

**Personnel and Administrative Reforms Secretariat**  
**Notification**

**No DPAR 58 SRR 2003, Bangalore, Dated:12<sup>th</sup> November 2003.**

Whereas the draft of the Karnataka Civil Services (Absorption of Persons appointed to the State Civil Services with the benefit of Rural Weightage) (Special) Rules, 2003 was published as required by clause (a) of sub-section 2 of Section 3 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) in Notification No. DPAR 58 SRR 2003, dated 28<sup>th</sup> August 2003 in part IV-A of the Karnataka Gazette Extra-ordinary No. 1016 dated 28<sup>th</sup> August 2003 inviting objections and suggestion from persons likely to be affected thereby within 15 days from the date of publication of the draft in the Official Gazette.

Whereas, the said Gazette was made available to the public on 28<sup>th</sup> August 2003. And, whereas the objection and suggestion have been received and 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 makes the following rules namely:-

**RULES**

1. **Title and commencement:-** (1) These rules may be called the Karnataka Civil Services (Absorption of the persons appointed to the State Civil Services with the benefit of Rural Weight age) (Special) Rules, 2003.

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

2. **Absorption of persons appointed to the State Civil Services with the benefit of Rural Weight age:-** Notwithstanding anything contained in the Karnataka Civil Services (General Recruitment) Rules, 1977 or the rules of recruitment specially made in respect of any service, cadre or post or any other rules made or deemed to have been made under the Karnataka State Civil Services Act, 1978, persons:-

(i) (a) who were selected with the benefit of rural weight age under the then existing Rule-3B of the Karnataka Civil Services (General Recruitment) Rules, 1977 and were appointed after the eleventh day of November, 1998; and

(b) Who were in service on the Sixth day of may, 2003; and

(C) Whose services have been terminated in pursuance to the judgement dated Sixth May, 2003 of the Supreme Court in Writ Petition No. 463 of 2002 with Writ Petition Nos. 519 and 560 of 2002 and 111 of 2003; or

(ii) Who were selected with the benefit of rural weightage under the then existing Rule- 3B of the Karnataka Civil Services (General Recruitment) Rules, 1977 and were appointed after 11-11-1998 and whose services were terminated as a result of the revision of the select lists in the light of the Order of the Supreme Court dated 6-11-2001 in I. A. Nos. 2-15 in C. A. No 7105/2001 in Sridhar S. V/s State of Karnataka.

Shall be absorbed in the Civil Services of State in accordance with these rules, as a one time measure on humanitarian considerations.

Provided that a person who was in service on the Sixth day of May, 2003 but has died during the period between the Sixth day of May, 2003 and the date of commencement of these rules shall not be eligible for absorption under these rules.

**3. Order of appointment:** The appointing Authority shall issue the order of appointment to such of the persons who fulfill all the conditions mentioned under Rule 2. The appointment shall be made against the posts held by the persons absorbed immediately before the termination of their services. In the event of there being no vacant posts in the Department in which the persons were working immediately before the date of termination of their services, adequate number of supernumerary posts shall be created by the administrative department presuming concurrence of the Finance Department.

**4. Leave, Seniority, Pay Pension of the persons absorbed.**-(1) The service rendered by the persons absorbed under these rules prior to the date of such absorption shall be taken into consideration for determining their leave and pension but shall not be considered for the purpose of pay and seniority.

(2) The pay of the absorbed persons shall be fixed at the minimum of the time scale of pay of the post to which they are absorbed.

**5. Application of other rules.**- The Karnataka Civil Service Rules, 'the Karnataka Civil Services (Conduct) Rules, 1966 and all other rules 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) shall in so far as they are not inconsistent with the provisions of these rules, be applicable to persons absorbed under these rules.

**6. Powers to issue directions.**- If any difficulty arises in giving effect to the provisions of these rules, the State Government may, by general or special order make such order make such provisions as appears to it to be necessary or expedient to remove the difficulty;

Provided that no such order shall be made after expiry of a period of three years from the date of commencement of these rules.

By Order and in the name of the Governor of Karnataka

**P. K. BABU RAO**

Under Secretary to Government-I

Department of Personnel and Administrative Reforms

(Service Rules)