



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ- IV-A	ಬೆಂಗಳೂರು, ಮಧ್ಯವಾರ, ನವೆಂಬರ್ ೬, ೨೦೧೩ (ಕಾರ್ತಿಕ ೧೫, ಶಕ ವರ್ಷ ೧೯೩೫)	ನಂ.೧೨೫೨
Part- IV-A	Bangalore, Wednesday, November 6, 2013 (Karthika 15, Shaka Varsha 1935)	No. 1252

**PERSONNEL AND ADMINISTRATIVE REFORMS SECRETARIAT
NOTIFICATION**

No. DPAR 06 PLX 2012, Bangalore, dated: 06.11.2013

The following Order made by the Governor is hereby published for general information:-

THE HYDERABAD-KARNATAKA REGION DEVELOPMENT BOARD ORDER, 2013

In exercise of the powers conferred by clause of the Karnataka (Special Responsibility of the Governor for Hyderabad-Karnataka Region) order, 2013, the Governor of Karnataka hereby makes, the following order, namely:-

1. Title and commencement.- (1) This order may be called the Hyderabad-Karnataka Region Development Board Order, 2013.

(2) It shall come into force on the day of its publication in the official Gazette.

2. Definitions.- In this Order, unless the context otherwise requires,-

- "Board" means the Hyderabad-Karnataka Region Development Board, constituted under clause 3;
- "Chairman" means, the Chairman of the Board;
- "Department" means all departments of the State Government functioning in the Hyderabad-Karnataka Region including anybody or corporation established by the State Government by or under any law, having jurisdiction over the Region;
- "Implementation Committee" means, the Implementation Committee constituted under clause 17;
- "Hyderabad-Karnataka Region" means, the Region comprising the revenue districts of Bellary, Bidar, Gulbarga, Yadgir, Raichur and Koppal;
- "member" means, a member of the Board;
- "plan" means the annual plan prepared by the Board for development of Hyderabad-Karnataka Region but excluding the district plan of the Zilla Panchayat and the plan of various development departments;
- "prescribed" means prescribed by rules by the Governor;
- "Secretary" means, the Secretary of the Board.

CHAPTER II

3. Constitution of the Board.- (1) As soon as may be, after the commencement of this Order, the State Government shall establish for the purposes of this Order, a Board of Hyderabad-

Karnataka Region to be called the Hyderabad-Karnataka Region Development Board with headquarters at Gulbarga.

(2) The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name sue and be sued.

(3) The Board shall consist of the following members, namely:-

- 6 (a) All the District Incharge Ministers of the Hyderabad Karnataka region will be the member and one of the Ministers Incharge of Districts in the region to be nominated by the State Government as the Chairman.
- 8 (b) Eight Members of Karnataka Legislative Assembly representing the region for a period of one year by rotation as nominated by the State Government.
- 2 (b1) Two members of the Karnataka Legislative Council representing the region for a period of one year by rotation as nominated by the State Government.
- 1 (c) One Member of the Parliament representing a part or whole of the Hyderabad-Karnataka Region whose constituencies lie within the jurisdiction of the Board for the period of one year by rotation nominated by the State Government;
- 1 (d) One of the Adhyakshas of the Zilla Panchayat of Bellary, Bidar, Gulbarga, Yadgir, Koppal, and Raichur districts for the period of one year by rotation nominated by the State Government;
- 1 (d1) One of the President/Mayor of the Urban Local Body coming within the area for a period of one year by rotation as nominated by the State Government.
- 5 (e) Five members nominated by the State Government one each who are expert in following fields, namely:-
 - (1) planning process of State;
 - (2) financial matters and accounts of State;
 - (3) Irrigation and Public Works;
 - (4) Agriculture and Industry; and
 - (5) Education and Employment;
- 1 (f) The Regional Commissioners of Gulbarga Revenue Region; Ex-officio Member.
- 1 (g) The Secretary to Government incharge of Planning Department; Ex-officio Member.
- 1 (h) The Secretary to Government incharge of Finance; Ex-officio Member.
- 1 (i) The Secretary of the Board; Member Secretary.

2/8 (4) The State Government shall appoint an officer not below the rank of the Secretary to Government to be the Secretary of the Board.

(5) The State Government shall provide the Board with such other officers and employees as it considers necessary for carrying out the functions of the Board under this Order.

(6) The administrative expenses of the Board including the salaries, allowances and pensions payable to the Secretary and other officers and employees of the Board, shall be defrayed out of the fund of the Board.

4. Advisory Council.- (1) There shall be an advisory council consisting of the following namely:-

- (a) District incharge Ministers incharge of Revenue Districts in the Region;
- (b) All members of the Parliament representing the Region;
- (c) All members of the Karnataka State Legislative Assembly representing the Region;
- (d) All members of the Karnataka State Legislative Council whose name has been registered as voter in that Region;
- (e) All Adyakshas of Zilla Panchayats representing the Region;
- (f) The Regional Commissioner of Gulbarga Division;

- (g) All Deputy Commissioners of the Revenue Districts in the Region;
- (h) Mayors of the Municipal Corporations and Adyakhshas of city Municipal Councils in the region;
- (i) Secretary of the Board member Secretary.
- (j) All the Chief Executive Officers of the Zilla Panchayaths of the Revenue Districts in the Region;

(2) The Advisory Council shall submit its Annual draft development plan to the Board well before September of every year in respect of succeeding financial year.

5. Functions of the Advisory Council.- (1) The Advisory Council shall prepare Annual Development Plan for the Region. The Advisory Council on preparing draft development plan,-

(a) have regard to,-

- (i) matters of common interest between panchayats and municipalities including sharing of water and other physical and natural resources, the integrated development of infrastructure and environmental conservation;
- (ii) overall objectives and priorities set by Government of India and Government of the State;
- (iii) The extent and nature of investment likely to be made in the Region by agencies of Government of India and State Government and other available resources whether financial or otherwise;
- (iv) Backwardness in Education, Economical, Social and priorities to be taken up in the region.

6. Term of office and conditions of service.- (1) Subject to the pleasure of the State Government, the Chairman and other non-official members nominated by the State Government under clause (c) of sub-clause(3) of clause 3, shall hold office for a period of two years.

(2) The Chairman or a member other than an ex-officio member may resign his office by writing under his hand addressed to the State Government but shall continue in office until his resignation is accepted.

(3) The Chairman and other members shall receive such allowances as may be prescribed.

(4) The allowances payable to the Chairman and other members shall be defrayed out of the Fund of the Board.

(5) No order or proceeding of the Board shall be invalid by reason only of the existence of any vacancy or defect in the constitution of the Board.

7. Disqualification for office of membership.- (1) A person shall be disqualified for being appointed as and for being a member if he,-

- (a) has been convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude; or
- (b) is of unsound mind and stands so declared by a competent court; or
- (c) is an un-discharged insolvent; or
- (d) has been removed or dismissed from service of the Central Government or a State Government or a body or corporation owned or controlled by the Central Government or a State Government; or
- (e) has directly or indirectly by himself or his partner any share or interest in any work done by the order of the Board or in any contract or employment with or under or by or on behalf of the Board;
- (f) is employed as a paid legal practitioner on behalf of the Board or accepts employment of legal practitioner against the Board.

(2) A person shall not be disqualified under item (e) of sub-clause (1) or be deemed to have any share or interest in any contract or employment within the meaning of the said clause by reason only of his having a share or interest in any newspaper in which any advertisement relating to the affairs of the Board is inserted.

8. Removal of member.- The State Government shall remove the Chairman or other member if:-

- (a) he becomes subject to any of the disqualifications mentioned in clause 5:
Provided that no Chairman or member, shall be removed on the ground that he has become subject to the disqualification mentioned in item (e) of sub-clause (1) of that clause, unless he has been given an opportunity of making his representation against the proposal; or
- (b) he refuses to act or become incapable of acting; or
- (c) he without obtaining leave of absence from the Board, absents from three consecutive meetings of the Board; or
- (d) in the opinion of the State Government he has so abused his position as to render his continuance in office detrimental to the public interest:

Provided that no member shall be removed under this clause unless he has been given an opportunity of making his representation against the proposal.

9. Secretary.- (1) The Secretary shall receive such salary and other allowances as the State Government may determine from time to time.

(2) The State Government may grant from time to time such leave of absence to the Secretary.

(3) The Secretary shall be the Chief Executive of the Board and shall,-

- (a) be responsible for implementing the schemes approved by the Board;
- (b) operate the fund of the Board;
- (c) cause to be maintained accounts of the Board; and
- (d) discharge such other functions which are conferred on him by or under this Order or any other law for the time being in force.

10. Meetings of the Board.- (1) The meeting of the Board shall be convened by the Chairman or by the Secretary, with the prior approval of the Chairman and shall be held at any place within the jurisdiction of the Board or at the State Headquarters.

(2) The Board shall meet at least once in every three months. The Board shall notify its Annual calendar of meetings in advance.

(3) The Chairman may, if he feels it necessary, convene a special meeting or the Secretary with the prior approval of the Chairman may convene such meeting which shall be held at any place within the jurisdiction of the Board or at the State Headquarters.

(4) The Board shall observe such procedure in regard to the transaction of business at its meetings as may be provided by regulations.

(5) Every meeting shall be presided over by the Chairman and if for any reason, the Chairman is unable to attend any meeting, any other member chosen by the members present at the meeting shall preside at the meeting.

(6) One third members shall form the quorum.

11. Proceedings presumed to be good and valid.- No disqualification of or defect in the appointment of any person acting as Chairman or member shall be deemed to vitiate any order proceeding of the Board if such order or proceeding is otherwise in accordance with the provisions of this Order.

CHAPTER III

12. Functions of the Board.- The Board shall, from time to time:-

- (a) consider the recommendations of the Advisory Council made in the Annual development plan;
- (b) ascertain relative levels of development in different sectors in relation to its Region on the basis of appropriate indicators, having regard to the levels of development in the State as a whole;

- (c) assess the impact of various development efforts in removing backlog and in achieving overall development within its Region;
- (d) suggest the levels of development expenditure over the area of the Development board during a plan period including the annual plan;
- (e) suggest to the Governor the 'policies' for the region which may have financial implications like incentives to be given to industries, private educational institutions investing in the region like Tax holidays etc. and who also provide reservation in employment and in admission to Educational institutions to the persons belonging to that region; within their financial limits and
- (f) prepare an annual report on its working and send it, as far as practicable within three months after the end of every financial year, to the Governor for placing it before the Karnataka State Legislature.
- (g) advise on creation of posts and sanction of institutions like new Public Health Centre, Veterinary dispensary, Primary and Secondary Schools etc., within the financial envelope provided for the year to the board.

13. Preparation of plan and approval of scheme.- (1) The Board shall after taking into considerations of the draft development plan prepared by the Advisory Council every year prepare an annual plan for the development of Hyderabad - Karnataka Region and forward it to the Governor for its approval. The Governor may approve the plan with or without any modification.

(2) Subject to the provisions of this Order and the control of the State Government schemes formulated in accordance with the plans by the development departments, Zilla Panchayat and non-Governmental organisations recognized by the Board functioning in Hyderabad-Karnataka Region, shall be approved by the Board.

14. Supervision.- The Board shall have power to supervise and review the progress of expenditure incurred under the plan and performance of various development departments, Zilla Panchayats and non-Governmental organisations recognised by the Board functioning in the Hyderabad-Karnataka Region with reference to the plan.

15. Co-ordination.- The Board shall co-ordinate functioning of all development departments, Zilla Panchayats and non-Governmental organisations recognised by the Board which implement in Hyderabad-Karnataka Region, development schemes included in its plan and shall also review the personnel position of such development departments, Zilla Panchayat and non-Governmental organisations recognised by the Board and may make suggestions in this behalf to the State Government.

16. Implementation of schemes.- (a) The Board shall be responsible for implementation of schemes included in its plan through the development departments, Zilla Panchayats, Urban Local Bodies and non-Governmental organizations recognized by the Board functioning in the Hyderabad-Karnataka Region. The Board may, subject to such rules as may be prescribed, re-appropriate funds from one development department to another, if, for any reason a development department is not likely to incur full expenditure out of the amount allocated to it under the plan.

(b) For the implementation of all the works and functions, the Board or its delegates may have full administrative, financial and technical powers.

(c) The fund remaining unspent during the financial year shall not lapse; and such balance amount shall be carried forward to the next financial year. Such carried

forward funds from one year to another shall never be more than 20% of the funds earmarked in such financial year.

17. Implementation Committee.- (1) There shall be an Implementation Committee consisting of the following members, namely:-

- (a) Secretary of the Board who shall be the Chairman;
- (b) The Chief Executive Officer of the Zilla Panchayats of Bellary, Bidar, Gulbarga, Yadgir, Koppal, and Raichur districts;
or his nominee not below the rank of Senior Group "A" officer.
- (c) The Deputy Commissioner of each district in Hyderabad-Karnataka Region;
- (d) The Vice-Chancellor, Gulbarga University;
- (e) Such other officers as may be appointed by the State Government;

(2) The State Government may also by notification constitute Implementation Committees at district, Taluk and Gram Panchayat Level.

18. Powers of Implementation Committee.- (1) The Implementation Committee shall exercise such of the powers of the Board which are delegated to it by the Board.

(2) The Implementation Committee shall meet at least once in a month.

(3) The Implementation Committee shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations.

19. Obtaining information.- The Board may for the purposes of this Order seek and obtain information from any Zilla Panchayat in Hyderabad-Karnataka Region or from any officer of the State Government having jurisdiction over any area in Hyderabad-Karnataka Region and such Zilla Panchayat or officer shall be bound to furnish the information sought by the Board.

20. Delegation of powers.- The Board may, by notification delegate to the Implementation Committee or the Secretary of the Board any of the powers conferred on it by or under this Order.

CHAPTER IV

21. Fund of the Board.- (1) There shall be a Fund called the Board Fund.

(2) The following shall form part of, or be paid into, the Board Fund, namely:-

- (i) all grants, subventions, donations and gifts made by the Central Government, State Government, any local authority, any body, whether incorporated or not or any person;
- (ii) the amount borrowed by the Board; and
- (iii) all other sums received by or on behalf of the Board from any source whatsoever.

(3) Except as otherwise directed by the State Government, all moneys credited to the Fund shall be invested in any nationalized or Scheduled Bank.

22. Allocation of funds for development expenditure.- (1) The Governor of Karnataka shall ensure equitable allocation of funds for development expenditure over the areas of Board subject to the requirements of the State as a whole.

(2) In ensuring equitable allocation of funds, the Governor may,-

- (a) take into consideration the recommendations, if any, made by the Board; and

- (b) where he considers it necessary and appropriate, seek advice from any person or body of persons in the matter of the allocation of funds.
- (c) Constitute standing or adhoc expert committee(s) to study regional imbalance and quantify back logs and resources required to correct back log, and in consultation with the Chief Minister of the State, advise on devolution of funds from the State Plan or Non-plan or both for the region.
- (d) On receipt of such advice the Government shall provide equitable allocation of funds for the development of the said region, subject to the requirement of the State as a whole.
- (e) In consultation with the Chief Minister, advise the State Government to bring Special Policies as envisaged in para 12(e) to encourage investment by the private industry and to encourage opening of new educational institutions in the region.
- (f) On receipt of such advise, the Government may bring appropriate policies for correcting regional imbalance and provide adequate resources, institutional support and man power to implement the same.
- (g) Government will bring out Special Grant in aid policy for the educational, technical and vocational institutions in the area within six months of this notification to promote and encourage private investment.
- (h) Government will bring out an Industrial and Infrastructural and other investment policy for the region within six months of this notification.

23. Allocation of funds to be reflected in annual financial statement.- The allocation of funds or outlays made by the Governor shall be reflected in the Annual Financial Statement to be placed before the State Legislature and the development activities with regard to the outlays as aforesaid, shall be carried out or caused to be carried out by the State Government and the funds so allocated shall be non divertible from the area of the Board to other parts of the state:

Provided that-

- (a) re-appropriation may be made in conformity with the budgetary rules and procedure on the development activities undertaken as aforesaid within the area of a Board;
- (b) in the implementation of the development activities, the prevailing norms shall be adhered to; and
- (c) the respective administrative departments shall continue to implement and exercise administrative and technical supervision and control over the developmental activities.

24. Application of the Fund.- The Board Fund and all property held or vested in the Board shall be applied for administration of this Order.

25. Power of Governor to direct the Board.- Notwithstanding anything contained in this Order or in any other law for the time being in force, if in the opinion of the Governor or on the advice of the Council of Ministers, it is expedient in public interest so to do, it may, by general or special order issue such directions to the Board as are necessary to carry-out the purposes of the Order. It shall be the duty of the Board to comply with such directions.

26. Power to borrow.- The Board may from time to time with the previous sanction of the State Government and subject to such conditions as may be prescribed in this behalf borrow any sum required for the purposes of this Order.

27. Account and audit.- (1) Accounts of the income and expenditure of the Board Fund shall be kept in accordance with such rules as may be prescribed.

(2) The Board shall prepare an annual statement of accounts in such form as may be prescribed.

(3) The accounts of the Board shall be audited annually by such auditor as the State Government may appoint.

(4) The auditor shall for the purposes of the audit, have access to all the accounts and other records of the Board.

(5) The Board shall pay from its fund such charges for the audit as may be prescribed.

(6) As soon as may be, after the receipt of the report of the auditor the Board shall send a copy of the annual statement of accounts, together with a copy of the report of the auditor to the State Government and shall cause to be published the annual statement of accounts in such manner as may be prescribed.

(7) The State Government may after perusal of the report of the auditor give such directions as it thinks fit to the Board and the Board shall comply with such directions.

CHAPTER V

28. Report.- The Board shall before such date, in such form and at such interval as may be prescribed, submit the prescribed report to the State Legislature.

29. Budget of the Board.- The Board shall prepare every year before such date and in such form, a budget estimate of its income and expenditure for the financial year to commence on the first day of April next following and shall forward it to the State Government.

30. Rules.- The Governor may, by order, from time to time make such rules; including the rules for the proper transaction of the business in relation to his function under clause (1) of the article 371 J of the Constitution and for the effective implementation of the provisions of this order.

31. Power to make regulations.- The Board may make regulations to provide for the procedure in regard to the transaction of business its meetings and meetings of the implementation committees and for such other matters required to be provided by regulations for effective implementation of this order.

H.R. BHARADWAJ
GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of Karnataka

K.L. LOKANATHA
Joint Secretary
(Hyderabad-Karnataka Special Cell)
DPAR



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ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
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art- IV-A	ಬೆಂಗಳೂರು, ಮಧ್ಯವಾರ, ನವೆಂಬರ್ ೬, ೨೦೧೩ (ಕಾರ್ತಿಕ ೧೫, ಶಕ ವರ್ಷ ೧೯೩೫)	ನಂ.೧೨೫೪
art- IV-A	Bangalore, Wednesday, November 6, 2013 (Karthika 15, Shaka Varsha 1935)	No. 1254

**PERSONNEL AND ADMINISTRATIVE REFORMS SECRETARIAT
NOTIFICATION**

No. DPAR 06 PLX 2012, Bangalore, dated: 06.11.2013

The following Order made by the Governor is hereby published for general information:-

**THE KARNATAKA PUBLIC EMPLOYMENT (RESERVATION IN APPOINTMENT FOR
HYDERABAD-KARNATAKA REGION) ORDER, 2013.**

In exercise of the powers conferred by clause 2 of the Karnataka (Special Responsibility of Governor for Hyderabad-Karnataka Region) Order, 2013, the Governor of Karnataka hereby makes, with respect to the State of Karnataka, the following Order, namely:-

1. **Title and commencement.**- (1) This Order may be called the Karnataka Public Employment (Reservation in appointment for Hyderabad-Karnataka Region) Order, 2013.

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

2. **Interpretations.**- (1) In this Order, unless the context otherwise requires,-

(a) "body or organization" means any statutory or non-statutory body or organization established and maintained by the State Government.

(b) "Direct Recruitment" includes all recruitments made on a permanent basis and excludes appointments made under:-

(i) the Karnataka Civil Services (Appointment on compassionate grounds) Rules, 1996; or

(ii) the Karnataka Civil Services (Appointment of Family Members of Persons belonging to Scheduled Castes or Scheduled Tribes, on compassionate grounds) (Special) Rules, 1999; or

(iii) the Karnataka Civil Services (Appointment of Family Members of Persons Deceased in Communal Clashes, on compassionate grounds) (Special) Rules, 1993 or

(iv) and recruitment made in pursuance of any scheme approved by the State Government providing for the regularization of the services of persons holding posts on a temporary basis before the commencement of this Order

- (c) "Local Area" in relation to any local cadre means the area of the Hyderabad-Karnataka region;
- (d) "Local Authority" means the Zilla Panchayats, Taluk Panchayats, Gramapchayats constituted under the Karnataka Panchayat Raj Act, 1993 and Municipal Corporations, Municipal Councils and Town Panchayats constituted under the Karnataka Municipal Corporations Act, 1976 or the Karnataka Municipalities Acts, 1964, and includes any local authority which is subject to the control of State Government or any other new office which may be created at a later date to serve purposes similar to all above mentioned institutions;
- (e) "Local Cadre" means any local cadre under the State Government or in any Local Authority or body or organization organized in pursuance of paragraph 3;
- (f) "Local person" in relation to any local area means a person who qualifies under paragraph 6 as a local person in relation to such local area;
- (g) "non-local person" means persons other than the local persons;
- (h) "Region" or "Hyderabad-Karnataka Region" shall comprise of revenue districts of Bidar, Gulbarga, Raichur, Koppal, Yadgir and Bellary Districts;
- (i) "State Level Office or Institution" means an office or institution serving or the jurisdiction of which extends to the State as a whole or serving the state capital region or serving the whole state or any other new office, which may be created at a later date to serve purposes similar to all above mentioned institutions;
- (j) "State Government" means the Government of Karnataka.
- (k) 'Domicile' in this notification means 'Local Persons' as defined in Para-6.

(2) The General Clauses Act, 1897 (Central Act 10 of 1897), applied for the interpretation of this as it applies for the interpretation of a Central Acts.

CHAPTER-I

3. Organization of Local Cadres.- (1) The Governor shall within a period of three months from the commencement of this Order, by notification identify posts in the civil services or civil posts under the State Government in the Hyderabad-Karnataka Region or posts in Local Authority or body or organization under the control of the State Government in that region into the local cadre to the extent and in the manner, hereinafter provided.

(2) 75% of the posts in the region belonging to Group-A (Junior Scale) and Group-B posts in each department of the State Civil Service or in local Authority or body or organization shall be organized into as local cadres.

(3) 80% of the posts in the Region belonging to the category of Group-C and 85% percent of the posts in the Group-D in each department of State Civil Service or in local Authority or body or organization shall be organized as local cadres.

Provided that, notwithstanding the expiration of the said period, the Governor may, by order, require the State Government, whenever he considers it expedient to do so, organize any classes of posts in the civil services or under the State or in any Local Authority or body or organization into local cadres in the said region.

4. Allotment of Persons.- (1) Persons holding posts required to be organized into local cadres, shall be allotted to such cadres by the State Government or any officer or authority authorized by it in this behalf in accordance with the principles and procedure hereinafter specified and in accordance with the rules notified by the Government.

(2) The Local persons may be given an opportunity to opt for being allotted to the local cadre and may be allotted to the local cadres in the Region.

(3) Any person aggrieved by an order allotting him to the local cadre may submit a representation to the State Government within a period of sixty days from the date of communication of the order.

(4) The State Government or competent authority shall, on receipt of such representations shall dispose off the same after due inquiry.

Provided that wherever such an order is likely to result in the change of allotment of any other person, no such order shall be made without giving an opportunity to that other person to make a representation.

5. Local cadres and transfer of persons.- (1) The region for which a local cadre has been organized in respect of any category of posts, shall be a separate unit for purposes of recruitment, appointment, seniority, promotion and transfer and such other matters as may be specified by the State Government in respect of that category of posts.

(2) Nothing in this order shall prevent the State Government from making provision for:-

- (a) the transfer (or deputation) of a person from any local cadre to any other local cadre or to any office or establishment to which this order does not apply, or Vice versa.
- (b) the transfer (or deputation) of a person from one local cadre to another cadre where no qualified or suitable person is available in the latter cadre or where such transfer is otherwise considered necessary in the public interest.
- (c) the overall joint seniority list in the State (along with the separate local cadre seniority list) for such cadres which ordinarily have state wide cadre.
- (d) The Governor may ensure that the persons borne on the local cadre at Gazetted levels are not discriminated against in being posted anywhere in Karnataka.

6. Domicile (Local person).- (1) A candidate for direct recruitment or promotion to any post shall be regarded as a local person in relation to a local area:-

- (a) If he is born in the local area or either of his parents was born in that region before 1.1.2013, or, either of his parents ordinarily lived in the local area for more than ten years prior to 1.1.2013 and had their name either in the electoral list or ration card; or owned any immovable property on or before 1.1.2013 in the local area; or
- (b) In cases where a minimum educational qualification has been prescribed for recruitment to the post,-
 - (i) If he has studied in an educational institution or educational institutions in such local area for a period of not less than Ten consecutive academic years ending with the academic year in which he appeared or, as the case may be, first appeared for the relevant qualifying examination; or
 - (ii) Where during the whole or any part of the Ten consecutive academic years ending with the academic year in which he appeared or as the case may be, first

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appeared for the relevant qualifying examination he has not studied in any educational institution. If he has resided in that local area for a period of not less than Ten year immediately preceding the date of commencement of the qualifying examination in which he appeared or as the case may be, first appeared; or

- (iii) Where either of his parents has studied in an Educational Institution in such Local area for a period of Ten consecutive academic years.
- (c) In cases where no minimum educational qualification has been prescribed for recruitment to the post, if he or either of his parents has resided in that local area for a period of not less than Ten years immediately preceding the date on which the post is notified for recruitment; and
- (d) In case of a woman, if she got married to a Local person specified in the clauses (a) to (c) above.
- (e) For existing employee for whom these rules apply, the entry in their service register before 1.1.2013 as to their home town or place falling within the local area shall be conclusive proof of their domicile.

Explanations.- For the purpose for this paragraph,-

- (i) "Education institution" means a University or any educational institution recognized by the State Government, a University or other competent authority.
- (ii) "Relevant qualifying examination in relation to a post" mean,-
 - (a) the examination, a pass in which is the minimum educational qualification prescribed for the post;
 - (b) the secondary School leaving certificate examination or an examination declared by the State Government to be equivalent to the Secondary School leaving Certificate examination, whichever is lower: and
- (iii) in reckoning the consecutive academic years during which a candidate has studied, any period of interruption of his study by reason of his failure to pass any examination shall be disregarded:
- (iv) the question whether any candidate or either of his parents resided in any local area shall be not only determined with reference to the places where the candidate or either of his parents actually resided.

7. Competent Authority to issue Certificate.- (1) The Government may notify Competent Authority to issue eligibility certificate for a local person. The Competent Authority after due inquiry and public notice in such manner as may be prescribed issue eligibility certificate.

(2) Any person (applicant or the member of the public) aggrieved by the order of the Competent Authority may make appeal to the Deputy Commissioner or any other Appellate Authority notified by the Government, within thirty days of issue of such eligibility certificate.

(3) The Competent authority and the Appellate Authority shall dispose off the application or appeal within thirty days from the date of its receipt.

(4) 'Birth Certificate' required to prove Domicile shall be issued in the manner prescribed by the Government.

(5) Government may lay down procedure for issue of Validity Certificate for the proof of Domicile.

8. Reservation in the matter of direct recruitment or promotion.- (1) All posts in any local cadre to be filled by direct recruitment or by promotion at any time under the State Government in any local authority or in any body or organization in that region comprising of and upto Group-A (Junior Scale), Group-B, Group-C and Group-D posts shall be reserved in favour of local persons in relation to the local area or the region in respect of such cadre to the extent specified in para 3.

(2) The cadre and recruitment for group C and D posts shall be organized as district wise cadre.

(3) While determining under this paragraph the number of posts to be reserved in favour of local persons, any fraction of a post shall be counted as one.

(4) Notwithstanding anything contained in the foregoing provisions of this paragraph,-

(a) there shall be at least one post left unreserved out of the posts filled by direct recruitment at any time to any local cadre;

(b) there shall be, as far as possible, at least one post reserved for the local candidates in respect of each local area.

(5) If suitable local candidates are not available for any post at any point of time such vacancies will be taken as back log and carried forward till next appointment, after which it may be treated as unreserved and filled accordingly.

9. Power to authorize issue of direction.- (1) The Governor, may by order, require the State Government to issue such direction as may be necessary or expedient for the purpose of giving effect to this Order to any local authority or body or organization and such local authority body or organization shall comply with such directions.

(2) The Government may, for the purpose of issuing any direction under sub-paragraph (1) or for satisfying itself that any directions issued under sub-paragraph have been complied with require, by order in writing, any local authority or body or organization to furnish them such information or report of particulars, as may be specified, in the order and such local authority shall comply with such order.

10. Order to have over-riding effect.- (1) Provisions of this order shall have effect notwithstanding anything contained in any Act or rule, regulation or byelaw made there under before or after the commencement of this Order in respect of direct recruitment or promotion to posts under the State Government or any local authority or body or organization.

(2) Concurrence of Finance Department shall be presumed for the direct recruitments and promotions made under these orders.

(3) No economy measure shall apply for the reserved posts and as far as possible reserved post shall be filled by regular appointments and not by outsourcing.

(4) Any temporary or contract appointments made in the region shall be of Local Person atleast to the extent of reservations prescribed in para 3 above.

(5) Any procurement of Manpower in the region through outsourcing shall be of Local Person atleast to the extent of reservation prescribed in Para-3 above.

11. Removal of doubts.- For the removal of doubts, it is hereby declared that nothing in this order shall affect the operation of any provisions made by the State Government or other competent authority by or under any law before or after the commencement of this Order in respect of