

KARNATAKA FIRE FORCE (MAINTENANCE OF DISCIPLINE AND REMOVAL FROM SERVICE) RULES, 1971

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SCHEDULE 1 :- SCHEDULE

KARNATAKA FIRE FORCE (MAINTENANCE OF DISCIPLINE AND REMOVAL FROM SERVICE) RULES, 1971

In exercise of the powers conferred by Section 39 of the Karnataka Fire Force Act, 1964 (Karnataka Act 42 of 1964), the Government of Karnataka hereby makes the following rules namely:-

1. Title and extent :-

- (1) These rules may be called the Karnataka Fire Force (Maintenance of Discipline and Removal from Service) Rules, 1971.
- (2) They apply to members of the Karnataka Fire Force.

2. Definitions :-

In these rules, unless the context otherwise requires.

- (a) "Act" means the Karnataka Fire Force Act, 1964 (Karnataka Act

42 of 1964);

(b) "Appointing Authority" in relation to a member of the Force shall be the authorities specified in column (3) of the Schedule;

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

(d) "Disciplinary Authority" in relation to the imposition of a penalty on a member of the Force means the authority competent under these rules to impose on him that penalty;

(e) "Governor" means the Governor of Karnataka acting on the advice of the Council of Ministers;

(f) "Schedule" means the Schedule to these rules;

(g) "Section" means a section of the Act.

3. Application :-

These rules apply to all members of the Force except.

(a) persons in casual employment;

(b) persons subject to discharge from service on less than one month's notice;

(c) persons for whose appointment and other matters covered by these rules, special provisions are made by or under any law for the time being in force, or in any contract, in regard to the matters covered by such law or such contract.

4. Disciplinary Authorities :-

(1) The Governor may impose any of the penalties specified in Rule 5 on any member of the Force.

(2) The authorities specified in column (4) of the Schedule and the authority or authorities to which such authority is subordinate may impose the penalties specified in column (5) on members of the Force specified in the corresponding entry in column (2) thereof.

5. Penalties :-

(1) The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on members of the Force, namely.

(A)

(i) Reduction to a lower rank, grade or post or to a lower time-scale

or to a lower stage in a time-scale;

(ii) Compulsory retirement;

(iii) Removal from service;

(iv) Dismissal from service.

(B)

(i) Censure;

(ii) Withholding of increments or promotion;

(iii) Recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders to the State Government or to the Central Government, any other State Government, any person, body or authority, to whom the services of the officer had been lent;

(iv) Suspension;

(v) Entry of a black mark against his name in the prescribed manner;

(vi) Fine.

(C)

(i) Punishment drill;

(ii) Extra guard, fatigue or other duty;

(iii) Warning:

Provided that the penalties specified in sub-clauses (i) and (ii) of clause (c) shall not be imposed on any officer of or above the rank of a Leading Fireman:

Provided further that the following shall not amount to a penalty within the meaning of this rule.

(i) withholding of increments of a member of the Force for failure to pass a departmental examination in accordance with the rules or orders governing the service or post or the terms of his appointment;

(ii) stoppage of a member of the Force at the efficiency bar in the time-scale on the ground of his unfitness to cross the bar;

(iii) non-promotion whether in a substantive or officiating capacity, of a member of the Force, after consideration of his case, to a class, grade or post for promotion to which he is eligible;

(iv) reversion to a lower class, grade or post of a member of the Force officiating in a higher class, grade or post on the ground that he is considered after trial, to be unsuitable for such higher class, grade or post or on administrative grounds unconnected with his conduct (such as the return of the permanent incumbent from leave or deputation, availability of a more suitable officer and the like);

(v) reversion to his permanent class, grade or post of a member of the Force appointed on probation to another class, grade or post during or at the end of the period of probation in accordance with the terms of his appointment or the rules and orders governing probation;

(vi) compulsory retirement of a member of the Force in accordance with the provisions relating to his superannuation or retirement;

(vii) termination of the service.

(a) of a person employed under an agreement, in accordance with the terms of such agreement; or

(b) of a person appointed, otherwise than under an agreement, to hold a temporary appointment on the expiration of the period of the appointment.

(2) Nothing in sub-rule (1).

(a) shall affect any liability of a member of the Force to a criminal prosecution for any offence with which he may be charged;

(b) shall entitle any authority subordinate to that by which the member of the Force was appointed, to compulsorily retire, remove or dismiss him.

6. Suspension :-

(1) The Government or the appointing authority or any authority to which such authority is subordinate or the authorities specified in column (4) of the Schedule may place a member of the Force specified in the corresponding entry in column (2) thereof under suspension.

(a) where a disciplinary proceedings against him is contemplated or is pending; or

(b) where a case against him in respect of any criminal offence is under investigation or trial:

Provided that where an order of suspension is made by an authority lower than the Appointing Authority, such authority shall forthwith report to the Appointing Authority the circumstances in which the order was made.

(2) A member of the Force who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of detention, by an order of the Appointing Authority and shall remain under suspension until further orders.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a member of the force under suspension is set aside in appeal and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement, and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a member of the Force is set aside or declared or rendered void in consequence of or by a decision of a Court of law, and the Disciplinary Authority, on a consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement was originally imposed, the member of the Force shall be deemed to have been placed under suspension by the Appointing Authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

(5) An order of suspension made or deemed to have been made under this rule may at any time be revoked by the authority which made the order or by any authority to which that authority is subordinate.

(6) Where a member of the Force has been suspended by an authority other than Government and final orders in the inquiry pending against him have not been passed within a period of six

months from the date of order of suspension, the case shall be reported to the Government for such orders as it may deem fit.

(7) Where on the conclusion of an inquiry against a member of the Force, the authority competent to impose any punishment.

(i) makes an order fully exonerating of acquitting him, the period during which he was under suspension pending the inquiry shall be deemed to be period of duty and the member of the Force concerned shall be entitled to full pay and allowances as if he had not been placed under suspension;

(ii) makes an order imposing any penalty, other than a penalty of suspension, compulsory retirement, removal from service or dismissal from service, the member of the Force concerned shall be paid, for the period of suspension such proportion of his pay and allowances as the said authority may in its discretion specify; and where no such proportion is specified, he shall be paid the maximum subsistence allowance admissible under the rules relating to grant of subsistence allowance and the period of suspension shall count as 'duty' unless the said authority has otherwise directed;

(iii) makes an order imposing the penalty of suspension, compulsory retirement, removal from service, or dismissal from service, the member of the Force concerned shall be paid for the period of suspension such proportion of his pay and allowances as the said authority may in its discretion specify and where no such proportion is specified the maximum subsistence allowance admissible under the rules relating to grant of subsistence allowance and the period of suspension shall not count as 'duty' for any purpose unless the said authority has otherwise directed.

7. Procedure for imposing major penalties :-

(1) No order imposing on a member of the Force any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of sub-rule (1) of Rule 5 shall be passed except after an inquiry held, as far as may be, in the manner hereinafter provided.

(2) The Disciplinary Authority or any authority specially empowered by it in this behalf (hereinafter in this rule referred to as 'specially empowered authority') shall frame definite charges on the basis of the allegations on which the inquiry is proposed to be held. Such charges, together with a statement of the allegation on which they are based, shall be communicated in writing to the member of the

Force and he shall be required to submit, within such time as may be specified by the Disciplinary Authority or the specially empowered authority, a written statement of his defence and also to state whether he desires to be heard in person.

(3) The member of the Force shall, for the purposes of preparing his defence, be permitted to inspect and take extracts from such official records as he may specify, provided that such permission may be refused if, for reasons to be recorded in writing in the opinion of the Disciplinary Authority or specially empowered authority such records are not relevant for the purpose or it is against the public interest to allow him access thereto.

(4) On receipt of the written statement of defence, or if no such statement is received within the time specified, the Disciplinary Authority or specially empowered authority may inquire into such of the charges as are not admitted.

(5) The Disciplinary Authority or the specially empowered authority, as the case may be, may nominate any person to present the case in support of the charges before the authority inquiring into the charges (hereinafter referred to as the 'Inquiring Authority')- The member of the Force may present his case with the assistance of any other member of the Force, but may not engage a legal practitioner for the purpose unless the Disciplinary Authority or specially empowered authority as the case may be, having regard to the circumstances of the case, so permits.

(6) The Inquiring Authority shall, in the course of the inquiry consider such documentary evidence and take such oral evidence as may be relevant or material in regard to the charges. The member of the Force shall be entitled to cross-examine witnesses examined in support of the charges and to give evidence in person and to examine witnesses in his behalf. The person presenting the case in support of the charges shall be entitled to cross-examine the member of the Force and the witnesses examined in his defence. If the Inquiring Authority declines to examine any witness on the ground that his evidence is not relevant or material it shall record its reasons in writing.

(7) At the conclusion of the inquiry the Inquiring Authority shall prepare a report of the inquiry and record its findings on each of the charges together with the reasons therefor. If, in the opinion of such authority the proceedings of the inquiry establish charges

different from those originally framed, it may record findings on such charges provided that findings on such charges shall not be recorded unless the member of the Force has admitted the facts constituting them or has had an opportunity of defending himself against them.

(8) The record of the inquiry shall include.

(i) the charges framed against the member of the Force and the statement of allegations furnished to him under sub-rule (2);

(ii) his written statement of defence, if any;

(iii) the oral evidence taken in the course of the inquiry;

(iv) the documentary evidence considered in the course of the inquiry;

(v) the orders, if any, made by the Disciplinary Authority and the Inquiring Authority in regard to the inquiry; and

(vi) a report setting out the findings on each charge and the reasons therefore.

(9)

(a) Where the Disciplinary Authority competent to impose any of the penalties specified in clause (b) or (c) of sub-rule (1) of Rule 5 has inquired into the charges and that authority having regard to its findings, is of the opinion that penalties specified in clause (a) of sub-rule (1) of that rule should be imposed that authority shall forward the record of the inquiry to the Disciplinary Authority competent to impose the last mentioned penalties for considering the record and recording its findings on each charge;

(b) Where the Disciplinary Authority is not the Inquiring Authority, it shall consider the record of the inquiry and record its findings on each charge:

Provided that where such Disciplinary Authority, having considered the record of the inquiry, is of the opinion that any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of sub-rule (1) of Rule 5 should be imposed, but is not competent to impose any of the said penalties, that authority shall forward the record of the inquiry to the Disciplinary Authority competent to impose the said penalties for recording its findings under this sub-rule.

(10) If the Disciplinary Authority, having regard to its findings on the charges, is of the opinion that any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of sub-rule (1) of Rule 5 should be imposed, it shall.

(a) furnish to the member of the Force a copy of the report of the Inquiring Authority and where the Disciplinary Authority is not the Inquiring Authority a statement of its finding together with brief reasons for disagreement, if any, with the findings of the Inquiring Authority; and

(b) give him a notice stating the action proposed to be taken against him and calling upon him to submit within a specified time such representation as he may wish to make against the proposed, action, provided that such representation shall be based only on the evidence adduced during the enquiry.

(11)

(i)

(a) In every case in which it is necessary to consult the Commission, the record of the inquiry, together with a copy of the notice given under sub-rule (10) and the representation made in response to such notice, if any, shall be forwarded by the Disciplinary Authority to the Commission for its advice on the penalties proposed to be imposed on the member of the Force;

(b) On receipt of the advice of the Commission, the Disciplinary, Authority shall consider the representation, if any, made by the member of the Force as aforesaid, and the advice given by the Commission and determine what penalty, if any, should be imposed on the member of the Force and pass appropriate orders in the case;

(ii) In any case in which it is not necessary to consult the Commission, the Disciplinary Authority shall consider the representation, if any, made by the member of the Force in response to the notice under sub-rule (10) and determine what penalty, if any, should be imposed on the member of the Force and pass appropriate orders in the case.

(12) If the Disciplinary Authority having regard to its findings is of the opinion that any of the penalties specified in clause (b) or (c) of sub-rule (1) of Rule 5 should be imposed, it shall pass appropriate

orders in the case:

Provided that in every case in which it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the Disciplinary Authority to the Commission for its advice and such advice taken into consideration before passing these orders.

(13) Orders passed by the Disciplinary Authority shall be communicated to the member of the Force who shall also be supplied with a copy of the report of the Inquiring Authority and where the Disciplinary Authority is not the Inquiring Authority, a statement of its findings together with brief reasons for disagreement, if any, with the findings of the Inquiring Authority, unless they have already been supplied to him, and also a copy of the advice, if any, given by the Commission, and, where the Disciplinary Authority has not accepted the advice of the Commission, a brief statement of the reasons for such non-acceptance.

Explanation. In this rule, except in sub-rule (10), the expression the 'Disciplinary Authority' shall include the authority competent under these rules to impose upon the Government servant any of the penalties specified in clauses (b) and (c) of sub-rule (1) of Rule 5.

8. Procedure for imposing Minor Penalties :-

(1)

(a) No order imposing any of the penalties specified in sub-clauses (i) to (vi) of clause (b) and sub-clause (iii) of clause (c) of sub-rule (1) of Rule 5 shall be passed except after.

(i) the member of the Force is informed in writing by the Disciplinary Authority of the proposal to take action against him and of the allegations on which it is proposed to be taken, and given an opportunity to make any representation he may wish to make;

(ii) such representation, if any, is taken into consideration by the Disciplinary Authority; and

(iii) the Commission is consulted in cases where such consultation is necessary.

(b) The record of proceedings in such cases shall include.

- (i) a copy of the intimation to the member of the Force of the proposal to take action against him;
- (ii) a copy of the statement of allegations communicated to him;
- (iii) his representation, if any;
- (iv) the advice of the Commission, if any; and
- (v) the orders on the case together with the reasons therefore.

(2) No order imposing any of the penalties specified in sub-clauses (i) and (ii) of clause (c) of sub-rule (1) of Rule 5 shall be passed except after the member of the Force is informed orally of the proposal to take action against him and of the allegations on which it is proposed to be taken and given an opportunity to make orally any representation he may wish to make. The allegations, representations and the order made thereon shall be briefly recorded by the Disciplinary Authority in a register maintained for the purpose.

9. Joint Inquiry :-

(1) Where two or more members of the Force are concerned in any case, the authority competent to impose the penalty of dismissal from service on all such members of the Force may make an order directing that disciplinary action against all of them may be taken in a common proceeding.

(2) Such order shall specify

- (i) the authority which may function as the Disciplinary Authority for the purpose of such proceeding;
- (ii) the penalties specified in Rule 5 which such Disciplinary Authority shall be competent to impose; and
- (iii) whether the procedure prescribed in Rule 7 or Rule 8 may be followed in the proceeding.

10. Special procedure in certain cases :-

(1) Notwithstanding anything contained in Rules 7, 8 and 9.

- (i) where a penalty is imposed on a member of the Force on the ground of conduct which has led to his conviction on a criminal charge; or
- (ii) where the member of the Force concerned has absconded, or

does not take part in the inquiry or where for any reasons to be recorded in writing it is impracticable to communicate with him, or where the Disciplinary Authority, for reasons to be recorded in writing, is satisfied that it is not reasonably practicable to follow the procedure prescribed in the said rules; or

(iii) where the Governor is satisfied that in the interest of the security of the State it is not expedient to follow such procedure, the Disciplinary Authority may consider the circumstances of the case and pass such orders thereon as it deems fit:

Provided that the Commission shall be consulted before passing such orders in any case in which such consultation is necessary.

(2) The following provisions shall, notwithstanding anything contained in Rules 4, 6, 7 and 9 be applicable for purposes of proceedings against members of the Force whose alleged misconduct has been investigated into by the Vigilance Commission either suo motu or on a reference from Government or from another authority, viz.

(a) where on investigation into any allegation against a member of the Force the Vigilance Commission is of the opinion that disciplinary proceedings shall be taken, it shall forward the record of investigation along with its recommendations to the Government, and the Government, after examining such records, may either direct an inquiry into the case by the Vigilance Commission or direct the appropriate Disciplinary Authority to take action in accordance with Rule 8;

(b) where the Vigilance Commission is directed to hold an inquiry into a case under clause (a), the inquiry may be conducted either by the Vigilance Commissioner or by an officer of the Directorate of Vigilance authorised by the Vigilance Commissioner to conduct the inquiry:

Provided that the inquiry of a case relating to a member of the Force shall not be conducted by an officer lower in rank than that of such member of the Force.

(c) the Vigilance Commissioner or the officer authorised to conduct the inquiry under clause (b) shall conduct the inquiry in accordance with the provisions of sub-rules (2), (3), (4), (5), (6) and (7) of Rule 7 and for the purpose of such inquiry shall have the power of the specially empowered authority referred to in the said rule;

(d) after the inquiry is completed the records of the case with the finding of the inquiring officer and the recommendations of the Vigilance Commissioner shall be sent to the Government;

(e) on receipt of the records under clause (d), the Government shall take action in accordance with the provisions of sub-rules (9) to (13) of Rule 7 and in all such cases the Government shall be the Disciplinary Authority competent to impose any of the penalties specified in Rule 5.

Explanation. In this rule, the expressions 'Vigilance Commission', 'Vigilance Commissioner' and the 'Directorate of Vigilance' shall respectively have the meanings assigned to them in the Karnataka State Vigilance Commission Rules, 1965.

11. Provisions regarding lent officers :-

(1) Where the services of a member of the Force are lent to the Central Government, any State Government or to a local or other authority (hereinafter in this rule referred to as 'the borrowing authority'), the borrowing authority shall have the powers of the Appointing Authority for the purpose of placing him under suspension and of the Disciplinary Authority for the purpose of taking a disciplinary proceeding against him:

Provided that the borrowing authority shall forthwith inform the authority which lent his services (hereinafter in this rule referred to as 'the lending authority') of the circumstances leading to the order of his suspension or the commencement of the disciplinary proceeding, as the case may be.

(2) In the light of the findings in the disciplinary proceeding taken against the member of the Force. (i) if the borrowing authority is of the opinion that any of the penalties specified in clause (b) or (c) of sub-rule (1) of Rule 5 should be imposed on him, it may, in consultation with the lending authority pass such orders on the case as it deems necessary:

Provided that in the event of a difference of opinion between the borrowing authority and the lending authority, the services of the member of the Force shall be replaced at the disposal of the lending authority. (ii) if the borrowing authority is of the opinion that any of the penalties specified in clause (a) of sub-rule (1) of Rule 5 should be imposed on him it shall replace his services at the disposal of the lending authority and transmit to it the proceedings

of the inquiry, and thereupon the lending authority may, if it is the Disciplinary Authority, pass such orders thereon as it deems necessary, or if it is not the Disciplinary Authority, submit the case to the Disciplinary Authority which shall pass such orders on the case as it deems necessary:

Provided that in passing any such order the Disciplinary Authority shall comply with the provisions of sub-rules (10) to (13) of Rule 7. Explanation. The Disciplinary Authority may make an order under clause (ii) of sub-rule (2) on the record of the inquiry transmitted by the borrowing authority, or after holding such further inquiry as it may deem necessary.

12. Provisions regarding borrowed officers :-

(1) Where an order of suspension is made or a disciplinary proceeding is taken against a member of the force whose services have been borrowed from the Central Government, any State Government or a local or other authority, the authority lending his services (hereinafter in this rule referred to as 'the lending authority') shall forthwith be informed of the circumstances leading to the order of his suspension or of the commencement of the disciplinary proceeding, as the case may be.

(2) In the light of the findings in the disciplinary proceeding taken.

(i) if the Disciplinary Authority is of the opinion that any of the penalties specified in sub-clauses (i), (ii), (iii), (iv) and (vi) of clause (b) of sub-rule (1) of Rule 5 should be imposed on him, it may, subject to the provisions of sub-rule (12) of Rule 7, after consultation with the lending authority, pass such orders on the case as it deems necessary:

Provided that in the event of difference of opinion between the borrowing authority and the lending authority his services shall be replaced at the disposal of the lending authority;

(ii) if the Disciplinary Authority is of the opinion that any of the penalties specified in sub-clauses (i) to (iv) of clause (a) of sub-rule (1) of Rule 5 should be imposed on him it shall replace his services at the disposal of the lending authority and transmit to it the proceedings of the inquiry for such action as it deems necessary.

13. Appeals :-

(1) Against an order passed by any authority imposing any of the

penalties specified in Rule 5, or an order placing a member of the Force under suspension under Rule 6, an appeal shall lie.

(a) to the Director where such order is made by an authority subordinate to him;

(b) to the Government where such order is made by any other authority;

(c) to the Governor where such order is made by the Government:

Provided that no appeal shall lie in case the penalties imposed are those specified in clause (c) of sub-rule (1) of Rule 5.

(2) Notwithstanding anything contained in this rule no appeal shall lie against any order made by the Governor.

(3) No appeal shall be entertained unless it is submitted within a period of three months from the date of communication of the order appealed against:

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period, if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.

14. Form and Contents of Appeal :-

(1) Every person submitting an appeal shall do so separately and in his own name.

(2) Every appeal shall be accompanied by a copy of the order appealed against and shall contain all material statements and arguments relied on by the appellant, shall not contain any disrespectful or improper language and shall be complete in itself.

15. Consideration of Appeals :-

(1) On receipt of an appeal, the Appellate Authority may, if it is satisfied that the appeal is maintainable, call for the relevant records and the comments on the contentions in the appeal from the authority which passed the order appealed against.

(2) In the case of an appeal against an order of suspension under Rule 6, the Appellate Authority shall consider whether in the light of the provisions of Rule 6 and having regard to the circumstances of the case, the order of suspension is or is not justified and confirm or revoke the order accordingly.

(3) In the case of an appeal against an order imposing any of the penalties specified in Rule 5, the Appellate Authority shall consider.

(a) whether the procedure prescribed in these rules has been complied with, and, if not whether such non-compliance has resulted in violation of any provisions of the Constitution of India or in failure of justice;

(b) whether the findings are justified; and

(c) whether the penalty imposed is excessive, adequate or inadequate; and after consultation with the Commission if such consultation is necessary in the case pass orders.

(i) setting aside, reducing or confirming the penalty; or

(ii) remitting the case to the authority which imposed the penalty with such directions, as it may deem fit in the circumstances of the case.

16. Review :-

1 [Notwithstanding anything contained on these rules the Government may at any time, either on its own motion or otherwise, after calling for records of the case, review any order passed under these rules when any new material or evidence, which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case has come or has been brought to its notice or if in its opinion any an order imposing penalty cannot be given effect to or if an order imposing penalty is not legally valid and;

(a) Confirm, modify or set aside the order;

(b) impose any penalty or set aside, reduce, confirm or enhance the penalty imposed by the order;

(c) remit the case to the authority which made the order or to any other authority directing such further action or inquiry as is considered proper in the circumstances of the case; or

(d) Pass such other orders as it deems fit:

Provided that.

(i) an order imposing or enhancing a penalty shall not be passed unless the person concerned has been given a reasonable

opportunity of making any representation, against the penalty proposed; and

(ii) If the Government proposes to impose any of the penalties specified in sub-clause (i) to (iv) of clause (A) of sub-rule (1) of Rule 5 or to enhance a penalty imposed by the order sought to be reviewed to any of the penalties specified in the said sub-clauses (i) to (iv) in a case wherein inquiry under Rule 7 has not been held, no such penalty shall be imposed except after enquiring in the manner laid in Rule 7 subject to the provisions of Rule 10 and except after consultation with the Commission where such consultation is necessary.]

1. Rule 16 substituted by Notification No. HD 387 SFB 99, dated 10-7-2000, w.e.f. 3-8-2000

17. Review of orders in disciplinary cases :-

The authority to which an appeal against an order imposing any of the penalties specified in Rule 5 lies, may, of its own motion or otherwise, call for the records of the case in a disciplinary proceeding, review any order passed in such a case and after consultation with the Commission, where such consultation is necessary, pass such orders as it deems fit, as if the member of the Force had preferred an appeal against such order:

Provided that no action under this rule shall be initiated more than six months after the date of the order to be reviewed.

18. Appearance of Legal Practitioners :-

Save as otherwise provided in these rules, no legal practitioner or agent shall be allowed to appear in any proceeding under these rules.

19. Repeal and Savings :-

1 [(1) The Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 to the extent of which they apply to persons to whom these rules apply are hereby repealed:

Provided that.

(a) such repeal shall not affect the previous operation of the said rules or anything done or any action taken thereunder;

(b) any proceedings under the said rules pending at the commencement of these rules shall be continued and disposed of,

as far as may be, in accordance with the provisions of these rules.

(2) Nothing in these rules shall operate to deprive any person to whom these rules apply of any right of appeal which had accrued to him under the rules repealed by sub-rule (1) in respect of any order passed before the commencement of these rules.

(3) An appeal pending at or preferred after the commencement of these rules against an order made before such commencement shall be considered and orders thereon shall be passed, in accordance with these rules.]

1. Rule 19 inserted by GSR 227, dated 29-4-1972, w.e.f. 15-6-1972.

SCHEDULE 1

SCHEDULE

| SCHEDULE | | | | |
|-----------------|---------------------------|--------------------------------|---|---|
| SI. No. | Class of posts | Authority empowered to appoint | Authority empowered to impose penalties and penalties which it may impose | |
| | | | Authority | Penalties specified in the rules |
| (1) | (2) | (3) | (4) | (5) |
| 1. | Chief Fire Officer | Government | Government | A (i to iv) B (i to iv) |
| 2. | Deputy Chief Fire Officer | Director, Fire Force | Government Director Deputy Director | A (iii and iv) A (i and ii) and B (i to iv) |
| 3. | Section Officer | Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to iv and vi) C (iii) |
| 4. | Sub-Officer | Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to iv and vi) C (iii) |
| 5. | Assistant Sub-Officer | Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to iv and vi) C (iii) |
| 6. | Driver, Mechanic | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 7. | Leading Fireman | Deputy Director, | Director | A (i to iv) |

| | | | | |
|-----|----------------------------------|--------------------------------|---|--|
| | | Fire Force | Deputy Director Chief Fire Officer | B (i to vi) C (i to iii) |
| 8. | Fireman, Driver | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 9. | Fireman, Telephone Operator | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 10. | Fireman | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 11. | Engineering Sub-Officer | Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to iv and vi) C (iii) |
| 12. | Fitter, Class I | Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to iv and vi) C (iii) |
| 13. | Fitter, Class II | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 14. | Fitter, Class III | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 15. | Electrician, Class II | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 16. | Carpenter, Class III | Deputy Director, Fire Force | Director Deputy Director | A (i to iv) B (i to vi) C (i to iii) |
| 17. | Welder-cum-Tinsmith, Class II | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 18. | Painter, Class II | Deputy Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to vi) C (i to iii) |
| 19. | Cleaner | Deputy Director, | Director | A (i to iv) |

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| | | Fire Force | Deputy Director | B (i to vi) |
| | | | Chief Fire Officer | C (i to iii) |
| 20. | Commandant, Training Centre | Government | Government | A (i to iv) B (i to iv) |
| 21. | Chief Instructor, Training Centre | Director, Fire Force | Government Director Deputy Director | A (iii and iv) A (i and ii) and B (i to iv) B (i to iv) |
| 22. | Instructor, Training Centre | Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to iv and vi) C (iii) |
| 23. | Demonstrators, Training Centre | Director, Fire Force | Director Deputy Director Chief Fire Officer | A (i to iv) B (i to iv and vi) C (iii) |