

ಕರ್ನಾಟಕ ವಿಧಾನ ಪರಿಷತ್ತು

ಚುಕ್ಕೆ ಗುರುತಿನ ಪ್ರಶ್ನೆ ಸಂಖ್ಯೆ	(354) 42
ಮಾನ್ಯ ವಿಧಾನ ಪರಿಷತ್ ಸದಸ್ಯರ ಹೆಸರು	ಶ್ರೀ ಶಶೀಲ್ ಜಿ.ನಮೋಶಿ (ಶಿಕ್ಷಕರ ಕ್ಷೇತ್ರ)
ಉತ್ತರಿಸಬೇಕಾದ ದಿನಾಂಕ	15-02-2024
ಉತ್ತರಿಸುವವರು	ಮಾನ್ಯ ಮುಖ್ಯಮಂತ್ರಿಗಳು

ಕ್ರ. ಸಂ.	ಪ್ರಶ್ನೆಗಳು	ಉತ್ತರಗಳು
ಅ)	ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು, ಸದಸ್ಯರು ಮತ್ತು ಕಾರ್ಯದರ್ಶಿಯವರ ಪ್ರಮುಖ ಕರ್ತವ್ಯ ಮತ್ತು ಕಾರ್ಯಗಳೇನು;	<p>The Karnataka Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 ಮತ್ತು The Karnataka Public Service Commission (Functions) Rules, 1973 ರಲ್ಲಿ ಆಯೋಗದ ಕಾರ್ಯನಿರ್ವಹಣೆ ಕುರಿತಂತೆ ನಿಯಮಗಳನ್ನು ರಚಿಸಲಾಗಿದೆ.</p> <p>ಅಧ್ಯಾಯ 2ರ ನಿಯಮ 3 ರಿಂದ 15 ಮತ್ತು ಅಧ್ಯಾಯ 3ರ ನಿಯಮ 16 ರಿಂದ 18 ರವರೆಗೆ ವಿವರವಾಗಿ ಆಯೋಗದ ಕಾರ್ಯಗಳ ಬಗ್ಗೆ ವಿವರಿಸಲಾಗಿರುತ್ತದೆ. ಪ್ರತಿಯನ್ನು ಅನುಬಂಧ -1ರಲ್ಲಿ ಲಗತ್ತಿಸಿದೆ.</p> <p>ಮುಂದುವರೆದು, ಆಯೋಗದ ಕಾರ್ಯದರ್ಶಿಯವರ ಕಾರ್ಯನಿರ್ವಹಣೆಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಕೈಪಿಡಿಯಲ್ಲಿನ ಅಧ್ಯಾಯ 8 ರಲ್ಲಿ ವಿವರಿಸಲಾಗಿದ್ದು, ಪ್ರತಿಯನ್ನು ಅನುಬಂಧ-2ರಲ್ಲಿ ಲಗತ್ತಿಸಿದೆ.</p>
ಆ)	ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು, ಸದಸ್ಯರು ಮತ್ತು ಕಾರ್ಯದರ್ಶಿಯವರ ನಡುವೆ ದಿನೇ ದಿನೇ ಸಂಘರ್ಷಗಳು ಏರ್ಪಡುತ್ತಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ; ಬಂದಿದ್ದಲ್ಲಿ, ಕಾರ್ಯದರ್ಶಿಯವರು ಆಯೋಗದ ಅಧ್ಯಕ್ಷರ ಮತ್ತು ಸದಸ್ಯರುಗಳ ವಿರುದ್ಧ ಹಾಗೂ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯರು ಆಯೋಗದ ಕಾರ್ಯದರ್ಶಿಯವರ ವಿರುದ್ಧ ದೂರು ಪ್ರತಿದೂರು ಸಲ್ಲಿಸಿರುವ ಬಗ್ಗೆ ವಿವರ ನೀಡುವುದು;	<p>ಬಂದಿದೆ.</p> <p>ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಕಾರ್ಯದರ್ಶಿಯವರು ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯರುಗಳ ವಿರುದ್ಧ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿರುವ ದೂರಿನ ವಿವರಗಳು ಈ ಕೆಳಕಂಡಂತಿದೆ.</p> <p>ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯರುಗಳ ವರ್ತನೆಯಿಂದ ಕಛೇರಿಯ ದೈನಂದಿನ ಕಾರ್ಯಕಲಾಪಗಳನ್ನು ಮತ್ತು ನೇಮಕಾತಿಯ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ನಿಗದಿತ ಕಾಲಾವಧಿಯಲ್ಲಿ ಪೂರ್ಣಗೊಳಿಸದಿರುವುದರಿಂದ ಹಾಗೂ ಸದರಿಯವರುಗಳು ತಮ್ಮ ಕಛೇರಿಯ ಕಾರ್ಯಗಳನ್ನು ನಿರ್ವಹಿಸಲು ವಿಫಲರಾಗಿ ಆಯ್ಕೆಪಟ್ಟಿಗಳ ಕಡತಗಳಿಗೆ ಸಹಿ/ಅನುಮೋದನೆ ನೀಡದ ಹಿನ್ನೆಲೆಯಲ್ಲಿ, ಹಲವಾರು ಅಂತಿಮ ಆಯ್ಕೆಪಟ್ಟಿಗಳ ಫಲಿತಾಂಶಗಳನ್ನು ಪ್ರಕಟಿಸಲು</p>

ಬಾಕಿ ಇರುತ್ತವೆ. ಅಲ್ಲದೇ, ಆಯೋಗದ ಗಣಕ ಕೇಂದ್ರದ ಅಧಿಕಾರಿ/ಸಿಬ್ಬಂದಿಗಳ ಮೇಲೆ ಒತ್ತಡ ಹೇರಲು ಪ್ರಯತ್ನಿಸಿ, ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯರುಗಳು ತಮ್ಮ ಅಧಿಕಾರ ದುರ್ಬಳಕೆ ಮಾಡಿಕೊಂಡಿರುವ ಈ ಕ್ರಮವು ಅಸಂವಿಧಾನಿಕ ಕಾರ್ಯವಾಗಿದ್ದು, ಸದರಿ ಕ್ರಮಕ್ಕೆ ಅವಕಾಶ ನೀಡಿದಲ್ಲಿ ಮುಂದೆ ಪರೀಕ್ಷಾ ಕಾರ್ಯಗಳಲ್ಲಿಯೂ ಸಹ ಇತರ ಅಕ್ರಮಗಳಿಗೆ ದಾರಿಯಾಗಬಹುದು. ಈ ನಿಟ್ಟಿನಲ್ಲಿ, ಅಭ್ಯರ್ಥಿಗಳ ಹಿತಾಸಕ್ತಿಯನ್ನು ಕಾಪಾಡಲು ಮತ್ತು ಆಯ್ಕೆ ಪ್ರಾಧಿಕಾರವಾದ ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಗೌರವದ ದೃಷ್ಟಿಯಿಂದ ಸದರಿ ಅಂಶಗಳನ್ನು ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಸದಸ್ಯರುಗಳಿಗೆ ನೇಮಕಾತಿ ಮತ್ತು ಶಿಸ್ತು ಪ್ರಾಧಿಕಾರಿಗಳಾದ ಘನತೆವೆತ್ತ ರಾಜ್ಯಪಾಲರವರ ಗಮನಕ್ಕೆ ತರುವಂತೆ ಕೋರಿರುತ್ತಾರೆ.

ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದ ಅಧ್ಯಕ್ಷರು ಆಯೋಗದ ಕಾರ್ಯದರ್ಶಿಯವರ ವಿರುದ್ಧ ಸರ್ಕಾರಕ್ಕೆ ಸಲ್ಲಿಸಿರುವ ದೂರಿನ ವಿವರಗಳು ಈ ಕೆಳಕಂಡಂತಿವೆ.

1. ಕಾನೂನು ಕೋಶದ ಮುಖ್ಯಸ್ಥರ ಗುತ್ತಿಗೆ ಆಧಾರದ ಹುದ್ದೆಯ ನೇಮಕಾತಿ ಪ್ರಕ್ರಿಯೆಯು ಪೂರ್ಣಗೊಂಡಿದ್ದರೂ ಸಹ ಹೊಸದಾಗಿ ಅಧಿಸೂಚನೆಯನ್ನು ಆಯೋಗದ ಹೆಸರಿನಲ್ಲಿ ಜಾರಿ ಮಾಡಿರುವುದು.
2. ಆಯೋಗದ ಮಾನ್ಯ ಸದಸ್ಯರುಗಳು ನೀಡಿದ್ದ ದಿನಾಂಕ: 28-12-2023ರ ಟಿಪ್ಪಣಿಯಲ್ಲಿನ ಅಂಶಗಳನ್ನು ಮಾಧ್ಯಮಗಳಿಗೆ ಬಹಿರಂಗಗೊಳಿಸಿ ಗೋಪ್ಯತೆಯನ್ನು ಉಲ್ಲಂಘಿಸಿರುವುದು.
3. ರಾಜ್ಯೀತರ ಸಿವಿಲ್ ಸರ್ವಿಸ್ ಪರೀಕ್ಷೆ ನಡೆಸುವ ಸಂಬಂಧ ಆಯೋಗದ ನಿರ್ಣಯವನ್ನು ಪಾಲಿಸದೆ ಪರೀಕ್ಷಾ ದಿನಾಂಕ ನಿಗದಿಪಡಿಸಿ ಪರೀಕ್ಷೆ ನಡೆಸಿರುವುದು.
4. ಆಯೋಗದ ಅನುಮೋದನೆ ಇಲ್ಲದೆ ದಿನಾಂಕ:16-12-2023ರಂದು ನಡೆಸಿದ ಕನ್ನಡ ಭಾಷಾ ಪರೀಕ್ಷೆಯ ಫಲಿತಾಂಶವನ್ನು ಪ್ರಕಟಿಸಿರುವುದು ಮತ್ತು ಆಯೋಗದ ಅನುಮೋದನೆ ಇಲ್ಲದೇ ಕೀ-ಉತ್ತರಗಳನ್ನು ಪ್ರಕಟಿಸುತ್ತಿರುವುದು.
5. ವಿವಿಧ ವಿಷಯಗಳ ಬಗ್ಗೆ ಮಾಹಿತಿ/ದಾಖಲೆಗಳನ್ನು ಅಪೇಕ್ಷಿಸಿ ನೀಡಿದ ಟಿಪ್ಪಣಿಗಳ ಪೈಕಿ ಪ್ರಮುಖ ಟಿಪ್ಪಣಿಗಳಿಗೆ ಇದುವರೆವಿಗೂ ಮಾಹಿತಿ/ದಾಖಲೆ ನೀಡದಿರುವುದು.
6. ಆಯೋಗದ ಅಧ್ಯಕ್ಷರ ಸಹಮತಿ ಇಲ್ಲದೇ ಆಯೋಗದ ಸಭೆಯ ದಿನಾಂಕ ನಿಗದಿಪಡಿಸಿ, ಅಜೆಂಡಾಗಳ ಬಗ್ಗೆ ಅಧ್ಯಕ್ಷರೊಡನೆ ಚರ್ಚಿಸದೆ ಸಭೆ ಕರೆದಿರುವುದು ಮತ್ತು ಸಭೆಯನ್ನು ಮುಂದೂಡಲು ತಿಳಿಸಿದ್ದರೂ ಸಹ ಕೋರಂ ಇಲ್ಲದಿದ್ದರೂ ಅಧ್ಯಕ್ಷರ ಗಮನಕ್ಕೆ ತರದೇ ಪರ್ಯಾಯವಾಗಿ ಸಭೆ ನಡೆಸಿರುವುದು.

		7. ಆಯೋಗದ ಅನುಮೋದನೆ ಇಲ್ಲದೇ ತಾತ್ಕಾಲಿಕ ಆಯ್ಕೆ ಪಟ್ಟಿಗಳನ್ನು ಪ್ರಕಟಿಸಿರುವುದು.
ಇ)	ಕರ್ನಾಟಕ ಲೋಕಸೇವಾ ಆಯೋಗದಲ್ಲಿನ ಈ ಬಿಕ್ಕಟ್ಟಿನಿಂದ ಲಕ್ಷಾಂತರ ಉದ್ಯೋಗಿತರ ಸಂಕಷ್ಟಕ್ಕೀಡಾಗುತ್ತಿರುವುದಲ್ಲದೇ, ಹೊಸ ನೇಮಕಾತಿ ಅಧಿಸೂಚನೆಗಳು ಹೊರಡಿಸಲು ಮತ್ತು ತ್ವರಿತಗತಿಯಲ್ಲಿ ಈಗಾಗಲೇ ನೇಮಕಾತಿ ಪ್ರಕ್ರಿಯೆ ಪೂರ್ಣಗೊಂಡು ಫಲಿತಾಂಶಗಳನ್ನು ಪ್ರಕಟಿಸುವಲ್ಲಿ ವಿಳಂಬವಾಗುತ್ತಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ;	<p>ಆಯೋಗದ ದೈನಂದಿನ ಕಾರ್ಯನಿರ್ವಹಣೆಯಲ್ಲಿ ಯಾವುದೇ ವ್ಯತ್ಯಯವಾಗಿರುವುದಿಲ್ಲ. ಆಯೋಗದಲ್ಲಿ ನಿಗದಿತ ಕಾಲಮಿತಿಯಲ್ಲಿ ಸ್ಪರ್ಧಾತ್ಮಕ ಪರೀಕ್ಷೆಗಳನ್ನು ನಡೆಸಲಾಗುತ್ತಿರುವುದಲ್ಲದೇ, ಹಲವಾರು ಪರೀಕ್ಷಾ ಪೂರ್ವ ಹಾಗೂ ಪರೀಕ್ಷೋತ್ತರ ಕಾರ್ಯಗಳು ನಿರಂತರವಾಗಿ ನಡೆಯುತ್ತಿರುತ್ತವೆ.</p> <p>ಅಲ್ಲದೆ, ನೇಮಕಾತಿ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ತ್ವರಿತಗತಿಯಲ್ಲಿ ಪೂರ್ಣಗೊಳಿಸಲು ಆಯೋಗದ ಅಧಿಕಾರಿ /ನೌಕರರು ನಿಗದಿತ ಕಛೇರಿ ವೇಳೆಯ ಮುನ್ನ ಮತ್ತು ನಂತರ ಹಾಗೂ ಸಾರ್ವತ್ರಿಕ ರಜಾ ದಿನಗಳಲ್ಲಿ ನಿರಂತರವಾಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುತ್ತಾರೆ. ನೇಮಕಾತಿ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ಕಾಲಮಿತಿಯಲ್ಲಿ ಪೂರ್ಣಗೊಳಿಸಲು ತಾತ್ಕಾಲಿಕ ವೇಳಾ ಪಟ್ಟಿಯನ್ನು ಹಾಕಿಕೊಂಡು ಗುರಿಯನ್ನು ನಿಗದಿಪಡಿಸಿಕೊಳ್ಳಲಾಗುತ್ತದೆ. ಕೆಲವು ಅನಿವಾರ್ಯ ಸಂದರ್ಭಗಳಲ್ಲಿ ಕಾನೂನಾತ್ಮಕ, ಆಡಳಿತಾತ್ಮಕ ಮತ್ತು ತಾಂತ್ರಿಕ ಸಮಸ್ಯೆಗಳಿಂದಲೂ ನೇಮಕಾತಿ ಪ್ರಕ್ರಿಯೆಗಳು ವಿಳಂಬವಾಗಲು ಕಾರಣವಾಗುತ್ತಿದೆ ಮತ್ತು ಆಯೋಗದಲ್ಲಿ ಏಕ ಕಾಲದಲ್ಲಿ ಹಲವಾರು ಪರೀಕ್ಷೆಗಳ ಪರೀಕ್ಷಾ ಪೂರ್ವ, ಪರೀಕ್ಷೋತ್ತರ ಕಾರ್ಯಗಳಲ್ಲದೇ ಅಭ್ಯರ್ಥಿಗಳ ಮೂಲ ದಾಖಲೆಗಳ ಪರಿಶೀಲನಾ ಕಾರ್ಯ, ವೈದ್ಯಕೀಯ ತಪಾಸಣಾ ಕಾರ್ಯ, ತಾತ್ಕಾಲಿಕ, ಅಂತಿಮ ಮತ್ತು ಹೆಚ್ಚುವರಿ ಆಯ್ಕೆ ಪಟ್ಟಿಗಳ ಸಿದ್ಧಪಡಿಸುವಿಕೆ ಮತ್ತಿತರ ಕಾರ್ಯಗಳು ಸಮಾನಾಂತರವಾಗಿ ನಡೆಯುತ್ತಿರುವುದರಿಂದ ಹೆಚ್ಚಿನ ಕಾರ್ಯದೊತ್ತಡದಿಂದಲೂ ಸಹ ವಿಳಂಬವಾಗುತ್ತಿದೆ. ಎಲ್ಲಾ ನೇಮಕಾತಿ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ತ್ವರಿತವಾಗಿ ಪೂರ್ಣಗೊಳಿಸಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗುತ್ತಿದೆ ಮತ್ತು ಆಯೋಗಕ್ಕೆ ಸ್ವೀಕೃತವಾಗಿರುವ ಹೊಸ ಹುದ್ದೆಗಳ ನೇಮಕಾತಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಅಧಿಸೂಚನೆ ಹೊರಡಿಸಲು ಕ್ರಮಕೈಗೊಳ್ಳಲಾಗುತ್ತಿದೆ.</p> <p>ಆಯೋಗದ ವತಿಯಿಂದ ನಿಗದಿತ ಕಾಲಾವಧಿಯಲ್ಲಿ ಎಲ್ಲಾ ನೇಮಕಾತಿ ಪ್ರಕ್ರಿಯೆಗಳನ್ನು ಪೂರ್ಣಗೊಳಿಸಲು ಕ್ರಮಕೈಗೊಳ್ಳಲಾಗುತ್ತಿದೆ.</p>
ಈ)	ಬಂದಿದ್ದಲ್ಲಿ, ಯಾವ ಕಾಲಮಿತಿಯಲ್ಲಿ ಈ ಸಮಸ್ಯೆಗಳನ್ನು ಬಗೆಹರಿಸಿ ಸುಗಮವಾಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸಲು ಕ್ರಮ ಕೈಗೊಳ್ಳಲಾಗುವುದು? (ವಿವರ ನೀಡುವುದು);	

ಸಂಖ್ಯೆ.ಸಿಆಸುಇ 23 ಎಸ್‌ಎಲ್‌ಎ 2024

(ಸಿದ್ದರಾಮಯ್ಯ)
ಮುಖ್ಯಮಂತ್ರಿ

Definitions

2. In this Act, unless the context otherwise requires—

{(a) 'Assistant Secretary' means the Assistant Secretary to the Commission, or in his absence such other person discharging the duties of the Assistant Secretary for the time being;}

{(aa)} "Commission" means the '[Karnataka Public Service Commission]';

(b) "Government" means the State Government;

(c) "Member" means a Member of the Commission and includes the Chairman thereof;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "Secretary" means the Secretary to the Commission; or in his absence, such other person discharging the duties of the Secretary for the time being.

CHAPTER II.

CONDUCT OF BUSINESS BY THE COMMISSION.

Procedure for performance of functions of the Commission.

3. The provisions of this Chapter shall be applicable for the performance of the functions of the Commission under the Constitution or under any law for the time being in force.

Decision of questions.

4. All questions arising for decision by the Commission shall be decided either at a meeting of the Members of the Commission or by circulation among the Members of the Commission:

Provided that if any Member desires that any question should be decided at a meeting, such question shall be considered and decided at a meeting of the Commission:

1. Clause (a) inserted by Act 25 of 1966 (S. 2) w.e.f. 1.9.1966.
2. Re-lettered by Act 25 of 1966 (S. 2) w.e.f. 1.9.1966.

Provided further that it shall not be necessary to circulate the papers relating to any question to a Member who is on leave other than casual leave.

Agenda for meetings.

5. The Secretary shall prepare the agenda and convene the meetings of the Commission after giving notice to all the Members.

Decision by majority of votes.

6. Every question at a meeting of the Commission shall be determined by a majority of the votes of the members present and voting on the question: and in the case of an equal division of votes, the Chairman shall have a second or casting vote.

Procedure during absence* of Chairman.

7. If the Chairman is unable to be present at a meeting of the Commission, the senior most Member present shall act on his behalf:

Provided that the Chairman shall be informed of such decisions arrived at in such a meeting in respect of any case which he may specify; and if on being so informed he is of the opinion that any such decision should be reconsidered at a meeting of the Commission at which he is present, such decision shall be reconsidered accordingly, and until such reconsideration no action shall be taken on such decision.

Vacancy, etc., not to invalidate proceedings.

8. The proceedings of the Commission shall not be invalidated by any vacancy or by the absence of a Member.

Quorum.

9. The quorum for a meeting of the Commission shall be '[four]' but the Presiding Officer may adjourn any business at a meeting if he is of opinion that it cannot conveniently be transacted owing to the non-attendance of any Member.

Recording of decisions.

10. All decisions of the Commission shall be recorded by the Secretary in such manner as the Commission may direct. It shall be open to any Member who dissents from a decision, to record his dissent and if he thinks fit, also his reasons for such dissent.

1. Substituted by Act 23 of 1973 (S. 2) w.e.f. 11.11.1973.

CHAPTER III.

ADDITIONAL FUNCTIONS.

Conduct of
Service
Examina-
tions.

16. '[(1)]' Such examinations which persons serving in connection with the affairs of the State are required to pass under the conditions of recruitment or service applicable to them and which may be notified by Government under this section, and such other examinations as may be notified by Government from time to time shall, with effect from such date as the Government may appoint, be conducted by the Commission in accordance with such rules as may be prescribed.

[(2) Where persons in the services of any local authority or other body corporate constituted by law, are required to pass under the conditions of recruitment or service applicable to them any of the service examinations notified by the Government under sub-section (1), the Government may, in consultation with the Commission by general order declare that the said persons shall be eligible to appear for the said service examinations and thereupon the said persons may appear for the said service examinations, subject to such conditions as may be prescribed.

Explanation.—For purposes of this sub-section, the expression 'local authority' shall have the meaning assigned to it in sub-section (3) of section 17.²

Functions in
respect of
services of
local
authorities.

17. (1) Notwithstanding anything contained in any law relating to the appointment and conditions of service of employees of local authorities—

(a) the Commission shall be the authority competent to conduct examinations for appointments to the services of local authorities and it shall be the duty of the Commission to conduct such examinations;

(b) the Commission shall be consulted—

1. Re-numbered by Act 23 of 1973 (S. 3) w.e.f. 16.11.1973.

2. Sub-section () inserted by Act 23 of 1973 (S. 3) w.e.f. 16.11.1973.

(i) on all matters relating to methods of recruitment to services and posts under a local authority;

(ii) on the principles to be followed in making appointments to services and posts under a local authority and in making promotions from one service to another and on the suitability of candidates for such appointments or promotions;

(iii) on all disciplinary matters affecting a person serving under a local authority including memorials and petitions relating to such matters;

(iv) on any claim by or in respect of a person who is serving or has served under a local authority that any cost incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the funds of the local authority concerned;

(v) on any claim for the award of a pension in respect of injuries sustained by a person while serving under a local authority and any question as to the amount of such award;

and it shall be the duty of the Commission to advise on any matter so referred to them and on any other matter relating to employees of local authorities which the Government may refer to them:

Provided that the Government may make orders specifying the matters in which either generally or in any particular class of case or in any particular circumstances, it shall not be necessary for the Commission to be consulted.

(2) In the case of any difference of opinion between the Commission and a local authority on any matter, the local authority concerned shall refer the matter to the Government and the decision of the Government thereon shall be final.

(3) For purposes of this section, 'local authority' means a municipal council, municipal committee, municipal corporation, town committee, notified area committee, town board, sanitary

board, taluk board, village panchayat or other authority by whatever name called, constituted under any law for the time being in force for the purpose of local self-government or village administration and includes the Board constituted under the City of Mysore Improvement Act, 1903 (Mysore Act III of 1903), and the City of Bangalore Improvement Act, 1945 (Mysore Act V of 1945).

Commission
to furnish
returns, etc.,
to Govern-
ment.

[17A. The Commission shall furnish such returns, records and information as may be required by the Government.]

Rules.

18. (1) The Government may, in consultation with the Commission by notification in the Official Gazette make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may be made for the following matters namely:—

(i) the procedure to be followed by the Commission in advertising posts, inviting applications, scrutinising the same, conducting examinations and selecting candidates to carry out the purposes of section 17;

(ii) the procedure to be followed by the local authority or any other competent authority for consultation with the Commission;

(iii) any matter which is incidental to, or necessary for, the purpose of consultation with the Commission;

(iv) any matter for which rules have to be made under this Act.

(3) All rules made under this Act shall be laid as soon as they are made before each House of the State Legislature while it is in session, for a total period of thirty days which may be comprised in one session or in two or more sessions and if

1. Section 17A inserted by Act 25 of 1966 (S. 4) w.e.f. 1.9.1966.

before the expiry of that period, either House of the State Legislature makes any modification in any rule or directs that any rule shall not have effect, and if the modification or direction is agreed to by the other House, the said rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Notifications.

I

Notification No. GAD 15 OSR 60, dated Bangalore, 30th August 1960.

In exercise of the powers conferred by sub-section (2) of Section 1 of the Mysore Public Service Commission (Conduct of Business and Additional Functions) Act, 1959 (Mysore Act 20 of 1959), the Government of Mysore hereby appoints the 1st day of October 1960, to be the date on which Chapter III of the said Act shall come into force.

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

(B. R. VERMA)

*Under Secretary to Government,
General Administration
Department (O & M).*

CHAPTER-VIII THE STAFF

Secretary

The Secretary is the Executive Head of the Office of the Commission. The Secretary is responsible for disposal of all business pertaining to the office of the Commission, subject to the general or special directions of the Commission. The policy and decisions of the Commission are carried out by the Secretary. The Secretary shall place before the Chairman or the Commission all relevant facts relating to a case and to tender necessary advice before or at the time of taking decision on passing orders on a case. In case any course of action decided by the Commission is contrary to the provisions of any rule or law or is at variance with the policy hitherto adopted by the Commission, it shall be the duty of the Secretary to draw the attention of the Chairman or the Commission, as the case may be. The Secretary exercises general supervision and control over the staff under him/her and is also responsible to ensure that the members of the staff do the work allotted to them efficiently and expeditiously.

Special powers and responsibilities of the Secretary

(i) In addition to supervising the proper conduct and transaction of the business of the office, the Secretary has the following special functions:

- a) Superintending control over the whole office
- b) Administrative control of the office
- c) Control over all the Branches/ Sections of the office
- d) Attending meetings of the Commission
- e) General charge of all offices of the Commission
- f) Functions as may be assigned by the Commission from time to time.

Functions and jurisdiction of the Secretary

(ii) a) **Administration Branches I and II**

Supervision over day to day transactions of the office of the Commission, Assisting the Commission during meetings and drafting resolutions, Promotions, Increments, Disciplinary matters, Leave, Transfers, Maintenance of Service records and Annual Performance Reports pertaining to the staff of the Commission, issue of special Rules/ Ad-hoc Rules and amendments thereto, amendments to General Rules, KPSC Rules of procedure, subsidiary

Rules of Procedure, Purchase of stationery, Furnitures and office equipments and the distribution, Maintenance of stores, arrangement for conduct of examinations and valuation Establishment matters of the Commission, Maintenance of office building, Library, Record office Garden, Vehicles, Lift, Generator, Protocol duties during visit of dignitaries correspondence with UPSC and other state PSCs (excluding UPSC examinations) Monitoring and co-ordination of all Branches/ Sections, deputation of officers and staff for examination duty, RTI Act, monitoring Legislative Assembly/ Legislative Council questions.

b) Accounts Branches I and II

Matters relating to Salary, Budget, Reconciliation, all Bills, PD Account, Audit related matters.

c) Clearance Branch

Tappals, Encashment of IPOs/ DDs.

d) Consultation Branch

Concurrence for promotions, disciplinary and other matters whenever Commission advice is sought by the State Government, preparation of Annual Report of the Commission.

e) Departmental Examination Branches I to IV

Conducting Service/ Departmental Examinations for the State Government employees twice a year.

f) Public Relations

Overseeing of providing information to the candidates and general public, public relations of various notifications on the notice board of the Commission.

g) Information Cell (RTI)

Monitoring/ Supervising of representations received under RTI Act.

h) Legal Cell

All legal matters filed by and against the Commission.

i) Recruitment/ Examination Branches I to IV

Obtaining and processing of requisitions received from the Government, Issue of notifications for recruitment to various Technical/Non-Technical posts in Group A, B and C categories under the State Government, formulation of syllabus, appointment of Chief Invigilators/ Supervisors, securing of examination halls, Payment of advance to Chief Invigilators/ Supervisors, conduct of examinations, equivalence qualification preparation and despatch of admission tickets, final admission of applications of candidates after verifying original certificates, final selection of candidates.

Controller of Examinations

2 (i) The Controller of Examinations (hereinafter referred to as COE) conducts all examinations on behalf of the Commission.

(ii) The COE shall be directly incharge of the work relating to preparation, translation, printing and despatch of question papers relating to all examinations including service examinations conducted on behalf of the Commission. The COE shall also be incharge of all confidential matters relating to competitive examinations and interview/ personality tests. He/She shall work under the overall supervision of the Secretary or the Chairman on the basis of 'need-to-know' principle.

Functions and jurisdiction of the Controller of Examinations

3 a) Computer Centre

Computer wing of the Commission's office - Publishing notifications in the Commission's website, designing applications, receipt of data, generation of check lists/ Preview, Admission tickets, publishing key answers in the Commission's website, scanning of answer scripts/ OMR sheets, decoding, generation of merit lists, printing of interview notices, publishing Provisional and Final Select lists in the Commission's website, maintenance of the Commission's official website, attending e-mails, queries in consultation with the concerned Branches/ Sections.

b) Confidential Branches I, II and III

Work relating to setting up and printing of question papers, moderation, OMR sheets, despatch of question papers/ OMR sheets to examination halls/ centres, maintenance of question banks, translation work, receiving/ storing/ distribution of question papers/ answer scripts/ OMR sheets, maintaining lists of Experts/ Advisers/ Specialists and inviting Experts/ Advisers/ Specialists/ Departmental Representatives for interview/ Personality tests, arrangements for evaluation in respect of various written examinations including Departmental/ Service Examinations, scanning of OMR sheets, tabulation, publishing of key answers, inviting objections and publication of revised key answers, drafting proceedings of the Commission relating to recruitments, preparing provisional and final select lists, matters relating to RTI concerning all Confidential Branches, preparing year planner, statistical data pertaining to examinations/ recruitments.

c) UPSC Exams

Selecting venues for the conduct of examinations, receiving/ distribution of Question papers of UPSC on the day of examinations and supervision of UPSC examinations.

Joint Secretary

4. The second senior most officer in the first rung of the hierarchy of the office of the Commission is the Joint Secretary. He/She is an important middle management level officer of the office of the Commission. He/She shall exercise such powers and functions as are delegated to him/her by the Secretary/Commission from time to time.