

KARNATAKA GOVERNMENT SERVANTS' (SENIORITY) RULES, 1957

No.GAD (OM) 14 GRR 57, dated 7th February 1958

In exercise of the powers conferred by the by proviso to Article 309 of the Constitution of India and in supersession of all existing rules on the subject, the Governor of Karnataka hereby makes the following rules, namely:

1. These rules may be called the Karnataka Government Servants' (Seniority) Rules, 1957.

¹[1-A. Nothing in these rules shall be applicable to any person appointed as a local candidate so long as he is treated as such:

Provided that where his appointment is treated as regularized from any date, his seniority in the services shall be determined in accordance with these rules as if he had been appointed regularly as per the rules of recruitment to the post held by him on the day.

Explanation.- In this rule "local candidate" shall have the same meaning as in the Karnataka Civil Services Rules, 1958.]¹

2. Subject to the provisions hereinafter contained the seniority of a person in a particular cadre of service or class of post shall be determined as follows:-

- (a) Officers appointed substantively in clear vacancies shall be senior to all persons appointed on officiating or any other basis in the same cadre or service or class of posts;
- (b) The seniority *inter-se* of officers who are confirmed shall be determined according to dates of confirmation, but where the date of confirmation of any two officers is the same, their relative seniority will be determined by their seniority *inter-se* while officiating in the same post and if not, by their seniority *inter-se* in the lower grade.
- (c) Seniority *inter-se* of persons appointed on temporary basis will be determined by the dates of their continuous officiation in that grade and where the period of officiation is the same the seniority *inter-se* in the lower grade shall prevail.

Explanation.- When an officer otherwise fit for promotion from a particular cadre of service or class of post is not available for promotion on account of deputation, the shortness of the vacancy or other similar reason resulting in his junior in the same cadre of the service or class of post being promoted, the senior officer will maintain his seniority in the cadre of the service or class of post to which the promotion has been made. But this provision will not be applicable to officers, who are not considered fit for promotion. In such cases, a definite decision shall be taken whether the officer who is not available for promotion, would have been promoted to the higher post if he were available. Unless there is a positive decision to supersede, he shall rank for seniority over his junior.

² [(d) omitted.]

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1. Inserted by Notification No.GAD 176 SRR 59, dated 29th December 1960.
 2. Omitted by Notification No. GAD 4 SSR 76, Dated 12th August 1976.

3. Where officers are recruited to any service or class of post by promotion and by direct recruitment, the officers directly recruited will take precedence over the promoted officers in case where the date of appointment is the same.

³4. When promotions to a class of post or cadre are made on the basis of seniority-cum-merit at the same time, the relative seniority shall be determined,-

- (i) if promotions are made from any one cadre or class of post, by their seniority **inter-se** in the lower cadre or class of post;
- (ii) if promotions are made from several cadres or classes of posts of the same grade, by the period of service in those grades;
- (iii) if promotions are made from several cadres or classes of posts, the grades of which are not the same, by the order in which the candidates are arranged by the authority making the promotion, in consultation with Public Service Commission where such consultation is necessary, taking into consideration the order in which promotions are to be made from those several cadres or classes of post.]

4-A . When promotion to a class of post or cadre are made by selection at the same time either from several cadres or classes of post or from same cadre or class of post by the order in which the candidates are arranged in order of merit by the appointing authority making the selection, in consultation with Public Service Commission where such consultation is necessary.

⁴[Explanation.- For purposes of this rule, “several cadres or classes of post” shall be deemed to include cadres or classes of posts of different grades from which recruitment is made in any specified order of priority in accordance with any special rules of recruitment.]

5. (1) The decision regarding the seniority of direct recruits to a service or to a class of post shall be made by the appointing authority at the time of their first appointment in one of the modes mentioned below:-

- (a) When the recruitment is made on the result of a competitive examination, the order of seniority will be in the order of merit, or
- (b) When the recruitment is made by selection, the order of seniority will be determined by the order in which the candidates are arranged in order of merit by the appointing authority in consultation with the Public Service Commission or other authority making the selection.
- (c) ⁵[when successful completion of a course of training is prescribed for recruitment to any post, the seniority of those recruited after such training shall be determined on the basis of the order of merit,-
 - (i) at the examination held at the end of such training or
 - (ii) at the selection for such training when an examination is not held]⁵

The decision once taken shall be final and shall not be open to revision.

(3) Notification No. GAD 140 SRR 64, Dated 15th February 1968.

(4) Notification No. GAD 97 SRR 67, Dated 26th September 1967.

(5) Inserted by Notification No. GAD 74 SRR 60, dated 15th March 1961.

⁶[(2) Notwithstanding anything contained in sub-rule (1), the seniority of a candidate who assumes charge of a post after the period specified ⁷[in sub-rule (1) of Rule 18 of the Karnataka Civil Services (General Recruitment) Rules, 1977]⁷, shall be determined as from the date on which he assumed charge of such post.]⁶

6. The transfer of a person in public interest from one class or grade of a service to another class or grade carrying the same pay or scale of pay shall not be treated as first appointment to the later for purposes of seniority; and the seniority of a person so transferred shall be determined with reference to his first appointment to the class or grade from which he was transferred;

Provided that, where the transfer is made at the request of the officer, he shall be placed in the seniority list of the class or grade of service to which he is transferred below all the officers borne on that class or grade of service on or before the date of the transfer.

⁸[Provided further, that the seniority of a person transferred in public interest *vis a vis* the persons actually holding the post in the Class or Grade to which he is transferred shall be determined on the date of such transfer with reference to his first appointment to the class or grade from which he was transferred.]⁸

Explanation.- For the purpose of the above proviso, the persons actually holding the post do not include the persons who have before the date of such transfer been promoted, whether in an officiating or substantive capacity to a higher class or grade.

⁹[6-A. The transfer or appointment of an officer of the Defense Services, an All India Service or a Civil Service of the Union or the Civil Service of any other State to any equivalent class or grade of service in the State Civil Services shall not be treated as first appointment to that class or grade of service for purpose of seniority; and the seniority of an officer so transferred or appointed shall be determined with reference to his first appointment to the class or grade of service or services to which he belonged prior to such transfer or appointment.

Provided that, where such transfer or appointment is made at the request of the office, he shall be placed in the seniority list of the class or grade of service to which he is transferred or appointed below the persons borne on that class or grade of service immediately prior to the date of such transfer or appointment.]⁹

¹⁰[Provided further, that the seniority of a person transferred in public interest *vis a vis* the persons actually holding the post in the class or grade to which he is transferred shall be determined on the date of such transfer with reference to his first appointment to the class or grade from which he was transferred.

Explanation,- For the purpose of the above proviso, the persons actually holding the post do not include the persons who have before the date of such transfer been promoted, whether in an officiating or substantive capacity to a higher class or grade.]¹⁰

6. Re-numbered under Notification NO. GAD 14 SRR 70A, dated 1st October 1971.

7. Notification NO. DPAR 24 SRR 2004, Dated 20-11-2004.

8. Inserted by Notification No. GAD 22 SSR 73, Dated 13th October 1976.

9. Notification No. GAD 12 SSR 69, Dated 13th November 1969.

10. Inserted by Notification NO. GAD 22 SSR 73, dated 13th October 1976.

7. ¹¹[Omitted]

¹²[7-A. (1) Subject to the provisions of these rules, seniority *inter-se* of persons, to be included in the State-wise list of seniority consequent upon posts included in the district-wise cadres being included in the State-wise cadre, shall be determined by the total length of continuous service of the official in the district-wise cadre from the date of his appointment to such cadre:

Provided that where two or more persons are appointed to the district-wise cadres on the same date and their total length of continuous service in such cadre is equal, then the inter-se seniority of such persons shall be determined by the authority competent to prepare the State-wise list.

(i) Where such persons are promoted from a lower cadre, on the basis of their total length of continuous services in the post in the lower cadre from which they were promoted;

(ii) Where such persons are directly recruited to the district-wise cadre, on the basis of their relative age, the older in age being considered as senior to the younger.

(2) The provisions of sub-rule (1) shall mutatis mutandis apply for the determination of seniority,-

(i) where a State-wise list is prepared consequent upon posts included in Division-wise cadres being included in the State-wise cadre, as if in the said sub-rule, for the words "district-wise cadre" the words "Division-wise cadres" had been substituted.

(ii) Where a Division-wise list is prepared consequent upon posts included in District-wise Cadres being included in a Division-wise cadre, as if in the said sub-rule, for the words "State-wise cadre" the word "division-wise cadre" had been substituted.

8. The cases which cannot be determined by any of the above methods shall be determined in such manner as may be decided by the appointing authority, in consultation with the Public Service Commission.

9. These rules shall not apply to the determination of initial seniority in the State of persons who are allotted or are deemed to have been allotted to serve in connection with the affairs of the State of Karnataka in pursuance of Section 115 of the State Re-organization Act, 1956. The seniority of such persons shall be as determined in accordance with the provisions of the said Section and the orders issued in pursuance thereof.

¹³[10. (1) There shall be prepared every year for each cadre of service or class of posts a seniority list consisting of the names of all officers borne on the said cadre or class of posts arranged in order of seniority in accordance with the provisions of these rules. The seniority shall be prepared by the concerned Appointing Authority.

Provided that the Government may also prepare the seniority list for any cadre of any service or class of posts.]¹³

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

11. Omitted by Notification No. GAD 28 SSR 69, Dated 12th December 1973.

12. Notification No. GAD 26 SRR 69, dated 16th June 1969.

13. Substituted by Notification No. DPAR 14 SSR 2006, dated 18th August 2006.

Personnel and Administrative reform Secretariat
Notification
No. DPAR 14 SSR 2006, Bangalore, dated 18th August, 2006

Whereas, the draft of the following Rules further to amend the Karnataka, Government Servants (Seniority) Rules, 1957, was published as required by clause (a) of sub-section (2) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990), in Notification No. DPAR 14 SSR 2006, dated 12th July, 2006 in Part-IV-A (No.896) of the Karnataka Gazette Extraordinary dated 17th July, 2006 inviting objections and suggestions from persons likely to be affected thereby within fifteen days from the date of publication of draft in the Official Gazette.

Whereas, the said Gazette was made available to the public on 17th July 2006.

And whereas no objection and suggestions have been received 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 Government Servants' (Seniority) (Amendment) Rules, 2006.

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

2. Amendment of rule 10 :- For Rule 10 of the Karnataka Government Servants' (Seniority) Rules, 1957, the following shall be substituted namely-

"10. There shall be prepared every year for each cadre of service or class of posts a seniority list consisting of the names of all officers borne on the said cadre or class of posts arranged in order of seniority in accordance with the provisions of these rules. The seniority shall be prepared by the concerned Appointing Authority.

Provided that the Government may also prepare the seniority list for any cadre of any service or class of posts.

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

Under Secretary to Government,
Department of Personnel and Administrative Reforms
(Service Rules-1)

THE KARNATAKA CIVIL SERVICES (SENIORITY) RULES, 1957

No. GAD (OM) 14 GRR 57, Dated: 7th February 1958

AMENDMENTS

- 1. Inserted by Notification No. GAD 176 SRR 59, dated 29th December 1960.**
- 2. Omitted by Notification No. GAD 4 SSR 76, Dated 12th August 1976.**
- 3. Notification No. GAD 140 SRR 64, Dated 15th February 1968.**
- 4. Notification No. GAD 97 SRR 67, Dated 26th September 1967.**
- 5. Inserted by Notification No. GAD 74 SRR 60, dated 15th March 1961.**
- 6. Re-numbered under Notification NO. GAD 14 SRR 70A, dated 1st October 1971.**
- 7. Notification NO. DPAR 24 SRR 2004, Dated 20-11-2004.**
- 8. Inserted by Notification No. GAD 22 SSR 73, Dated 13th October 1976.**
- 9. Notification No. GOAD 12 SSR 69, Dated 13th November 1969.**
- 10. Inserted by Notification NO. GAD 22 SSR 73, dated 13th October 1976.**
- 11. Omitted by Notification No. GAD 28 SSR 69, Dated 12th December 1973.**
- 12. Notification No. GAD 26 SRR 69, dated 16th June 1969.**
- 13. Substituted by Notification No. DPAR 14 SSR 2006, dated 18th August 2006.**



GOVERNMENT OF KARNATAKA

THE KARNATAKA GOVERNMENT SERVANTS' (SENIORITY) RULES, 1957

(Amendment upto December 2020 incorporation)

**Department of Personnel and Administrative Reforms
(Service Rules)**

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