

KARNATAKA PUBLIC SERVICE COMMISSION (SERVICES OF LOCAL AUTHORITIES) (FUNCTIONS) RULES, 1963

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KARNATAKA PUBLIC SERVICE COMMISSION (SERVICES OF LOCAL AUTHORITIES) (FUNCTIONS) RULES, 1963

In exercise of the powers conferred by Section 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 make the following rules.

1. Preliminary :-

These rules may be called the Karnataka Public Service Commission (Services of Local Authorities) (Functions) Rules, 1963.

2. In these rules, unless the context otherwise requires :-

- (a) "Commission" means the Karnataka Public Service Commission;
- (b) "Government" means the Government of Karnataka;
- (c) "Member" means a member of the Commission and includes the Chairman thereof; and
- (d) "Service" or "Post" means service or post as the case may be under a local authority.

3. Recruitment by Examination :-

When any competitive examination is to be conducted by the

Commission for the purpose of direct recruitment to a service, the Commission shall-

(1) after a requisition for recruitment is received from a local authority, invite applications from intending candidates after giving due publicity to conditions of eligibility, nature of competition, number of vacancies to be filled wherever possible, and any other relevant material;

(2) scrutinise applications received and admit such of them as fulfill the prescribed conditions and make all arrangements for the actual conduct of the examination, at such centre or centres as may be decided by the Government in consultation with the Commission;

(3) also conduct interviews or viva voce examination where required and ¹[prepare a list of the names of candidates successful in the written examination and/or interviews or viva voce examination in the order of merit];

²[(4) The names of candidates included in the list prepared under subrule (3) shall be published in the Karnataka Gazette and a copy of such list shall be forwarded to the local authority.]

³ [(5)] make necessary arrangements for supplying the marks card showing the marks obtained by any candidate on payment of such fee not exceeding two rupees in the case of each marks card, as may be prescribed by the Commission.

1. Substituted for the words "arrange the candidates in order of merit on the results of the written examination and/or interviews or viva voce examination" by GSR 367, dated 6-1-1965

2. Sub-rule (4) substituted for sub-rules (4) and (5) by GSR 367, dated 6-1-1965

3. Sub-rule (6) renumbered as sub-rule (5) by GSR 367, dated 6-1-1965

4. Recruitment by selection :-

When recruitment to a service or post is to be made by selection, and consultations with the Commission is required, the Commission shall,-

(1) after a requisition for recruitment is received from a local authority invite applications from intending candidates after giving due publicity to conditions of eligibility, nature of competition, number of vacancies to be filled where possible, and any other relevant material;

(2) consider all applications received and when necessary interview such candidates as fulfill the prescribed conditions and select whom it considers most suitable for appointment.

(3) forward to the local authority a list consisting of such number as it may fix, of the candidates whom the Commission considers most suitable for appointment in the order of preference:

Provided that the Commission may invite a Local Authority to nominate an officer to be present at the interview referred to in clause (2) to assist the Commission in its work of selection.
Recruitment by promotion

5. . :-

(1) When recruitment is to be made by promotion to any post and consultation with the Commission is required, the Commission shall.-

(i) consider the claims of candidates nominated by the local authority;

(ii) consider the case of every candidate senior to the candidates nominated;

(iii) thereafter make a selection according as the appointment is to be by selection or on the basis of seniority subject to fitness, and advise the local authority in respect of each candidate referred to in clauses (i) and (ii) whether his qualifications are sufficient and whether his record proves him to have the requisite character and ability for the post or service to which it is proposed to appoint him; and

(iv) arrange the candidates in the order of preference.

(2) When considering the suitability of candidates under this rule if the Commission feels any doubt about the fitness of any candidate, it may summon that candidate for an interview:

Provided that when considering the claims of persons serving the local authority nominated by a local authority and when the candidate is summoned for an interview, the Commission may invite the local authority to nominate a representative to be present on its behalf. Recruitment by Transfer

6. . :-

When recruitment is to be made by transfer of an officer from

service under Government to any post in the service under a local authority and consultation with the Commission is required, the Commission shall advise in respect of any candidate nominated whether his qualifications are sufficient and whether his record proves him to have the necessary character and ability for the service or post to which it is proposed to transfer him.

7. . :-

Notwithstanding anything contained in Rules 3, 4 and 5, the State Government may, with the concurrence of the Commission, prescribe in any particular class of cases a special procedure as more appropriate than the one prescribed in any of the said rules. Disciplinary and other matters.

8. . :-

In any case in which the Commission is consulted on any disciplinary matter or on any memorial or petition relating to such matter, the record of the case shall be forwarded to the Commission and the opinion given by the Commission shall form part of the record. A copy of such opinion or of the portion of the opinion which relates to particular officer or officers shall, unless the local authority otherwise decides, be communicated to the officer or officers concerned along with a copy of the order of the authority empowered to pass orders on the case.

9. . :-

In cases in which a person is to be continued in service beyond the date of superannuation or is to be re-employed in service after retirement, the Commission shall be consulted by a local authority before such retention in service or re-employment is ordered, except where the period of such retention or re-employment is for a period of not more than twelve months.

10. . :-

Appointments, promotions and transfers made by a local authority in contravention of the service rules may be reported to Government by the Commission.

11. . :-

The Commission may at any time call from a local authority for any information which may be necessary for consideration of any matter referred to it for opinion and such information shall be furnished to the Commission unless it is certified that the same-

(a) cannot be furnished without undue labour; and

(b) should be withheld in the public interest. The authority to issue such certificate shall be the Divisional Commissioner for Corporations and City Municipalities and the Deputy Commissioners for the other local bodies. All matters pending on the date of commencement of these rules shall be dealt with as far as may be, in accordance with these rules.