



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೧೬, ಸೆಪ್ಟೆಂಬರ್, ೨೦೨೧ (ಭಾದ್ರಪದ, ೨೫, ಶಕವರ್ಷ, ೧೯೪೩) BENGALURU, THURSDAY, 16, SEPTEMBER, 2021 (BHADRAPADA, 25, SHAKAVARSHA, 1943)	ನಂ. ೭೭೮ No. 778
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KARNATAKA LEGISLATIVE ASSEMBLY

FIFTEENTH LEGISLATIVE ASSEMBLY

TENTH SESSION

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

(LA Bill No. 34 of 2021)

A Bill 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Services (Regulation of transfer of Teachers) (Amendment) Ordinance, 2021 (Karnataka Ordinance 04 of 2021) is hereby repealed.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.

STATEMENT OF OBJECTS AND REASONS

The transfer pertaining to 2017, 2018 were held during the year 2019-20 in accordance with the Karnataka State Civil Services (Regulation of Transfer of Teachers) Rules, 2017. Under the said rules no exemption were provided to the teachers who have transferred in the year 2019-20 for conducting rationalisation (excess)/ compulsory transfer of teachers with specially abled child, women teachers who have completed fifty years of age, men teachers who have completed fifty five years of age, divorcee teacher having dependent child, pregnant teacher with dependent child or widower with dependent child. Hence it is considered necessary to give an opportunity to opt the place of transfer to those teachers who were working outside the taluk and in the high school cadre many of them have been deployed outside the district.

Therefore, it is considered necessary to amend the Karnataka State civil Services (Regulation of Transfer of Teachers) Act, 2020 (Karnataka Act 04 of 2020) to provide a teacher an opportunity to opt their place of transfer within the taluk or district where they were working during the year 2019-20 so as to give the benefit of posting within the taluk or district who was transferred on compulsory transfer, zonal transfer or transfer after under rationalization outside the concerned taluk or district as a onetime measure.

As the matter was urgent and both Houses of the State Legislature were not in session, the Karnataka State Civil Services (Regulation of transfer of Teachers)

(Amendment) Ordinance, 2021 (Karnataka Ordinance 04 of 2021) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence, the Bill.

EXPLANATORY STATEMENT AS REQUIRED BY SUB-RULE (1) OF RULE 80 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE KARNATAKA LEGISLATIVE ASSEMBLY.

The transfer pertaining to 2017, 2018 were held during the year 2019-20 in accordance with the Karnataka State Civil Services (Regulation of Transfer of Teachers) Rules, 2017. Under the said rules no exemption were provided to the teachers who have transferred in the year 2019-20 for conducting rationalisation (excess)/ compulsory transfer of teachers with specially abled child, women teachers who have completed fifty years of age, men teachers who have completed fifty five years of age, divorcee teacher having dependent child, pregnant teacher with dependent child or widower with dependent child. Hence it is considered necessary to give an opportunity to opt the place of transfer to those teachers who were working outside the taluk and in the high school cadre many of them have been deployed outside the district.

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As the matter was urgent and both Houses of the State Legislature were not in session, the Karnataka State Civil Services (Regulation of transfer of Teachers) (Amendment) Ordinance, 2021 (Karnataka Ordinance 04 of 2021) was promulgated to achieve the above object.

FINANCIAL MEMORANDUM

There is no extra expenditure involved in the proposed legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2:	Sub-section (6) of section 10 proposed to be inserted by clause 2 empowers the State Government to prescribe by rules the manner of transfer of teacher.
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Minister for Primary and Secondary
Education and Sakala

M.K. VISHALAKSHI

Secretary (I/c)
Karnataka Legislative Assembly

ANNEXURE

EXTRACT FROM THE (KARNATAKA STATE CIVIL SERVICES (REGULATION OF TRANSFER OF TEACHERS) ACT, 2020 (KARNATAKA ACT 04 OF 2020)

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10. Exemptions from rationalization, zonal transfers and priority for request transfers.-

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(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.

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ಕರ್ನಾಟಕ ವಿಧಾನಸಭೆ
ಹದಿನೈದನೇ ವಿಧಾನಸಭೆ
ಹತ್ತನೇ ಅಧಿವೇಶನ

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ವಿಧೇಯಕ, 2021
(2021ರ ವಿಧಾನಸಭೆಯ ವಿಧೇಯಕ ಸಂಖ್ಯೆ-34)

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) ಅಧಿನಿಯಮ, 2020ನ್ನು ಮತ್ತಷ್ಟು ತಿದ್ದುಪಡಿ ಮಾಡಲು ಒಂದು ವಿಧೇಯಕ.

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

ಇದು ಭಾರತ ಗಣರಾಜ್ಯದ ಎಪ್ಪತ್ತೆರಡನೇ 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, 2021 ಎಂದು ಕರೆಯತಕ್ಕದ್ದು.

(2) ಇದು 2021ರ ಏಪ್ರಿಲ್ 29ನೇ ದಿನಾಂಕದಿಂದ ಜಾರಿಗೆ ಬಂದಿರುವುದಾಗಿ ಭಾವಿಸತಕ್ಕದ್ದು.

2. 10ನೇ ಪ್ರಕರಣದ ತಿದ್ದುಪಡಿ.- ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2020 (2020ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ 04)ರ 10ನೇ ಪ್ರಕರಣದ (5)ನೇ ಉಪಪ್ರಕರಣದ ತರುವಾಯ ಈ ಮುಂದಿನದನ್ನು ಸೇರಿಸತಕ್ಕದ್ದು, ಎಂದರೆ:-

"(6) ಕಡ್ಡಾಯ ವರ್ಗಾವಣೆ, ವಲಯ ವರ್ಗಾವಣೆಯ ಮೇಲೆ ಅಥವಾ ಸಮರ್ಪಕ ಮರುಹಂಚಿಕೆಯ ಮೇರೆಗೆ 2019-20ನೇ ವರ್ಷದಲ್ಲಿ ಪ್ರಾಥಮಿಕ ಶಾಲಾ ಶಿಕ್ಷಕನ ಸಂದರ್ಭದಲ್ಲಿ ತಾಲ್ಲೂಕಿನ ಹೊರಗೆ ಅಥವಾ ಪ್ರೌಢಶಾಲಾ ಶಿಕ್ಷಕನ ಸಂದರ್ಭದಲ್ಲಿ ಜಿಲ್ಲೆಯ ಹೊರಗೆ ವರ್ಗಾವಣೆಗೊಂಡ ಶಿಕ್ಷಕನ ಸಂಬಂಧದಲ್ಲಿ, ಕರ್ನಾಟಕ ರಾಜ್ಯ ಸಿವಿಲ್ ಸೇವೆಗಳು (ಶಿಕ್ಷಕರ ವರ್ಗಾವಣೆ ನಿಯಂತ್ರಣ) (ತಿದ್ದುಪಡಿ) ಅಧಿನಿಯಮ, 2021ರ ಪ್ರಾರಂಭದ ದಿನಾಂಕದ ನಿಕಟ ತರುವಾಯ ಮಾಡಿದ ವರ್ಗಾವಣೆಯಲ್ಲಿ, 2019-2020ನೇ ಸಾಲಿನಲ್ಲಿ ವರ್ಗಾವಣೆ ಪೂರ್ವದಲ್ಲಿ ಎಲ್ಲಿ ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿದ್ದರೋ ಆ ಸಂಬಂಧಪಟ್ಟ ತಾಲ್ಲೂಕು ಅಥವಾ ಜಿಲ್ಲೆಯೊಳಗೆ ಸ್ಥಳನಿಯುಕ್ತಿಯ ಪ್ರಯೋಜನವನ್ನು ನೀಡುವುದಕ್ಕಾಗಿ, ಮುಂಬರುವ ಇತರ ರೀತಿಯ ವರ್ಗಾವಣೆಗಳಿಗೆ ಪೂರ್ವದಲ್ಲಿ ಖಾಲಿ ಹುದ್ದೆಗಳ ಲಭ್ಯತೆಗೆ ಒಳಪಟ್ಟು ಅವರು ಕಾರ್ಯನಿರ್ವಹಿಸುತ್ತಿರುವ ತಾಲ್ಲೂಕು ಅಥವಾ ಜಿಲ್ಲೆಯೊಳಗೆ ಒಂದು ಸಲದ ಕ್ರಮವಾಗಿ (one time measure) ನಿಯಮಿಸಬಹುದಾದಂತಹ ರೀತಿಯಲ್ಲಿ ವರ್ಗಾವಣೆಯ ಸ್ಥಳವನ್ನು ಆಯ್ಕೆಮಾಡಲು ಅವಕಾಶವನ್ನು ಸಹ ಒದಗಿಸತಕ್ಕದ್ದು."