

GOVERNMENT OF KARNATAKA

**Karnataka Civil Services
(Appointment on Compassionate Grounds)
Rules, 1996**

**Karnataka Civil Services
(Appointment of the Family Member of persons
deceased in Communal Clashes on
compassionate Grounds) (Special)
Rules, 1993**

**Karnataka Civil Services (Appointment of Family
Members of persons belonging to
Scheduled Castes or Scheduled Tribes who die in
atrocities on Scheduled Castes or Scheduled Tribes,
on Compassionate Grounds) (Special) Rules, 1999**

(AMENDED AS ON 1.12.2004)

**DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS
(SERVICE RULES)**

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GOVERNMENT OF KARNATAKA

The Karnataka Civil Services (Appointment on Compassionate Grounds) Rules, 1996

NOTIFICATION No. DPAR 100 SCA 95, dated 12th September 1996

* * * * *

Whereas the draft of the Karnataka Civil Services (Appointment on Compassionate Grounds) Rules 1996 was published as required by clause(a) of sub section (2) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) in Notification No.DPAR 100 SCA 95, dated 23rd March, 1996 in Part IV section 2c (i) of the Karnataka Gazette Extra-Ordinary dated 23rd March 1996 inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of the publicaion of the draft in the Official Gazette.

Whereas, the said Gazette was made available to the public on 23rd March 1996.

And whereas the objections and suggestions received have been considered by the State Government.

Now, therefore, in exercise of the powers conferred by sub section (1) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990), the Government of Karnataka hereby makes the following rules, namely:-

RULES

1. Title and Commencement.-

- (1) These rules may be called the Karnataka Civil Services (Appointment on Compassionate Grounds) Rules 1996.
- (2) They shall come into force from the date of their publicaion in the Official Gazette.*
- (3) Notwithstanding anything contained in the Karnataka Civil Services (General Recruitment) Rules, 1977 and rules of recruitment specially made in respect of any service or post are deemed to have been made under the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990). These rules shall apply in respect of appointment of the dependent of a deceased Government servant on compassionate Grounds.

2. Definitions:-

- (1) In these rules, unless the context otherwise requires:-

¹[(a) "dependent of a deceased Government Servant" means:-

- (i) in the case of deceased male Government Servant, his widow, son, ¹[unmarried daughter and widowed daughter] who were dependent upon him; and were living with him;
 - (ii) in the case of a deceased female Government Servant, her widower, son, ¹[unmarried daughter and widowed daughter] who were dependent upon her and were living with her;]
- (b) "family" in relation to a deceased Government servant means his or her spouse and their son, ²[unmarried daughter and widowed daughter] who were living with him.

(2) Words and expressions used but not defined shall have the same meaning assigned to them in the Karnataka Civil Services (General Recruitment) Rules, 1977.

3. Eligibility for appointment:-

- (1) Appointment on compassionate grounds under these rules shall not be claimed as a matter of right and shall not be given as a matter of course.
- (2) Appointment under these rules shall be restricted to the dependent of a deceased Government Servant in the following order of preference, namely:-

²[(i) in the case of the deceased male Government Servant:

- (a) the widow;
- (b) a son, if widow is not eligible or for any valid reason is not willing to accept the appointment;
- (c) an unmarried daughter, if the widow and son are not eligible or for any valid reason they are not willing to accept the appointment;

¹[(d) a widowed daughter, if the widow, son and unmarried daughter are not eligible or for any valid reason they are not willing to accept the appointment;]

²[(ii) in the case of the deceased female Government Servant

- (a) a son;
- (b) an unmarried daughter, if the son is not eligible or for any valid reason he is not willing to accept the appointment;

¹ Substituted by Notification No.DPAR 11 SCA 97, dated 31.3.1999. * dated 13.9.1996

¹ Substituted by Notification No.DPAR 19 SCA 99, dated 24.11.2000.

² Substituted by Notification No.DPAR 11 SCA 97, dated 31.3.1999.

(c) the widower, if the son and daughter are not eligible or for any valid reason they are not willing to accept the appointment]

¹[(d) a widowed daughter, if the widower, son and unmarried daughter are not eligible or for any valid reason they are not willing to accept the appointment]

(3) An adopted son or daughter of a deceased Government Servant shall not be eligible for appointment under these rules.

³[(4) A person against whom at the time of making application a criminal case is under investigation or trial, on the charge of having committed murder of the deceased Government Servant or for abetting the commission of such offence shall not be eligible for appointment under these rules.]

4. Conditions of Appointment:-

Appointment on compassionate grounds under these rules shall be subject to the following conditions, namely:-

(1) The family of the deceased Government Servant should be in a financial crisis or destitution.

Explanation.- (a) Family of deceased Government Servant shall be considered to be in financial crisis or destitution if the recurring monthly income of the family from all sources is less than the total emoluments including Dearness Allowance, House Rent Allowance and City Compensatory Allowance admissible at Bangalore on the average of the minimum and the maximum of the scale of pay of the post of the First Division Assistant, as on the date of making application for compassionate appointment. For calculating such monthly income, the income from family pension, lumpsum pensionary benefits and interest earned thereon shall be excluded.

(b) Recurring monthly income from all sources other than family pension, lumpsum pensionary benefits and the interest earned thereon, of the family for the purpose of this rule shall be computed by the Head of the Office or the Head of the Department or the appointing authority;

(i) on the basis of the last annual property return filed by the deceased Government Servant and if, for any reason it is not available, on the basis of a certificate of income issued by a Revenue Officer not below the rank of Tahsildar, and

(ii) in case any member of the family of the deceased Government Servant is

² Substituted by Notification No.DPAR 11 SCA 97, dated 31.3.1999.

¹ Substituted by Notification No.DPAR 19 SCA 99, dated 24.11.2000.

³ Substituted by Notification No.DPAR 11 SCA 01, dated 28.5.2002.

employed in any State or Central Government Service or a public or private sector undertaking or a private establishment, on the basis of a certificate issued by his employer and in case such member is self employed on the basis of certificate issued by a revenue officer not below the rank of Tahsildar.

- (2) Person seeking appointment shall be within the age limit specified for the post in the relevant rules of recruitment specially made in respect of any service or post read with sub rule (3) of rule 6 of the Karnataka Civil Services (General Recruitment) Rules, 1977 and where it is not so specified such person shall be within the age limits specified in the Karnataka Civil Services (General Recruitment) Rules, 1977.
- (3) Person seeking appointment should possess the minimum qualification specified for the post in the relevant rules of recruitment specially made in respect of any service or post.

¹[Provided that nothing in this sub rule and sub rule (5) of rule 5 of the Karnataka Civil Services (General Recruitment) Rules, 1977 in so far as it relates to educational qualification, shall apply to appointment under these rules to any Group 'D' post.]

- ²[(4) Appointment shall be confined to any post in Group 'C' or Group 'D' depending upon the qualification specified for the post but excluding the posts carrying the pay scales higher than the scale of pay of the post of Assistant in the Karnataka Government Secretariat as may be revised from time to time and any other post in either of the groups as may be specified by the Government from time to time.]

- (5) Appointment shall be made only against a direct recruitment vacancy.

¹[(xxxxxxxxxx).]

- (6) Appointment shall be made in the department in which the deceased Government Servant was working;

Provided that if no vacancy is available in that department subject to any general order that may be issued by the Government, appointment may be made in any other department of the Government where the vacancy is available.

5. Application for appointment:-

Every dependent of a deceased Government Servant, Seeking appointment under these rules shall make an application within one year from the date of death of the Government servant, in such form, as may be notified by the Government, from time to time, to the Head of the Department under whom the deceased Government servant was working.

¹ Substituted by Notification No.DPAR 11 SCA 97, dated 31.3.1999.

² Substituted by Notification No.DPAR 19 SCA 99, dated 24.11.2000.

¹ Omitted by Notification No.DPAR 11 SCA 97, dated 31.3.1999.

