

Ordered that the translation of ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) ವಿಧೇಯಕ, 2020 (2020ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:04) in the English language, be published as authorised by the Governor of Karnataka under clause (3) of Article 348 of the constitution of India in the Karnataka Gazette for general information.

The following translation of ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) ವಿಧೇಯಕ, 2020 (2020ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:04) in the English language is published in the Official Gazette under the authority of the Governor of Karnataka under clause (3) of Article 348 of the Constitution of India.

KARNATAKA ACT NO. 04 OF 2020

(First Published in the Karnataka Gazette Extra-ordinary on the 27th day of March, 2020)

**THE KARNATAKA STATE CIVIL SERVICES (REGULATION OF
TRANSFER OF TEACHERS) ACT, 2020**

(Received the assent of the Governor on the 26th day of March, 2020)

An Act to provide for regulation of transfer of teachers so as to ensure the availability of teachers in Government Primary school sand Government High schools.

Whereas it is expedient to provide for regulation of transfer of teachers so as to ensure the availability of teachers in Government Primary Schools and Government High schools and for the matters connected therewith or incidental thereto;

Be it enacted by the Karnataka State Legislature in the seventy first year of the Republic of India, as follows:-

1.Short title and commencement.-(1) This Act may be called the Karnataka State Civil Services (Regulation of transfer of teachers) Act, 2020.

(2) It shall come into force on such date as the State Government may by notification, appoint.

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

(a) "**Appointment**" means appointment by direct recruitment, by absorption or by promotion;

(b) "**Appointing authority**" means the authority competent to make appointment to the post of a teacher;

(c) "**Competent authority**" means the authority competent to make orders of transfer of teachers as may be prescribed;

(d) "**Minimum period of service**" means a continuous service of three years in a school including service rendered in a school from where he has been re-deployed.

(e) "**Order of priority**" means priority list of teachers prepared based on weighted score obtained by the teacher as per the criteria as may be prescribed, for the purpose of counselling;

(f) "**Re-deployment**" means re-deployment of any post from a school where it is excess, to any school where it is deficit as per pupil-teacher ratio and other norms specified by the State Government;

(g) "**Schedule**" means the schedule appended to this Act;

(h) "**Specified posts**" means posts of Cluster resource person, Block resource person, Educational co-ordinator, Technical Assistant, Block resource co-ordinator, Assistant project Co-ordinator, Subject Inspector and Assistant Director (mid day meal); and such other posts as may be notified by the State Government in this behalf;

(i) "**Teacher**" means a person appointed to a category of posts of a teacher in a primary school or a high school or composite high school or composite junior college or such other posts belonging to the State Civil Services as specified in the Schedule;

(j) "**Transfer**" means posting of a teacher from one place of working to another place of working in the same cadre;

(k) "**Unit of seniority**" means for primary school teachers the Unit of Seniority is an Educational district and for high school teachers, the unit of seniority is a Revenue division; and

(l) "**Zone**" means Zone-A, Zone-B and Zone-C as defined and prescribed by the State Government.

3. Compulsory appointment of a teacher to Zone-C.- (1) Every appointing authority while giving first posting on initial appointment or promotion of a teacher shall ensure that vacancies in Zone-C shall be filled in the

first instance. Preferably the taluks with more than twenty percent vacancies shall be filled on priority.

(2) If no vacancy is available for posting on initial appointment or promotion in Zone-C, vacancy may be created by transfer of willing teachers working in Zone-C who have completed minimum period of service to Zone-B in the order of priority and from Zone B-to Zone-A:

Provided that, posting of a teacher to Zone-C on initial appointment or promotion shall not apply to a teacher who has been appointed to a unit of seniority which does not comprise any area under Zone-C:

Provided further that, if no vacancies are available in Zone-C even after undertaking process under sub-sections (1) to (2), then a teacher may be posted to a school in order of Zone-B or Zone-A:

Provided also that, if a teacher who has already served more than ten years in Zone-C continuously or fifteen years in Zone-C cumulatively, such teacher on promotion may be posted to a school in the order to Zone-B or Zone-A through counselling subject to availability of such vacancies.

4. Rationalisation of teachers.-(1) Every alternate year the sanctioned posts and the teachers working thereof in a school shall be rationalized based on the Pupil-Teacher ratio fixed by the State Government from time to time.

(2) After rationalisation the excess posts of a teacher in any school shall be redeployed to any school where it is deficit. The excess teachers so determined shall be transferred through counselling based on the order of priority, subject to such other conditions as may be prescribed.

5. Zonal transfers.-Every alternate year,-

(i) every teacher who has not served minimum ten years in Zone-C and has served more than ten years continuously in Zone-A shall be transferred to Zone-C or Zone-B subject to such conditions as may be prescribed by the State Government.

(ii) if no vacancy is available for posting of a teacher transferred under sub-clause (i) to Zone-C, vacancy may be created by transfer of willing teachers

working in Zone-C or Zone-B who have completed minimum period of service to Zone A in the order of priority.

6. Request transfer.-A teacher who has served minimum period of service in a school shall be offered an option to seek transfer subject to availability of vacancies and such other conditions as may be prescribed:

Provided that, in case of transfer of teacher from one school to another consequent upon rationalisation or zonal transfer the service rendered in previous school shall be reckoned for the purpose of calculation of minimum service in a school.

Provided further that, a teacher working in any of the six districts of Kalyana Karnataka region, in addition to all other eligibility conditions shall also have completed a minimum of ten years of service in the region, for seeking transfer outside of Kalyana Karnataka region.

7. Transfer by counselling.-(1)The transfer of teachers under sections 4, 5 and 6 shall ordinarily be done during the General transfer in the month of April and May, in a year through a process of computerized counselling conducted in such manner as may be prescribed:

Provided that, the transfer may be made even after the month of April and May in special circumstances for the reasons to be recorded in writing on direction of the State Government:

Provided further that, where no teacher has opted for a place in the process of counselling and it is required to be filled in the public interest based on the pupil-teacher ratio, the State Government may transfer any teacher to such place who has completed minimum period of service, subject to such other conditions as may be prescribed:

Provided also that, a teacher undergoing a major penalty under the Karnataka Civil Service (Classification, Control and Appeal) Rules, 1957 or facing criminal charges in Court of Law shall be transferred to any vacancy in 'Zone-C' even if he has not completed minimum period of service:

Provided also that, the total number of transfers made under sections 5 and 6 under this Act in a year, for any cadre and in any unit of seniority shall not exceed fifteen percent or such lower limit as notified by the State Government:

Provided also that, the limit prescribed in the fourth proviso, shall not be applicable to mutual transfers and transfers made under special categories as defined in clause (i) to (iv) of sub-section (1) of section 10.

(2) The mutual transfer to a place outside the unit of seniority shall be permitted not more than once in-service subject to condition that both teachers must have completed minimum seven years of service; must be otherwise eligible to be transferred to that zone and must have minimum five years of leftover service. He shall not be eligible for protection of seniority and be subject to such other conditions as may be prescribed.

Provided that, in respect of mutual transfer of a teacher within the unit of seniority he shall be otherwise eligible for transfer to that post.

(3) The competent authority shall ensure that as far as possible the percentage of vacancies in all the districts are distributed equally.

8. Transfer of teachers to specified posts.-(1) All specified posts shall be filled only through counselling by posting of a teacher based on merit list prepared through the examination specified for such posts:

Provided that, the State Government may in its discretion, post any teacher to a specified post, who has passed the prescribed examination and has fulfilled eligibility norms.

(2) The minimum and maximum periods of posting to such posts shall be three years and five years respectively.

9. Redressal of grievances during transfers.-The departmental Officer not below the rank of a Joint Director of Public Instruction shall be designated as the Grievance Redressal Officer to oversee all transfer process under his jurisdiction and hear any written complaints and pass orders within seven days. The appeal against the order passed by the Grievance Redressal Officer shall lie with Additional Commissioner of Public Instruction, Dharwad for Belagavi division; Additional Commissioner of Public Instruction, Kalaburagi for Kalaburagi

division and Director (Transfer Cell), Commissioner of Public Instruction office, Bengaluru in respect of Bengaluru and Mysuru Division. In case of violation of any provision of the Act or the rules made there under by any officer, the same shall be reported to the concerned Disciplinary Authority.

10. Exemptions from rationalization, zonal transfers and priority for request transfers.-(1)The exemptions from rationalization, zonal transfers and priority for request transfers are as follows, subject to conditions specified in sub-sections (2) to (5),-

- (i) teacher or spouse or children suffering from terminal illness or serious ailments for which treatment is not available within the taluk in which teacher is working;
- (ii) teacher or spouse or children with bench mark disability as defined in clause (r) of section 2 of the Rights of persons with disabilities Act, 2016 (Central Act 49 of 2016);
- (iii) widow or widower or a divorcee teacher with dependent children; below the age of 12 years;
- (iv) teacher with spouse being a working soldier or retired or permanently disabled or deceased soldier of Indian Defence Forces or Para-Military Forces;
- (v) teacher with spouse working with the State or Central Government or aided educational institution;
- (vi) teachers above the age of fifty years in case of female teachers and fifty five years in case of male teachers; and
- (vii) pregnant teacher or a female teacher with a child of less than one year.

(2) The categories falling under clauses (i) to (iv) are eligible for both exemptions under rationalization and zonal transfers and also priority under request transfers. The priorities shall be claimed only once during the service of a teacher.

(3) The categories falling under clauses (i) to (iv) are classified as special categories. The transfers made under these categories shall not be counted under fifteen percent transfer limits specified under section 7.

(4) The categories falling under clause (vi) and (vii) are eligible only for exemptions under rationalization and zonal transfers.

(5) The teachers falling under category (v) shall be given priority during request transfer. If the teacher is working in a different taluk as that of the spouse is allowed to seek transfer to the working taluk of the spouse only. If both are working in the same taluk then they are not eligible to make application under priority:

Provided that, during rationalization and zonal transfers the excess teacher shall be posted within the working taluk of the spouse.

11. Prohibition of manual counselling.- The carrying out of transfers through manual counselling is prohibited. If transfers are done through manual counselling they shall be considered as null and void and officers who are responsible for such transfers are liable for disciplinary action.

12. Penalties.- If any officer or staff acts or makes an order in contravention of the provisions of this Act or the rules made thereunder, such officer or staff as the case may be, shall be liable for disciplinary action under the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

13. Cognizance of offences.- No Court shall take cognizance of any offence under this Act except on a complaint made in writing by an officer authorized by the State Government by notification published in this behalf in the Official Gazette.

14. An Act to override other laws.- The provisions of this Act shall have an over-riding effect on anything inconsistent therewith contained in any other law for the time being in force.

15. Power to remove difficulties.- If any difficulty arises in giving effect to the provisions of this Act, the State Government if it is necessary and expedient for removing the difficulty, may by order published in the official Gazette make provisions not inconsistent with the provisions of this Act:

Provided that, no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

16. Power to amend the Schedule.-The State Government may, by notification, add, alter or remove any of the entries specified in the Schedule.

17. Protection of action taken in good faith.- No suit, prosecution or other legal proceeding shall lie against any officer of the State Government for anything done in good faith or intended to be done under this Act.

18. Power to make rules.- (1) The State Government may by notification and after previous publication, make rules to carry out the purposes of this Act.

(2) Any rule made under this Act may be made with retrospective effect and when such a rule is made, the reasons for making the rule shall be specified in a statement to be laid before both Houses of the State Legislature and subject to any modification made under sub-section (3). Every rule made under this Act shall have effect as if it is enacted under this Act.

(3) Every rule made or notification issued under this Act, shall be laid, as soon as may be, after it is 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 successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following both Houses agree in making any modification, in the rule or notification or decide that any rule or notification should not be made, the rule or notification 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 or notification.

19. Transitory provisions.- Any rule, notification, order or appointment, made or issued under the Karnataka State Civil Services (Regulation of transfer of teachers) Act, 2007 (Karnataka Act 29 of 2007) and Rules made there under or otherwise providing for or relating to any of the matters for the furtherance of which this Act is enacted, before the date of commencement of this Act and in force on the date of commencement of this Act, to the extent they are not inconsistent with the provisions of this Act, shall continue to be in force and effective as if they are made or issued or appointed under the corresponding

provisions of this Act unless and until superseded by anything done or any action taken or any rules, notification, order or appointment made under this Act.

20. Repeal and savings.-Except the provisions relating to transfer of Lecturer or Principal of Pre-University college, the Karnataka State Civil Services (Regulation of transfer of teachers) Act, 2007 (Karnataka Act 29 of 2007) is hereby repealed:

Provided that, such repeal shall not affect,-

- (a) anything done or any action taken under the said Act; or
- (b) the previous operation of the said Act or anything duly done or suffered thereunder; or
- (c) any right, privilege, obligation or liability acquired, accrued or incurred under the said Act; or
- (d) any penalty or punishment incurred in respect of any offence committed under the said Act:

Provided further that, the provisions of section 6 of the Karnataka General Clauses Act, 1899 (Karnataka Act III of 1899) shall be applicable in respect of repeal of the said Act.

SCHEDULE

(see section 2 and 16)

Sl. No.	Cadre of teachers
I	Posts in Government Primary Schools.-
1.	Head master/Head mistress in Government Higher Primary school
2	Senior Headmaster/Head mistress in Model higher primary school/ Higher Primary School
3	Primary school Assistant master/mistress consisting of the following categories .- (i) Primary School Teachers (for class 1 to 5) (ii) Graduate Primary Teachers (for class 6 to 8)
4	Music teacher
5	Physical education teacher
6	Drawing Teacher in Government Higher primary school/Model Higher primary school / any other special teachers.
II)	Posts in Government High schools :
1	Head Master/Head Mistress in Government High schools by whatever name called including Head Master/Mistress of Government Higher Secondary / Multipurpose High School and Head Master/Head Mistress of Government High School / Vice

	Principal of composite Pre-University college/ Karnataka Public School / Composite High school consisting of the following categories of posts
2	Secondary school assistant (Grade - I)
3	Secondary school assistant (Grade - II)
4	Graduate Assistant Master/Mistress in Government High school, composite Pre-University college, Composite High school, consisting of the following categories of posts, namely:- (i) Assistant Master Arts in Kannada, English, Urdu, Hindi, Marathi, Tamil and Telugu mediums of instruction; (ii) Assistant Master in Physical Science in Kannada, English, Urdu, Hindi, Marathi, Tamil and Telugu mediums of instruction; (iii) Assistant Master in Biological Science in Kannada, English, Urdu, Hindi, Marathi, Tamil and Telugu mediums of instruction; (iv) Language Assistant in Kannada, English, Urdu, Hindi, Marathi, Tamil, Telugu and Sanskrit languages.
5	Physical Education Teacher in Government High Schools and Composite Pre-University Colleges
6	Drama Teacher
7	Dance Teacher
8	Drawing Teacher
9	Music Teacher
10	All Special Teachers

The above translation of ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) ಅಧಿನಿಯಮ, 2020 (2020ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:04) (be published in the official Gazette under clause (3) of Article 348 of the Constitution of India.

VAJUBHAI VALA
GOVERNOR OF KARNATAKA

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

(K.DWARAKANATH BABU)
Secretary to Government
Department of Parliamentary Affairs
and Legislation

**PARLIAMENTARY AFFAIRS AND LEGISLATION SECRETARIAT
NOTIFICATION**

NO. DPAL 40 SHASANA 2021, BENGALURU, DATED: 05.10.2021

ಭಾರತ ಸಂವಿಧಾನದ ಅನುಚ್ಛೇದ 348ರ ಖಂಡ (3)ರ ಅಡಿಯಲ್ಲಿ ರಾಜ್ಯಪಾಲರಿಂದ ಅಧಿಕೃತಗೊಳಿಸಿದ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2021 (2021ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 27) ರ ಭಾಷಾಂತರವನ್ನು ಅಧಿಕೃತ ಆಂಗ್ಲ ಪಠ್ಯವೆಂದು ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದ ವಿಶೇಷ ಸಂಚಿಕೆಯಲ್ಲಿ (ಭಾಗ-IV) ಪ್ರಕಟಿಸಬೇಕೆಂದು ಆದೇಶಿಸಲಾಗಿದೆ.

KARNATAKA ACT NO. 27 OF 2021

(First Published in the Karnataka Gazette Extra-ordinary on the 5th day of October 2021)

**THE KARNATAKA STATE CIVIL SERVICES (REGULATION OF TRANSFER
OF TEACHERS) (AMENDMENT) ACT, 2021**

(Received the assent of the Governor on the 1st day of October 2021)

An Act to amend the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020.

Whereas it is expedient to amend the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020 (Karnataka Act 04 of 2020) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy second year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka State Civil Services (Regulation of Transfer of Teachers) (Amendment) Act, 2021.

(2) It shall be deemed to have come into force with effect from 29th day of April 2021.

2. Amendment of section 10.- In the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020 (Karnataka Act 04 of 2020), in section 10, after sub-section (5), the following shall be inserted, namely:-

“(6) In case of a teacher who was transferred on compulsory transfer, zonal transfer or under rationalisation outside the taluk in case of a primary school teacher or district in case of a high school teacher during the year 2019-20 shall also be provided an opportunity to opt a place of transfer within the taluk or district where they were working during the year 2019-20 as a onetime measure ahead of other types of transfers subject to the availability of vacancies so as to give the benefit of posting within the concerned taluk or district in the transfer done immediately after the date of commencement of the Karnataka State Civil Services

(Regulation of Transfer of Teachers) (Amendment) Act, 2021 in the manner as may be prescribed."

3. Repeal and savings.- (1) The Karnataka State Civil Services (Regulation of transfer of Teachers) (Amendment) Ordinance, 2021 (Karnataka Ordinance 04 of 2021) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

The above translation of ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2021 (2021ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:27) be published in the official Gazette under clause (3) of Article 348 of the constitution of India.

**THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA**

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

G.SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation

PARLIAMENTARY AFFAIRS AND LEGISLATION SECRETARIAT

NOTIFICATION

NO. DPAL 47 SHASANA 2021, BENGALURU, DATED: 18.01.2022

ಭಾರತ ಸಂವಿಧಾನದ ಅನುಚ್ಛೇದ 348ರ ಖಂಡ (3)ರ ಅಡಿಯಲ್ಲಿ ರಾಜ್ಯಪಾಲರಿಂದ ಅಧಿಕೃತಗೊಳಿಸಿದ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ಎರಡನೇ ತಿದ್ದುಪಡಿ)ಅಧಿನಿಯಮ, 2021 (2022ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 06) ರ ಭಾಷಾಂತರವನ್ನು ಅಧಿಕೃತ ಆಂಗ್ಲ ಪಠ್ಯವೆಂದು ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದ ವಿಶೇಷ ಸಂಚಿಕೆಯಲ್ಲಿ (ಭಾಗ-IV) ಪ್ರಕಟಿಸಬೇಕೆಂದು ಆದೇಶಿಸಲಾಗಿದೆ.

KARNATAKA ACT NO. 06 OF 2022

(First Published in the Karnataka Gazette Extra-ordinary on the 18th day of January 2022)

THE KARNATAKA STATE CIVIL SERVICES (REGULATION OF TRANSFER OF TEACHERS) (SECOND AMENDMENT) ACT, 2021

(Received the assent of the Governor on the 17th day of January 2022)

An Act further to amend the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020.

Whereas it is expedient further to amend the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020 (Karnataka Act 04 of 2020) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy second year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka State Civil Services (Regulation of Transfer of Teachers) (Second Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of long title and preamble.-In the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020 (Karnataka Act 04 of 2020)(hereinafter referred to as the Principal Act), in the long title and preamble, for the words, "Government Primary Schools and Government High Schools", in two places where they occur the words "Government Primary Schools, Government High Schools and Pre-University Colleges" shall be substituted.

3. Substitution of the word "School".- In the principal Act, for the word "School", wherever it occurs the words "School or Pre-university College", shall be substituted.

4. Amendment of section 2.- In section 2 of the principal Act,-

(i) after clause (c), the following shall be inserted, namely:-

“(ca) “Lecturer” means a person appointed to a category of posts of Principal or lecturer in composite junior college or pre-university college as specified in Schedule-II;”

(ii) after clause (e), the following shall be inserted, namely:-

“(ea) “Pre-University College” means Pre-University Colleges or composite junior colleges belonging to the State Government;”

(c) any right, privilege, obligation or liability acquired, accrued or incurred under the said Act; or

(d) any penalty or punishment incurred in respect of any offence committed under the said Act:

Provided further that, the provisions of section 6 of the Karnataka General Clauses Act, 1899 (Karnataka Act III of 1899) shall be applicable in respect of repeal of the said Act.

The above translation of ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ಎರಡನೇ ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2021 (2022ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:06) be published in the official Gazette under clause (3) of Article 348 of the constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA

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

G.SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೧೩, ಅಕ್ಟೋಬರ್, ೨೦೨೨(ಆಶ್ವಯುಜ, ೨೧, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, THURSDAY, 13, OCTOBER, 2022(AASHWAYUJA, 21, SHAKAVARSHA, 1944)	ನಂ. ೫೨೦ No. 520
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಸಚಿವಾಲಯ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 23 ಶಾಸನ 2022, ದಿನಾಂಕ: 13.10.2022

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2022 ಇದಕ್ಕೆ 2022ರ ಅಕ್ಟೋಬರ್ ತಿಂಗಳ 12 ನೇ ದಿನಾಂಕದಂದು ರಾಜ್ಯಪಾಲರ ಒಪ್ಪಿಗೆ ದೊರೆತಿದ್ದು, ಸಾಮಾನ್ಯ ತಿಳುವಳಿಕೆಗಾಗಿ ಇದನ್ನು 2022 ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 32 ಎಂಬುದಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದ ವಿಶೇಷ ಸಂಚಿಕೆಯಲ್ಲಿ (ಭಾಗ IV) ಪ್ರಕಟಿಸಬೇಕೆಂದು ಆದೇಶಿಸಲಾಗಿದೆ.

2022ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 32

(2022 ರ ಅಕ್ಟೋಬರ್ ತಿಂಗಳ 13 ನೇ ದಿನಾಂಕದಂದು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಪತ್ರದ ವಿಶೇಷ ಸಂಚಿಕೆಯಲ್ಲಿ ಮೊದಲು ಪ್ರಕಟವಾಗಿದೆ)

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ)

ಅಧಿನಿಯಮ, 2022

(2022ರ ಅಕ್ಟೋಬರ್ ತಿಂಗಳ 12ನೇ ದಿನಾಂಕದಂದು ರಾಜ್ಯಪಾಲರಿಂದ ಅನುಮೋದನೆಯನ್ನು ಪಡೆಯಲಾಗಿದೆ)

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) ಅಧಿನಿಯಮ, 2020 ಅನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವ ಒಂದು ಅಧಿನಿಯಮ.

ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಕಂಡುಬರುವ ಉದ್ದೇಶಗಳಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) ಅಧಿನಿಯಮ, 2020 (2020ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 04) ಅನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ;

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೂರನೇ ವರ್ಷದಲ್ಲಿ ಕರ್ನಾಟಕ ರಾಜ್ಯ ವಿಧಾನ ಮಂಡಲದಿಂದ ಈ ಮುಂದಿನಂತೆ ಅಧಿನಿಯಮಿತವಾಗಲಿ:-

1. ಸಂಕ್ಷಿಪ್ತ ಹೆಸರು ಮತ್ತು ಪ್ರಾರಂಭ.- (1) ಈ ಅಧಿನಿಯಮವನ್ನು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2022 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು ಈ ಕೂಡಲೆ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದು.

2. ಪ್ರಕರಣ 2ರ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 (2020ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 04)ರ (ಇಲ್ಲಿ ಇನ್ನುಮುಂದೆ ಮೂಲ ಅಧಿನಿಯಮವೆಂದು ಉಲ್ಲೇಖಿಸಲಾಗಿದೆ) 2ನೇ ಪ್ರಕರಣದಲ್ಲಿ,-

(1) (ಡಿ) ಖಂಡದ ಬದಲಾಗಿ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"(ಡಿ) "ಕನಿಷ್ಠ ಸೇವಾವಧಿ" ಎಂದರೆ ಪ್ರಕರಣ 2ರ (ಎಫ್) ಖಂಡದ ಹಾಗೂ ಪ್ರಕರಣ 4ರ ಉಪಬಂಧಗಳಿಗನುಸಾರವಾಗಿ ಪ್ರಸಕ್ತ ಶೈಕ್ಷಣಿಕ ವರ್ಷದಲ್ಲಿ ಶಿಕ್ಷಕರನ್ನು ಅಥವಾ ಉಪನ್ಯಾಸಕರನ್ನು ಮರು ನಿಯೋಜನೆ ಮಾಡಲಾಗಿದ್ದಲ್ಲಿ ಅಲ್ಲಿಂದ ಶಾಲೆಯ ಅಥವಾ ಪದವಿ ಪೂರ್ವ ಕಾಲೇಜಿನಲ್ಲಿ ಸಲ್ಲಿಸಿದ ಸೇವೆಯನ್ನು ಒಳಗೊಂಡಂತೆ ಶಾಲೆ ಅಥವಾ ಪದವಿ ಪೂರ್ವ ಕಾಲೇಜುಗಳಲ್ಲಿ ಸಲ್ಲಿಸಿದ ನಿರಂತರ ಮೂರು ವರ್ಷಗಳ ಸೇವೆ".

(2) (ಇ) ಖಂಡದ ಬದಲಾಗಿ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"(ಇ) "ಆದ್ಯತಾ ಕ್ರಮ" ಎಂದರೆ ಕೌನ್ಸಿಲಿಂಗ್ ಉದ್ದೇಶಕ್ಕಾಗಿ ನಿಯಮಿಸಬಹುದಾದ ಮಾನದಂಡದ ಅನುಸಾರವಾಗಿ ಶಿಕ್ಷಕನು ಪಡೆದ ಕೃಪಾಂಕವನ್ನು ಆಧರಿಸಿ ಸಿದ್ಧಪಡಿಸಿದ ಶಿಕ್ಷಕರ ಆದ್ಯತಾ ಪಟ್ಟಿ:

ಪರಂತು, ನಿರ್ದಿಷ್ಟ ಹುದ್ದೆಯ ಸಂಬಂಧದಲ್ಲಿ ಆದ್ಯತಾ ಕ್ರಮ ಎಂದರೆ, ಅಂತಹ ಹುದ್ದೆಗಳಿಗಾಗಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಿದ ಪರೀಕ್ಷೆಯಲ್ಲಿ ಪಡೆದ ಅಂಕಗಳಿಗನುಸಾರವಾಗಿ ಸಿದ್ಧಪಡಿಸಿದ ಮೆರಿಟ್ ಪಟ್ಟಿ;"

3. ಪ್ರಕರಣ 7ರ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ ಪ್ರಕರಣ 7ರಲ್ಲಿ,-

(i) ಉಪ ಪ್ರಕರಣ (1)ರಲ್ಲಿ ಐದು ಮತ್ತು ಆರನೇ ಪರಂತುಗಳ ಬದಲಾಗಿ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು ಎಂದರೆ:-

"ಅಲ್ಲದೆ ಪರಂತು, 10ನೇ ಪ್ರಕರಣದ ಉಪಪ್ರಕರಣ (1)ರ (i) ರಿಂದ (iv)ರ ವರೆಗಿನ ಖಂಡಗಳಲ್ಲಿ ಪರಿಭಾಷಿಸಲಾದಂತೆ ವಿಶೇಷ ಪ್ರವರ್ಗಗಳಡಿಯಲ್ಲಿ ಮಾಡಲಾದ ಪರಸ್ಪರ ವರ್ಗಾವಣೆಗಳಿಗೆ ಹಾಗೂ ವರ್ಗಾವಣೆಗಳಿಗೆ ಮತ್ತು ಕಲ್ಯಾಣ ಕರ್ನಾಟಕ ಪ್ರದೇಶಕ್ಕೆ (ಎಂದರೆ, 371 (ಜೆ) ಅಡಿಯಲ್ಲಿ ಅಧಿಸೂಚಿಸಲಾದಂತೆ 6 ಜಿಲ್ಲೆಗಳು) ಮಾಡಲಾದ ವರ್ಗಾವಣೆಗಳಿಗೆ, ಮಲೆನಾಡು ಪ್ರದೇಶಕ್ಕೆ (ಮಲೆನಾಡು ಪ್ರದೇಶ ಎಂದರೆ, ಸಂಬಂಧಪಟ್ಟ ಸರ್ಕಾರಿ ಆದೇಶದಲ್ಲಿ ಅಧಿಸೂಚಿಸಲಾದ ಕ್ಷೇತ್ರಗಳಿಗೆ), ಶೈಕ್ಷಣಿಕವಾಗಿ ಹಿಂದುಳಿದ ಕ್ಷೇತ್ರಗಳಿಗೆ (ಇಬಿಬಿಎಸ್) (ಡಾ|| ನಂಜುಡಪ್ಪ ವರದಿ ಅನುಸಾರ ಅಥವಾ ಚಾಲ್ತಿಯಲ್ಲಿರುವ ಸರ್ಕಾರಿ ಅಧಿಸೂಚನೆ ಅನುಸಾರ) ಮಾಡಲಾದ ವರ್ಗಾವಣೆಗಳಿಗೆ ಮೇಲೆ ನಿಯಮಿಸಿದ ಮಿತಿಯು ಅನ್ವಯವಾಗತಕ್ಕದ್ದಲ್ಲ".

(ii) ಉಪಪ್ರಕರಣ (2)ರ ಬದಲಾಗಿ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು ಎಂದರೆ:-

"(2) ಜೇಷ್ಠತಾ ಘಟಕದ ಒಳಗಿನ ಅಥವಾ ಹೊರಗಿನ ಸ್ಥಳಕ್ಕೆ ಮಾಡಲಾಗುವ ಪರಸ್ಪರ ವರ್ಗಾವಣೆಯು ಇಬ್ಬರು ಶಿಕ್ಷಕರು ಆ ವೃಂದದಲ್ಲಿ ಕನಿಷ್ಠ ಐದು ವರ್ಷಗಳ ಸೇವೆಯನ್ನು

ಪೂರ್ಣಗೊಳಿಸಿರಬೇಕೆಂಬ, ಆ ವಲಯದ ವರ್ಗಾವಣೆಗೆ ಅನ್ಯಥಾ ಅರ್ಹರಾಗಿರಬೇಕೆಂಬ ಮತ್ತು ಕನಿಷ್ಠ ಐದು ವರ್ಷಗಳ ಸೇವೆ ಉಳಿದಿರಬೇಕೆಂಬ ಷರತ್ತುಗಳಿಗೆ ಒಳಪಟ್ಟಿರತಕ್ಕದ್ದು:

ಪರಂತು, ಇಬ್ಬರು ಶಿಕ್ಷಕರು ಪ್ರಕರಣ 2 (ಡಿ) ನಲ್ಲಿನ ಪರಿಭಾಷೆಗನುಸಾರವಾಗಿ ಪ್ರಸಕ್ತ ಸ್ಥಳದಲ್ಲಿ ಕನಿಷ್ಠ ವರ್ಷಗಳ ಸೇವೆಯನ್ನು ಪೂರ್ಣಗೊಳಿಸಿರಬೇಕು:

ಮತ್ತು ಪರಂತು, ಆತನು ನಿಯಮಿಸಬಹುದಾದಂತೆ, ಒಂದು ಜೇಷ್ಠತಾ ಘಟಕದಿಂದ ಇನ್ನೊಂದು ಜೇಷ್ಠತಾ ಘಟಕಕ್ಕೆ ಸ್ವಇಚ್ಛೆಯಿಂದ ವರ್ಗಾವಣೆಗೊಂಡರೆ ಜೇಷ್ಠತೆಯ ಸಂರಕ್ಷಣೆಗಾಗಿ ಹಾಗೂ 7ನೇ ಪ್ರಕರಣದಲ್ಲಿ ನಮೂದಿಸಲಾದಂಥ ಇತರೆ ಷರತ್ತಿಗೆ ಅರ್ಹರಾಗತಕ್ಕದ್ದಲ್ಲ:

ಮತ್ತೂ ಪರಂತು, ಹಿಂದಿನ ವರ್ಷಗಳಲ್ಲಿನ ಪರಸ್ಪರ ವರ್ಗಾವಣೆ ಸಂಬಂಧದಲ್ಲಿ ಪ್ರಕರಣ 2 (ಡಿ) ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿಗಾಗಿ ಅರ್ಹರಾಗತಕ್ಕದ್ದಲ್ಲ:

ಅಲ್ಲದೆ ಪರಂತು, ಪದವಿ ಪೂರ್ವ ಕಾಲೇಜು ಅಥವಾ ಸಂಯುಕ್ತ ಜೂನಿಯರ್ ಕಾಲೇಜಿನ ಉಪನ್ಯಾಸಕರ ಸಂದರ್ಭದಲ್ಲಿ, ಪದವಿ ಪೂರ್ವ ಕಾಲೇಜು ಅಥವಾ ಸಂಯುಕ್ತ ಜೂನಿಯರ್ ಕಾಲೇಜಿನ ಉಪನ್ಯಾಸಕನು ಕನಿಷ್ಠ ಏಳು ವರ್ಷಗಳ ಸೇವೆಯನ್ನು ಪೂರೈಸಿರತಕ್ಕದ್ದು ಅಥವಾ ಆ ಸ್ಥಳಕ್ಕೆ ವರ್ಗಾವಣೆ ಮಾಡುವುದಕ್ಕೆ ಅನ್ಯಥಾ ಅರ್ಹರಾಗಿರತಕ್ಕದ್ದು ಮತ್ತು ಕನಿಷ್ಠ ಐದು ವರ್ಷಗಳ ಸೇವೆ ಉಳಿದಿರತಕ್ಕದ್ದೆಂಬ ಷರತ್ತಿಗೆ ಒಳಪಟ್ಟು ಸೇವಾ ಅವಧಿಯಲ್ಲಿ ಒಂದು ಬಾರಿಗಿಂತ ಹೆಚ್ಚಿನ ವರ್ಗಾವಣೆಗೆ ಅನುಮತಿಸತಕ್ಕದ್ದಲ್ಲ".

(iii) ಉಪಪ್ರಕರಣ 3ರ ತರುವಾಯ, ಈ ಮುಂದಿನ ಪರಂತುಗಳನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು ಎಂದರೆ,-

"ಪರಂತು, ತಾಲ್ಲೂಕಿನೊಳಗಿನ ವರ್ಗಾವಣೆ ಮತ್ತು ಒಂದೇ ವೃಂದ ಹಾಗೂ ತಾಲ್ಲೂಕಿನಲ್ಲಿ 10 ವರ್ಷಗಳ ಸೇವೆಯನ್ನು ಪೂರ್ಣಗೊಳಿಸಿದ ಶಿಕ್ಷಕರಿಗೆ ಅಥವಾ ಒಂದೇ ಕ್ಷೇತ್ರದಲ್ಲಿ (ಬ್ಲಾಕ್) (ಶೇಕಡ 25ಕ್ಕಿಂತ ಹೆಚ್ಚಿಗೆ ಖಾಲಿ ಸ್ಥಾನಗಳಿರುವ) ಒಟ್ಟು 15 ವರ್ಷಗಳ ಸೇವೆಯನ್ನು (ಎಲ್ಲಾ ವೃಂದಗಳು) ಪೂರ್ಣಗೊಳಿಸಿದ ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆಯನ್ನು ಹೊರತುಪಡಿಸಿ ಶೇಕಡ 25ಕ್ಕಿಂತ ಹೆಚ್ಚಿಗೆ ಖಾಲಿ ಸ್ಥಾನಗಳಿರುವ ಕ್ಷೇತ್ರಗಳಿಂದ ವರ್ಗಾವಣೆಗೆ ಅನುಮತಿಸತಕ್ಕದ್ದಲ್ಲ:

ಮತ್ತು ಪರಂತು, ಶೇಕಡ 25ರಷ್ಟು ಖಾಲಿ ಸ್ಥಾನಗಳನ್ನು ಲೆಕ್ಕ ಹಾಕುವಾಗ, ಶಿಕ್ಷಕರ ಎಲ್ಲಾ ವೃಂದಗಳನ್ನು ಎಂದರೆ, ಪ್ರಾಥಮಿಕ ಶಿಕ್ಷಕರ ಅನುಸೂಚಿಯನುಸಾರವಾಗಿ ಎಲ್ಲಾ ಪ್ರಾಥಮಿಕ ಪ್ರವರ್ಗ ಮತ್ತು ಮಾಧ್ಯಮಿಕ ಶಿಕ್ಷಕರ ಅನುಸೂಚಿಯನುಸಾರವಾಗಿ ಎಲ್ಲಾ ಮಾಧ್ಯಮಿಕ ಪ್ರವರ್ಗಗಳನ್ನು ಒಳಗೊಳ್ಳತಕ್ಕದ್ದು.

4. 10ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಮೂಲ ಅಧಿನಿಯಮದ 10ನೇ ಪ್ರಕರಣದಲ್ಲಿ,-

(1) ಉಪಪ್ರಕರಣ (2)ರ ಬದಲಾಗಿ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"(2) ಉಪಪ್ರಕರಣ (1)ರ ಖಂಡ (i)ಯಿಂದ (iv)ವರೆಗಿನ ಖಂಡಗಳ ಅಡಿಯಲ್ಲಿ ಬರುವ ಪ್ರವರ್ಗಗಳು,-

(ಎ) ಸಮರ್ಪಕ ಮರು ಹಂಚಿಕೆ ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿ.

(ಬಿ) ವಲಯ ವರ್ಗಾವಣೆ ಅಡಿಯಲ್ಲಿ ವಿನಾಯಿತಿ.

(ಸಿ) ಕೋರಿಕೆ ವರ್ಗಾವಣೆಗಳ ಅಡಿಯಲ್ಲಿ ಆದ್ಯತೆ.

(ಶಿಕ್ಷಕನು ಸೇವಾ ಅವಧಿಯಲ್ಲಿ ಒಂದು ಬಾರಿ ಮಾತ್ರ ಆದ್ಯತೆಯನ್ನು ಕ್ಲೇಮು ಮಾಡತಕ್ಕದ್ದು).

(ಡಿ) ನಿರ್ದಿಷ್ಟ ಹುದ್ದೆಗಳಿಗಾಗಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಲಾದ ಲಿಖಿತ ಪರೀಕ್ಷೆಯನ್ನು ಯಶಸ್ವಿಯಾಗಿ ಉತ್ತೀರ್ಣರಾಗುವ ಮೂಲಕ ವರ್ಗಾವಣೆ ಪಡೆದ ಅಂತಹ ನಿರ್ದಿಷ್ಟ ಹುದ್ದೆಯಿಂದ ಅವರು ಹಿಮ್ಮುಖ ವರ್ಗಾವಣೆಯನ್ನು (transferred back) ಪಡೆಯುವಾಗ ಆದ್ಯತೆ

-ಇವುಗಳಿಗಾಗಿ ಅರ್ಹವಾಗಿರುತ್ತವೆ.

(2) ಉಪ ಪ್ರಕರಣ (5)ರ ಬದಲಾಗಿ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು ಎಂದರೆ:-

"(5) ಉಪಪ್ರಕರಣ (1)ರ ಖಂಡ (v)ರಡಿಯಲ್ಲಿ ಬರುವ ಶಿಕ್ಷಕರನ್ನು ಕೋರಿಕೆ ವರ್ಗಾವಣೆ ಅವಧಿಯಲ್ಲಿ ಆದ್ಯತೆ ನೀಡತಕ್ಕದ್ದು. ಶಿಕ್ಷಕನು ಆತನ ಪತ್ನಿ ಅಥವಾ ಆಕೆಯ ಪತಿಯು ಬೇರೆ ಬೇರೆ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದರೆ, ಆ ಜಿಲ್ಲೆಯ ಯಾವುದೇ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಲಭ್ಯವಿರುವ ಖಾಲಿ ಸ್ಥಾನಕ್ಕೆ ವರ್ಗಾವಣೆ ಕೋರಲು ಅನುಮತಿಸತಕ್ಕದ್ದು. ಇಬ್ಬರೂ ಅದೇ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಕಾರ್ಯ ನಿರ್ವಹಿಸುತ್ತಿದ್ದರೆ, ಆಗ ಆದ್ಯತೆಯ ಅಡಿಯಲ್ಲಿ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಲು ಅವರು ಅರ್ಹರಾಗತಕ್ಕದ್ದಲ್ಲ".

(3) ಉಪಪ್ರಕರಣ (6)ರ ಬದಲಾಗಿ ಈ ಮುಂದಿನದನ್ನು ಪ್ರತಿಯೋಜಿಸತಕ್ಕದ್ದು ಎಂದರೆ:-

"(6) ಉಪ ಪ್ರಕರಣ (1)ರ ಖಂಡ (v)ರ ಅಡಿಯಲ್ಲಿ ಅರ್ಹ ಶಿಕ್ಷಕರು ಕೋರಿಕೆ ವರ್ಗಾವಣೆಗಾಗಿ ಅಥವಾ ನಿರ್ದಿಷ್ಟ ಹುದ್ದೆಗಳಿಗಾಗಿ ನಿರ್ದಿಷ್ಟಪಡಿಸಲಾದ ಲಿಖಿತ ಪರೀಕ್ಷೆಯನ್ನು ಯಶಸ್ವಿಯಾಗಿ ಉತ್ತೀರ್ಣರಾಗುವ ಮೂಲಕ ವರ್ಗಾವಣೆ ಪಡೆದ ಅಂತಹ ನಿರ್ದಿಷ್ಟ ಹುದ್ದೆಯಿಂದ ಹಿಮ್ಮುಖ ವರ್ಗಾವಣೆಯನ್ನು ಪಡೆಯುವಾಗ ಆದ್ಯತಾ ಕ್ರಮಕ್ಕನುಸಾರವಾಗಿ ಆದ್ಯತೆಯನ್ನು ನೀಡಲಾಗುವುದು."

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಜಿ. ಶ್ರೀಧರ್

ಸರ್ಕಾರದ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

**PARLIAMENTARY AFFAIRS AND LEGISLATION SECRETARIAT
NOTIFICATION**

NO. DPAL 23 SHASANA 2022, BENGALURU, DATED: 13.10.2022

ಭಾರತ ಸಂವಿಧಾನದ ಅನುಚ್ಛೇದ 348ರ ಖಂಡ (3)ರ ಅಡಿಯಲ್ಲಿ ರಾಜ್ಯಪಾಲರಿಂದ ಅಧಿಕೃತಗೊಳಿಸಿದ ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ)ಅಧಿನಿಯಮ, 2022 (2022ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 32) ರ ಭಾಷಾಂತರವನ್ನು ಅಧಿಕೃತ ಆಂಗ್ಲ ಪಠ್ಯವೆಂದು ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದ ವಿಶೇಷ ಸಂಚಿಕೆಯಲ್ಲಿ (ಭಾಗ-IV) ಪ್ರಕಟಿಸಬೇಕೆಂದು ಆದೇಶಿಸಲಾಗಿದೆ.

KARNATAKA ACT NO. 32 OF 2022

(First Published in the Karnataka Gazette Extra-ordinary on the 13th day of October 2022)

**THE KARNATAKA STATE CIVIL SERVICES (REGULATION OF TRANSFER OF TEACHERS)
(AMENDMENT) ACT, 2022**

(Received the assent of the Governor on the 12th day of October 2022)

An Act further to amend the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020.

Whereas it is expedient further to amend the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020 (Karnataka Act 04 of 2020) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy third year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka State Civil Services (Regulation of Transfer of Teachers) (Amendment) Act, 2022.

(2) It shall come into force at once.

2. Amendment of section 2.- In the Karnataka State Civil Services (Regulation of Transfer of Teachers) Act, 2020 (Karnataka Act 04 of 2020) (hereinafter referred to as the Principal Act), in section 2,-

(1) for clause (d), the following shall be substituted namely,-

“(d) “Minimum period of service” means a continuous service of three years in a school or pre-university college including service rendered in a school or pre-university college from where the teacher or Lecturer has been re-deputed in the

current academic year as per the provisions of clause (f) of section 2 and section 4.”

(2) for clause (e), the following shall be substituted namely,-

“(e) “Order of Priority” means priority list of teachers prepared based on weighted score obtained by the teacher as per the criteria as may be prescribed, for the purpose of counseling:

Provided that, for a specified post Order of Priority means the merit list prepared as per the marks obtained in the Examination specified for such posts;”

3. Amendment of section 7.- In section 7 of the principal Act,-

(i) in sub-section (1), for fifth and sixth provisos the following shall be substituted namely,-

“Provided also that, the limit prescribed above shall not be applicable to the mutual transfers and transfers made under special categories as defined in clause (i) to (iv) of sub-section (1) of section 10 and transfers made to Kalyana Karnataka Region (means the 06 districts as notified under 371J), Malenadu Region (Malnadu region means to the blocks as notified in the relevant GO), Educationally Backward Blocks (EBBs) (as per Dr. Nanjundappa report or as per the prevailed Government Notification).”

(ii) for sub-section (2), the following shall be substituted namely,-

“(2) The Mutual Transfer to a place within or outside the unit of seniority shall be subject to condition that both teachers must have completed minimum five years of service in the cadre; must be otherwise eligible to transfer to that zone and must have minimum five years of leftover service:

Provided that, both the teachers have completed minimum years of service in the present place as per the definition in section 2(d).

Provided further that, he shall not be eligible for protection of seniority and such other condition mentioned in section 7 if he voluntarily transfer from one unit to another unit of seniority as may be prescribed;

Provided also that, in respect of mutual transfer within previous years are not eligible for exemption under section 2 (d):

Provided also that, in case of Lecturer of Pre-University College or Composite Junior College the transfer shall be permitted not more than once in service, subject to condition that Lecturer of Pre-University College or Composite Junior College shall have completed minimum seven years of service or must be otherwise eligible to be transferred to that place and must have minimum five years of left over service.”

(iii) after sub-section (3), the following provisos shall be inserted namely,-

“Provided that, transfers from blocks with more than 25 percent of vacancies shall not be allowed except within taluk transfer and to those teachers who have completed 10 years of service in same cadre and taluk or 15 years of total (all cadres) service in the same block (having more than 25 percent of vacancies):

Provided further that, while calculating 25 percent of vacancies, it shall include all cadres of teachers viz all primary category as per schedule for primary teachers and all secondary category as per schedule for secondary teachers.”

4. Amendment of section 10.- In section 10 of the principal Act,-

(1) For sub-section (2), the following shall be substituted namely,-

“(2) The categories falling under clauses (i) to (iv) of sub-section (1) are eligible for:

- (a) Exemption under rationalization.
- (b) Exemption under zonal transfer.
- (c) Priority under request transfers.

(Priority shall be claimed only once during the service of a teacher.)

- (d) Priority while getting transferred back from specified post, to which specified post they had been transferred by successfully clearing the written examination as specified for such posts.”

(2) For sub-section (5), the following shall be substituted namely,-

“(5) The teachers falling under clause (v), of sub-section (1) shall be given priority during request transfer. If the teacher is working in a different taluk from that of the spouse he is allowed to seek transfer to the vacancy available in any of the taluk of that district.

If both are working in the same taluk then they are not eligible to make application under priority.”

(3) For sub-section (6), the following shall be substituted namely,-

“ (6) The teachers eligible under clause (v), of sub-section (1) for request transfer or while getting transferred back from specified post to which they had been transferred by successfully clearing the written examination as specified for such posts, will be given priority as per the order of priority.”

The above translation of ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2022 (2022ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 32) be published in the official Gazette under clause (3) of Article 348 of the constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA

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

G.SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation