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## **KARNATAKA PUBLIC SERVICE COMMISSION (FUNCTIONS) RULES, 1973**

### **CONTENTS**

1. Title and commencement
2. Definitions
3. Rulea of recruitment
4. Direct recruitment by examination
5. Direct recruitment by selection
6. Recruitment by promotion
7. Assistance for interviews
8. Recruitment by transfer
9. Re-employment after retirement
10. Special procedure in certain cases
11. Miscellaneous
12. Repeal and savings

## **KARNATAKA PUBLIC SERVICE COMMISSION (FUNCTIONS) RULES, 1973**

In exercise of the powers conferred by Sections 15 and 18 of the Karnataka Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 (Karnataka Act 20 of 1959), the Government of Karnataka after consultation with the Karnataka Public Service Commission hereby makes the following rules, namely

### **1. Title and commencement :-**

(1) These rules may be called the Karnataka Public Service Commission (Functions) Rules, 1973.

(2) They shall come into force at once.

### **2. Definitions :-**

In these rules, unless the context otherwise requires.-

(1) "Act" means the Karnataka Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 (Karnataka Act 20 of 1959);

(2) "Appointing Authority" means the Government or the authority mentioned in Column 2 of Schedule II to the Karnataka Civil

Services (Classification, Control and Appeal) Rules, 1957;

(3) "Service" means a service or a category of posts in the Civil Service of the State and includes a civil post.

### **3. Rulea of recruitment :-**

When the Commission is consulted in regard to the making of rules of recruitment relating to any service the Commission shall advice on all matters relating to recruitment including the methods of recruitment minimum qualifications, syllabus for written examination if any, principles to be followed in recruitment and such other matters.

### **4. Direct recruitment by examination :-**

(1) On receipt of requisition from an Appointing Authority for direct recruitment to any service by competitive examination, the Commission shall.-

(a) openly advertise by notification in the Karnataka Gazette and in such other manner as it deems fit, specifying therein the conditions of eligibility, the nature of competition, the syllabus for the competitive examination, the provisional number of vacancies to be filled, reservation in favour of Scheduled Castes, Scheduled Tribes and Other Backward Classes and all other relevant particulars and invite applications, in such form and before such date and on payment of such fees as may be specified by the Commission, from intending candidates who possess the required qualification;

(b) scrutinise the applications received and issue admission certificates to such of those whose applications are in order and who fulfill the required conditions;

(c) subject to the provisions of the relevant rules of recruitment.-

(i) make all arrangements for the conduct of the written examination and interview or viva voce, if any, at such centre or centres as may be decided by the Commission; and

(ii) on the basis of marks obtained in the written examination and interview or viva voce, if any and taking into consideration the orders in force relating to reservation of posts for Scheduled Castes, Scheduled Tribes, and other Backward Classes, prepare in the order of merit a list of selected candidates.

<sup>1</sup>(1A) The Commission shall publish on the notice board of the

Commission.-

(a) immediately after the completion of valuation of a written examination, a list showing the total marks obtained by each candidate in the said examination and indicating the candidates who are eligible for interview; and

(b) on each day on which the interview or viva voce is held or on the day following but before the commencement of the interview or viva voce on that day, a list of marks obtained by each candidate in the said interview or viva voce:

Provided that where the interview or viva voce is held in any place other than Bangalore the said list shall be published in such other place.

(2) The Commission shall publish the list of selected candidates prepared under clause (c) of sub-rule (1) in the Karnataka Gazette, and also on the notice board of the office of the Commission and communicate the result to the candidates concerned if he applies for the same along with the cost of postage and forward a copy thereof to the Appointing Authority concerned along with the applications of the selected candidates.

(3) The Commission shall, on an application by a candidate <sup>2</sup><sup>3</sup>[within sixty days from the date of publication of the eligibility list under item (a) of sub-rule (1-A) on the Notice Board], or within forty-five days from the date of despatch of the marks list by the Commission whichever is later make necessary arrangements for retotalling of marks secured by any candidate and communicate the result thereof to the candidate within thirty days from the date of receipt of such application. Fee for the retotalling of marks for each paper shall be ten rupees or such other sum not exceeding ten rupees as may be fixed by the Commission. <sup>4</sup>[For the re-totalling of marks the Secretary and Controller of Departmental Examinations, Kamataka Public Service Commission shall be paid a fee of one rupee for each answer book.

<sup>5</sup> (4) The Commission shall furnish to every candidate a list of marks obtained by him in the written examination and interview or viva voce and for this purpose, collect a fee of rupees two from each candidate along with the application fee.

(5) The Commission shall, on an application by a candidate within one year from the date of publication of the results, furnish to him

a list of marks obtained by any other candidate in the written examination and

1. Sub-rule (1-A) of Rule 4 inserted by GSR 297, dated 26-9-1978, w.e.f. 12-10-1978
2. Substituted for the words "within thirty days from the date of publication of the results" by GSR 30, dated 22-1-1980, w.e.f. 31-6-1980
3. Substituted for the words "within forty-five days from the date of publication of the results" by GSR 215, dated 8-8-1986, w.e.f. 21-8-1986
4. Inserted by GSR 168, dated 19-4-1984, w.e.f. 5-7-1984
5. Sub-rules (4) and (5) substituted for sub-rule (4) by GSR 222, dated 23-5-1977, w.e.f. 21-7-1977

## **5. Direct recruitment by selection :-**

(1) On receipt of requisition from an Appointing Authority for direct recruitment to any service by selection the Commission shall.-

(a) openly advertise by notification in the Karnataka Gazette and in such other manner, as it deems fit specifying the condition of eligibility, the nature of competition, the provisional number of vacancies to be filled, reservation in favour of Scheduled Castes, Scheduled Tribes and other Backward Classes and all other relevant particulars and invite applications, in such form and before such date and on payment of such fees, if any, as may be specified by the Commission in the advertisement, from intending candidates who possess the required qualifications;

<sup>1</sup>[(b) scrutinise the applications received and make selections in accordance with Karnataka State Civil Services (Direct Recruitment by Selection) Rules, 1973.]

<sup>2</sup>[(1A) The Commission shall publish on the notice board of the Commissioner, on each day on which interview or viva voce is held or on the day following but before the commencement of the interview or viva voce on that day, a list of marks obtained by each candidate in the said interview or viva voce:

Provided that where the interview or viva voce is held in any place other than Bangalore the said list shall be published in such other place.

(2) The Commission shall publish the list of candidates selected under clause (b) of sub-rule (1) in the Karnataka Gazette and also on the notice board of the office of the Commission and

communicate the result to the candidate concerned if he applies for the same along with the cost of postage and forward a copy thereof to the Appointing Authority concerned along with the applications of the selected candidates.

**3** [(3) The Commission shall furnish to every candidate a list of marks obtained by him in the qualifying examination and interview or viva voce and for this purpose, collect a fee of rupees two from each candidate along with the application fee.

(4) The Commission shall, on an application by a candidate within one year from the date of publication of the results, furnish to him a list of marks obtained by any other candidate in the qualifying examination and interview or viva voce. Fee for the list of marks of each candidate shall be two rupees or such other sum not exceeding two rupees as may be fixed by the Commission.

Explanation.-For purposes of sub-rules (3) and (4) the expression "qualifying examination" shall have the meaning assigned to it in Karnataka State Civil Services (Direct Recruitment by Selection) Rules, 1973.

1. Clause (b) substituted by GSR 222, dated 23-5-1977, w.e.f. 21-7-1977

2. Sub-rule (1-A) of Rule 6 inserted by GSR 297, dated 26-9-1978, w.e.f. 12-10-1978

3. Sub-rules (3) and (4) substituted for sub-rule (3) by GSR 222, dated 23-5-1977, w.e.f. 21-7-1977.

## **6. Recruitment by promotion :-**

(1) When the Commission is consulted in regard to the suitability of any candidate or candidates for promotion, the Commission shall.-

(i) if the promotion is to be by selection consider the suitability of all eligible candidates in all respects and advice in respect of each such candidate whether he is merited or suitable to discharge the duties attached to the service to which it is proposed to appoint and prepare in the order of merit a list of such number of candidates as is equal to the number of vacancies;

(ii) if the promotion is to be on the basis of seniority-cum-merit, consider the candidates eligible for promotion, in the order of seniority subject to fitness to discharge the duties attached to the service of which it is proposed to appoint and prepare a list of such number of candidates as is equal to the number of vacancies, and

forward a copy thereof to the Appointing Authority.

(2) For the purpose of determining the suitability of candidates under sub-rule (1) the Commission shall have power to summon the candidates and to interview them.

**7. Assistance for interviews :-**

For purposes of interview under these rules, the Commission may take the assistance of such officer of the State Government or other specialist as the Commission deems necessary.

**8. Recruitment by transfer :-**

When the Commission is consulted in regard to the suitability of any candidate or candidates for transfer from one class of service to another class of service the Commission shall consider the suitability of such candidate and advise whether his qualifications are sufficient and whether his record proves him to be suitable to discharge the duties attached to the service to which it is proposed to transfer him.

**9. Re-employment after retirement :-**

When the Commission is consulted in regard to the reemployment of any person who has retired on civil pension, the Commission shall consider the suitability of the persons proposed in all respect and advise whether his qualifications are sufficient and whether his record proves him to be suitable to discharge the duties attached to the service to which it is proposed to appoint him.

**10. Special procedure in certain cases :-**

Notwithstanding anything contained in Rule 3, Rule 4, Rule 5, Rule 6, Rule 7 and Rule 8 the State Government may, in consultation with the Commission, by order, prescribe a special procedure in regard to recruitment to any particular service.

**11. Miscellaneous :-**

(1) Appointments, promotions, and transfers, made by any Appointing Authority in contravention of the relevant rules of recruitment and the Karnataka Public Service Commission Consultation) Regulations, 1958 shall be reported to the Government by the Commission.

(2) The Government shall furnish to the Commission any information which the Commission considers it necessary for consideration of any matter referred to it for consultation unless it

is certified by the Chief Secretary to Government that same cannot be furnished without undue labour or should be withheld in the public interest.

**12. Repeal and savings :-**

The Karnataka Public Service Commission (Functions) Rules, 1957, are hereby repealed.