಲಾತಿ ಪುಸ್ತಕ
23. ವಸ್ತುಗಳು, ಪೀಠೋಪಕರಣ, ಕ್ರೀಡಾ ಸಲಕರಣೆ, ಇತ್ಯಾದಿಗಳ ದಾಸ್ತಾನು ಪುಸ್ತಕ
24. ಸೇವಾ ಪುಸ್ತಕಗಳು

ಅನುಸೂಚಿ - IV

(ನಿಯಮ - 3 (3) ನೋಡಿ)

ಪದವಿ ಪೂರ್ವ /ಕಿರಿಯ ಕಾಲೇಜುಗಳ ಮತ್ತು ಬೋಧಕೇತರ ತರಬೇತಿ ಶಿಕ್ಷಣ ನೀಡುವ ಎಲ್ಲ ಸಂಸ್ಥೆಗಳು
/ಕಾಲೇಜುಗಳು ಮತ್ತು ಎಲ್ಲ ಇತರ ಸಂಸ್ಥೆಗಳು ಮತ್ತು ಕಾಲೇಜುಗಳು

1. ಈ ಕೆಳಗಿನವುಗಳ ಸಂಬಂಧದಲ್ಲಿ ದ್ವಿ ನಮೂದು ನಗದು ಪುಸ್ತಕಗಳು -
(ಎ) ಸಾಮಾನ್ಯ ನಿಧಿಗಳು
(i) ಕಾಲೇಜು ಸಿಬ್ಬಂದಿಯ ವೇತನ ಲೆಕ್ಕ
(ii) ವ್ಯವಸ್ಥಾಪಕ ಮಂಡಳಿ ಲೆಕ್ಕ
(ಬಿ) ವಿಶೇಷ ಶುಲ್ಕ ಲೆಕ್ಕ
(ಸಿ) ವಿದ್ಯಾರ್ಥಿ ವೇತನಗಳ ಲೆಕ್ಕ
2. ವಿದ್ಯಾರ್ಥಿಗಳ ಪ್ರವೇಶಾತಿ ಮತ್ತು ಪ್ರವೇಶಾತಿ ಹಿಂಪಡೆದ ರಿಜಿಸ್ಟರು ಪುಸ್ತಕ
3. ಬೋಧಕ, ಬೋಧಕೇತರ ಮತ್ತು ಅವಲಂಬಿತ ಸಿಬ್ಬಂದಿಗೆ ನಿಯಮಿಸಲಾದ ನಮೂನೆಯಲ್ಲಿರುವ ಪ್ರತ್ಯೇಕ ವೇತನ ವಿತರಣಾ ಪುಸ್ತಕ
4. ಬೋಧಕ ಮತ್ತು ಬೋಧಕೇತರ ಸಿಬ್ಬಂದಿಯ (ಪ್ರತ್ಯೇಕ ಕೆಳದರ್ಜೆಯ ಸೇವಕನೂ ಸೇರಿದಂತೆ) ನಿಯಮಿಸಲಾದ ನಮೂನೆಯಲ್ಲಿ ಶ್ರೇಣಿ ಪುಸ್ತಕ

5. ನಿಯಮಿಸಲಾಢ ನಢೂನೆಯಲ್ಲಿರುವ ಖಜಾನೆ ಬಿಲ್ಲುಪುಸ್ತಕ
6. ತ್ರಿಪ್ರತಿಯಲ್ಲಿರುವ ಪಾವತಿಗಲ ಪುಸ್ತಕಗಲು
 - (ಎ) ಸಾಮಾನ್ಯ ಮತ್ತು ವಿಶೇಷ ಶುಲ್ಕಗಲಿಗೆ
 - (ಬಿ) ಸಂಕೀರ್ಣ ಸಂಗ್ರಹಗಲಿಗೆ
7. ಀ ಮೇಲ್ಕಂಡವುಗಲ ಸಂಬಂಧದಲ್ಲಿ ಪ್ರತ್ಯೇಕವಾಗಿ ದೈನಿಕ ಶುಲ್ಕ ಸಂಗ್ರಣಾ ಪುಸ್ತಕ
8. ಸಾವಧಿ ಶುಲ್ಕ ಪುಸ್ತಕ
9. ವಿದ್ಯಾರ್ಥಿ ವೇತನ ಸ್ವೀಕೃತಿ ಪುಸ್ತಕ
10. ವಿದ್ಯಾರ್ಥಿ ವೇತನ ವಿತರಣಾ ಪುಸ್ತಕ
11. ಭದ್ರತಾ ಶುಲ್ಕ ಜಮಾ ಪುಸ್ತಕ
12. ಭದ್ರತಾ ಶುಲ್ಕ ವಾಪಸಾತಿ ರಿಜಿಸ್ಟರು
13. ಶುಲ್ಕ ವಿನಾಯಿತಿ ರಿಜಿಸ್ಟರು
14. ನಿಯಮಿಸಲಾದ ನಢೂನೆಯಲ್ಲಿರುವ ಪ್ರವೇಶಾತಿ ರಿಜಿಸ್ಟರು
15. ನಿಯಮಿಸಲಾದ ನಢೂನೆಯಲ್ಲಿರುವ ವರ್ಗಾವಣೆ ಪ್ರಮಾಣಪತ್ರ ಪುಸ್ತಕ
16. ಭವಿಷ್ಯ ನಿಧಿ ಪುಸ್ತಕ
17. ಬೋಧಕ, ಬೋಧಕೇತರ ಸಿಬ್ಬಂದಿ ಮತ್ತು ಕೆಲದರ್ಜೆಯ ಸೇವಕರ ಸಂಬಂಧದಲ್ಲಿ ಸಿಬ್ಬಂದಿ ಸಂಬಲದಿಂದ ಮಾಡಲಾದ ಶಾಸನಾತ್ಮಕ ಕಟಾಯಿಸುವಿಕೆಗಲು ಹಾಗೂ ಅವುಗಲ ಜಢೆಗಲನ್ನು ಪ್ರತ್ಯೇಕವಾಗಿ ತೋರಿಸುವ ಪುಸ್ತಕ
18. ಸಾಂದರ್ಭಿಕ ರಜಾ ಪುಸ್ತಕ
19. ಸಾಂದರ್ಭಿಕ ರಜೆ ಹೊರತಾದ ರಜಾ ಪುಸ್ತಕ
20. ವಿವಿಧ ವಿಭಾಗಗಲ ದಾಸ್ತಾನು ಪುಸ್ತಕ
21. ನಿರುಪಯುಕ್ತವೆಂದು ಖಂಡಿಸಲ್ಪಟ್ಟ ವಸ್ತುಗಲ ಪುಸ್ತಕ
22. ಹಾಜರಾತಿ ಪುಸ್ತಕ
 - (ಎ) ಬೋಧಕ ಮತ್ತು ಬೋಧಕೇತರ ಸಿಬ್ಬಂದಿ
 - (ಬಿ) ವಿದ್ಯಾರ್ಥಿ ವೇತನಗಲು
23. ಸಾಮಾನ್ಯ ಮತ್ತು ವಿಶೇಷ ಶುಲ್ಕ ಲೆಕ್ಕಗಲಿಗಾಗಿ ಪ್ರತ್ಯೇಕ ವೋಚರುಗಲು
24. ಸೇವಾ ಪುಸ್ತಕ
25. ಅನುಸೂಚಿತ ಜಾತಿ, ಅನುಸೂಚಿತ ಪಂಗಡಗಲು ಮತ್ತು ಇತರ ಹಿಂದುಳಿದ ವರ್ಗಗಲು
26. ಜಿಲ್ಲಾ ಶಿಕ್ಷಣ ಅಧಿಕಾರಿಯ ಆದೇಶದ ಢೂಲಕ ನಿರ್ದಿಷ್ಟಪಡಿಸಬಹುದಾದ ಯಾವುದೇ ಇತರ ದಾಖಲೆ ಅಥವಾ ಪುಸ್ತಕ

ಅನುಸೂಚಿ -V

(ನಿಯಢ - 4 ನೋಡಿ)

ಹಣಕಾಸು ವಿವರಪಟ್ಟಿಯೊಂದಿಗೆ ಸಲ್ಲಿಸಬೇಕಾದ ವಿವರ ಪಟ್ಟಿಗಳ ಪಟ್ಟಿ

1. ಹಣಕಾಸು ವಿವರಪಟ್ಟಿ (ಸಂಬಂಧಪಟ್ಟ ನಿಯಮದ ಮೇರೆಗೆ ನಿಯಮಿಸಲಾದ ನಮೂನೆಯಲ್ಲಿರುವ)(ಈ ಕೆಳಕಂಡ ಬಾಬುಗಳ ಮೇಲೆ ಮಾಹಿತಿ ಒಳಗೊಂಡಿರತಕ್ಕದ್ದು):-

1. ವಿದ್ಯಾರ್ಥಿ ವೇತನಗಳು
2. ತೆರಿಗೆಗಳು
3. ಸಾಮಾನ್ಯ ದುರಸ್ತಿಗಳು ಮತ್ತು ನಿರ್ವಹಣೆ
4. ಲೇಖನ ಸಾಮಗ್ರಿ ಮತ್ತು ಮುದ್ರಣ
5. ಅಂಚೆಚೀಟಿ ಮತ್ತು ತಂತಿ
6. ದೂರವಾಣಿ ವೆಚ್ಚಗಳು
7. ಕಚೇರಿ ದಲಾಯಿತರ ಮೂಲಕ ರವಾನೆ
8. ಜಾಹೀರಾತು ವೆಚ್ಚಗಳು
9. ವಿದ್ಯುಚ್ಛಕ್ತಿ ವೆಚ್ಚಗಳು
10. ನೀರಿನ ವೆಚ್ಚಗಳು
11. ನೈರ್ಮಲ್ಯ ವೆಚ್ಚಗಳು
12. ರಾತ್ರಿ ಕಾವಲುಗಾರರಿಗೆ ನೀಡಿದ ವಿದ್ಯುದ್ದೀಪಗಳು
13. ಪ್ರವಾಸ ಭತ್ಯೆಗಳು
14. ವಾಹನ ವೆಚ್ಚಗಳು
15. ಬೆರಳಚ್ಚು ಯಂತ್ರಗಳು ಮತ್ತು ಇತರ ಯಂತ್ರಗಳನ್ನು ಸುಸ್ಥಿತಿಯಲ್ಲಿ ಇಡುವ ವೆಚ್ಚಗಳು
16. ವಿಶ್ವವಿದ್ಯಾಲಯಕ್ಕೆ ಸಂದಾಯ ಮಾಡಬೇಕಾದ ಸಂಯೋಜನಾ ಶುಲ್ಕ
17. ಲೆಕ್ಕ ಪರಿಶೋಧನಾ ಶುಲ್ಕ
18. ಮಾಡಿದ ವೆಚ್ಚ
19. ಆಡಳಿತ ಮಂಡಳಿಯ ವಂತಿಗೆಯೂ ಸೇರಿದಂತೆ ಶಿಕ್ಷಕರ ಭವಿಷ್ಯ ನಿಧಿಗೆ ಸಂದಾಯವಾಗುವ ವಂತಿಗೆಯ ವಿವರಗಳನ್ನು ತೋರಿಸುವ ವಿವರಪಟ್ಟಿ
20. ದತ್ತಿಗಳು ಮತ್ತು ದತ್ತಿಗಳಿಂದ ಬರುವ ಆದಾಯ
21. ಚಂದಾ ಮತ್ತು ಠೇವಣಿಗಳಿಂದ ಬರುವ ಆದಾಯ
22. ಸಂಕೀರ್ಣ ಸಂಗ್ರಹಗಳು
23. ಈ ಮುಂದಿನವುಗಳ ಸಂಬಂಧದಲ್ಲಿ ಶುಲ್ಕ ಆದಾಯದ ನಷ್ಟ
(ಎ) ಅನುಸೂಚಿತ ಜಾತಿಗಳು ಮತ್ತು ಅನುಸೂಚಿತ ಪಂಗಡಗಳು
(ಬಿ) ಇತರ ಹಿಂದುಳಿದ ವರ್ಗಗಳ ಪಟ್ಟಿ
24. ಸಂಗ್ರಹಿಸದೆ ಬಿಟ್ಟ ಬೋಧನಾ ಶುಲ್ಕಗಳ ಬಾಕಿಗಳು (ಪೂರ್ಣಶುಲ್ಕ ಸಂದಾಯ ಮಾಡುವವರ ಹಾಗೂ ಇದರ ವಿನಾಯಿತಿ ಪಡೆದವರ ಪ್ರತ್ಯೇಕ ವಿವರಗಳು)
25. ವಸೂಲು ಮಾಡಿದ ಆದರೆ ಹಣಕಾಸು ವರ್ಷದ ಮುಕ್ತಾಯಕ್ಕೆ ಮೊದಲು ಮರು ಸಂದಾಯ ಮಾಡದಿರುವ ಹೆಚ್ಚುವರಿ ಶುಲ್ಕ
26. ವ್ಯತ್ಯಸ್ಥ ವಿವರಪಟ್ಟಿ

27. ವಿಶೇಷ ಶುಲ್ಕ ಸಂಗ್ರಹಗಳು, ವೆಚ್ಚ ಮತ್ತು ಬಾಕಿ
28. ಸಂಯೋಜನೆ ಸಂಬಂಧದಲ್ಲಿನ ವಿವರಗಳು
29. ಕಾಲೇಜಿನಲ್ಲಿರುವ, ಪ್ರತಿಯೊಂದು ವಿಷಯದಲ್ಲಿ ಇಡುವ ಕಾರ್ಯಭಾರವನ್ನು ತರಗತಿವಾರು ತೋರಿಸುವ ವಿವರಪಟ್ಟಿ (ದೈಹಿಕ ತರಬೇತಿ ಶಿಕ್ಷಕರ ಪಟ್ಟಿಯಲ್ಲಿ, ವರ್ಷದಲ್ಲಿ ನಿರ್ವಹಿಸಲಾದ ಕರ್ತವ್ಯವನ್ನು ತೋರಿಸತಕ್ಕದ್ದು)
30. ಕಾಲೇಜು ಎಲ್ಲ ಸಮುದಾಯದವರಿಗೆ ತೆರೆದಿದೆಯೆಂಬುದನ್ನು ತೋರಿಸುವ ವಿವರಪಟ್ಟಿ
31. ಅನುದಾನ ತೆಗೆಯುವಲ್ಲಿ ವ್ಯವಹರಿಸಲು ಅಧಿಕೃತಗೊಂಡವರ ಹೆಸರನ್ನು ತೋರಿಸುವ ವಿವರಪಟ್ಟಿ.
- II. ಮರುಸಂದಾಯ ಮಾಡಿದ ಶುಲ್ಕ
- III. ವರ್ಗಾವಾರು ಸಂಖ್ಯಾಬಲದ ವಿವರಪಟ್ಟಿ (ii ಅವಧಿ ಸಂಖ್ಯಾಬಲ)
- IV. ಬೋಧಕ ಮತ್ತು ಬೋಧಕೇತರ ಸಿಬ್ಬಂದಿಗಳ ವಿವಿಧ ದರ್ಜೆಗಳಿಗೆ ಅಳವಡಿಸಿಕೊಂಡ ವೇತನ ಶ್ರೇಣಿಗಳನ್ನು ತೋರಿಸುವ ವಿವರಪಟ್ಟಿ
- V. ಬೋಧಕ ಸಿಬ್ಬಂದಿಯ ವಿವರಪಟ್ಟಿ (ವಿದ್ಯಾರ್ಹತೆ, ಪಡೆದ ದರ್ಜೆ, ಜನ್ಮದಿನಾಂಕ, ಇತ್ಯಾದಿಗಳಂಥ ವಿವರಗಳು)
- VI.. ಬೋಧಕೇತರ ಸಿಬ್ಬಂದಿಯ ವಿವರಪಟ್ಟಿ

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

ಬಿ.ಎಸ್. ಜಾಪಾಲಿ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಶಿಕ್ಷಣ ಇಲಾಖೆ (ಸಾಮಾನ್ಯ)

EDUCATION SECRETARIAT

NOTIFICATION

No. ED 74 VIVIDA 2004, BANGALORE, Dated: 14-08-2006

Whereas the Karnataka Educational Institutions (Inspection, Accounts, Audit and Return) Rules, 2005 was published as required by sub-section (1) of Section 145 of the Karnataka Education Act, 1983, (Karnataka Act 1 of 1995) in Notification No. ED 74 Vivida 2004, dated 17th January 2006 and also vide publicity was given through newspaper on 3rd March, 2006 inviting objections and suggestions from the persons likely to be affected thereby:

And whereas the said Gazette was made available to the Public on 17th January 2006 and also vide publicity was given through newspaper on 3rd March, 2006.

And where as no objections and suggestions have been received in this regard by the State Government.

Now, therefore, in exercise of the powers conferred by section 36 to 39 read with sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act No.1 of 1995) the Government of Karnataka hereby makes the following rules, namely:-

1. Title, Application and Commencement.- (1) These rules may be called the Karnataka Educational Institutions (Inspection, Accounts, Audit and Return) Rules, 2006.

(2) They shall come into force on the date of their publication in the official gazette.

(3) These rules shall apply to all the Educational Institutions receiving grants out of the State funds.

2. Definitions. (1) In these rules, unless the context otherwise requires.

(a) "Act" means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995):

(b) "Competent Authority" means the officer / Authority authorised by Government in exercise of powers conferred by clause (7) of section 2 of the Act.

(c) " Director" means the Director specified in column (3) of the Schedule-I in respect of the category of Educational Institutions specified in the corresponding entries in column (2) thereof.

(d) "Schedule" means Schedule appended to these rules.

(2) Words and expressions used in these rules but not defined shall have the same meaning assigned to them in the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995).

3. Registers to be maintained by the Educational Institutions.- (1) Educational Institutions running Primary Schools shall maintain the registers as specified in Schedule-II.

(2) Educational Institutions running Secondary Schools including the Schools imparting Sanskrit, Arabic and Hindi shall maintain registers as specified in Schedule-III.

(3) Educational Institutions running Pre-University, Junior Colleges, Colleges and all other Institutions, Colleges imparting teacher training education and all other institutions / Colleges shall maintain registers as specified in Schedule-IV.

4. Furnishing Financial Statement.- All educational institutions shall furnish the supporting statements along with financial statements as specified in Annexure-V

5. Conduct of annual audit of accounts, inspection etc., and the time limit for furnishing returns.- (1) The accounts of every educational institution receiving grants out of State funds shall be inspected and audited at the end of 31st May of every year by the departmental auditors deputed by the Director. The Management is required to submit the financial statement with supporting statements as referred to in Schedule-IV to the Director not later than the first May of every year. On receipt of the financial statements with supporting statement, and after preliminary verification of the statement, the Director shall intimate to the management of the institution concerned well in advance, the commencement of audit of accounts of the institution giving the particulars of the auditor, the place, time and date of audit etc. The auditor shall scrutinise the statements with reference to the relevant records of the institutions, with a view to see whether the grants given by the Government and other sources are properly utilised for the purpose for which they were sanctioned.

(2) After the inspection and scrutiny of all the records, the auditor shall prepare the work sheet or assignment of grant due for release or recovery and if necessary discuss with the Educational Institutions concerned, the salient points of the audit. The auditor shall send the audit reports so prepared by him for approval of the Director. After obtaining such approval a copy of the audit report shall also be sent to the competent authority who shall thereafter forward the report to the Education Institutions concerned within two months with a direction to comply with audit objections.

(3) After the receipt of the audit report from the State Government or the Competent Authority as the case may be, the Educational Institution concerned shall rectify the defects noticed in the audit report and send compliance report to the State Government or the Competent Authority as the case may be, with a copy to the Director within two months from the date of receipt of the audit report. If no compliance report is received within the time stipulated, it shall be deemed that the management has no comments to offer and the audit report shall be treated as final.

(See rule 2(c))

Sl. No.	Category of Educational institutions	Director
(1)	(2)	(3)
1.	Primary	Deputy Director of Public Instruction
2.	Secondary / High Schools	Deputy Director of Public Instruction
3.	Pre-University College/ Junior Colleges.	Deputy Director of Pre-University
4.	Colleges under the control of Department of Collegiate Education.	Director of Collegiate Education.
5.	Engineering Colleges, Polytechnics and Fine Arts Colleges.	Director of Technical Education.
6.	Institutions running Vocation Courses.	Director of Vocational Education.
7.	Teachers Training Institutions (TCH Institutions) CPED Institutions, Colleges of Education, Colleges of Physical Education.	Director of State Educational Research and Training.
8.	All other Schools	Commissioner for Public Instruction.

SCHEDULE - II

[See Rule 3 (1)]

Registers to be maintained in Primary and Upper Primary Schools

1. Register of Admission and Withdrawal of Students.
2. Register of Student's Attendance.
3. Register of Attendance of Teachers.
4. Inspection Book.
5. Visitors Book.
6. Register of Pay Bills.
7. Acquittance Roll.
8. Stock List of Furniture, Charts and Apparatus.
9. Examination and Progress Register.
10. Register of Record Sheets.
11. Register of defaulters.
12. Register showing the receipts and expenditure of the School.
13. Contingent Account Register.
14. Cash Book.
15. Service Stamp Account & Private Postage Account.
16. Record of the lists of School age children attached to the School.
17. Any other record or register which the District Educational Officer may by order specify.

SCHEDULE – III

[See Rule 3 (2)]

Registers to be maintained in Secondary Schools including Sanskrit, Music, Arabic Schools and Hindi Schools.

1. Register of Admission and Withdrawal of Students.
2. Register of Attendance of Students.
3. Register showing the previous school history and new admissions.
4. Register of daily fee collections.
5. Register of term fee.
6. Time-Table.
7. Register of Marks.
8. Register of Attendance.
 - (a) for teachers.
 - (b) for non-teaching staff.
9. Acquittance roll
10. Log Book.
11.
 - (a) Catalogue of library books
 - (b) Issue register.

12. Register of Scholarships.
13. Scholarship acquittance roll
 - (a) Catalogue of library books
 - (b) Issue register.
14. Ledger Book.
15. Register of furniture, books and appliances purchased with the aid of grants from public funds.
16. Punishment Register.
17. Register of records destroyed.
18. Visitors book
19. Postage stamps Register.
20. Contingent Register.
21. Order Book.
22. Register of Progress and Conduct of Students.
23. Stock Register of Store, Furniture, Games Material etc.,
24. Service Registers.

SCHEDULE – IV

[See Rule 3(3)]

Registers to be maintained to Pre-University / Junior Colleges, and all Institutions / Colleges imparting Teacher Training Education and all other Institutions and colleges.

1. Cash Books with double entry system for
 - (a) General Funds:
 - (i) College Staff Salary Account.
 - (ii) Management Account.
 - (b) Special Fee Account
 - (c) Scholarships Account
2. Register of Admission and Withdrawal of Students.
3. Acquittance register in the prescribed proforma separately for teaching, non-teaching and contingent staff members.
4. Scale Register in the prescribed proforma for teaching and non-teaching staff (including menial separately).
5. Treasury bill book in the proforma prescribed.
6. Receipts book in triplicate for:
 - (a) General and Special fees.
 - (b) Miscellaneous Collections.
7. Daily fee Collection Register for each of the above separately.
8. Term Fee register.
9. Scholarship Receipt Register.
10. Scholar Acquittance Register.
11. Caution Fee Deposit Register.
12. Caution fee Refund Register.
13. Register for Fee Concessions.
14. Admission Register in the proforma prescribed.
15. Transfer Certificate book in the proforma prescribed.
16. Provident Fund Register.
17. Register showing the statutory deductions from the staff salaries and their remittance, separately for teaching, non-teaching non-teaching staff and menials.
18. Casual Leave Register.
19. Register for Leave other than Casual Leave.
20. Stock Register of various departments.
21. Register of condemned articles.
22. Attendance Register.
 - (a) Teaching and non-teaching staff.
 - (b) Students.

- 23. Vouchers separately for General and Special fee accounts.
- 24. Service Register.
- 25. S.C, S.T and other Backward classes.
- 26. Any other record or register which the District Educational Officer may by order specify.

SCHEDULE-V

[See Rule - 4]

The List of statements to be submitted along with the financial statement.

I. Financial statement (in the form prescribed under the relevant rule) (should include information on following items):-

1. Scholarships.
2. Taxes.
3. Ordinary repairs and upkeep.
4. Stationery and Printing
5. Postage and Telegram.
6. Telephone charges.
7. Delivery to office peons.
8. Advertisement charges.
9. Electricity charges.
10. Water charges.
11. Sanitary charges.
12. Lights to watchmen.
13. Travelling Allowance.
14. Conveyance charges.
15. Servicing charges to typewriters and other machines.
16. Affiliation fee payable to University
17. Audit fees.
18. Outlay.
19. Statement showing subscription to Teachers Provident Fund including management's contribution.
20. Endowments and income from endowments.
21. Income from subscriptions and donations.
22. Miscellaneous collections.
23. Loss of fee income on behalf of:
 - (a) Scheduled Castes and Scheduled Tribes.
 - (b) List of other Backward Classes.
24. Arrears of tuition fees left uncollected (Separate particulars for full fee paying and other concession holders).
25. Excess fee collected and not refunded before the end of the financial year.
26. Variation Statement.
27. Special fee collections, expenditure and balance.
28. Particulars regarding affiliation.

29. Statement showing the work-load under each subject to the college, class-wise (in the inventory of physical training lecturers, the work done in the year should be shown).
30. Statement showing that the college is open to all communities.
31. Statement showing the name of correspondent authorised to draw the grant.
- II. Fee return.
- III. Group-wise strength statement (ii term strength).
- IV. Statement showing the scales of pay adopted for the various grades of teaching and non teaching staff.
- V. Statement of teaching staff (the particulars such as qualifications with class obtained, date of birth etc.)
- VI. Statement of non-teaching staff.

By order and in the Name of the Governor of Karnataka

B.S. JAPALI

Under Secretary to Government,
Education Department, (General)

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Éâ°feX : EU 74 AEÆ|â 2004, -}Ö°dâ 2}ê© }âÀê°±pÖ 2006

ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ಇಡಿ 74 ವಿವಿಧ 2004, ದಿನಾಂಕ: 14-08-2006ರಲ್ಲಿ (ಕನ್ನಡ ಅವತರಣಿಕೆಗೆ)

ಈ ಕೆಳಗಿನಂತೆ ತಿದ್ದಿಕೊಂಡು ಓದಿಕೊಳ್ಳತಕ್ಕದ್ದು.

ಪುಟ ಸಂಖ್ಯೆ	ಅಧಿಸೂಚನೆಯ ಸಾಲು ಸಂಖ್ಯೆ	ಈ ಕೆಳಗಿನ ಶಬ್ದ ವೃಂದ, ಸಂಖ್ಯೆಗಳ ಬದಲಾಗಿ	ಈ ಕೆಳಗಿನಂತೆ ತಿದ್ದಿಕೊಂಡು / ಸೇರ್ಪಡೆ ಮಾಡಿಕೊಂಡು ಓದಿಕೊಳ್ಳುವುದು
1	2	145ನೇ ಪ್ರಕರಣದ 15ನೇ ಉಪ ಪ್ರಕರಣದಿಂದ	145ನೇಯ ಪ್ರಕರಣದ (1)ನೇ ಉಪ ಪ್ರಕರಣ
1	2	(ಪರಿಶೀಲನೆ ಉಪ ಪ್ರಕರಣ ಲೆಕ್ಕಪತ್ರಗಳು	(ಪರಿಶೀಲನೆ, ಲೆಕ್ಕ ಪತ್ರಗಳು
1	21	(1999ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 1):	(1995ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 1):
2	8	(1995ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 1) 1ರಲ್ಲಿ	(1995ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 1)ರಲ್ಲಿ
2	16	ಸಂಸ್ಥೆಗಳು / ಕಾಲೇಜುಗಳು ಅನುಸೂಚಿ-ಎತ	ಸಂಸ್ಥೆಗಳು / ಕಾಲೇಜುಗಳು ಅನುಸೂಚಿ - IV
4	14	5 ಸಾವಧಿ ಶುಲ್ಕ	5. ಸಾವಧಿ ಶುಲ್ಕ ಪುಸ್ತಕ.
4	18	(ಸಿ) ಶಿಕ್ಷಕರಿಗಾಗಿ	(ಎ) ಶಿಕ್ಷಕರಿಗಾಗಿ
4	19	(ಡಿ)ಬೋಧಕೇತರ ಸಿಬ್ಬಂದಿಗಾಗಿ	(ಬಿ) ಬೋಧಕೇತರ ಸಿಬ್ಬಂದಿಗಾಗಿ
4	26	(ಸಿ) ಗ್ರಂಥಾಲಯ ಪುಸ್ತಕಗಳ ಪಟ್ಟಿ	(ಎ) ಗ್ರಂಥಾಲಯ ಪುಸ್ತಕಗಳ ಪಟ್ಟಿ
4	27	(ಡಿ) ಗ್ರಂಥ ನೀಡಿಕೆ ರಿಜಿಸ್ಟರು	(ಬಿ) ಗ್ರಂಥ ನೀಡಿಕೆ ರಿಜಿಸ್ಟರು
4	28	14. ಲೆಡ್ಜರು	14. ಲೆಡ್ಜರು ಪುಸ್ತಕ
4	39	ಅಂಶ 23ರ ನಂತರ 24ರ ಸೇರ್ಪಡೆ	24. ಸೇವಾ ಪುಸ್ತಕಗಳು
5	6	(ಡಿ) ಸಾಮಾನ್ಯ ನಿಧಿಗಳು	(ಎ) ಸಾಮಾನ್ಯ ನಿಧಿಗಳು
5	9	(ಇ) ವಿಶೇಷ ಶುಲ್ಕ ಲೆಕ್ಕ	(ಬಿ) ವಿಶೇಷ ಶುಲ್ಕ ಲೆಕ್ಕ
5	10	(ಎಫ್) ವಿದ್ಯಾರ್ಥಿ ವೇತನಗಳ ಲೆಕ್ಕ	(ಸಿ) ವಿದ್ಯಾರ್ಥಿ ವೇತನಗಳ ಲೆಕ್ಕ
5	11	ಪ್ರವೇಶಾತಿ ಹಿಂಬಡೆದ	ಪ್ರವೇಶಾತಿ ಹಿಂಪಡೆದ
5	18	(ಸಿ) ಸಾಮಾನ್ಯ ಮತ್ತು ವಿಶೇಷ ಶುಲ್ಕಗಳಿಗೆ	(ಎ) ಸಾಮಾನ್ಯ ಮತ್ತು ವಿಶೇಷ ಶುಲ್ಕಗಳಿಗೆ
5	19	(ಡಿ) ಸಂಕೀರ್ಣ ಸಂಗ್ರಹಗಳಿಗೆ	(ಬಿ) ಸಂಕೀರ್ಣ ಸಂಗ್ರಹಗಳಿಗೆ
5	38	(ಸಿ) ಭೋಧಕ ಮತ್ತು ಭೋಧಕೇತರ ಸಿಬ್ಬಂದಿ	(ಎ) ಭೋಧಕ ಮತ್ತು ಭೋಧಕೇತರ ಸಿಬ್ಬಂದಿ
5	39	(ಡಿ) ವಿದ್ಯಾರ್ಥಿ ವೇತನಗಳು	(ಬಿ) ವಿದ್ಯಾರ್ಥಿ ವೇತನಗಳು

ಸರ್ಕಾರದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ: ED 74 VIVIDA 2004, ದಿನಾಂಕ: 14-08-2006ರಲ್ಲಿ (ಇಂಗ್ಲೀಷ್ ಅವತರಣಿಕೆಗೆ)

ಈ ಕೆಳಗಿನಂತೆ ತಿದ್ದಿಕೊಂಡು ಓದಿಕೊಳ್ಳತಕ್ಕದ್ದು.

7.	23.	by sub-section (10 of Section 145	by sub-section (1) of Section 145
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ಇನ್ನುಳಿದ ಅಂಶಗಳಲ್ಲಿ ಯಾವುದೇ ಬದಲಾವಣೆ ಇರುವುದಿಲ್ಲ.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಬಿ.ಎಸ್. ಜಾಪಾಲಿ

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,

ಶಿಕ್ಷಣ ಇಲಾಖೆ (ಸಾಮಾನ್ಯ).

Education Secretariat

Notification**No. ED 43 VIVIDA 2005, Bangalore, dated 28th October, 2006**

Whereas the draft of the Karnataka Educational Institutions (Taking over of Management, Requisition and Acquisition) Rules, 2005 published as required by Sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No.ED 43 VIVIDA 2005 dated 14-10-2005 in part IV-A of the Karnataka Gazette Extra Ordinary dated 14-10-2005 inviting objections and suggestions from the persons likely to be affected thereby.

And whereas the said Gazette was made available for the public on 14-10-2005 and vide publicity was given.

And objections and suggestions received in this regard duly considered by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby makes the following rules namely:-

1. Short Title and Commencement : (1) These rules may be called the "Karnataka Educational Institutions (Taking over of Management, Requisitioning and Acquisition) Rules, 2005.

(2) These rules shall come into force at once.

2. Definitions: In these rules unless the context otherwise requires -

(a) 'Act' means the Karnataka Education Act, 1983. (Karnataka Act 1 of 1995).

(b) 'Government' means the Government of Karnataka.

(c) 'Special Officer' means the Special Officer appointed by the Government under sub-section (6) of Section 67 of the Act and includes any other person directed by the Government for the purpose of carrying on the management of the educational institutions; and

(d) 'Section' means Section of the Act.

3. Taking over of Management of Educational Institutions:-

(1) A notice for taking over management of any educational institution under sub-section (1) of Section 67 shall be given to the Governing Council or Educational Agency, if any, in Form I.

(2) The representation, if any received from the Governing Council or the educational agency in response to the notice, shall be considered by the Government and if they are satisfied that there is no necessity to take over the management of the educational institution, the Government may drop further proceedings in this regard.

(3) Where the Government are of the opinion that the management of the educational institution should be taken over in the public interest (or in order to secure the proper

management) they may by, notification in Form II; direct that on and from the date specified therein the management of the institution shall vest in the Government.

(4) The notification under sub-rule (3) of this rule shall also specify the Special Officer for the purpose of carrying on the management of the institution and to whom the possession of educational institution and the properties attached thereto, shall be delivered.

(5) A copy of the notification shall be delivered in person or sent by registered post addressed to the Governing Council or the manager of the educational agency, and shall also be affixed on the notice board or at a conspicuous place within the institution.

4. Preparation of inventory etc:

(1) Immediately after the service of the notification, the manager or governing council of the educational agency shall prepare a detailed inventory in duplicate of all property, movable and immovable including instruments, vehicles and cash balances, reserve funds and book debts and all other rights and interest arising out of such property as were in the ownership / possession / power or control of the management and of all books of accounts, registers and all other documents of whatever nature relating thereto. The inventory shall be attested by the Manager or Governing Council of the Educational Agency and a copy of the same shall be delivered to the Special Officer.

(2) The Governing Council or any other person of the educational agency who prepared the inventory shall be held personally responsible for its correctness, and if it is found that he has willfully omitted to include any item in the inventory or has furnished as true, information which he knows or has reason to believe to be false, he shall be deemed to have contravened this rule and shall be liable for penalty under Section 128.

5. Handing over the Properties:

(1) The Special Officer may, by an order, require every person, under whose possession or custody or under whose control the educational institution or any part thereof any properties attached thereto, may be immediately before the taking over, to deliver to him the possession of such institution or part thereof or any properties attached thereto as the case may be, on the date specified in the order.

(2) If any such person fails to deliver the possession of the properties aforesaid within the time specified in the order or obstructs the Special Officer in taking over possession, the Special Officer shall take possession thereof with police assistance as may be necessary.

6. Payment of Compensations:

(1) As soon may be after the issue of notification under sub-section (1) of Section 67, the Special Officer shall cause statement to be prepared showing the annual income, expenditure and the average net annual surplus income of the educational institution during the period of its existence, or the period of five consecutive accounting years immediately preceding the date of vesting of management, whichever is less.

(2) Every such statement may be got verified by an auditor of the department, if the Special Officer considers it to be necessary.

(3) On the basis of the statement so prepared and verified under sub-rules (1) and (2) of these rules and after satisfying that the trust or management under which the educational institution is formed has not made any provision for the running of the institution, the Government shall pass an order determining the amount payable under sub-section (8) of Section 67 of the Act to the person interested, in the educational institution, the amount so determined shall be paid by the Special Officer in cash or in Government bonds within three months from the date of such order, either in a lump sum or in installments, not exceeding three.

(4) If there is any dispute with regard to persons claiming interest or with regard to apportionment of the amount among the persons interested, the amounts shall be deposited in the District Court.

7. Requisitioning of Property of Educational Institutions:

(1) The show cause notice under clause (a) of sub-section (2) of Section 71 of the Act shall be served in Form III.

(2) After considering the objections if any, received in response to the said show cause notice, if the Government are satisfied that there is no need to requisition the property, they may drop further proceeding in this regard.

(3) If, however the Government consider it necessary to requisition the property, they may, by an order in Form IV, requisition the property. A copy of the order shall be served on the Governing Council and other persons who are in possession of the property and shall also be affixed on the notice board or at a conspicuous place in the institution.

(4) Where the property is requisitioned, the Governing Council or other person, who is in possession of the property, shall deliver possession of the property to such Officer, person, body or local authority and within such time as the Government may specify.

(5) If any person refuses to deliver possession of the property within the time specified, or any Officer of the Revenue Department not below the rank of a Thasildar may, on a requisition made by the Officer, person, body or local authority referred in the sub-rule (4) of this rule, may summarily dispossess the person of the property in the manner provided in sub-section (1) of the Section 72 of the Act.

(6) Where the possession is taken in pursuance of the powers conferred by this rule or by sub-section (1) of Section 72 of the Act an inventory of the properties taken possession of, shall be prepared in the presence of two witnesses.

8. Release from requisitioning:

(1) Where the Government have decided to release any property requisitioned under Section 72 of the Act they may pass an order in Form V and specify the person to whom the possession of the property shall be given a copy of the order shall be served on the person to whom possession or property has been ordered to be delivered.

(2) Where any property is released from requisitioning, the property shall, as far as practicable, be given to the person from whom possession was taken at the time of requisition or to the successors in the interest of such person.

9. Release: Release from requisitioning and restoration of possession may be effected in the manner provided for delivery of possession of property under a decree of the Civil Court.

10. Notice: The notice under sub-section (2) of Section 73 of the Act shall be in Form VI.

11. Acquisition of Property:

(1) The show cause notice under the proviso to sub-section (1) of Section 74 of the Act shall be in Form VII.

(2) The notice of acquisition under sub-section (1) of Section 74 of the Act shall be in Form No. VIII. A copy of the notice shall be served on the Governing Council or the other persons interested.

(3) The notice under sub-rule (2) shall also specify the Special Officer or any other person for the purpose of acquiring the property and within such time as the Government may deem fit.

12. Claims:

(1) The Special Officer or any other authority specially authorized by the Government in this behalf shall as soon as may be, after the issue of an order of requisitioning under sub-section (1) Section 71 of the Act or notice of acquisition under sub-section (1) of Section 74 of the Act, as the case may be, serve on the Governing Council of the educational institution and other person interested in the property requisitioned or acquired requiring them to state in writing the nature of the respective interests in the property requisitioned or acquired and particularly of their respective claims on the amount payable therefore.

(2) After considering the representations if any, received in response to above notice, the Special Officer or the authority referred to in sub-rule (1) of this rule shall, after making such enquiries as deemed necessary, recommend to the Government the amount payable to the person interested in the manner provided in these rules.

13. Rent: In determining the rent which would have been payable for the use and occupation of the immovable property, if it had been taken on lease, the following matters shall also be considered for the purpose of sub-section (2) of Section 75 of the Act namely;

(1) In the case of immovable property other than buildings:

- (a) if reliable evidence is produced, the average of the rent fetched during the three preceding years ; or
- (b) the net income from the property where property accounts have been maintained; or
- (c) the amount of net income recognized by the relevant authority for the purpose of levy of agricultural income to, if any; or

- (d) where no proper accounts are maintained, the net income as ascertained having regard to the income of similar property, after making local inspection.
- (2) In the case of building
 - (a) the annual rental value assessed for the purpose of rates or taxes levied by a local authority.
 - (b) where there is no such assessment, the rent fixed in accordance with the principles followed for fixing fair rent by a rent controller under the law relating to rent control for the time being in force.
- (3) In the case of movable property:
 - (a) if the movable property requisitioned is a vehicle, the amount as determined at the rates provided for each kind and class of vehicle by notification published by the Government, from time to time, having regard to the prevailing market rates excluding depreciation under the Motor Vehicles Act ;
 - (b) in any other cases the amount as determined in accordance with the rates prevailing in the open market excluding depreciation on the date of requisitioning or acquisition.
- (4) While recommending the amount payable, the Special Officer or other authority as the case may be shall take into account the Government aid or grant, if any given to the educational institution and deduct the entire value of such aid or grant along with interest at bank rates thereon.
- (5) After examining the recommendation of the Special Officer or other authority the Government shall finally determine the amount payable to each person interested in the property and communicate to the persons each concerned.
- (6) Every person interested may within thirty days of the service of the notice under sub-rule (5), communicate his acceptance in writing to the Government of the amount fixed, if he accepts the amount. The Government (Special Officer) or other authorised officer shall enter into an agreement with him in Form IX with such modifications as the nature of the case may require and shall within thirty days from the date of execution of the agreement pay to such person the amount as per agreement.
- (7) If the person interested does not accept the amount fixed by the Government he may within thirty days of the service of the notice under Rule 13 (6) make an application to the Government to refer the matter to an Arbitrator, stating clearly the reasons for his disagreement with the amount fixed by the Government and that according to him, the fair amount he claims and the grounds on which such claim is based, showing also his interest in the property.

14. Arbitrator:

- (1) If the Government are satisfied that the grounds on which the claim is based are valid, they may settle the amount and enter into an agreement with the person to whom the amount is

payable. Otherwise there shall be appointed an arbitrator under clause (b) of sub-section (1) of Section 75 of the Act.

(2) As soon as practicable, after an arbitrator is appointed, the Government shall, refer the application to the arbitrator together with a report setting forth the full facts of the case, particularly regarding the nature and extent of disagreement between the Government and the persons interested, and submit all papers connected with the application.

(3) Where the person interested in the amount payable for the property requisitioned or acquired is not found or if there is no person competent to allocate the property, or if there is any dispute as to the title to receive the amount, the Government shall make a reference to the arbitrator, appointed by the Government under clause (b) of sub-section (1) of Section 75 of the Act with all records connected with the case.

(4) If no arbitrator has been appointed, the amount shall be deposited in the court of the District Judge having jurisdiction.

(5) The arbitrator shall make his award in writing setting forth the grounds for his decision and sign it. A copy of the award shall be sent to all parties to the reference.

(6) When an arbitrator is succeeded by another arbitrator before making an award, the new arbitrator may deal with the evidence taken by his predecessor as if such evidence has been taken by him and may proceed from stage at which his predecessor left it:

Provided that it shall be open to the new arbitrator, after recording the reasons therefore, to conduct the proceedings de novo.

(7) The decision as to cost of proceedings before an arbitrator and appointment thereof shall be in the discretion of the arbitrator.

(8) As soon as the arbitrator makes an award under section 75 of the Act, the Government, shall pay the amount awarded by the arbitrator to the persons interested thereto, according to the award unless the Government or the persons interested proposes to appeal to the High Court.

(9) Where the costs have ordered to be paid by the person interested, the Government shall deduct the amount of costs from the amount payable to that person.

15. General:

(1) Service of notice or order under these rules shall be made by delivering or tendering a copy thereof to the person on whom it is to be served or to his authorized agent. When such person cannot be found service may be made on any adult member of his family residing with him and if no such adult member can be found, service may be effected by affixing a copy of the notice on the outer door or some conspicuous part of the house in which the person to be served ordinarily resides or carries on business.

(2) If service cannot be effected in any of the methods aforesaid, or if the authority ordering the service thinks fit, the notice be served by sending a copy thereof by registered post to his last known address.

(3) The moneys deposited in the Court under these rules shall be dealt within the manner laid down in Sections 32 and 33 of the Act and Land Acquisition Act, 1894.

16. Furnishing information regarding property:

(1) The Special Officer or any other authority by order, require the Governing Council or any person in possession or custody of the properties of educational institution which is taken over or intended to be taken over which is requisitioned or acquired or intended to be requisitioned of further such information as may be required by him for performing the functions under these rules.

(2) Whoever being required to furnish information willfully omits furnishing such information or furnished as true, information which he knows or has reason to believe to be false, he shall be deemed to have contravened the provisions of these rules and shall be liable to be punished under Section 128 of the Act.

FORM I

[See rule 3 (1)]

(Notice under sub-section (1) of Section 67)

To

Whereas the Government for the reasons mentioned in the Schedule below consider that (name of the institution _____ Village _____ Taluk _____ District, is not being properly managed

And whereas, the Government are of opinion that for more effective management of the said institution in public interest it is necessary to take over its management.

Now, therefore you are hereby required to show cause within one month from the date of this notice why the management to the aforesaid institution should not be taken over by the Government.

Station:

Date : Secretary to Government.

SCHEDULE

(Detailed reasons for taking over the management)

FORM II

[See rule 3 (3)]

(Notification under sub-section (1) of Section 67)

Whereas, the Government are of the opinion that in public interest and in order to secure the proper management of _____ in _____ Village _____ Taluk _____ District _____ the management of the said institution shall be taken over;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 67 of the Karnataka Education Act, 1983, the Government of Karnataka hereby notifies that the management of the said institution and all the properties attaches thereto shall vest in the Government on and from _____ (date) until the said institution is acquired.

Under sub-section (6) of Section 67 of the said Act the Government of Karnataka hereby appoints _____ as Special Officer for the purpose of carrying on the management of the said institution for and on behalf of the Government.

Bangalore:

Date : Secretary to Government

FORM III

[See rule 7 (1)]

(Notice of Requisition under sub-section (2) of Section 71)

Whereas the recognition permission granted to _____ school in Village _____ Taluk _____ District _____ has been withdrawn by the Government by their Order No _____ dated _____

OR

Whereas the educational institution _____ has been closed on _____ .

And whereas the Government are of opinion that the said educational institution _____ Village _____ Taluk _____ District _____ and the property mentioned in the schedule below should be requisitioned for (1) the purpose of running the institution in public interest.

Now, therefore, under clause (a) of sub-section (2) of Section 71 of the Karnataka Education Act, 1983, you are called upon to show cause within 15 days from the date of service of this notice why the property should not be requisitioned.

The Government further direct that neither the Governing Council of the institution nor any other person shall, without permission from the Government, dispose of or structurally alter, lease or in any other manner deal with the property until the expiry of three months from the date of service of this notice.

Secretary to Government.

SCHEDULE

To

FORM IV

[See rule 7 (3)]

(Order of Requisition under sub-section (1) of Section 71)

Whereas the Government, after making due enquiries, consider it necessary to requisition the (Name of the institution) _____ Village _____ Taluk _____ District _____ and the properties attached thereto for (1) purpose of running the said institution in public interest;

Now, therefore, under sub-section (1) of Section 71 of the Karnataka Education Act, 1983, the Government requisition the said institution.

The Government further order the Governing Council or the person, who is in possession or custody of the properties mentioned in the schedule, shall deliver possession thereof to _____ within fifteen days of service of this notice.

Secretary to Government

To

FORM V

[See rule 8 (1)]

(Release from Requisition under sub-section (1) of Section 73)

Whereas the educational institution and its property specified in the schedule below was requisitioned in Notification No. _____ dated _____

And whereas the Government have now decided that the said property be released from requisition with effect from _____

Now, therefore under sub-section (1) of Section 73 of the Karnataka Education Act, 1983 the Government hereby release the property from requisition and hereby direct that the property shall be delivered to _____ (Name)

Secretary to Government.

SCHEDULE

FORM VI

[See rule 10]

(Notice under sub-section (2) of Section 73)

Whereas the Government by their Order No. _____ dated _____ have released from requisition the educational institution (Name) _____ and the properties attached thereto mentioned in the schedule below;

And whereas the Government have directed that the properties shall be delivered to (Name) _____

And whereas the said Sri _____ cannot be found and has no agent or the person empowered to accept delivery on his behalf.

Now, therefore under sub-section (2) of Section 73 of the Karnataka Education Act, 1983, it is hereby declared that the said property is released from requisition.

Secretary to Government

SCHEDULE**FORM VII**

[See rule 11 (1)]

(Notice under the proviso to sub-section (1) of Section 74)

Whereas the Government are of the opinion that it is necessary to acquire the property for public purpose connected with education, the educational institution (Name) _____ the management of which was taken over by them, which is subject to requisition as per the notification, dated _____ published at pages _____ of the Karnataka Gazette, dated _____

Now therefore under the proviso to sub-section (1) of Section 74 of the Karnataka Education Act, 1983, you are called upon to show cause within fifteen days from the date of receipt of this notice why the said institution and the property attached thereto and mentioned in the schedule below should not be acquired.

Bangalore:

Date:

To

Secretary to Government

FORM VIII

[See rule 11 (2)]

(Notice of Acquisition under sub-section (1) of Section 74)

Whereas a notice under the proviso to sub-section (1) of Section 74 of the Karnataka Education Act, 1983, was issued to the persons interested calling upon them to show cause within the period of fifteen days why the educational institution and the property attached thereto specified in the schedule below should not be acquired.

And whereas the said period has expired and no cause has been shown against the said notice the causes shown against the said notice have been considered and rejected.

Now therefore, under sub-section (1) of Section 74 of the Karnataka Education Act, 1983, the Government, having been satisfied that it is necessary to do so, have decided to acquire the said property in pursuance of the said section.

The Government further order that the Governing Council or other person, who is in possession or custody of the properties shall deliver possession thereof to _____ within fifteen days of service of this notice.

Secretary to Government

FORM IX

[See rule 13 (6)]

Between Sri _____ son of _____ occupation _____ residing at _____ (hereinafter referred to as the person interested) on the part and the Governor of Karnataka of other part.

Whereas the educational institution and the properties attached thereto mentioned in the schedule below has been requisitioned / acquired under section 71/74 of the Karnataka Education Act, 1983.

Whereas the said property has been taken possession by the Government on the _____ day of _____

Whereas the person interested and Government have mutually agreed to settle the amount of compensation payable in respect of the said requisition / acquisition.

Now this agreement witnessed as follows:

- 1) The Government shall pay and the party interested shall accept and receive a sum of Rs. _____ in full settlement of the compensation for the properties.
- 2) The Government shall pay and the person interested shall accept and received payment of Rs. _____ per month / quarterly / half-yearly/yearly to the said requisitioned property by way of compensation with effect from _____ day of _____ so long as the Government remain in possession thereof.
- 3) The person interested shall meet and pay the revenue, rent, municipal taxes and all other dues relating to the said property.
- 4) The person interested shall indemnify the Government against any loss or damage caused due to payment of compensation to the party interested who is not entitled or exclusively entitled to the compensation in respect of any property.
- 5) Should any dispute or difference arise out of or concerning the subject matter, these presents or any covenant, cause or thing therein contained or otherwise arising out of the requisition / acquisition aforesaid, the same shall be referred to the arbitrator appointed under clause (b) of sub-section (1) of Section 75 of the Karnataka Education Act, 1983, and the decision of the arbitrator shall be conclusive and binding on the parties hereto.
- 6) All sums found due to the Government under or by virtue of these presents shall be recoverable from the parties interested jointly or severally as arrears of land revenue under the Karnataka Land Revenue Act, 1964, or in such other manner as the Government may deem fit. In witness thereof _____ party interested and _____ on

behalf of the Governor of Karnataka, have hereunto set their hands on
this the _____ day of _____

7)

SCHEDULE

In the presence of witnesses:

1. Signed by

2.

In the presence of witnesses;

1. Signed by

2.

By order and in the name the of Governor of Karnataka,

B.S.JAPALI

Under Secretary to Government
Education Department (General)

Education Secretariat

NOTIFICATION

No. ED 13 SES 2006, Bangalore, Dated: 17th April, 2007

Whereas, the draft of the Karnataka Educational Institutions (Change in the Governing Council or Change in the Location of Private Educational Institutions) Rules, 2006, was published as required by sub-section (1) of section 145 of the Karnataka Education Act, 1983 [Karnataka Act 1 of 1995] in Notification No. ED 13 SES 2006, dated: 29-08-2006 in Part IV-A in No. 1094 of the Karnataka Gazette Extraordinary dated: 29-08-2006 inviting objections and suggestions from the persons likely to be affected thereby:-

Whereas, the said Gazette was made available to the public on 29-08-2006 ;

Whereas, the suggestion received in this regard has been considered by the Government.

Now, therefore, in exercise of the powers conferred by sub-section [1] of Section 145 of the Karnataka Education Act, 1983 [Karnataka Act 1 of 1995], the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title, application and commencement: - (1) These rules may be called the Karnataka Educational Institutions (Change in the Governing Council or Change in the Location of Private Educational Institutions) Rules, 2006.

(2) These rules shall apply to the private educational institutions imparting primary, secondary and pre-university education.

(3) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions: - (1) In these rules, unless the context otherwise requires,-

(a) 'Act' means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) ;

(b) 'Section' means a section of the Act.

(c)

3. Procedure for change in the governing council or change in the location of private educational institutions: - (1) Applications seeking change in the governing council or change in the location of private educational institutions shall be filed in person or through registered post acknowledgement due, before the competent authority, every year in the month of October only ;

Provided that in case of extreme urgency such applications may be filed any time in the academic year.

(2) Every such application for change in the governing council or change in the location of a private educational institution specified in column (2) of the table below shall be accompanied by proof of having paid the application fee as specified in the corresponding entry in column (3) thereof. The fee shall be paid in the form of demand draft drawn not earlier than

one month prior to the date of application and in favour of the competent authority. The demand draft shall be made payable at the branch of the Bank located in the headquarters of the said authority or in the surrounding locality.

Sl. No.	Class of Private Educational Institutions	Application fee to be paid For change in the location of a private educational institution	Application fee to be paid for change in the governing council of a private educational institution
(1)	(2)	(3)	(4)
1.	Primary Schools	20,000	40,000
2.	Secondary Schools	30,000	60,000
3.	Pre-University Colleges	40,000	80,000
4.	Vocational Courses	10,000	20,000

(3) The fee received under sub-rule (2) shall not be refunded under any circumstances and it shall be credited to the consolidated fund of the State by the competent authority.

(4) Every such application shall also be accompanied by the following documents, namely:-

- Certified copy of the resolutions passed by the present governing council and the one intending take over the private educational institution with regard to the change in the governing council ;
- Certified copy of the agreement entered into between the present governing council and the one intending to take over the private educational institution, inter alia, agreeing to the transfer of the private educational institution with its assets, liabilities and staff and take over the same ;
- An undertaking by the governing council intending to take over the private educational institution to the effect that it shall provide and maintain the infrastructure and other facilities prescribed; and
- Such others documents etc., as may be specified by Government by orders and instructions issued in this behalf from time to time.

(5) The competent authority shall verify the suitability and eligibility of each application in accordance with the provisions of section 41(5) of the Act and the rules made there under including the provisions of these rules. He shall grant permission to the governing council for

the change sought or the refusal order, as the case may be, within a period of 60 days from the date of receipt of the application.

(6) The refusal order shall indicate the reasons for refusal.

4. Conditions for change in the governing council of private educational institutions: - (1) Every application seeking change in the governing council shall contain specific reasons in support thereof, which shall be in the public interest and in the interest of the students in providing good education and facilities.

(2) No change in the governing council shall be permitted, if the same is sought with commercial motives:

Provided that if the existing governing council is not able to provide the infrastructure and other prescribed facilities, it may seek change in the governing council, if the governing council intending to take over the private educational institution undertakes to provide and maintain the same.

(3) The governing council intending to take over the private educational institution should be financially good enough to be able to run the institution and it should be running at least one recognized primary school or high school or pre-university college.

(4) If the competent authority permits change in the governing council, a fresh application for registration and recognition shall be made as if it were a newly started institution.

(5) No change of governing council shall be permissible more than once.

(6) The governing council taking over the institution shall continue with the students existing under the governing council transferring the institution. The staff appointed as per the staffing pattern, who are existing under the governing council transferring the institution, shall be continued by the governing council taking over the institution.

5. Conditions for change in the location of the private educational institutions:- (1) No Change in the location of a private educational institution located within the limits of an urban agglomeration, city corporation, city municipal council, town municipal council, town panchayat shall be permitted beyond the limits of such urban agglomeration or city corporation or city municipal council or town municipal council or town panchayat, as the case may be:

Provided that change in the location of a private educational institution may be permitted from a place in one gram panchayat area, where it is located, to another place either within the same gram panchayat area or some other gram panchayat area, which does not fall within the limits of any urban agglomeration.

(2) Change of location shall be permitted by the competent authority only if the governing council has provided all the facilities prescribed at the new location.

(3) Ordinarily, change in the location of the institution shall not be permitted more than once.

(4) The governing council shall ensure that no inconvenience is caused to the students in case change in location is permitted.

(5) If the competent authority permits change in the location, a fresh application for registration and recognition shall be made as if it were a newly started institution.

By order and in the name of the Governor of Karnataka,

SIDDALINGAIAH

Under Secretary to Government,

Education Department

**EDUCATION SECRETARIAT
NOTIFICATION**

No. ED 79 VIVIDA 2003 (P), Bangalore, Dated : 24th October 2007

Whereas the draft of the Karnataka Educational Institutions (Powers and Functions of Managing Committee and Powers and Duties of Secretary) Rules, 2007 published as required by Sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No. ED 79 VIVIDA 2003(p), dated:13th June 2007 in Part IV-A of the Karnataka Gazette dated:9th August 2007 inviting objections and suggestions from persons likely to be affected thereby.

Whereas the said gazette was made available for the public on 9-8-2007.

And whereas no objections:suggestions have been received in this regard by the State Government.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) The Government of Karnataka hereby makes the following rules namely:

1. Title and Commencement: (1) These rules may be called the Karnataka Educational Institutions (Powers and Functions of Managing Committee and Powers and Duties of Secretary) Rules, 2007.

(2) They shall come into force from the date of their publication in the official gazette.

2. Definitions : In these rules unless the context otherwise requires:

(a) 'Act' means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995)

(b) 'Institution' means a Private Educational Institution

(c) 'Section' means a Section of the Act.

3. Powers and Functions of the Managing Committee :

(i) powers of the managing committee : (1) The Management Committee shall exercise the following powers namely:

(a) appoint, as and when necessary the requisite number of teaching, non-teaching and contingent staff;

(b) carry on the general administration of the private educational institutions:

(c) appoint teachers and other employees of the private educational institutions except the head;

(d) take disciplinary action against the teachers and other employees except the head of the institution;

(e) supervise and control the employees of the institutions:and

(f) any other matters which may be prescribed;

(g) exercise such other powers, as it deems necessary to carry out the object of the institution subject to the provisions of the Act and the Rules made there under and orders, notifications issued in this behalf.

(2) The terms and conditions on which the staff may be appointed by the Managing Committee on deputation shall normally be in conformity with general orders issued from time to time in this behalf. The deputation allowance and contributions towards leave salary and pension and other allowances allowed to staff taken on deputation by the institution shall be met from the funds of the institution.

(3) The Managing Committee shall also have power to appoint or re-employ persons who have retired from the Government Service or autonomous bodies or from the institution itself, to any of the posts on terms and conditions as may be fixed by the Managing Committee in each case on its merits.

(II) Function of Managing Committee: The management Committee shall perform the following functions, namely:

- (i) To carry on the general administration of the Institution;
- (ii) To adhere to the Provisions of the Act, Rules, etc.,;
- (iii) To safeguard and to administer the welfare of the institution and students;
- (iv) To follow the instructions given by the Government and the concerned Departments;
- (v) Such other functions as are necessary to carryout the objects of the instruction.

4. Powers and Duties of Secretary: (1) The Secretary shall subject to the general superintendence and control of the Managing Committee, exercise the following powers of control and supervision over the employees under the Managing Committee,-

(i) to sanction all kinds of leave to the employees of the institutions under the Managing Committee;

(ii) to sanction casual leave to the heads of the institution;

(iii) to exercise such other powers and duties as may be entrusted to him by the Managing Committee;

(2) It shall be the duty of the Secretary:

(i) to issue notices convening meetings of the Managing Committee and its Committees as directed by the Managing Committee and to keep accurate and clear minutes and reports of all such meetings;

(ii) to act as Secretary of all the Committees of the Managing Committee and to attend and participate in the discussion at the meetings of such Committees and supply such information and answer such questions as may be called for or put at such meetings;

(iii) to be custodian of the common seal, buildings, records, library and such other properties, movable and immovable, vesting in held by or under the control of the Managing Committee and to arrange for the maintenance of proper inventory and be responsible for the proper custody, maintenance and safety of the same;

(iv) to conduct all correspondence of the managing Committee under the authority of the Managing Committee on the letter head of the concerned institution;

(v) to take action on the minutes and reports of the Managing Committee and its Committees, whenever necessary, subject to any directions given by the Managing Committee;

(vi) to carry out the direction issued or work entrusted by the Managing Committee;

(3) The Secretary may delegate any of the powers and duties to the other officers of the institution with the prior approval of the Managing Committee.

By order and in the name of the President of India

P.R.1288

S.M NANDAKUMAR

Under Secretary to Government,
Education Department (General)

EDUCATION SECRETARIAT

No ED 68 AAV 96

Karnataka Government secretariat
Multi storeyed Building,
Bangalore, dated 30.6.1997

In exercise of the powers conferred by clause (31) of section 2 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby authorises officers specified in column (3) and (4) of the Table below to reform the functions and discharge the duties of the registering authority for the purpose specified in the respective columns.

TABLE

Sl No.	Class of Educational Institution	Registering authority for the purpose of receiving applications for registration	Registering authority for all other purposes and the provisions of the Act noted below
1	2	3	4
A.	For educational Institutions seeking fresh registration under Section 31 and for ungradation under Section 32		
1	Pre-primary Institution	Block Education Officer in the concerned Block for the Block	Block Education Officer in the concerned Block
2	Lower Primary Schools (Standards I to IV) other than English medium.	Block Education Officer in the concerned Block for the Block.	Block Education Officer in the concerned Block.
3	Lower Primary Schools (Standards 1 to IV) English medium	Deputy Director of Public Instruction of the concerned District for the District.	Director of Public Instruction (Primary)
4	Upper Primary School (Standards V to VII) other than English medium	Block Educational Officer of concerned Block for the Block.	Director of Public Instruction (Primary)
5	Upper Primary Schools (Standards V to VII) English medium.	Deputy Director of Public Instruction of concerned District for the District.	Director of Public Instruction (Primary)
6	Secondary Schools (Standards VIII to X) (for all medium)	Deputy Director of Public Instruction of concerned District for the District.	Director of Public Instruction.

Sl No.	Class of Educational Institution	Registering authority for the purpose of receiving applications for registration	Registering authority for all other purposes and the provisions of the Act noted below
1	2	3	4
B.	For existing recognised educational institutions seeking registration under Section 33		
1	Pre-Primary Instruction	Block Educational officer concerned	Block Education Officer concerned.
2	Low Primary School (All medium)	Block Educational officer concerned	Block Education Officer concerned.
3	Upper Primary School (Kannada medium)	Block Educational Officer concerned.	Block Educational Officer concerned.
4	Upper Primary School (other than Kannada medium)	Block Educational officer concerned.	Deputy Director of Public Instruction of the District concerned.
5	Secondary Schools	Block Educational Officer concerned.	Deputy Director of Public Instruction of the District concerned.

By Order and in the name of the
Governor of Karnataka,

H.A. PRAMILA
Under Secretary to Government,
Education Department.

EDUCATION SECRETARIAT**Notification No. ED 89 VIVIDHA 98 (1) Bangalore, Dated: 17th August 1998.**

In exercise of the powers conferred by section 143 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the State Government here by and under the Karnataka Educational Institutions (Appellate Authority) Rules, 1998 in respect of the Departments specified in column (2) of the Table below to the officers specified in the corresponding entries in column (3) thereof.

TABLE

Sl. No.	Department	Officers
1	2	3
1.	Commissioner of public Instruction	Secretary to Government-II Education Department.
2.	Director of Pre-University Education	Additional Secretary to Government Education Department.

By Order and in the name of the Governor
of Karnataka,

M.S. ASWATHANARAYANA RAO,
Deputy Secretary to Government,
Education Department.

817-S.O. 1019

Notification No. ED 89 VIVIDA 98 (II) Bangalore, dated 17th August 1998

In exercise of the powers conferred by section 143 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the State Government hereby delegates all the powers exercisable by it under section 131 of the said Act in respect of the Departments specified in column (2) of the Table below to the officers specified in the corresponding entries in column (3) thereof.

TABLE

Sl. No.	Department	Officers
1	2	3
1.	Primary Education	
2.	Secondary Education	
3.	Vocational Education	Secretary to Government-II
4.	State Educational Research and Training	Education Department

Sl. No.	Department	Officers
1	2	3
5.	Public Instruction (Minority)	
6.	Director of Pre-University Education	Additional Secretary to Government, Education Department

By Order and in the name of the Governor of
Karnataka,

M.S. ASWATHANARAYANA RAO,
Deputy Secretary to Government,
Education Department.

818-S.O. 1020

NOTIFICATION

No. ED 90 VIVIDA 98 Bangalore, Dated 17th August 1998.

In exercise of the powers conferred by section 143 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the State Government hereby delegates all the powers exercisable by it under section 130 and 131 of the said Act and under the Karnataka Educational Institutions (Appellate Authorities) Rules, 1998, in respect of the Departments of collegiate Education and Technical Education to the Secretary to Government-I, Education Department, Karnataka Government Secretariat.

By Order and in the name of the Governor of
Karnataka,

M.S. ASWATHANARAYANA RAO,
Deputy Secretary to Government,
Education Department.

819-S.O. 1021

EDUCATION SECRETARIAT

No: ED 83 VIVIDHA 98

Karnataka government Secretariat,
M.S. Building,
Bangalore, Dated: 27-8-1998.

NOTIFICATION

In exercise of the powers conferred by clause (7) of section 2 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby authorise the officers specified in column (2) of the Table below to perform the functions and discharge the duties of the competent authority for the purpose of sub-section (1) of section 51 of the said Act, in respect of Educational Institutions specified in corresponding entries in column (3) thereof.

TABLE

Sl.No.	Competent Authority	Category of Institutions
1	2	3
1.	Deputy Director of public Instruction of the District.	pre-primary primary, Secondary and High Schools.
2.	Deputy Director of pre-University Education of the District.	Pre-University College/ Junior College.

By Order and in the name of the
Governor of Karnataka,

P.N.KULKARNI

Under Secretary to Government,
Education Department (General)

EDUCATION SECRETARIAT

ED 58 VIVIDHA 98

Karnataka Government Secretariat,
Multi storeyed Building,
Bangalore, Dated:18-10-98.

NOTIFICATION

In exercise of the powers conferred by clause (7) of section 2 the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby authorises the officers Specified in column (2) of the Table below to perform the functions and discharge the duties of competent authority for the purpose of sub-section (1) and (2) of sanction 98 of the said Act in respect of Educational Institutions specified in corresponding entries in column (3) of the Table within their respective jurisdiction.

1. Director of Public Instruction (Primary Education)	Private, Aided Primary Schools (Stds I to IV or V to VII or I to VII as the case may be)
2. Director of Public Instruction (Secondary Education)	Private, Aided Secondary Schools (Stds VIII to IX) (including High School sections in composite Pres-University Colleges.
3. Director of Public Instructions (Secondary Education)	Private, Aided CPED institutions
4. Director of Public Instruction (Research and Training)	Private, Aided Teachers Training Institutions.
5. Director of Public Instruction (Research & Training)	Private, Aided B.Ed., Colleges
6. Director of Pre-University Education	Private, Aided Pre-University Colleges.
7. Director of Collegiate Education	Private, Aided First Grade Colleges.
8. Director of Technical Education	Private, Aided Engineering colleges.
9. Director of Technical Education.	Private, Aided polytechnic Institutions.
10. Director of Technical Education	Private, Aided Industrial Training Institutions.

The Competent authority as specified in column (2) of the above table shall record the following clauses as pre condition to the appointment while issuing the appointment order as per provisions of section 98 (2) above:

- 1) The candidates appointed shall occupy the last place in the seniority list of the cadre to which he is appointed in the new school.
- 2) The candidate appointed shall be eligible to count his service in the retrenched school for purpose of pay, leave and pension in his new appointment.

By Order and in the name of the Governor
of Karnataka,

K.S.GURUDEVAPPA
Under Secretary to Govt.,
Education Department (General).

EDUCATION SECRETARIAT

ED 138 VIVIDHA 98

Karnataka Government Secretariat,
Multi storeyed Building,
Bangalore, Dated:09-02-1999.

NOTIFICATION

In exercise of the powers conferred by sub- section (2) of section 134 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby authorises the officers Specified in column (2) of the Table below, for the purpose of said sub-section within their respective Jurisdiction in respect of the category of Institutions Specified in column (3) thereof.

TABLE

Sl.No.	Officers	Category of Institutions
1	2	3
1.	Any Officer not below the rank of Inspector of Schools in the Department of Public Instruction.	Primary Schools
2.	Any Officer not below the rank of Block Education Officer in the Department of Public Instruction.	High Schools including High School Sections of the Composite Pre-university/ Junior Colleges.
3.	Any Officer not below the rank of Deputy Director or Pre-University Education.	Pre-University/Junior

By Order and in the name of the Governor of
Karnataka,

K.B.GURUDEVAPPA

Under secretary to Government
Education Department (General)

Published in the Karnataka Gazette Part IV section 2c(ii) Extraordinarily No 158 dated 16.2.1999.

EDUCATION SECRETARIAT

No: ED 146 VIVIDHA 98

Karnataka government Secretariat,
Multistoried Building,
Bangalore, Dated: 25-2-1999.**NOTIFICATION**

In exercise of the powers conferred by clause (7) of Section 2 of the Karnataka Education Act, 1993 (Karnataka Act 1 of 1995), the Government of Karnataka hereby authorise the officers specified in column (2) of the Table below to perform the functions and discharge the duties of the competent authority for the purpose of proviso to sub-section (3) of section 92 in respect of Educational Institutions specified in the corresponding entries in column (3) of the Table and following within their respective jurisdiction.

TABLE

Sl.No.	Competent Authority	Category of Institutions
1	2	3
1.	Director of primary Education	Pre-Primary and Primary Schools.
2.	Director of Secondary Education	Secondary/High Schools, C.P.E.D. Institutions colleges of Physical Education.
3.	Director of Pre-University education.	Pre-University Colleges/ Junior Colleges.
4.	Director of Collegiate Education.	Colleges under the control of Department of Collegiate Education.
5.	Director of Technical Education.	Engineering Colleges, Polytechnics And Fine Arts Colleges.
6.	Director of Vocational Education.	Institutions running Vocational Courses.
7.	Director of State Educational Research and Training	Teachers Training Institutions (TCH) Institutions), Colleges of Education.

By Order and in the name of the Governor of
Karnataka,

P.N.KULKARNI

Under Secretary to Government,
Education Department (General)

EDUCATION SECRETARIAT**NOTIFICATION****No. ED 137 VIVIDA 98, Bangalore, Dated 19th May 1999**

In exercise of the powers conferred by clause (7) of section 2 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby authorises officers specified in column (4) of the table below to be the competent authorities to perform the functions and discharge duties of the competent authority within their respective jurisdiction, for the purpose of sections specified in corresponding entries in column (2), in respect of the category of educational institutions specified in column (3) thereof, namely:-

TABLE

Sl. No.	Section	Name of the officer/ Authority	Category of Educational Institutions
1	2	3	4
1.	Sub-section (1) of Section 22	Director, Karnataka Secondary Education Examination Board	High Schools
		Director, SERT	T.C.H. Institutions
		Director of Pre-University Education	Pre-University Colleges/ Junior Colleges
2.	Clause (b) of section (2) of Section 31 and Section 34	Director of Public Instruction (Primary Education)	Pre-Primary and Primary Schools
		Director of Public Instruction (Secondary Education)	Secondary and High Schools
		Director of Pre-University Education	Pre-University Colleges/ Junior Colleges
		Director of Collegiate Education	Colleges Under the control of Department of Collegiate Education
		Director of Technical Education	Engineering Colleges, Polytechnics and Fine Arts Colleges
		Director of Vocational Education	Institutions running Vocational Courses
		Director, State Educational Research and Training	Teachers Training Institutions (TECH. Institutions)
		CPED Institutions, Colleges of Education, Colleges of Physical Education	

Sl. No.	Section	Name of the officer/ Authority	Category of Educational Institutions
1	2	3	4
3. Section 36 and 38		Block Education Officer Schools	Pre-Primary and Primary
		Deputy Director of Public Instruction	Secondary/High Schools
		Deputy Director of Pre- University Education	Pre-University Colleges/ Junior Colleges
4. Section 39		Deputy Director of Public Instruction	Pre-Primary and Primary Schools
		Director of Public Instruction (Secondary Education)	Secondary/High Schools
		Deirctor of Pre-University Education	Pre-University Colleges/ Junior Colleges
5. Section 137		Deputy Director of Public Instruction	Pre-Primary and Primary, Secondary/High Schools
		Regional Joint Director of Education	Degree Colleges
		Director of Technical Education Junior Technical Schools	Engineering Colleges Poly- technics, Fine Arts Colleges
		Deputy Director of Pre- University Education	Pre-University Colleges/ junior Colleges
		Director, Urdu and Other Minority language Schools other Minorities Language	Urdu, Arabic, Hindi, Sanskrit, Tamil, Telugu and Institutions

By Order and in the name of the Governor of
Karnataka,

M.S. ASWATHANARAYANA RAO,

Deputy Secretariat-1,

Education Department.

ಉಡುಪಿ ಜಿಲ್ಲಾ ಶಾಲಾ ಇಲಾಖೆ

»(ಶಿಕ್ಷಣ ಸಂಶೋಧನೆ) (Corrigendum)

ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007

ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007
 ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007
 ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007

ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007
 ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007
 ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007

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 ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007
 ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007

ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007
 ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007
 ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007

ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007

ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007

ಶಾಲಾ ಶಿಕ್ಷಣ 3 ಆಯ್ಕೆ 2006, 19ನೇ ಪರಿಷ್ಕರಣೆ, 24ನೇ ಮಾರ್ಚ್ 2007

EDUCATION SECRETARIAT**No.ED 52 ViViDa 99, Bangalore, dated: 2-2-2000****NOTIFICATION-I**

In exercise of the powers conferred by clause (7) of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby authorises the officers specified in column (3) of the table below to perform the functions and discharges the duties of the Competent Authority for the purposes of sections 87 to 101 of the said Act, read with the provisions of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in Private Aided Primary and Secondary Educational Institutions) Rules, 1999 and specified in the corresponding entries in column (2) thereof.

TABLE

Sl.No.	Rule	Officers
(1)	(2)	(3)
1.	Rule-6 - Constitution of selection Committee	DDPI of the District
2.	Rule-9 - Resignation	DDPI of the District
3.	Rule-10 - Retrenchment	DDPI of the District
4.	Rule-11(1) Procedure to be followed by (2)(3)(4)(5) - Competent Authority under Section-98	DDPI of the District
5.	Rule-11(6) - Procedure to be followed by Competent Authority under Section-98	DPI(Primary) in respect of Primary Schools. DPI(Secondary) in respect of Secondary Schools.
6.	Rule-12 - Transfer of employees from one aided institution to another aided institution. DPI(Secondary) in respect of Secondary Schools.	DPI(Primary) in respect of Primary Schools.
7.	Rule-13 - Closure of institutions Schools.	DPI(Primary) in respect of Primary DPI(Secondary) in respect of Secondary Schools.

Sl.No. (1)	Rule (2)	Officers (3)
8.	Rule-14 - Nature of penalties - suspension	DDPI of the District in respect of Primary JDPI of the concerned Division in respect of Secondary Schools.
9.	Rule-17 - Subsistence allowance during suspension	DDPI of the District in respect of Primary Schools. JDPI of the concerned Division in respect of Secondary Schools.
10.	Rule-3 Annexure-1 - Qualification and condition of service of employees- procedure of selection of candidates.	DDPI of the District in respect of Primary Schools. JDPI of the concerned Division in respect of Secondary Schools.

By order and in the name of the
Governor of Karnataka,

(H.S.Venkateshaiah)
Under Secretary to Government,
Education Department (General)

EDUCATION SECRETARIAT

No.ED 52 ViViDa 99, Bangalore, dated: 2-2-2000

NOTIFICATION-II

In exercise of the powers conferred by section 143 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby delegate the powers exercisable by it under section 53 of the said Act, to the Deputy Directors of Public Instruction of the concerned district and they shall exercise the said powers within their respective jurisdiction.

By order and in the name of the
Governor of Karnataka,

(H.S.Venkateshaiah)
Under Secretary to Government,
Education Department (General)

**EDUCATION SECRETARIAT
NOTIFICATION**

No. ED 145 ViVida 98, Bangalore, dated: 15th March, 2001

In exercise of the powers conferred by clause (7) of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby authorises the officers specified in column (3) of the table below to perform the functions and discharge the duties of the competent authority for the purpose of section 107 of the said Act in respect of the institutions specified in column (2) there of:

Sl. No.	Category of Educational Institutions	Officers
1	Primary Schools	Director of Public Instruction (Primary)
2	Secondary Schools	Director of Public Instruction (Secondary)
3	TCH, CPED, B.Ed. Colleges	Director of Public Instruction (State Education Research and Training)
4	P.U. Colleges	Joint Director (Administration) Directors of Pre-University Education
5	Degree Colleges and Law Colleges	Director of Collegiate Education
6	Sanskrit, Urdu & other Minority language schools	Director (Urdu & other Minority language)
7	Engineering colleges, Polytechnics, Junior Technical schools.	Chief Administrative Officer in the office of Director of Technical Education

By Order and in the name of the Governor of Karnataka,

K.S. Gopalakrishna

Under Secretary to Government,
Education Department (General)

EDUCATION SECRETARIAT**NOTIFICATION- I****¹[No. ED 6 ViVida 2001. Bangalore, dated: 11-10-2001]¹**

In exercise of the powers conferred by clause (7) of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby authorises the officers specified in column (3) of the table below to perform the functions and discharges the duties of the Competent Authority for the purposes of sections 87 to 101 of the said Act, read with the provisions of the Karnataka Educational Institutions (Recruitment and terms and conditions of service of employees in private aided College of Education and Teachers Training Institutes) Rules, 2000 and specified in the corresponding entries in column (2) thereof.

TABLE

Sl. No.	Rule	Officers
1	2	3
1	Rule-6- Constitution of selection Committee	Director of Public Instruction (R&T)
2	Rule-9- Resignation	Director of Public Instruction (R&T)
3	Rule-10- Retrenchment	Director of Public Instruction (R&T)
4	Rule-11(1)- Procedure to be followed by (2)(3)(4)(5)- Competent Authority under Section-98	Director of Public Instruction (R&T)
5	Rule-11(6)- Procedure to be followed by Competent Authority under Section-98	Director of Public Instruction (R&T)
6	Rule-12- Transfer of employees from one aided Institution to another aided institution.	Director of Public Instruction (R&T)
7	Rule-13- Closure of institutions	Director of Public Instruction (R&T)
8	Rule-14- Nature of penalties- suspension	Director of Public Instruction (R&T)
9	Rule-17- Subsistence allowance during suspension	Director of Public Instruction (R&T)

10	Rule-3- Annexure-I – Qualification and condition of service of employees- procedure of selection of candidates.	Director of Public Instruction (R&T)
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By Order and in the name of the Governor of
Karnataka.

K.G.HIREMATH

Under Secretary to Government,(Incharge)
Education Department(General).

1. Published in the Karnataka Gazette Part IV-A Extraordinary No. 1810, Dated 12-10-2001.

EDUCATION SECRETARIAT

NOTIFICATION-II

¹[No. ED 6 ViVida 2001. Bangalore, dated: 11-10-2001]¹

In exercise of the powers conferred by section 143 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby delegate the powers exercisable by it under section 53 of the said Act, to the Director of Public Instruction (R & T) and he shall exercise the said powers.

By Order and in the name of
the Governor of Karnataka.

K.G.HIREMATH

Under Secretary to Government,(Incharge)
Education Department(General).

1. Published in the Karnataka Gazette Part IV-A Extraordinary No. 1810, Dated 12-10-2001.

Education Secretariat**No. ED 54 VIVIDA 2005, Bangalore, dated 2nd December, 2006****NOTIFICATION**

In exercise of the powers conferred by Section 143 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) and in supersession of the Notification No.II ED 54 VIVIDA 2005, dated 22nd November, 2005 published in the Karnataka Gazette Extra-ordinary Part-IV-A No. 2048 dated: 23.11.2005, the Government of Karnataka hereby delegates all the powers exercisable by it under Sections 130 and 131 of the said Act read with rule 3 of the Karnataka Educational Institutions (Appeal, Revision and Review) Rules, 1998 in respect of the matters specified in column (2) of the Table 1 and 2 below to the officers specified in the corresponding entries in column (3) there of :-

I. Delegation of powers exercisable by Government under section 130 ibid.**T A B L E - 1**

Sl. No.	Category of Educational Institutions)	Officers to whom the powers are delegated
(1)	(2)	(3)
1.	Pre-University Colleges, (Junior Colleges)	Joint Secretary to Government-I (Primary and Secondary Education), Education Department.

II. Delegation of powers exercisable by Government under section 131 ibid.**T A B L E - 2**

Sl. No.	Category of Educational Institutions)	Officers to whom the powers are delegated
(1)	(2)	(3)
1.	Pre Primary, Primary and Secondary Schools.	Additional Secretary to Government-2, (Primary and Secondary Education),

Sl. No.	Category of Educational Institutions)	Officers to whom the powers are delegated
		Education Department.
2.	Pre-University Colleges, Junior Colleges and Institutions running Vocational courses.	Secretary to Government (Primary and Secondary Education), Education Department.
3.	Urdu and other Minority language schools, including Hindi Vidyalayas, Arabic Marasas and Sanskrit Pathashalas, in the state, which come under the purview of the Director, Urdu and other Minority language schools. Department of Public Instruction, Bangalore.	Additional Secretary to Government-2, (Primary and Secondary Education), Education Department.
4.	Teacher Training Institutions offering D.Ed, and D.P.Ed courses, Colleges of Education and Colleges of Physical Education.	Secretary to Government (Primary and Secondary Education), Education Department.
5.	Arabic Colleges and Sanskrit Colleges.	Additional Secretary to Government –2, (Primary and Secondary Education), Education Department.

2. The Secretary to Government (Primary and Secondary Education), Education Department, shall be the competent Authority to exercise the powers vested in Government under section 133 *ibid*.

3. All the proceedings pending in respect of pre primary, primary and secondary schools, Urdu and other Minority language schools, including Hindi Vidyalayas, Arabic Madrasas and Sanskrit Pathashalas, in the State, which come under the purview of the Director, Urdu and other Minority language schools, Department of Public Instruction, Arabic colleges and Sanskrit Colleges, specified in Column (2) of Table – 2 above, on the date of this notification, before the Secretary to Government (Primary and Secondary Education), Education Department shall stand transferred to the Additional Secretary to Government –2 (Primary and Secondary Education), Education Department, who shall dispose of them as if they were filed before him.

By Order and in the name of the Governor of
Karnataka,

B.S.JAPALI

Under Secretary to Government,

Education Department (General)

**EDUCATION SECRETARIAT
NOTIFICATION**

ED 09 VIVIDA 2007, Bangalore, Dated: 29th March 2007

In the exercise of the powers conferred by Section 143 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) and in super session of the Notification No II ED 54 VIVIDA 2005, dated 2nd December 2006, published in the Karnataka Gazette extra-ordinary part-IV-A No 689 dated :5.12.2006 the Government of Karnataka hereby delegates all the powers exercisable by it under Section 130 and 131 of the said Act read with rule 3 of the Karnataka Educational Institutions (Appeal Revision and Review) Rules, 1998 in respect of the matters specified in column (2) of the Table 1 and 2 below to the officers specified in the corresponding entires in column (3) thereof:

I Delegation of powers exerciable by Government under section 130 ibid

TABLE-1

SL. No.	Category of Educational Institutions	Officers to whom the powers are delegated
1	2	3
1	Pre-University Colleges (Junior Colleges)	Additional Secretary to Government (Primary and Secondary Education) Education Department

II Delegation of powers exerciable by Government under section 131 ibid

TABLE-2

SL. No.	Category of Educational Institutions	Officers to whom the powers are delegated
1	2	3
1	Pre-University Coleges, Junior Colleges and Institutions running Vocational courses	Secretary to Government (Primary and Secondary Education), Education Department.
2	Teacher Training Institutions offering D.Ed, and	Secretary to Government (Primary

	D.P, E.D courses, Colleges of Educations and Colleges of Physical Education	and Secondary Education) Education Department.
3	Pre Primary, Primary and Secondary Schools	Additional Secretary to Government (Primary and Secondary Education), Education Department.
4	Urdu and other Minority language schools including Hind Vidyalayas, Arabic Marasas and Sanskrit Pathashalas, in the state, which come under the purview of the Director, Urdu and other Minority language schools Department of Public Instruction, Bangalore.	Additional Secretary to Government, (Primary and Secondary Education), Education Department.
5	Arabic Colleges and Sanskrit Colleges.	Additional Secretary to Government, (Primary and Secondary Education), Education Department.

2. The Secretary to Government (Primary and Secondary Education), Education Department shall be the competent Authority to exercise the powers vested in Government under section 33

3. All the proceedings pending in respect of pre primary and secondary schools, Urdu and other Minority Language schools including Hindi Vidyalayas, Arabic Madrasa and Sankrit Pathashalas, in the State which come under the purview of the Director, Urdu and other Minority language Schools, Department of public Instruction Arabic colleges and Sanskrit Colleges ,specified in Column (2) of Table-2 above on the date of this notification, before the secretary to Government (Primary and Secondary Education)., Education Department shall stand transferred to the Additional Secretary to Government (Primary and Secondary Education), Education Department, who shall dispose of them as if they were filled before him

By Order and in the name of the Governor of
Karnataka

P.R. 432

S.M. NANDAKUMAR

Under Secretary to Government
Education Department (General)

**EDUCATION SECRETARIAT
NOTIFICATION**

No. ED 41 SEP 2007, Bangalore, Dated: 7th April 2007

In exercise of the Powers conferred by the Section 143 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995), the Government of Karnataka hereby delegates the powers exercisable by it under section 67 of the said Act, to the Commissioner for Public Instruction concerned in respect of the institutions within their respective jurisdiction.

Provided that in case of an educational institution imparting education in the Jurisdiction of more than one Commissioner for Public Instruction, the said powers, in so far as such educational institutions are concerned, shall be exercised by the Commissioner for Public Instruction, Bangalore.

By Order and in the name of the Governor of
Karnataka

SIDDALINGAIAH

Under Secretary to Government
Education Department

P.R. 451

EDUCATION SECRETARIAT**NOTIFICATION - I**

No. ED 261 SES 2007, Bangalore, dated 3rd December, 2007

In exercise of the powers conferred by clause (7) of section 2 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) the Government of Karnataka hereby authorizes the officers specified in column (2) of the Table below, to perform the functions and discharge the duties of the competent authority within their respective jurisdiction for the purpose of sub-section (5) of section 41 of the said Act and for the purpose of the Karnataka Educational Institutions (Change in the Governing Council or Change in the Location of Private Educational Institutions) Rules, 2006 in respect of the category of institutions specified in the corresponding entries in column (3) thereof, namely:-

TABLE

Sl. No.	Competent Authority to permit change in the Governing Council of the institution or change in the location of the institution	Category of institutions
(1)	(2)	(3)
1.	Commissioner for Public Instruction or Additional Commissioner for Public Instruction as the case may be.	Institutions, imparting Pre-primary, Primary and Secondary Education within their respective jurisdiction.

Provided that in case of a private educational institutions having schools in the jurisdiction of more than one Commissioner for Public Instruction or Additional Commissioner for Public Instruction as the case may be, in so far as such private education institution in

concerned the said powers, shall be exercised by the competent authority, in whose jurisdiction majority of the schools belonging to a private educational institution are located.

By order and in the name of the President of India,

Swarnalatha M. Bhandare

Under Secretary to Government
Education Department.

GOVERNMENT OF KARNATAKA

No. ED 300 DCE 2013(P)

Karnataka Government Secretariat,
M.S. Building,
Bangalore, dated: 25th October 2014.

NOTIFICATION

Whereas the draft of the Karnataka Education Department Services (Collegiate Education Department) (Recruitment) (Special) Rules, 2014 was published as required by sub-section (1) of section 3, read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) and clause (a) of sub-section (2) of section 3 of the said Act, in Notification No. ED 300 DCE 2010(P) dated: 14th August 2014 in Part-IV(A) of Karnataka Gazette dated: 21st August 2014 inviting objections and suggestion from persons likely to be affected thereby within the expiry of fifteen days from the date of its publication in the Official Gazette.

Whereas the said Gazette was made available to the public on 21st August 2014.

And whereas objections and suggestions received have been considered by the State Government.

Now, therefore in exercise of the powers conferred by sub-section (1) of section 3, read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title, commencement and application.- (1) These rules may be called the Karnataka Education Department Services (Collegiate Education Department) (Recruitment) (Special) Rules, 2014.

(2) They shall come into force from the date of their publication in the Official Gazette.

(3) Notwithstanding anything contained in the Karnataka Education Department Service (Collegiate Education Department) (Recruitment) Rules, 2008, or any other rules governing the Recruitment to the posts of Assistant Professors, in the Collegiate Education Department these rules shall apply to the Direct recruitment vacancies of the said posts existing as on the date of commencement of these rules and to be filled by direct recruitment.

Provided that nothing in these rules shall apply to more than one recruitment.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

- (a) "Appointing Authority" means the Government of Karnataka;
- (b) "Competitive examination" means the examination conducted by the Selection Authority in accordance with these rules
- (c) "National Eligibility Test (NET)" means National Eligibility Test (NET) conducted by the designated agency or the University Grants Commission or CSIR;
- (d) "State Level Eligibility Test (SLET)" means "State Level Eligibility Test (SLET) accredited to the UGC and conducted by the designated agency as notified by the University Grants Commission or CSIR;
- (e) "Selection" means selection in accordance with the provisions of these rules by the Selection Authority;
- (f) "Selection Authority" means the Karnataka Public Service Commission (KPSC). Or any other agency notified by the State Government to be the Selection Authority for the purpose of these rules.

(2) Words and expressions used but not defined in these rules shall have the meanings assigned to them in the Karnataka State Civil Services (General Recruitment) Rules, 1977.

3. **Qualification and age.-** No person shall be eligible for recruitment under these rules unless he has,-

- (a) passed a Master's degree in the concerned subject with at least 55% marks or its equivalent grade;

Provided a relaxation of 5% may be extended at the master's level for the Scheduled Caste/ Scheduled Tribe/ Differently-abled (Physically and visually differently-abled) Categories. The eligibility marks of 55% marks (or an equivalent grade in a point scale wherever grading system is followed) and the relaxation of 5% to the categories mentioned above are permissible, based on only the qualifying marks without including any grace mark procedures.

- (b) been declared successful in the "National Eligibility Test" or "State Level Eligibility Test" provided that candidates possessing Ph.D degree through course work and evaluation process in the concerned/-relevant discipline are exempted from appearing for "National Eligibility Test" or "State Level Eligibility Test"

Provided that in respect of education qualifications prescribed by The University Grants Commission (UGC) in regulations/guidelines issued from time to time shall be applicable.

- (c) He must have attained the age of 22 years and but not have attained the age of,-

- (i) forty-five years in case of candidates belonging to Scheduled Caste and Scheduled Tribes and Category-I of other Backward Classes;
- (ii) forty-three years in case of candidates belonging to Category-II(a), II(b), III(a) and III(b) of other backward classes; and
- (iii) forty years in case of any other persons.

Provided that the maximum age limit prescribed above shall be enhanced by five years to those categories, except for differently-abled.

eligible for age enhancement as in sub-rule (3) of rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977. In case of differently-abled, the maximum age limit prescribed above shall be enhanced by ten years.

4. **Notification of vacancies.**- Appointing Authority shall notify the vacancies under each subject as per reservation policy applicable to direct recruitment issued by Government from time to time for selection through Selection Authority notified by the State Government in turn which shall make the selection in accordance with the rules.

5. **Inviting applications.**- The Selection Authority shall call for applications in the specified form, from eligible candidates by giving wide publicity in at least three leading Kannada Newspaper and three leading English Newspaper having wide circulation in the State.

6. **Method of selection.**- The method of direct recruitment under these rules shall be on the basis of merit determined by taking in to account marks obtained in the Competitive examination conducted by the Selection Authority.

7. **Mode of competitive examinations.**- All eligible candidates shall have to appear for the competitive examination conducted by the Selection Authority. The competitive examination shall be conducted in following manner, namely:-

Written examination:-

I Compulsory papers:-

(1) Paper I	Kannada	100 marks
(2) Paper II	English	100 marks

II Optional papers:-

(3) Paper III	General Knowledge	100 marks (Objective (either in Kannada or English) Multiple Choice)
(4) Paper-IV	Optional Subject Paper	200 marks (Objective Multiple Choice)

Note.- (1) The marks obtained in compulsory papers i.e., in Kannada and in English shall be of qualifying nature. For qualifying in these papers, a minimum of 30% in each paper and 35% aggregate is prescribed. The marks obtained in these 02 papers shall not be considered for determining the merit for selection. The standard of compulsory papers i.e., Kannada and English shall be that of First Language Kannada and First Language English respectively at S.S.L.C. level

(2) The standard of Paper-IV shall be Post Graduate Level.

(3) The optional question papers shall be set both in Kannada and English.

(4) Each paper shall be of 02 hours duration.

Provided that paper IV shall be of 3 hours duration.

Paper III - General Knowledge.- Covering General Knowledge of topics relating to current events, general science, humanities and matters of every day observation and practical knowledge as may be expected of a person who has passed the prescribed qualifying examination.

Paper IV - Optional Paper.- The content of this paper shall be designed by the subject expert committee constituted by the Department of Collegiate Education, in such a manner so as to measure the Knowledge of the candidate in concerned subject.

8. List of selected candidates.- (1) The Selection Authority shall, on the basis of merit determined on the marks secured in the Competitive examination by the candidates prepare a final select list in respect of each subjects/posts, eligible for appointment to the post of Assistant Professors, and if the aggregate of the percentage of total marks secured in the competitive examination of two or more candidates is equal, the order of merit in respect of such candidates shall be fixed on the basis of their age, the person or persons older in age being placed higher in the order of merit. There shall be no interview.

(2) Selection Authority shall also prepare an additional list of such of the candidates not included in the main list prepared under this rule.

The number of candidates to be included in the additional lists shall be as for as possible 10% of the number of candidates in each of the reservation categories (horizontal and vertical) in the list under sub-rule (1). There shall be at least one candidate in the additional list belonging to each of the reservation categories (horizontal and vertical) represented in the list under sub-rule (1). If a candidate whose name is included in the list under sub-rule (1) fails to report for duty within the prescribed period, then a candidate belonging to the same reservation category as of the candidate who failed to report for duty shall be appointed from the additional list.

(3) The list prepared under sub-rules (1) and (2) shall be published in the Official Gazette and on the Notice Board of the office of the Principal Secretary to Government, Education Department (Higher Education), M.S. Building, Bangalore and shall be valid till all the vacancies specified under these rules are filled up or until the expiry of the period of six months from the date of publication of the list prepared under sub-rule (2) whichever is earlier.

9. Appointment of candidates.- (1) The Selection Authority shall forward the selection list and the additional list to the Appointing Authority.

(2) Candidates whose names are included in the final selection list prepared by the selection authority as under rule 8 may be appointed by the appointing authority in the vacancies in the order in which their names are found in the final select list after satisfying itself regarding their antecedents and after such enquiry as may be considered necessary that each of the candidate is suitable in all respect for such appointment.

(3) The appointing authority in respect of the final selection list shall issue appointment orders only after verification of the different certificate and marks cards.

(4) Inclusion of the name of a candidate in the list published under rule 8 shall not confer any right of appointment. The candidates selected in the additional list may be appointed in the post left vacant due to non-reporting of candidates in the main list.

10. Application of other rules.- The Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957, the Karnataka Civil Services (Conduct) Rules, 1966 and the Karnataka Civil Services (Probation) Rules, 1977 and all other rules for the time being in force regulating the conditions of service of Government servants made or deemed to have been made under the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) in so far as such rules are not inconsistent with the provisions of these rules shall be applicable to the selection made and to the persons appointed under these rules.

By order and in the name of the
Governor of Karnataka,


(SHEKHARA)

Under Secretary to Government(I/c),
Education Department
(Collegiate Education)

To,

The Compiler, Karnataka Gazette, Bangalore - with a request to publish notification in the special gazette and supply 200 copies to the department of Higher Education, M.S. Building and 100 copies to the Commissioner for Collegiate Education, Palace Road, Bangalore.

Copy to:

- (1) The Accountant General, Karnataka, Bangalore.
- (2) The Principal Secretary to Government, DPAR.
- (3) The Principal Secretary to Government, Finance Department.
- (4) The Secretary to Government, Law, Justice and Human Rights Department.
- (5) The Secretary to Government, Department of Parliamentary Affairs and Legislation, Vidhana Soudha, Bangalore.
- (6) The Commissioner, Collegiate Education Department, Bangalore.
- (7) The Director, Collegiate Education Department, Bangalore.
- (8) The Chief Administrative Officer, Department of Collegiate Education, Bangalore
- (9) The Regional Joint Director, Collegiate Education Department, Bangalore / Mysore / Gulbarga / Dharwad / Mangalore / Shimoga (Through CCE).
- (10) The Principals' of all Government First Grade Colleges (Through CCE).
- (11) PS to Minister for Higher Education, Vidhana Soudha, Bangalore.

- (12) PS to Chief Secretary to Government, Vidhana Soudha, Bangalore
(Cabinet) (ಪ್ರಕಟಣೆ ಸಂಖ್ಯೆ:ಸಿ:437/2014);
- (13) PS to Principal Secretary to Government, Education Department
(Higher Education).
- (14) PA to Deputy Secretary to Government, Education Department (Higher
Education).
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