

**EDUCATION SECRETARIAT
NOTIFICATION**

No.ED 86 TPU 2006, Bangalore, Dated:11th August,2010

Whereas the draft of the Karnataka Educational Institutions (Absorption of persons working as part time Lecturers in the Aided Private Educational Institutions) (Special) Rules, 2010 was published as required by section 87 read with sub-section (1) of section 145 of the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995) in Notification No.ED 86 TPU 2006 dated 11th March 2010 in part-4A of the Karnataka Gazette dated 11th March 2010 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of its publication in the official Gazette.

And whereas said Gazette was made available to the public on 11th March 2010

And whereas the objections and suggestions received within the period specified above, have been considered by the Government.

Now therefore in exercise of the powers conferred by Section 87 read with 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:-

RULES

1. Title and commencement:- (1) These rules may be called the Karnataka Educational Institutions (Absorption of persons working as part time Lecturers in the Aided Private Educational Institutions) (Special) Rules, 2010.

(2) They shall come into force from the date of their publication in the Karnataka Gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires:-

- (a) "Aided Pre-University College" means a college owned and managed by a Private Aided Educational Institution receiving salary grant from the Government and recognized by the State Government.
- (b) "Commissioner" means the Commissioner of Pre-University Department.
- (c) "Part-time Lecturer" means a person,-

- (i) appointed in a Private Aided 1st Grade College and working or worked as such with approval or permission of the Director or Commissioner of Collegiate Education.
- (ii) Who at the time of such appointment possessed the required educational qualification as specified by the Government for appointment as lecturers in Government Pre-University College from time to time in the subject in which he was assigned to teach; and has obtained 50 percent or more but of less than 55 percent of marks in qualifying examination.
- (iii) Who has worked as such for not less than two academic years 1993-94 and 1994-95. Provided that, the persons belonging to the Scheduled Castes and Scheduled Tribes must have worked as such for not less than one academic year either during 1993-94 or 1994-95;

Provided further that, after his initial appointment as a part time lecturer, there shall be no break in his service for reasons directly attributable to him; and

- (iv) who had been working as such during the academic year 1993-94 and 1994-95; and
- (v) who at the time of absorption under these rules continuously working as part time Lecturer and had no full time job or vocation and was not practicing any trade or profession or calling.

(2) Other words and expressions used in these rules but not defined therein shall have the same meaning assigned to it in the Karnataka Civil Services (General recruitment) Rules, 1977 and the Karnataka Educational Institutions (Pre-University Education) Rules, 2006.

3. Absorption of part-time lecturers in private Aided Bifurcated Pre-University Colleges.- (1) Notwithstanding any thing contained in the Karnataka Education Act, 1983 (Karnataka Act 1 of 1985) and the Karnataka Educational Institutions (Pre-University Education) Rules, 2006 or any other rules made or deemed to have been made under the provisions of the Karnataka Education Act, 1983, relating to recruitment of lecturers in Private Aided Institutions the management shall absorb the services of a part time Lecturer in the Private Aided Pre-University college in which he was or is working or in any other aided Pre-University under the same management with the approval of the Commissioner of Pre-

University within the sanctioned strength and approved grant-in-aid post of lecturers having full time work load in the Aided Pre-University Colleges.

Provided that, where a part time lecturer can not be absorbed under sub-rule (1) for want of vacancy, he may be absorbed as and when a vacancy arises due to death, retirement or resignation, promotion or any other reason or otherwise of a lecturer in the same aided Pre-University College or any other aided Pre-University College under the same management.

Provided further that, appointment shall not be made under these rules against any post earmarked to be filled from among the candidates belonging to the Schedule Castes or the Schedule Tribes in accordance with the reservation provided by or under any law or any order, unless there are candidates belonging to such castes or tribes as the case may be, available from among the part time lecturers to be absorbed. Otherwise such posts shall be treated as backlog vacancy and shall be filled up accordingly.

(2) For absorption of part-time lectures under sub-rule(1), the college in which the part-time lecturer was or is working has to be taken as one unit.

(3) In respect of the stop-gap lecturers and part time lecturers working in the same college, the stop-gap lecturers shall have a precedence over the part time lecturers for absorption under these rules.

4. Procedure for absorption of the part time lecturers.- (1) On the date of commencement of these rules, a screening committee consisting of Commissioner, Collegiate Education, Commissioner, Pre-University Education, Director, Collegiate Education shall be constituted by the State Government. The screening committee shall prepare a list of eligible candidates of Private Aided First Grade colleges for absorption under these rules after obtaining NOC from the concerned educational institution taking into consideration the sanctioned Aided posts with full time workload in the concerned aided subject in the Private Aided Pre-University College and after following the reservation prescribed by or under any law or the order issued from time to time and send such list to the Government for approval.

(2) The Government, after receipt of the list under sub-rule (1), and after examining issue orders approving or otherwise the

absorption in the post in the scale of pay of Lecturer in Pre-University college.

(3) The entire process of recommendation of names of eligible part time lecturer and notifying such names so recommended by the committee shall as far as may be completed before one year from the date of commencement of these rules.

5. Pay fixation, seniority, leave and pension of part time lecturers absorbed under these rules.- Notwithstanding anything contained in the Karnataka Education Act or any other rules governing conditions of service made or deemed to have been made under the Karnataka Education Act, the initial basic pay of an absorbed part time lecturer under these rules shall be fixed at the minimum of the scale of pay of the category of posts in which he is absorbed and the service rendered prior to the absorption shall not count for the purposes of seniority, leave or pension.

6. Applicability of other rules.- Subject to the provisions of these rules, all the rules governing the lecturers of the Aided Private Educational Institutions, shall be applicable to the persons absorbed under these rules.

By Order and in the name of the
Governor of Karnataka,

S.H. KURIYAVAR

Under Secretary to Government,
Education Department.(P.U.)