

**THE KARNATAKA PUBLIC SERVICE COMMISSION (CONSULTATION)
REGULATION, 2000**

**NOTIFICATION
No. DPAR 4 SCC 98, dated: 25th October 2000**

In exercise of the powers conferred by the proviso to clause (3) of Article 320 of the Constitution of India, the Governor of Karnataka is pleased to make the following regulations, namely:-

1. Title and Commencement.-(1) These regulations may be called the Karnataka Public Service Commission (Consultation) Regulations, 2000.

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

2. In these regulations, unless there is anything repugnant in the subject or the context,-

(a) "Commission" means the Karnataka Public Service Commission;

(b) "Constitution" means the Constitution of India.

3. It shall not be necessary to consult the Commission,-

(a) as respects any of the matters mentioned in sub-clauses (a) to (e) of clause (3) of Article 320 of the Constitution, in the case of the services and the posts specified in Annexure-1 to these regulations;

(b) as respects any of the matters mentioned in sub-clauses (a) and (b) of clause (3) of Article 320 of the Constitution in the case of the services and the posts specified in Annexure -II to these regulations;

(c) in regard to the suitability of Government servants for promotion to any of the posts or services or for appointment by transfer to any post or service ¹[xxx]¹;

(d) in regard to making rules regulating recruitment to Civil Services of the State and civil posts in connection with the affairs of the State;

(e) in regard to making of any appointments to any post the terms of which are governed by contract:

Provided that in every case of appointment on contract which may involve a total period of service on contract exceeding five years, and the appointment has to be made to a post to which recruitment can be made only in consultation with the Commission, the Commission shall be consulted before the contract is made or renewed.

1. Omitted vide Notification No. DPAR 1 SCC 2018, dated:24.06.2020

(f) in regard to re-employment to any service or post of a person who has retired on a civil pension or gratuity or who, while in service, was a subscriber to a Contributory Provident Fund:

Provided that the Commission shall be consulted in every case where the period of re-employment exceeds five years and re-employment is in a service or post appointment to which can be made only in consultation with the Commission.

(g) in regard to prescription or modification or deletion of any examination under the Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974.

4. It shall not be necessary to consult the Commission regarding the appointment of a person temporarily to a post, to which appointment has to be made in consultation with the Commission, where the vacancy is not likely to last for more than one year.

5. ¹[It shall not be necessary to consult the Commission in any case involving a disciplinary matter affecting a Government servant where the disciplinary authority proposes to pass an original order imposing on him any of the penalties specified in the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 or where the competent authority proposes to pass an order on an appeal or on revision or review in relation to such an original order under the said rules.]¹

(2) Nothing contained in clause (1) shall be deemed to make it necessary for the State Government to consult the Commission in any case,-

(a) relating to discharge or reversion of a Government servant otherwise than as a penalty;

(b) relating to any other order passed in respect of any Government servants otherwise than as a penalty.

6. It shall not be necessary to consult the Commission in any case,-

(a) relating to the discharge of a probationer in accordance with the Karnataka Civil Services (Probation) Rules, 1977;

(b) relating to the termination of the employment of any person in accordance with the terms of his contract of employment;

1. Substituted vide Notification No. DPAR 209 SRR 2020, dated:14.12.2020

(c) relating to retirement of a Government servant before he attains the age of superannuation, where under the rules applicable to him;

- (i) he can be retired on completion of a prescribed number of years of service or on reaching a prescribed age and he has, completed such service or reached such age; or
- (ii) he can be retired on invalid pension and the conditions prescribed in respect thereof are fulfilled.

(d) relating to a Government servant where the Governor has passed an order under item (c) of the second proviso to clause (2) of Article 311 of the Constitution;

(e) where at a previous stage the Commission may have been consulted regarding the orders passed and the Commission has given its advice and no fresh matter has thereafter arisen for further consideration or determination:

Provided that where the order to be passed is in modification of the previous orders of the Government and is not in accordance with the advice, the Commission may have tendered in such a case previously, such orders shall not be passed except after consulting the Commission.

7. It shall not be necessary to consult the Commission on an appeal from or a memorial against an order of suspension pending inquiry into charges.

8. Repeal and Savings.-(1) The Karnataka Public Service Commission (Consultation) Regulations, 1976 are hereby repealed:

Provided that such repeal shall not affect,-

- (a) the previous operation of the said regulations or anything duly done or any action taken thereunder; or
- (b) affect any right, liability or obligation already, acquired or accrued or incurred under the said regulations.

(2) Any reference in any rule or order to the regulations repealed by sub-clause (a) shall be construed as reference to the corresponding regulation in these regulations.

(3) Government Orders, Official Memoranda and Circulars issued and which were in force for the purpose of the repealed regulations, in so far as they are not inconsistent with the provisions of these regulations shall be construed as issued for the purpose of these rules until they are modified or rescinded.

ANNEXURE-I
(Regulation 3(a))

1. All services and posts, which are filled by the appointment of “Cadre Officers” as defined in the Indian Civil Administrative Cadre Rules, 1950 and the Indian Police Cadre Rules, 1950.
2. All posts on the Personal and Secretarial establishment of the Governor.
3. All posts on the establishment of the High Court filled under Article 229 of the Constitution.
4. All posts filled by the officers of the Armed forces of the Union.
5. All posts filled by the officers of the All India services, the Central services or the Services of any other State.
6. All posts on the establishment of Karnataka Lokayukta.
7. All posts on the establishment of the Karnataka Legislature Secretariat.

ANNEXURE-II

(Regulation 3-b)

I. Department of Education:

1. The posts of Secondary School Assistants (Grade-II) and Physical Education Teachers (Grade-I) in the Department of Public Instruction.
2. The posts of Advisors in Music Education.
3. The posts of Technical Assistants (Librarians) of the Department of Public Libraries.
4. The posts of Primary School Assistants.

II. Department of Forest, Environment and Ecology:

1. The posts of Forest Rangers in the Department of Forest.

III. Department of Home and Transport:

1. The post of Director, Deputy Directors, Assistant Directors, First Division Assistants, Second Division Assistants in the Department of Sainik Welfare and Resettlement.
2. The post of the Director, Forensic Science Laboratory, Bangalore.
3. The post of Sub-Inspectors and Jamedars of Reserve Police, Sub-Inspectors of Police, Band Masters, Assistant Band Masters, Photographers, Assistant Sub-Inspectors (Electrical), Assistant Sub-Inspectors (Radio Mechanic) in the Department of Police.

IV. Department of Health and Family Welfare:

1. All posts in the India Population Project.

V. Department of Information, Tourism and Youth Services:

1. The posts of Director of Information and Publicity and Joint Directors of Information and Publicity.

VI. Department of Law:

1. The posts of Judicial officers appointed under Article 234 other than District and Session Judges.
2. The posts of Director of Prosecutions, Joint Director of Prosecutions, Public Prosecutors, Deputy Director of Prosecutions, Senior Assistant Public Prosecutors and Assistant Public Prosecutors.
3. All posts in the Karnataka Law Reporters Service constituted under the Karnataka Law Reports Rules, 1983.

VII. Department of Parliamentary Affairs and Legislation:

1. All Group-A, Group-B and Group-C posts except the posts of First Division Assistants and Second Division Assistants in the Directorate of Translations

VIII. Department of Personnel and Administrative Reforms:

1. The posts of District and Sessions Judges to which appointment is made under Article 233 of the Constitution.
2. The post of Secretary to Government, Department of Law.
3. The post of Secretary to Government, Department of Parliamentary Affairs and Legislation.
4. The post of Secretary to Government, Department of Planning.
5. The post of Secretary to Government, Department of Public Works.
6. The post of Secretary to Government, Department of Irrigation.
7. The posts of Economic Advisors, Directors, Joint Directors, Deputy Directors, Research Officers and Assistant Directors in the Karnataka Government Secretariat Services (Planning and Economic Division).
8. Group-C posts borne on the staff of the Karnataka Lokayukta.
9. Group-C posts in the office of the Resident Commissioner and in the Karnataka Bhavan, New Delhi.
10. All posts on the establishment of the Chief Minister and other Ministers.
11. The posts of Junior Console Operators and Punoll/Verifier Operators (Grade-II) in the Directorate of Information Technology.
12. Group-A and Group-B posts which may be filled by appointment of the Scheduled Castes and the Schedule Tribes candidates under the Karnataka Civil Services (Special Recruitment of the Scheduled Castes and Scheduled Tribes candidates to certain Group-A and Group-B posts) Rules, 1985.

IX. General:

1. All posts in Group C and Group D other than the posts of Assistants, First Division Assistants, Junior Assistants and Second Division Assistants in all Departments, in the following scales of pay, or the corresponding scales of pay as may be revised from time to time, namely:-
 - (a) 3850-100-4450-125-5700-150-7050
 - (b) 3300-75-3450-100-4450-125-5700-150-6300
 - (c) 3000-75-3450-100-4450-125-5450
 - (d) 2775-75-3450-100-4450-125-4950
 - (e) 2600-50-2700-75-3450-100-4350
 - (f) 2500-50-2700-75-3450-100-3850
2. The posts of Stenographers in all Departments.
3. All Group-D posts in all Departments.

4. The posts of Chairman and Members of the Karnataka Appellate Tribunal, State Transport Appellate Tribunal or any other Tribunal or Authority set-up by or under Central or State law.
5. The posts of Chairmen and Managing Directors and other Directors of Government Industrial concerns.
6. All posts in Government Industrial concerns.
7. Vacancies which may be filled by appointment of physically handicapped persons in accordance with the third proviso to sub-rule (1A) of rule 9 of the Karnataka Civil Services (General Recruitment) Rules, 1977.
8. ¹[The posts required to be filled by direct recruitment for which a provision is made in the rules of recruitment specially made in respect of any service or post, prescribing a Selection Authority other than the Karnataka Public Service Commission.]¹

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

(S. CHANDRASHEKARAPPA)
Under Secretary to Government-1
Dept. of Personnel and
Administrative Reforms

1.Inserted vide Notification No. DPAR 3 SCC 2002, dated:08.04.2002

(1) It shall not be necessary to consult the Commission on any disciplinary matters affecting a person serving in connection with the affairs of the State, except,-

(a) where the State Government proposes to pass an order on an appeal, or to modify an order in revision or on review²[with respect to Group-A Government Servant]²; or

(b) where the State Government proposes to pass an original order ³[on Group-A Government Servant]³imposing any of the penalties specified in clauses (v) to (viii) of rule 8 of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957:

Provided that it shall not be necessary to consult the Commission in any case involving disciplinary matters affecting a person serving in connection with the affairs of the State, where the inquiry is conducted by the Lokayukta or the Upalokayukta or where the recommendations are received from the Lokayukta or the Upalokayukta, as the case may be.

¹[Provided further that it shall not be necessary to consult the Commission where the State Government proposes to impose any of the penalties specified in clauses (v) to (viii) of rule 8 of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 on the Government Servants holding posts in Group-‘A’ and Group-‘B’ for an established charge of unauthorized absence.]¹

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2. Inserted vide Notification No. DPAR 4 SCC 2002, dated:16.09.2002
 2. Inserted vide Notification No. DPAR 1 SCC 2018, dated: 24.06.2020
 3. Inserted vide Notification No. DPAR 1 SCC 2018, dated: 24.06.2020