

GOVERNMENT OF KARNATAKA

No. DPAR 08 ARB 2021

Karnataka Government Secretariat,

Vidhana Soudha,

Bengaluru, dated: 17.03.2022

NOTIFICATION

In exercise of the powers conferred by clauses (2) and (3) of Article 166 of the Constitution of India, the Governor of Karnataka hereby makes the following rules further to amend the Karnataka Government (Transaction of Business) Rules, 1977, namely:-

1. Title and Commencement:- (1)These rules may be called the Karnataka Government (Transaction of Business) (Amendment) Rules, 2022.
(2)They shall come into force from the date of their publication in the Official Gazette.

2. Amendment of rule 2:- In the Karnataka Government (Transaction of Business) Rules, 1977 (hereinafter referred to as the said rules) in rule 2,-

(i) for clause (j), the following shall be substituted, namely:-

"(j)"Scrutinizing Committee" means a committee consisting of the following, namely:-		
1	Minister-in-charge of law and Parliamentary Affairs and Legislation	Chairman
2	Minister-in-charge of the Bill	Member
3	Secretary to Government of concerned Administrative Department	Member
4	Secretary to Government, Department of Parliamentary Affairs and Legislation	Member
5	Special Secretary to Government/ Additional Draftsman and Ex-officio	Member

	Additional Secretary to Government	
6	Joint Draftsman and Ex-officio Joint Secretary/Assistant Draftsman and Exofficio Deputy Secretary/Under Secretary to Government, Department of Parliamentary Affairs and Legislation as the Secretary as designated by the Department of Parliamentary Affairs and Legislation from time to time.	Member Secretary

3. Amendment of rule 6:- In rule 6 of the said rules, in-sub-rule (3) after the words “the Secretary of the department”, the words “except the statutory powers or quasi-judicial powers to be exercised by him”, shall be inserted.

4. Amendment of rule 7A:- Rule 7A of the said rules shall be omitted.

5. Amendment of rule 9:- Rule 9 of the said rules shall be omitted.

6. Amendment of rule 10:- In rule 10 of the said rules, for sub-rule (1), the following shall be substituted, namely:-

“(1) Subject to the provisions of this rule and rules 13, 17, 20, 21, 36 and 37 the Minister-in-charge, shall be primarily responsible for the disposal of the business pertaining to his department.”

7. Amendment of rule 17:- In rule 17 of the said rules, in sub-rule (2) for the third proviso, the following shall be substituted, namely:-

“Provided further that, where the Finance Department has not given its concurrence but administrative department intends to proceed with the case and decides to place it before the Cabinet, such proposals shall not be placed before the Cabinet unless the Minister in charge of finance through the Department has had an opportunity to consider it.”

8. Amendment of rule 19A:- Rule 19A of the said rules shall be omitted.

9. Amendment of rule 20:- In rule 20 of the said rules,-

(i) in sub-rule(1)(a), after the proviso, the following proviso shall be inserted, namely:-

“Provided further that, if the Administrative Department decides to place a subject before the cabinet, which has already been considered and rejected by the Cabinet, such proposals with justification shall be sent to the Secretary to the Cabinet to obtain the approval of the Chief Minister.

Provided also that, in case of urgency and there is not enough time to place the proposal before the Cabinet, such proposals containing reasons for its urgency, shall be submitted for the orders of the Chief Minister through the Secretary to Cabinet. Orders issued pursuant there to shall be placed before the Cabinet for ratification.”

(ii) In sub-rule (3), the proviso shall be omitted.

10. Amendment of rule 23:- In rule 23 of the said rules, in sub-rule (1), for the words “in the case which require decision to the Secretary to the Cabinet, through the Chief Secretary and the Minister in charge of the Department.”, the following shall be substituted,- “which require decision of the Cabinet, through the Secretary to the Cabinet with the approval of the Minister-in-charge of the Department.”

11. Amendment of rule 27:- In rule 27 of the said rules, sub-rule (4) shall be omitted.

12. Amendment of rule 39:- In rule 39 of the said rules, the proviso shall be omitted.

13. Amendment of rule 46:- In rule 46 of the said rules, after sub-rule (3) following sub-rule shall be inserted, namely:-

"(4) The amendment to Karnataka Civil Services Rules, the Manual of Contingent Expenditure, the Karnataka Financial Code and the Karnataka Treasury Code which are of a routine nature and which do not involve any question of policy or heavy financial commitments may

be made by the Secretary to Government, Finance Department with the prior approval of the Minister-in-charge of the Finance Department and the Chief Minister."

14. Amendment of rule 48:- In rule 48 of the said rules, the words "Chief Minister through" shall be omitted

In the proviso to same rule the words "Chief Minister" shall be substituted by "Cabinet."

15. Amendment of rule 53:- In rule 53 of the said rules,-

(i) For sub-rule (1), the following shall be substituted, namely;-

"(1)The tentative draft Bill as approved by the Scrutinizing Committee along with the Financial memorandum shall then be placed before the Cabinet for its approval, unless the Chief Minister directs otherwise. Proposals for any substantial or important amendments in the Draft Bill after its approval shall also be dealt with similarly."

(ii) In sub-rule (6) ,-

(a) The words "under", shall be omitted.

(b) Under the sub-heading "subject", in item (3), for the words "one.six", the words "one, six", shall be substituted.

16. Amendment of rule 62:- In rule 62 of the said rules, in sub-rule (1) in clause (a) for the word "construction" the word "interpretation" shall be substituted.

17. Amendment of rule 67:- In rule 67 of the said rules, the words "correspondence regarding selection of the land will be between the Head of the Department concerned and the Secretariat Department concerned and the Deputy Commissioner would normally be addressed for starting acquisition proceedings only after a final decision regarding the selection of the land is taken" shall be omitted.

18. Omission of rules 67A, 68 and 68A:- Rules 67A, 68 and 68A of the said rules, shall be omitted.

19. Amendment of rule 73:- In rule 73 of the said rules, for sub-rule (3), the following shall be substituted, namely:-

"(3) The Chief Secretary may ask to see papers relating to any case in any department and any such request by him shall be complied with by the Secretary of the department concerned"

20. Amendment of First Schedule:- In the First Schedule to the said rules,-

(i) In item number 10 the words "and proposals for supplementary demands" shall be omitted.

(ii) In item number 12, the words "for value of land up to rupees five crores ", shall be omitted; and

(iii) For item number 15 and the entries relating there to, the following shall be substituted, namely: -

"15. Administrative approval of work estimates and for procurement of Goods and Services, where-

(i) Original estimate exceeds rupees ten crores; or

(ii) Original estimate does not exceed rupees ten crores but the revised estimate exceeds rupees ten crores; or

(iii) Original estimate exceeds rupees ten crores and revised estimate exceed the original estimate by twenty-five percent or rupees ten crores whichever is less;

Provided that, in case of proposals of procurement of scale based items which are to be procured every year for the beneficiaries under ongoing schemes or procurement of Medicine and Consumables required for functioning of Hospitals including Veterinary, administrative department itself could take a decision on such proposals according to the guidelines issued by Finance Department from time to time.

Provided further that, in case of procurement of Goods and services relating to a new scheme announced in the budget, such proposals should invariably be placed before the Cabinet.

Explanation: Scale based items are the following items to be procured by the departments:

- (i) Egg and milk distribution to Anganwadi and schools,
- (ii) uniforms, text books, study materials, tool kits, training materials to school/colleges,
- (iii) procurement of food grains, shuchi sambrama kits, and other items for Hostel/ Residential schools
- (iv) Prescribed uniforms for Service Personnel and Anganwadi Staff

Provided further that, the State Level Empowered Committee may accord administrative approval in respect of rural water supply projects costing more than rupees five crore but not exceeding rupees One Hundred crore under Centrally Sponsored Schemes.

Explanation: For the purpose of the proviso, State Level Empowered Committee means the Committee constituted vide G.O.No: ೧೨ ಅಪ 14 ೧೨ನೀ ಸ (5) 2013, dtd: 11.03.2013 to accord administrative approval to any estimate or revised estimate of multi village water supply schemes of and above rupees five crores but not exceeding hundred crores, which are to be implemented under the funds of National Rural Drinking Water Programmes and 13th Finance Commission

Note: Tender acceptance/approval proposals shall be decided by the concerned Tender Acceptance/ Approval Authority only.”

(iv) Item number 15A and the entries relating thereto shall be omitted.

(v) In item number 17, in the proviso for the words, figures and letter “They shall be processed as per entry 22A of the Second Schedule”, the words “They shall be finalized with the approval of the Minister in charge of the department”, shall be substituted.

(vi) After item number 18, the following explanation shall be inserted, namely:-

“Explanation: the establishment of Ministers' means and includes the posts sanctioned or created in the establishment of Chief Minister's Secretariat or any other Minister i.e., Cabinet Minister, Minister of State, Deputy Minister and includes holders of office declared as equivalent to the rank of a Minister”; and

(vii) Item number 21 and the entries relating thereto shall be

deemed to have been omitted w.e.f. 21.11.2019.

21. Amendment of Second Schedule:- In the Second Schedule to the said rules,-

- (i) Item number 20A and the entries relating thereto shall be omitted;
and
- (ii) Item number 22A and the entries relating thereto shall be omitted.

Sd/-

(THAWARCHAND GEHLOT)
GOVERNOR OF KARNATAKA

By Order and in the name of the
Governor of Karnataka

(Nagarathna V. Patil)
Under Secretary to Government
Department of Personnel and
Administrative Reforms
(Service Rules-2)