

## Employees (Promotion & Pay) Regulations, 1980

**KARNATAKA STATE ROAD TRANSPORT CORPORATION**  
CENTRAL OFFICES: BANGALORE:

No. KST:CO:ADM:RULES:43:635:306 :80-81 Date:14-2-1981

CIRCULAR No. 435  
(Issued from Rules Section)

Sub:- Karnataka State Road Transport Corporation Employees  
(Promotion & Pay), Regulations , 1980.

The Government of Karnataka vide Order No. HD 380 TRE 80 20 TRE 8 dated: 20-1-1981, have approved the Karnataka State Road Transport Corporation Employees (Promotion & Pay) Regulations framed by the Corporation. A copy of the Regulations as approved by the Government is enclosed.

The Regulations have come into force at once.

The Unit Heads/ Departmental Heads/ Regional Managers are requested to take necessary action to give effect to these Regulations and to notify the same for information of all the employees working under them.

Receipt of the Circular shall be acknowledged.

Sd/-  
(R. JAGANNATHAN)  
GENERAL MANAGER

Encls: As above:

Copy to:-

All Departmental Heads/Regional Managers/Unit Heads.

The Assistant Administrative Officer (Est./Rct/ Rct . Cell/Adm.)/ The Superintendent (ISS Cell)/CC. Cell/ M.P.P. Cell, KSRTC., Central Offices, Bangalore.

The Personal Assistants to the Chairman/General Manager, KSRTC., Central Offices, Bangalore.

The Senior Stenographer 'A' to Dy. General Manager(Adm.), KSRTC., Central Offices, Bangalore.

DEPUTY GENERAL MANAGER (ADM.)

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA.

Sub:- Karnataka State Road Transport Corporation Employees  
(Promotion & Pay), Regulations, 1980.

Read:- Correspondence ending with letter No. KST:CO:ADM:RULES/  
1953/80-81 dated 15-10-1980 of the General Manager, Karnataka  
State Road Transport Corporation .

ORDER NO. HD 380 TRE 78 BANGALORE DATED THE 20 JAN 1981.

WHEREAS, the Karnataka State Road Transport Corporation in its resolution No. 3493 dated 17th and 18th January 77 resolved to approve "the Karnataka State Road Transport Corporation EMPLOYEES, (PROMOTION & PAY), Regulations, 1975.

AND WHEREAS the said Corporation has requested for necessary approval for the said Regulations;

NOW, THEREFORE, in exercise of the powers conferred by Section 45 of the Road Transport Corporation Act, 1950 (Central Act 64 of 1950), The Government of Karnataka hereby accords approval for the Karnataka State Road Transport Corporation Employees (Promotion & Pay), Regulations, 1980.

A copy of the said Regulations approved by the Government is appended to this order.

BY ORDER AND IN NAME OF THE  
GOVERNOR OF KARNATAKA

Sd/-

(H.B. RAMASWAMIAH),  
Under Secretary to Government,  
Home Department

To

The General Manager, Karnataka State Road Transport Corporation, Bangalore.  
He is requested to supply 25 printed copies of the above said regulations to the Home Department early.

The Accountant General in Karnataka, Bangalore.

The Finance Department(EX-VI).

Spare copies.

/COPY/

DY.GENERAL MANAGER(ADM.)

KARNATAKA STATE ROAD TRANSPORT CORPORATION  
EMPLOYEES (PROMOTION & PAY), REGULATIONS, 1980

In exercise of the powers conferred by Section 14 and 45 of the Road Transport Corporation Act, 1950 (Central Act 64 of 1950) and with the previous approval of the State Government, the Karnataka State Road Transport Corporation hereby makes the following Regulations namely:-

**1. Short Title:-**

- a. These Regulations may be called the Karnataka State Road Transport Corporation Employees (Promotion & Pay), Regulations 1980.
- b. They shall come into force at once.

**2. Definitions:-**

In this Regulation unless the context otherwise require:-

- a. 'allottee' means a Government servant allotted or deemed to have been Allotted to serve in connection with the affairs of the Road Transport Department of the State of Karnataka.

**EXPLANATION**

"Government Servant" means a person holding a post in Mysore Government Road Transport Department as on 31st December 1956 and the employees of Ex-Bombay State Road Transport Corporation allocated to the New State of Mysore under Bombay State Road Transport Corporation Order 1956 issued by Government of India in Notification No. 2-1 (30)/ 56 dated 31st December 1956 under Sub-Section (2) of Section 47 (A) of the Road Transport Corporation Act, 1950 (Central Act 64 of 1950.)

- b. 'Corporation Servant' means a person who is appointed to serve the Karnataka State Road Transport Corporation, as per Regulation made under Section 45 of Road Transport Corporation Act.
- c. 'Final Gradation List' means an Inter-State Seniority List of allottees under State Re-organization Act and Bombay State Road Transport Corporation Order 1956 prepared in accordance with the decision of the State Government.
- d. 'Provisional Gradation List' means an Inter-State Seniority List prepared from time to time on the basis of the Seniority in which the eligibility of an allottee to promotion to higher post or posts is considered, till final Gradation List is finalised.
- e. 'Recruitment Regulations' means the K.S.R.T.C. Cadre and Recruitment Regulations in which rules of Recruitment are made in respect of Recruitment to any service, post, office or class of posts or offices.

### 3. Promotions etc. of Employees:-

- i. No employee shall -
  - (a) Ordinarily be entitled to promotion to any post or office with effect from a retrospective date;
  - (b) Only on the ground of his seniority in a Gradation List be promoted to any post or office unless the authority competent to promote determines his eligibility and promotes him by a written order to officiate in such post or office and no such employee shall, save as provided in Regulation 9 be entitled to continue in such promoted post or office unless the said authority assesses the work of such employee in such post or office and declares by a written order that he had satisfactorily completed his officiation.
  - (c) When promoted to officiate in any post or office, save as provided in Regulation 9, be entitled to be considered for promotion to the next higher post or office unless he is declared to have satisfactorily completed his officiation in the first promoted post or office.
- ii. In respect of matters not specified in Sub-Regulations (1) the provisions contained in Regulation 4,5, 7 & 8 shall mutatis mutandis be applicable.  
Regulation 4. Promotions, etc. of allottees:-

(1) Where the Seniority of an allottee as specified in the Provisional Gradation List in any class of post or office has been altered in the final Gradation List relating to that class, every promotion made on any date after the first day of November, 1956, on the basis of Seniority-cum-merit, shall be reviewed with reference to the qualifications and other conditions laid down in the recruitment regulations applicable at the relevant time for such promotion and the ranking in the final Gradation List assigned to the allottees in that class of post or office. If any person senior in rank than the person promoted in held to be suitable for promotion on such date (hereinafter in his section referred to as date of eligibility), an order shall, subject to Regulation 9, be made promoting the said person to officiate in the said post or office with effect from at prospective date to be specified in the order.

(2) As soon as may be, after the person promoted under Sub-Regulation. (1) is declared to have satisfactorily completed the period of officiation in the promoted post or office an order shall, subject to regulation 9, be made, directing that he shall be entitled to initial pay on the date of actual promotion to the post or office as if he was holding the said post or office from the date of eligibility and drawn the pay and allowances accordingly, but such person shall not be entitled to payment of any arrears for the period prior to the date of his actual promotion. His rank in the Seniority List of persons in the Class or grade

of service to which he is promoted shall be fixed as if he had been promoted to that class or grade of service on the date of eligibility.

(3) Where consequent upon the review of promotions made under Sub-Regulation(1) it is found that an allottee, who before the coming into force of Regulation 3, 11 and had been promotion to that higher Class or Grade of service from a date prior to the date of actual promotion and subject to Section 9, is declared to have satisfactorily completed the period of officiation in the promoted post or office, an order shall be made directing that he shall be entitled to initial pay on the date of actual promotion to the post or office as if he was holding the said post or office from the date which he is found eligible for promotion and drawn the pay and allowances accordingly, but he shall not be entitled to payment of any arrears for the period prior to the date of his actual promotion. His rank in the Seniority-List of persons in the class or grade of service to which he is promoted shall be fixed as if he had been promoted to that class or grade of service on the date of which he is found eligible for promotion.

(4) Where an order is made in respect of any allottee under Sub-Regulation (2) or, as the case may be, under Sub-Regulation (3) and ranking in the Seniority list of persons in the promoted class or grade of service, as fixed by such order, stands revised , the promotions made from that class or grade of service to the next higher class or grade of service shall be reviewed in accordance with and subject to the provisions of Sub-Regulation (1) as if reference therein to the Final Seniority List were references to the aforesaid revised Seniority List and the provisions of Sub-Regulation.(2) shall, mutatis mutandis, be applicable to every promotion so made.

(5) The Provisions of Sub-Regulation(4) shall, mutatis mutandis, be applicable in respect of promotions of allottees to the next higher Classes or Grades of the same service.

(6) The provisions of sub-Regulation (3) shall mutatis mutandis, be applicable in respect of review of promotions of allottees made under Sub-Regulation (4) and (5).

(7) Where in respect of promotions on the basis of Seniority- cum-Merit from any class or grade of service to the next higher class or grade of service, the recruitment regulations require service, the recruitment regulations require service for a minimum period in the former class or grade to become eligible for promotion, the said period shall in its application to an allottee eligible for promotion under this section, be deemed to be the period during which he satisfactorily completes the period of officiation in the post or office of that class or grade of service and no such minimum service shall be necessary in the case of an allottee whose record of service was satisfactory on the relevant dates of eligibility of the relevant dates on which he is found eligible for promotion.

(8) In respect of promotions from any class or grade of service by selection to the next higher class or grade of service, where an allottee would have been eligible for consideration if he had been promoted to the former class or grade of service on the basis of his Seniority in the final Gradation List, such allottee, shall subject to regulation 9, be considered for selection to the next higher class or grade of service, immediately after he satisfactorily completes the period of officiation in the said former class or grade of service. If he is selected and promoted to the higher class or grade of service and satisfactorily completes his period of officiation in the said class or grade, he shall be entitled to initial pay on the date of actual promotion to the said class or grade as if he was holding the said post or office from the date on which his immediate junior in the lower class or grade was promoted to the said class or grade of service, but he shall not be entitled to payment of any arrears for the period prior to the date of his actual promotion. His rank in the Seniority List of the persons in the said class or grade shall be fixed as if he had been promoted on the date immediately preceding the date on which his immediate junior in the lower class or grade was promoted to the selection class or grade of service.

(9) An order under Sub-Regulation (2) in respect of an allottee who had been reduced to a lower stage in a time scale of whose increment had been withheld shall be subject to such modification as the General Manager may, by order, direct.

(10) No promotions of allottees made on the basis of any provisional Gradation List shall be reviewed except after the publication of the final Gradation List and in the manner provided in this Regulation.

Explanation: For purposes of this Sub-Regulation provisional Gradation List includes every inter-State Seniority List used as the basis for carrying on the day-to day administrative whether prepared by the State Government or declared by Court as operative until the publication of the Final Gradation List.

Regulation:- 5 Provision relating to reversion of allottees-

(1) Where consequent upon the review of promotions under regulation 4 may any allottee promoted to any class or posts or Offices is found not entitled to continue in that class, he shall be reverted to-

(a) the class of posts or offices to which he would have been eligible for promotion on the basis of his rank in the final Seniority List, or (b) the class of posts or offices in which he would have continued on the basis of his rank in the final Gradation List.

(2) Where any reversion is made under Clause (a) of Sub Regulation (1), the rank of the allottee in the Seniority List of that class of posts or offices shall be fixed as if he had

been promoted to that class of posts of offices on the basis of his rank in the final Gradation List.

Regulation 6, Provision relating to revision of Gratuity etc.

Where consequent upon a review of promotions under Regulation 4, it is found that any allottee who has retired from service before an order under sub-regulation (1), (3), (4), (5), (6) or (8) of Regulation 4 is made, or before the expiry of the period of his officiation in the promoted post or office would have been eligible for promotion to the next higher class or grade of service under the said Regulation if the Final Gradation List had been published on the first day of January, 1957 his gratuity shall be revised with reference to the pay and allowances he would have drawn if he had been promoted to the next higher class or grade of service on the date on which he was found eligible for such promotion with reference to his rank in the final Gradation List and the relevant recruitment regulations and as if he had satisfactorily completed the period of officiation in the said class or grade of service.

Regulation 7 Provision relating to payments to heirs of deceased allottees:-

Where consequent upon a review of promotion under Regulation 4, it is found that any allottee who before an order under Sub-Regulation (1), (3), (4), (5), (6) or (8) of Regulation 4 is made, or before the expiry of the period of Officiation in a promoted post or office has while in service or after retirement died, would have been eligible for promotion to the next higher class or grade of service on any day under the said section if the final Gradation List had been published on the first day of January 1957, his gratuity shall be revised, with reference to the pay and allowances he would have drawn if he had been promoted to the next higher class or grade of service on the date on which he was found eligible for such promotion with reference to his rank in the Final Seniority List and the relevant recruitment rules and as if he had satisfactorily completed the period of officiation in the said class or grade of service, and the excess amount payable on such revision of Gratuity shall be paid to the heirs of the said deceased allottee.

Regulation 8, Regulation not applicable for certain allottees:

Provisions of Regulation 4, 5, 6 and 7 is so far as they related to promotion in the basis of ranking in the Final Gradation List shall not be applicable to an allottee who.

- a) has been dismissed, removed or compulsorily retired from service as a penalty;
- b) has been reduced to a lower service, grade or post or office of whose promotion has been with-held as a penalty;
- c) has been retired from service in public interest.
- d) has been held unsuitable for promotion to any post or office or class of posts or offices; or
- e) after promotion has been reverted to the lower post or office or office on the ground of unsuitability to hold the higher post or office or class of post or offices.



(9) Officiation:-

(1) Save as provided in sub-Regulation (2) The rules relating to officiation made by the State Government under the proviso to article 309 of the Constitution of India shall apply for purposes of officiation under these regulations.

(2) An Employee shall be deemed to have satisfactorily completed the period of officiation in the promoted post of office and may be promoted to one or more higher classes or grades of service to which he is found eligible for promotion on the basis of his Seniority in the Gradation List including the Final Gradation List if his record of service on the date or dates on which he found eligible for such promotion is satisfactory and indicated that he is eligible for promotion to the next higher cadre and if he possess the qualification prescribed in the rules of recruitment applicable at the relevant time for such promotion.

10. Removal of difficulties:- If any difficulty arises in the application of these Regulations to any case the Corporation may make such orders as may be necessary for the purpose of removing the difficulty.

Regulation 11, Over-riding effect:-

(1) The provisions of these Regulations or of any order made there under shall have effect notwithstanding any thing inconsistent there with contained in any provision regulating the conditions of service of any allottee or in any order made by virtue of any such law, rules or provisions.

(2) Notwithstanding anything contained in any judgment, decree or order of any Court or other Competent Authority the rights to which an employee is entitled to in respect of matters to which the provisions of these regulations are applicable, shall be determined in accordance with the provisions of these regulations and accordingly, any judgment decree or order directing promotion or consideration for promotion of employees and payment of salaries and allowances consequent upon such promotions shall be reviewed and orders made in accordance with the provisions of this Regulations.

Regulation 12, Savings:-

Save as provided in Regulation 11, nothing in these Regulation shall be deemed to affect the operation of the provisions of the Road Transport Corporation Act. 1950 in relation to the determination of the conditions of service of persons serving in connection with the affairs of the K.S.R.T.C.

Sd/-

H.B. RAMASWAMIAH,  
Under Secretary to Government,  
HOME DEPARTMENT (TRANSPORT).

/copy/

DEPUTY GENERAL MANAGER(ADM.)