



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

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ರಾಜ್ಯದ ವಿಧೇಯಕಗಳ ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ರಾಜ್ಯದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಆಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಮತ್ತು ರಾಜ್ಯದ ಶಾಸನಗಳ ಮೇರೆಗೆ ರಾಜ್ಯ ಸರ್ಕಾರವು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ರಾಜ್ಯಾಂಗದ ಮೇರೆಗೆ ರಾಜ್ಯಪಾಲರು ಮಾಡಿದ ನಿಯಮಗಳು ಹಾಗೂ ಕರ್ನಾಟಕ ಉಚ್ಚ ನ್ಯಾಯಾಲಯವು ಮಾಡಿದ ನಿಯಮಗಳು

Government of Karnataka

No: LD 221 LSI 2022

KARNATAKA GOVERNMENT SECRETARIAT,
VIKASA SOUDHA,
BENGALURU DATED:27-12-2022

DRAFT NOTIFICATION

The Draft Memorandum of Association, Rules Regulations and DRAFT BYLAWS provided by the Employee's State Insurance Corporation to constitute the Karnataka Employee's State Insurance Scheme Medical Services Department as an authorized autonomous body / society under sub-rule 58(5) of the ESI Act 1948 rules for improving medical services. Attached here with the draft notification, published in Karnataka e-Gazette.

Suggestions and objections will be received by the Government from all persons/associations who may be affected within 30 days from the date of publication of the said Draft Notification and Draft Memorandum of Association, Rules Regulations and DRAFT BYELAWS in the Karnataka State Gazette. Objections and suggestions in this regard may be submitted to the Secretary to Government, Department of Labour, 4th Floor, Vikasa Soudha Bangalore-560 001 / Director, ESIS Medical Services, Rajajinagar, Bangalore-560 010.

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

(Vijaya.N)

Desk Officer-5,
Labour Department
(ESI Scheme (M) Services)

KARNATAKA EMPLOYEES STATE INSURANCE SOCIETY
DRAFT MEMORANDUM OF ASSOCIATION

1. NAME:

The name of the society shall be "KARNATAKA EMPLOYEES STATE INSURANCE SOCIETY" hereinafter referred to as the "Society".

2. REGISTERED OFFICE:

The Society shall be situated in the premises of Directorate of ESI Scheme located in DIRECTORATE OF ESIS MEDICAL SERVICES, S NIJALINGAPPA ROAD, RAJAJINAGAR, BAANGALORE -560 010, KARNATAKA it will have the liberty to establish or more support offices or outlets elsewhere in the State, If so required.

3. OBJECTIVES:

The Objectives for which the Society is established are:

- 3.1 The Society shall serve as a managerial and Health Care body in terms of Section 58(5) of ESIC Act 1948, to the Employee's State Insurance Corporation for administration and management medical benefits and medical establishments presently under Employees State Insurance Scheme as per the MoU dated: 01-06-1960 between the Corporation and the State Govt of Karnataka.
- 3.2 To operate and maintain ESIS Dispensaries and Hospitals, Operation Theatre, emergency service, library, kitchen, canteen, rest room, recreation, gymnasium, assembly hall, residential, hostel buildings along with furniture, fixture, internet, Information Technology Hardware/Software, tanks/storage, potable water and all other utilities so as to facilitate the beneficiaries of the Employee State Insurance Scheme.
- 3.3 To motivate the Employers & Employees to register under ESI Scheme.
- 3.4 To formulate policies for implementation, monitoring, repairs and maintenance of the ESI Dispensaries and Hospitals Campus including all facilities and utilities:
- 3.5 To formulate policies for admission, charges and fees, facilities to be provided to all Beneficiaries of ESIS Dispensaries and Hospitals. Any user charges collected by Society under credited/adjusted to ESIC Account.
- 3.6 To take appropriate decision for efficient administration and management of Dispensaries and Hospitals, therefore, formulate policies for code of conduct, disciplinary grievance reversal mechanism and all other policies for the day to day smooth working ESIS:
- 3.7 To provide, arrange and participate in training programs and therefore to organize conference, seminars, workshop, celebration activities and all such other activities for the purpose Capacity augmentation of the manpower and beneficiaries of ESI Scheme and therefore to undertake activities for Human Resource Development,

- deployment, education in the area of cleanliness and hygiene, its maintenance, administration creation of specialized skills and infrastructure facility:
- 3.8 To prepare related Schemes, Plans, Projects and programs for Employees State Insurance Scheme so as to receive assistance from Central & State Government Schemes and submit the proposal before appropriate authority and avail the funds from time to time:
 - 3.9 To receive and distribute the funds received as grant, contributions, corpus fund or to arrange financial assistance as may be permissible under the provisions of Societies Registration Act 1860 and the State Specific Public Trust Act and management, administration, investment and reinvestment of funds so raised or available with the ESIS:
 - 3.10 To facilitate or enter into MOU, Partnership with eminent Local National & Internal organizations, Universities, Institutions, Body Corporates, Societies, Trusts, Agencies, Associations & Individuals for furtherance of objectives of ESI Scheme, its management and administration.
 - 3.11 To set up supervision, monitoring, coordination and reporting framework and take up work operation, maintenance, repairs and restoration of the facilities created at ESIS Dispensaries Hospital Campus as per ESIC policies and guidelines:
 - 3.12 To carry out or undertake Social Audit of implementation of ESIS facilities and to evaluate outcomes through analysis, study or survey data, management, administration and maintenance of records, registers and various other information:
 - 3.13 To undertake publication of newsletters, study reports, survey and analysis report, IEC materials such as brochures etc. in hard copy and/or soft copy and to carry out information communication activities for the purpose of awareness creation among ESI Scheme for Beneficiaries:
 - 3.14 To support all such activities that promote the objectives of Employees State Insurance Scheme through education, awareness and its related facilities:
 - 3.15 To do such all other acts and undertake such other activities and to create such infrastructure institutions and organization framework for any other work which may be entrusted by Central or State Government from time to time:
 - 3.16 To carry out any other objective as specified by ESI Corporation.
 - 3.17 To do all other acts and things as may be conducive with the objects of the Society

Note: The Society will pursue the objective out of the above as may be permitted by ESI Corporation from time to time.

4. FUND:

- 4.1 The Society shall function with an initial Fund of Rs. 1000/-:
- 4.2 The funds of the Society shall consist of the following:
 - i. Funds of Society:
 - ii. Grants-in Aid or any other receipt from the ESIC:
 - iii. Grants-in Aid from the State Government and or from Central Government:

- iv. Grants and donations from trade, industry, institutions and individuals:
- v. Receipts from disposal of movable assets:
- vi. Any other income such as bank interest, deposits, tender fee and other miscellaneous expenses etc.
- 4.3 The Society shall be entitled to receive grant, donations, contribution, subscription, bequests fees, loan or contingency in cash or kind, either in Indian or foreign currency subject to approval of the Governing body:
- 4.4 The funds (Central / State & other) of Society should be kept in a Public Sector Bank Account The interest accrued on funds shall be treated as part of the Society resources & it may utilize the interest accrued on funds for the purpose of additional activities, however not exceeding financial limit kept under the program and for providing additional hardware/infrastructure.
- 4.5 The Member Secretary of the Society shall hold and stand possessed of the said amount of Rs. 1000/- (Rupees One Thousand only) hereinafter called the Society fund which Express shall include further additions, the conversions thereof and/ or the investments for the time being of the same and/or the investments or conversions of such accumulations, additions accretions thereof and the dividends, interest and or any other income of the said Society and subject to powers and provisions declared and contained hereinafter:
- 4.6 The administrative, operation & maintenance expenditure shall be provided in the scheme programs of the Central/ State Government/ ESIC and/ or various bilateral / multilateral agenda like World Bank, ADB, UNICEF etc:
- 4.7 The investment of the Society's fund or the interest and income thereof or any part thereof shall always be kept in the name of the Karnataka Employees Scheme Insurance Society" in Public Sector Bank or with government agency as may be decided by the Governing Body from time to time.

5. **MEMBERSHIP:**

The following shall be the first members of the Governing body of the Society:

- a. Hon'ble Minister for Labour Government of Karnataka.
- b. Additional Chief Secretary/Principal Secretary/ Secretary (Labour) Government of Karnataka.
- c. Additional Chief Secretary/ Principal Secretary/ Secretary (Health) Government of Karnataka.
- d. Addition Chief Secretary/ Principal Secretary/ Secretary (Finance).
- e. CEO/Member Secretary, Govt. of Karnataka, Director ESIS of the Karnataka.
- f. Employers representatives-(Non official Members)
- g. Employees representatives-(Non official Members)
- h. Regional Director, ESIC, Karnataka.
- i. State Medical Officer, ESIC, Karnataka.

6. GOVERNING BODY:

- 6.1 All members of the Society as set out in para 5 shall constitute the Governing Body of the State (subject to the prior approval of ESIC). The State Government may re-constitute Governing Body.
- 6.2 The Governing Body shall consist of minimum nine Members and maximum _____ Members.
- 6.3 The First Members of the Governing Body shall be as follows and they shall hold office for new Governing Body is appointed according to the Rules & Regulations of the Society:

Sr.No	Details	Designation
(1)	Hon'ble Minister for Labour Government of Karnataka.	Chairman
(2)*	Additional Chief Secretary / Principal Secretary/ Secretary (Labour) Government of Karnataka.	Vice Chairman/ Member
(3)*	Additional Chief Secretary / Principal Secretary/ Secretary (Health) Government of Karnataka.	Member
(4)	Additional Chief Secretary / Principal Secretary/ Secretary (Finance) Government of Karnataka.	Member
(5)	Director ESIS of the Karnataka.	CEO/Member Secretary
(6)	Employers representatives	Member
(7)	Employees representatives	Member
(8)	Regional Director, ESIC, Karnataka.	Member
(9)	State Medical Officer, ESIC, Karnataka.	Member

- *Additional Chief Secretary /Principal Secretary/ Secretary whosoever overseeing the ESI Scheme in the State would act as Vice Chairman.*

6.4 The Governing Body shall consist of the following Members:

Sr.No	Details	Designation
(1)	Hon'ble Minister for Labour Government of Karnataka.	Chairman
(2)*	Additional Chief Secretary / Principal Secretary/ Secretary (Health) Government of Karnataka.	Member

(3)*	Additional Chief Secretary / Principal Secretary/ Secretary (Labour) Government of Karnataka.	Vice Chairman/ Member
(4)	Additional Chief Secretary / Principal Secretary/ Secretary (Finance) Government of Karnataka.	Member
(5)	Director ESIS of the Karnataka.	CEO/Member Secretary
(6)	ESIC Nominee	Member
(7) To (9)	Employers representatives	Member
(10) To(12)	Employees representatives	Member
(13)	Regional Director, ESIC, Karnataka.	Member
(14)	State Medical Officer, ESIC, Karnataka.	Member

- *Additional Chief Secretary /Principal Secretary/ Secretary whosoever overseeing the ESI Scheme in the State would act as Vice Chairman.*

6.5 The Management of the affairs of the Society shall be entrusted to Governing Body and property of the Society shall be vested in the Governing Body and the Society shall be responsible for repair and maintenance of properties in the possession of the Society entrusted / vested in the Governing Body.

6.6 The Society may sue or be sued in the name of the Chief Executive Officer of the Society such other members as shall, in reference to the matter concerned, be appointed for Governing Body for the occasion.

7. We, the several persons whose names and addresses are hereunder Subscriber are desired being formed into a Society under Societies Registration Act, 1860 and State Specific Public Trust in pursuance of this deed of Memorandum of Association and Rules & Regulations.

Sr.No	Details	Designation
(1)	Hon'ble Minister for Labour Government of Karnataka.	Chairman
(2)*	Additional Chief Secretary / Principal Secretary/ Secretary (Health) Government of Karnataka.	Member

(3)*	Additional Chief Secretary / Principal Secretary/ Secretary (Labour) Government of Karnataka.	Vice Chairman/ Member
(4)	Additional Chief Secretary / Principal Secretary/ Secretary (Finance) Government of Karnataka.	Member
(5)	Director ESIS of the Karnataka.	CEO/Member Secretary
(6)	ESIC Nominee	Member
(7) To (9)	Employers representatives	Member
(10) To(12)	Employees representatives	Member
(13)	Regional Director, ESIC, Karnataka.	Member
(14)	State Medical Officer, ESIC, Karnataka.	Member

The above signatories have signed before me and I have personally verified the same:

()

**Chief Executive Officer-cum- Member Secretary
KARNATAKA EMPLOYEES STATE INSURANCE SOCIETY**

**KARNATAKA EMPLOYEES' STATE INSURANCE SOCIETY
DRAFT RULES AND REGULATIONS**

1 **NAME:**

The name of the Society shall be “**KARNATAKA EMPLOYEES' STATE INSURANCE SOCIETY**” hereinafter referred to as the “Society”.

2 **AREA OF OPERATION:**

The area of operation of the Society shall be whole of the State of Karnataka

3 **REGISTERED OFFICE;**

The Society shall be situated in the premises of Directorate of ESI Scheme located at DIRECTORATE OF ESIS MEDICAL SERVICES, S NIJALINGAPPA ROAD, RAJAJINAGAR, BAANGALORE -560 010, KARNATAKA It will have the liberty to establish one or more support offices or outlets elsewhere in the State, if so required.

DEFINITIONS;

In the interpretation of this memorandum and rules made there under the following expressions shall have the following meaning unless inconsistent with subject or context;

- a) “**Act**” shall mean and include, Employees’ State Insurance Act 1948 in terms of which Karnataka Employees’ State Insurance Society has been constituted and Societies Registration Act, 1860 and State Specific Public Trust Act as may be applicable;
- b) “**SOCIETY**” shall mean and include, the Karnataka Employees’ State Insurance Society;
- c) “**Chairman**” shall mean and include, Chairman of the Governing Body of the Society;
- d) “**Central Government**” Shall mean and include, the Government of India;
- e) “**Chief Executive Officer**” shall mean and include, the CEO-cum-Chief Executive Officer of the Governing Body or Executive Committee of the Society, as the case may be;
- f) “**Corporation / ESIC**” shall mean Employees’ State Insurance Corporation set up under the Employees’ State Insurance Act 1948
- g) “**Executive Committee**” shall mean and include, the executive committee constituted by this regulation and consisting of members who are empowered to take Operational and Management decisions within financial limits as may be prescribed by the Governing Body from time to time.
- h) “**ESIS**” shall mean and include, the Karnataka Employees’ State Insurance Society.
- i) “**Governing Body**” shall mean and include, the Governing Body of the Society as may be formed from time to time.
- j) “**Member**” shall mean and include, the member of the society including member of the Governing Body.
- k) “**ESIC Nominee**” shall mean the representative of ESIC has nominated by Director General, ESIC.
- l) “**Non Official Member**” shall mean and include, person or Representative of Employers and Employees as the member of the Governing Body or Executive Committee nominated by Director General, ESIC.
- m) “**Official Member**” Shall mean and include, the officer of the State Government / Central Government appointed as the member of the Society.
- n) “**Prescribed**” Shall mean and include, prescribed Rules and Regulations framed by the Governing Body.
- o) “**Rules and Regulations**” Shall mean and include, this Regulation framed and as approved by the State Government under this Memorandum of Association
- p) “**State Government**” Shall mean and include, the Government of Karnataka
- q) “**State Specific Public Trust**” Shall mean and include, a public trust as may be applicable to the State of Karnataka.
- r) “**Secretariat**” Shall mean and include, the Secretariat of the Society.
- s) “**Secretary**” Shall mean and include, the Secretary of the Government and shall and includes any officer occupying the position of Secretary, Additional Secretary or Commissioner or such officer in the rank or equivalent pay scale of Secretary.
- t) “**Vice Chairman**” Shall mean and include, Vice Chairman of the Governing Body of Society.

- u) **“Year”** Shall mean and include, 12 months commencing on the 1st April and ending on 31st March or any other year as per Income Tax Act, 1961 as applicable

EXPLANATION;

- a) The word imparting masculine gender shall also include the feminine gender and vice versa.
b) The word imparting singular number shall also include the plural number and vice versa.

5

OBJECTIVES;

The Society shall serve as a managerial and health care body in terms of Section 58 (5) of the ESI Act 1948, to the Employees' State Insurance Corporation for administration and management of medical benefits and medical establishments presently under Employees' State Insurance Scheme. The Society shall pursue all other objectives as per Memorandum of Association (MOA), subject to directions and superintendence by ESIC from time to time.

6

FUNCTIONS;

- a) To achieve the above objectives, the society shall direct its resources towards performance of the following key tasks:
- a 1. Receive, expend, disburse and accounts for funds received from ESI Corporation.
 - a 2. Receive, funds from State Government / any other source.
 - a 3. Administer and manage health establishment for achieving the desired objectives
 - a 4. Undertake such other activities for strengthening the medical facilities as may be directed and identified from time to time by the ESIC.
- b) For performing the above task, the Society shall;
- b 1. Follow ESIC or State Governments guidelines and its procurement procedures of goods and services.
 - b 2. Make rules and bye-laws for the conduct of the activities of the Society and its Secretariat and add, rescind or vary then from time to time.
- c) Procure IT related software, hardware, technical vendors to fulfil the requirements created by the changes in technology, the rules and regulations relating to it in order to provide better services to the beneficiaries of ESI Scheme.
- d) Receive, manage (including disbursement of funds to implementing agencies and other implementing partners as approved by the appropriate authority within their powers etc.) and accounts for the funds received.
- e) Funds of Society shall be used only for its objectives and can not be diverted for any other State government programmes.
- f) Mobilize financial and non financial resources for complementing / supplementing ESI Scheme.
- g) Organise training, meetings, conferences, policy and program reviews, studies / surveys, workshops, innovations and interstate exchange visit etc. for deriving inputs for better implementation.

- h) Undertake all necessary action for documentation, increasing awareness for all ESI Scheme related topics.
- i) Establish and carryout the administration and management of the Society Secretariat which will serve as the implementation arm of the Society.,
- j) Create or upgrade administrative, technical and other posts in the Secretariat of the Society as deemed necessary.
- k) Make rules, bye-laws and operational guidelines for conduct of activities of the Society and its Secretariat and modify or change them from time to time as deemed necessary.

7

Membership

- 7.1 The following shall be the first members of the Governing Body of the Society:
- j. Hon'ble Minister for Labour Government of Karnataka.
 - k. Additional Chief Secretary/Principal Secretary/ Secretary (Labour) Government of Karnataka.
 - l. Additional Chief Secretary/ Principal Secretary/ Secretary (Health) Government of Karnataka.
 - m. Addition Chief Secretary/ Principal Secretary/ Secretary (Finance).
 - n. CEO/Member Secretary, Govt. of Karnataka, Director ESIS of the Karnataka.
 - o. Employers representatives-(Non official Members)
 - p. Employees representatives-(Non official Members)
 - q. Regional Director, ESIC, Karnataka.
 - r. State Medical Officer, ESIC, Karnataka.
- 7.2 The membership of an official member of the Society and of the Governing Body shall terminate when he or she ceases to hold the office by virtue of which he / she was member and his / her successor to the office shall become such member.
- 7.3 Non official members of the Society will be appointed by ESIC. Nominated members shall hold office for a period of two years from the date of their nomination. Such members will be eligible for renominations for a maximum one additional term of two years.
- 7.4 The Society shall maintain a roll members at its registered office and every member shall sign the roll and the state their in his / her rank or occupation and address. No member shall be entitled to exercise rights and privileges of a member unless he / she have signed the roll as previously mentioned.
- 7.5 A member of the governing body shall cease to be member if he / she resign, become of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude or removal from the post by the virtue of which he / she was holding the membership.
- 7.6 Resignation of membership shall be tendered in person to its Chief Executive Officer and shall not take effect until the Chairman has accepted it.
- 7.7 If a member of the Society changes his or her address / contact details, he / she shall notify his/ her new address / contact details to the Chief Executive Officer who shall there upon enter his / her new address in the roll of members.

- 7.8 Any vacancy in the Society or in the Governing Body shall be filled by the authority entitled to make such a appointment.
- 7.9 No member of the Governing Body shall be entitled to any fixed remuneration.
- 7.10 **Register of membership;**

The Society shall maintain a roll of members at its Registered office and every nominated member shall sign the roll and State there in his / her rank or occupation and address / contact details. Such member shall be entitled to exercise rights and privileges of a member unless he / she has signed the roll as aforesaid.

8 **AUTHORITIES OF THE SOCIETY;**

The following shall be the bodies and authorities of the Society;

- a.. Governing Body
- b.. Executive Committee
- c.. Chief Executive Officer

9 **GOVERNING BODY;**

- 9.1 All members of the Society as set out in clause 7.1 shall constitute the Governing Body of the Society. Subject to the prior approval of ESIC. The State Government may re-constitute Governing Body.
- 9.2 The terms of the members representing employer and employees shall be for a period of two years commencing from the date of appointment. Vacancies of nominated members will be filled up immediately on expiry of the term of existing members.
- 9.3 The Governing Body shall consist of minimum 9 members and maximum members
- 9.4 The first members of the Governing Body shall be as follows and they shall hold office until a new Governing Body is appointed according to these rules;

Sr.No	Details	Designation
(1)	Hon'ble Minister for Labour Government of Karnataka.	Chairman
(2)*	Additional Chief Secretary / Principal Secretary/ Secretary (Labour) Government of Karnataka.	Vice Chairman/ Member
(3)*	Additional Chief Secretary / Principal Secretary/ Secretary (Health) Government of Karnataka.	Member
(4)	Additional Chief Secretary / Principal Secretary/ Secretary (Finance) Government of Karnataka.	Member
(5)	Director ESIS of the Karnataka.	CEO/Member Secretary
(6)	Employers representatives	Member
(7)	Employees representatives	Member
(8)	Regional Director, ESIC, Karnataka.	Member
(9)	State Medical Officer, ESIC, Karnataka.	Member

**Additional Chief Secretary / Principal Secretary who so ever overseeing the ESI Scheme in the State would act as Vice-Chairman.*

9.5 The Governing Body shall consist of the following members

Sr.No	Details	Designation
(1)	Hon'ble Minister for Labour Government of Karnataka.	Chairman
(2)*	Additional Chief Secretary / Principal Secretary/ Secretary (Health) Government of Karnataka.	Member
(3)*	Additional Chief Secretary / Principal Secretary/ Secretary (Labour) Government of Karnataka.	Vice Chairman/ Member
(4)	Additional Chief Secretary / Principal Secretary/ Secretary (Finance) Government of Karnataka.	Member
(5)	Director ESIS of the Karnataka.	CEO/Member Secretary
(6)	ESIC Nominee	Member
(7) To (9)	Employers representatives	Member
(10) To(12)	Employees representatives	Member
(13)	Regional Director, ESIC, Karnataka.	Member
(14)	State Medical Officer, ESIC, Karnataka.	Member

**Additional Chief Secretary / Principal Secretary who so ever overseeing the ESI Scheme in the State would act as Vice-Chairman.*

9.6 The management of the affairs of the Society shall be entrusted to Governing Body and the property of the Society shall be vested in the Governing Body and Society shall be responsible for repair and maintenance of property in the possession of the Society and entrusted / vested in the Governing Body

9.7 The Society may sue or be sued in the name of the Chief Executive Officer of the Society or of such other members, as shall, in reference to the matter concerned, be appointed by the Governing Body for the occasion.

10 Proceedings of the meeting of Governing Body:

10.1 The meeting of the governing Body will be held at least once in every six months and mat such time and place as the Chainman shall decide. (If the Chairman receives a requisition for calling a meeting signed by one-third

members of the Governing Body, the Chairman shall call such a meeting as soon as may be reasonably possible and at such place as he/she may deemed fit.

10.2 A meeting of the Governing Body shall be held not later than 10th December & June every year to deliberate/approve the agenda placed for the purpose.

- The financial statement (Receipt & Payment A/c, Income & expenditure A/c and Balance sheet) for the year ending on 31st March shall be prepared by 31st May and present in Governing Body meeting before 10th June. The approved accounts shall be sent to Chartered Accountant empanelled with C&AC for audit.
- The audited accounts along with audit report shall be placed before Governing Body meeting to be held before 10th December.
- The Budget estimates (RE) for current year (DE) for next year and annual action plan shall be placed in the Governing Body meeting to be held before 10th December.
- Other business brought forward with the permission of the Chairman

The approved minutes of the meetings & along with the income & expenditure account and budget proposal shall be submitted to the ESIC by the prescribed date.

10.3 At the annual meeting of the Governing Body, the following business shall be brought forward and disposed off

- a. Annual Physical and financial progress report of the Society;
- b. Income and Expenditure account and the balance sheet for the past year;
- c.. Annual action plan for the next year;
- d. Budget for the next year;
- e. Policy and project review, notes and recommendations if any;
- f. Appointments for the Executive Committee and other Executive Committees:
- g. Other business brought forward with the permission of the Chairman.

10.4 Every notice calling meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Governing Body not less than ten clear days before the date appointed for the meeting. Such notice shall be under the hand of the Chief Executive Officer and shall be accompanied by an agenda of the business to be placed before the meeting provided that accidental omission to give such notice any member shall not invalidate any resolution passed at such meeting. In the event of any urgent business, the Chairman may call the meeting of the Governing meeting at clear 07 days' notice. At least a meeting in six months' period should be held. However, if Governing Body or the Chairman desired to hold more meetings for the reasons Societies' better functioning or improvement, they may do so under intimation to all concern.

10.5 The Chairman shall take the chair at the meetings of the Governing Body. In his / her absence the vice-Chairman will chair the meeting, failing which the Governing Body shall elect one from among the members present as Chairman of the meeting.

- 10.6 One third or at least three whichever higher of the filled in post of the members of the Governing Body shall form a quorum at every meeting of the Governing Body.
- 10.7 All Disputed questions at the meeting of the Governing Body shall be determined by majority of votes. Each member of the Governing Body shall have one vote in case of any equality of votes. The Chairman shall have a casting vote.
- 10.8 Any members desirous of moving any resolution at a meeting of the Governing body shall give notice thereof in writing to the chief executive officer not less than ten clear days before the day of such meetings and seven days in case of urgent meetings, respectively.
- 10.9 Any business which it may become necessary for the Governing Body to perform except such as may be place before Annual Meeting may be carried out by circulation among all its members and any resolution so circulated and approved by majority of members signing shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing body provided that at least two third members of the Governing Body have recorded their consent of such resolution.
- 10.10 In the event of any urgent business, The Chairman of the Society may take a decision on behalf of the Governing Body. Such Decision shall be reported to the Governing Body at its next meeting for ratification.
- 10.11 A copy of the minutes of the proceedings of each meeting shall be furnished to the Governing Body members as soon as possible after completion of the meeting.

11. POWERS OF THE GOVERNING BODY:

- 11.1 The Governing Body will have full control of affairs of the Society and will have authority to exercise and perform all the powers, acts and deeds of the Society and consistent with the aims and objects of the Society.
- 11.2 In Particular and without prejudice to the generality of foregoing provision, the Governing Body may:
- Make, amend or repeal any byelaws relating to administration and management of the affairs of the Society subject to the observance of the Provisions as contained in the ESI Act, 1948 and / or the Societies Registration Act, 1860 and / or ESIC directions, if any.
 - Consider the annual budget and the annual action plan, its subsequent of alterations placed before it by the Chief Executive Officer from time to time and to pass it with such modifications as the Governing Body may deem fit.
 - Monitor the Financial Position of the Society in order to ensure smooth income flow and to review annual audited accounts.
 - Accept Donations and Endowments or receive grants with the approval of Governing Body.
 - Delegate its powers, to the Chairman, Chief Executive Officer or other authorities of the Society as it may deem fit.
 - Appoint Committees or sub-committees for such purpose and such terms as it may deem fit, and to dissolve / remove any of them.
 - Deploy staff presently working under the Directorate of ESI Scheme, Govt. of Karnataka comprising Specialists, Doctors, Officers, Ministerial, Nursing, para-medical and other existing categories of employees for performing the functions of the Karnataka Employees' State Insurance Society.
 - Follow ESIC/State Govt. guidelines and its procurement procedures of goods and services.

- i. The Society shall perform the functions as contained in Clause 3 of the memorandum of association to achieve the objectives of the society in accordance with the provisions of the ESI Act, 1948 and Rules and Regulations made there under.
- j. Authorised Chief Executive Officer to execute such contracts on behalf of the Society as it may deem fit in the conduct of the business of the Society, subject to State Govt Norms.
- k. Do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the Society. Provided that nothing herein contained shall authorise the Governing Body to do any Act or to pass any byelaws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Governing body and other authorities, or which may be inconsistent with the objectives of the Society

12. POWERS AND FUNCTIONS OF THE CHAIRMAN OF THE GOVERNING BODY:

- 12.1 The Chairman shall have the Powers to call for and preside overall all meeting of the Governing Body.
- 12.2 The Chairman May himself/ Herself call, or by a requisition in writing signed by him/her, may require the Chief Executive Officer to call, a meeting of Governing Body at any time and on the receipt of such requisition, the Chief Executive Officer shall forth with call such a meeting.
- 12.3 The Chairman shall enjoy such powers as may be delegated to him by the Governing Body.
- 12.4 The Chairman shall have the authority to review periodically the work and progress of the Society and to order inquiries in to the affairs of the Society and to pass orders on the recommendations of the reviewing or inquiry committee

13. EXECUTIVE COMMITTEE:

- 13.1 The Governing Body will constitute ad Executive Committee, which will be responsible for acting for and doing deeds on behalf of the Governing Body. It shall take dedi8cions and exercise powers to carry out day to day decisions and implement plans and schemes as approved by the Governing Body. It shall prepare Annual Budget, Annual Action Plan and Annual Report and present them to the Governing body for approval. The Governing Body shall have the right to create, alter, reduce and increase any function or power of the Executive Committee.
- 13.2 The composition of the Executive Committee shall be as follows:

Sr.No	Details	Designation
(1)	Hon'ble Minister for Labour Government of Karnataka.	Chairman
(2)*	Additional Chief Secretary / Principal Secretary/ Secretary (Labour) Government of Karnataka.	Vice Chairman/ Member
(3)*	Additional Chief Secretary / Principal Secretary/ Secretary (Health) Government of Karnataka.	Vice Chairman/ Member
(4)	Additional Chief Secretary / Principal Secretary/ Secretary (Finance) Government of Karnataka.	Member

(5)	Director ESIS of the Karnataka.	CEO/Member Secretary
(6)	Employers representatives	Member
(7)	Employees representatives	Member
(8)	Regional Director, ESIC, Karnataka.	Member
(9)	State Medical Officer, ESIC, Karnataka.	Member

**Additional Chief Secretary / Principal Secretary / Secretary whosoever overseeing the ESI Scheme in the State would act as Vice Chairman.*

- 13.3 The Executive Committee may co-opt additional members and / or invitee subject experts to its meetings from time to time.
- 13.4 Term of non-official member of the Executive Committee would be of 2 years. Term of Executive Member would co terminus with his tenure the Governing Body.
- 13.5 Meetings of the Executive Committee shall be convened by the Chief Executive Officer by giving clear seven days' notice in writing along with the Agenda specifying the business to be transacted the date, time and venue of the meeting. The meeting may be convened at a shorter notice by Chairman of the executive committee.
- 13.6 Meeting of the Executive Committee shall be held at least once in three months or more frequently as may be necessary.
- 13.7 One third or at least three, whichever is higher of the filled in posts of the members of the Executive Committee shall form a quorum at every meeting of the Executive Committee.
- 13.8 The minutes of the Executive Committee meetings will be placed before the Governing Body at its next meeting.
- 13.9 The various Committee constituted by the Governing Body shall submit their reports to the Executive Committee who shall be empowered to take decisions on their recommendations with the approval of Governing Body.
- 13.10 The executive Committee of the Society will have overall responsibility for planning and executing the work of the Secretariat for supervising the work of the technical / management units of the Secretariat, directing and over-seeing implementation through the Secretariat.

SOCIETY SECRETARIAT AND CHIEF EXECUTIVE OFFICER.

- 14.1 The Society will establish a Secretariat of the Society consisting of technical, financial and management professionals to serve as the implementation arm of the Society.
- 14.2 The Secretariat shall consist of all such technical / management units put together and as may be determined by the Governing Body with due regard to the scope of functions as set out in Article 3 of the Memorandum of Association.
- 14.3 The Executive Committee of the Society will have overall responsibility for planning and executing the work of the Society, for supervising the work of the technical / management units of the Society directing and overseeing implementation of the society through the Secretariat.

POWERS AND FUNCTIONS OF THE SECRETARIAT:

- 15.1 As the implementation arm of the Society, the Secretariat will be responsible for day-to-day management of the Society's activities. In particular, it will be responsible for performing all functions of the Society as set out in Clause 3 of the Memorandum of Association.

- 15.2 The Secretariat of the Society shall consist of the Chief Executive Officer and staff of the Society, including experts and consultants hired with the approval of Governing Body regarding their term and remuneration.
However, the society shall not have its own manpower. All the manpower engaged in executing the ESI Scheme shall be the employee of the concerned State Govt. or PSU or Central Govt. / ESIC. However, it can authorize³⁴ / approve hiring of contractual employee for short term basis till the regular employees are in place and shall allow payment form the society fund.
Further, Manpower services for additional workload in the field of accounts, finance, administration, medical and allied services may be outsourced.
- 15.3 As a support structure for smooth delivery of medical benefits and management of medical establishments, the Secretariat shall:
- cause its experts and staff to be subjected to such operational arrangements with the Society (including seating and reporting atonements) as to generate synergies.
 - host external experts within its premises, and
 - Provide such logistic support to the officers and staff of the Society and as may be determined by the Governing Body.
- 15.4 Employees of the Society are on deemed deputation from the State Government or PSU or Central Govt. or ESIC and their Pension liabilities rests with the respective appointing authorities. Society does not have any employees in its rolls except on deputation or temporary contract / engagement, till assigned work is completed. All employees on deputation will be governed by the service rules and regulations of the State Govt. concerned and will accordingly be in receipt of pay & allowances and other benefits as applicable to the em-p0loyees of the State Government of Karnataka.
- 15.5 No employee will have right to claim to be an employee of ESIC directly or indirectly. No employee of the Society can be absorbed by the ESIC directly except through a suitable recruitment process.

BUDGET:

Annual budget should be prepared on PIP (Program (Implementation Plan) model, within the ceiling prescribed. Revised budget estimate of the current year and proposed budget estimate for the following financial year as per the PIP, duly approved by the Governing Body shall be submitted to the ESI Corporation not later than 10th December of each year.

Expenditure of Capital or revenue nature, of any, proposed outside the laid down ceiling should be supported by full justification for its inclusion in the budget.

ACCOUNTS AND AUDIT:

The Society shall keep proper books of accounts in compliance of the Societies Registration Act, 1860 and State Specific Public Trust Act, as follows:

- All sums of money received and the sources thereof and all sums of money expended by the Society and the objects or purposes for which sums are expended: and
- The Society's assets and liabilities.

The Executive Committee may maintain such Bank accounts in its name as may be necessary for operational management of the Society with the approval of Governing Body.

The Financial year of the Society shall be from 1st April to 31st March;

The accounts of the Society shall be balanced each year on the 31st days of March, and annual accounts shall be prepared;

The Society shall hold a meeting of the Governing Body to consider the Annual Report on its working and audit report generally within six months of the close of the financial year.

The Society shall maintain accounts in the mode and manner and format as specified by ESIC by following Accrual System of Accounting.

The Annual Accounts and report on working of Society shall include the progress and activities of the Society during the year and it shall include the Audited Annual Accounts in a format in conformity with the statutory requirements and good accounting practice;

The Society shall cause regular accounts to be kept of all its monies and properties in respect of the affairs of the Society, Society may engage a professional firm for auditing the accounts and for internal audit.

The auditor shall be appointed by the Executive Committee body every year and for the remuneration of such auditor. The Auditor shall be the Chartered Account/ Firm of Chartered Accountants empanelled with C&AG.

The Society shall submit a copy of the Audited Accounts to the State Government as well as to ESIC.

the account of the Society shall be opened in the name of KARNATAKA EMPLOYEES' STATE INSURANCE SOCIETY in a Public Sector Bank approved by the Executive Committee as may be specified by the ESI Corporation. All the funds shall be paid into the Society's account with the appointed bank and shall not be withdrawn except through a cheque/ RTGS/NEFT/electronic mode, authorized by such authorities of the Society Secretariat as may be determined by the Executive Committee.

The Society shall switch over to e-banking procedures as and when the ESI Corporation directs the Society to do so.

The Executive Committee shall authorize an Officer to operate the accounts of the Society in conjunction with another senior officer as may be decided by the Committee.

The Society shall file such returns and documents and in the manner as may be required by the Societies Registration Act, 1860 and State Specific Public Trust Act,; Once in every year, a list of the office bearers and members of the Governing Body of the Society shall be filed with the Registrar of Societies as required under Section of the Societies Registration Act of 1860;

The Society shall submit its Annual Administration Report along with Audit Report and Annual Accounts to the State Government every year.

The Society may sue and may be sued in the name of its Chief Executive Officer as per Section 6 of the Act. No suit or proceedings shall become void by the reason on any change in the nomenclature or temporary vacancy of the officer.

No suit or proceedings shall abate by the reason of any vacancy or change in the holder of the office of the Chairman or Chief Executive Officer or any office bearer authorized in this behalf.

Every decree or order against the Society in any suit or proceedings shall be executable against the property of the Society and not against the person or the property of any office bearer of the Society.

Nothing in sub-clause 23.3 above shall exempt the office bearer of the Society from any criminal liability or entitle him/her to claim any contribution from the property of the Society in respect of any fine to be paid by him/her on conviction by a criminal court.

27. DISPUTE:

It Shall be lawful for the Executive committee/ Governing Body to settle accounts and to compromise, compound, abandon, or refer to arbitration any action, proceeding or disputes, claims, demands or things relating to any matter in and do all other things for such purpose without being responsible for any loss occasioned thereby to the society.

28. DISSOLUTION AND ADJUSTMENT OF AFFAIRS OF THE SOCIETY:

28.1 The Society should be irrevocable, however, the society may be dissolved in accordance with the provisions of section 13 &14 of the societies Registration Act, after obtaining the previous consent of the ESIC. The Governing body may resolve to dissolve the society by bringing a proposal to that effect in a special meeting to be convened for the purpose;

28.2 The Society / Trust is irrevocable, however, if for some reason the society is to be dissolved then no assets / property would go to any founder, setter, trustee, donor or member etc., but the assets after meeting its liabilities would be handed over as per the provision of State's Specific Public Trust Act to the ESIC with prior permission of the charity commissioner.

29. AMENDMENTS / ALTERATION OF MEMORANDAM OF SOCIETY AND THESE RULES:

29.1 The Society may alter or extend the purpose for which it is established and / or the rules of the Society.

29.2 The proposition for any alteration or extension to the objectives of the Society and / or the Rules must be circulated all members of the governing body and must be included in

the written agenda of the ensuing meeting of the Governing body or a Special meeting of the Governing body.

29.3 No amendments shall be effective unless the proposals in this regard have been endorsed by 3/5th of the members of the Governing body provided that such proposals have been endorsed in writing by the ESI Corporation either during the meeting of the Governing body or through a written communication.

29.4 Any amendment in the memorandum of Society or Rules will be carried out in accordance with the procedure laid down under Section 12 & 12 A of the Societies Registration Act, 1860.

30. MISCELLANEOUS:

30.1 CONTRACTS:

30.1.1 All contracts and other instruments for and on behalf of the Society shall be subject to the provisions of the ESI Act, 1948 and Societies Registration Act, be expressed to be made in the name of Society and shall be executed by the persons authorised by the Governing body.

30.1.2 No contracts for the sale, purchase or supply of any goods and material shall be made for and on behalf of the society with any member of the society or his / her relative or firm in which such member are his/ her relative is a partner or shareholder or any other partner or shareholder of a firm or a private company in which the said member is partner or Director.

All Contracts and other instruments for and on behalf of the society shall be subject to the provisions of the Act be expressed to be made in the name of the society and shall be executed by the person authorised by the Governing body.

30.2 GOVERNMENT POWER TO REVIEW:

Notwithstanding anything to the contrary contained in these Rules, The Department of the Health / Labour of concerned State Government. May appoint one or more persons to review the work and progress of the Society and hold enquiries into the affairs thereof and report thereon and issue directions as deemed appropriate to the society. The society shall be bound to promptly comply with such directives.

The Chairman of the Governing Body shall have the right to nominate one or more persons to be part of the review/enquiries.

31. SIGNATORIES:

We, the several persons whose names and addresses are hereunder Subscriber are desirous of being formed into a society under Societies Registration Act, 1860 and States Specific Public Trust Act, _____ in pursuance of this deed of Memorandum of Association and Rules and Regulations.

Sr.No	Details	Designation
(1)	Hon'ble Minister for Labour Government of Karnataka.	Chairman
(2)*	Additional Chief Secretary / Principal Secretary/ Secretary (Labour) Government of Karnataka.	Vice Chairman/ Member
(3)*	Additional Chief Secretary / Principal Secretary/ Secretary (Health) Government of Karnataka.	Member
(4)	Additional Chief Secretary / Principal Secretary/ Secretary (Finance) Government of Karnataka.	Member
(5)	Director ESIS of the Karnataka.	CEO/Member Secretary
(6)	Employers representatives	Member
(7)	Employees representatives	Member
(8)	Regional Director, ESIC, Karnataka.	Member
(9)	State Medical Officer, ESIC, Karnataka.	Member

The Above signatories have signed before me and I have personally verified the same:

()
 Chief Executive Officer Cum Member Secretary
 KARNATAKA EMPLOYEES' STATE INSURANCE
 SOCIETY

KARNATAKA EMPLOYEES' STATE INSURANCE SOCIETY
DRAFT BYELAWS

A Procurement Policy and procedures:

Procurement of goods and services shall be made out of the funds received from the **ESI Corporation / State Government / any other Source** and shall be done as per the procedures recommended by the **ESI Corporation**.

In all other cases, including where the **ESI Corporation** allows the Society a choice, following order of preference shall be applied for procurement of goods and services:

Procurement of goods:

- A. Rate contracts of the DGS & D, failing which,
- B. DG ESIC Drugs and Dressings Rate Contract.
- C. Rate contracts of Govt. of India / State Govt. Agencies failing which through Tender Procedure prescribed by the ESI Corporation

Procurement of Services:

Through prescribed purchase procedure of the ESI Corporation

B Procedure for release of funds and Financial Powers of the office Bears of the Governing / Executive Committee

I Classification of items of Expenditure and Financial powers of the bodies and office bearers of the Society.

(For ensuring smooth flow of funds for the approved plans and activities, it is necessary that proper delegation of administrative and financial powers be made at each level).

(to be filled by FD)

Type of Expenditure	Authority	Extent of power
A Release of funds for implementation of plans/ allocations, which have been approved by Governing Body / Executive Committee	Chief Executive Officer	
B Expenditure proposals <u>not covered above</u> .		
B-1: Procurement of goods	Chairperson,	
B-2: Repairs and minor civil works	Executive Committee	
B-3: Procurement of services of specific tasks including outsourcing of support services for the Society.	Chief Executive Officer	
B-4: Hiring of Contractual staff, including sanction of compensation package	Chairperson, Executive Committee	
	Chief Executive Officer	
B-5: Miscellaneous items not mentioned above such as hiring of taxis, hiring of auditors, payments relating to documentation and other	Chief Executive Officer	

<p>day-to-day services, meetings and workshops, training, purchase of training materials / books and magazines, payment of TA / DA and honoraria to resource persons and guest speakers invited to meetings / workshops, and payment of TA/DA allowances for contractual staff and / or non-official invitees to Governing Body / Executive Committee meetings and / or Government / Society staff deputed to meetings outside the State.</p>		
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B-6: Any item not covered from B-1 to B-5 will be decided by the Governing Body as deemed fit.

II Procedure for release of funds:

The Society funds shall be drawn through cheques and / or bank drafts / through RTGS/NEFT.

All cheques shall be signed by two authorised signatories of the Society Secretariat based on a written authorisation from Executive Committee of the Society in this behalf.

Wherever releases are decided to be made through bank drafts and / or through bank drafts and / or through e-banking, the authorisation letter to the bank shall be signed by the concerned authorised signatories.

Wherever, under e-banking procedures, releases are to be made through electronic authorisation to the bank to issue cheque / draft / account transfer on behalf of the Society, the electronic authorisation will be executed by the same two authorised functionaries of the Society Secretariat who have been authorised to sign cheques on the basis of a written authorisation in this behalf.

III Review / revision of financial powers;

The Governing Body may review and revise the financial powers of the office bearers of the bodies of the Society on an annual basis and revise the same, if considered necessary.

C Human Resources Policy and Procedures:

MANPOWER

The Specialists, Doctors, Officers, Ministerial, Nursing, Para-Medical and other existing categories of staff of the Directorate of ESI Scheme will function under the control of the Karnataka Employees' State Insurance Society. However, the said staff will continue to be employees of the State Government of Karnataka and will accordingly be in receipt of salary through treasury of the State.

Recruitment and Appointment:

Appointments for the Society can be made only against vacant posts prescribed for the Society in accordance with the conditions in this regard prescribed by the ESI Corporation.

Recruitment would be through any of the following three routes;

- Appointments from the open market: all such appointments will be on contractual basis for a fixed tenure.
- Appointments on Deputation basis: all such appointments will be regulated in terms of the State Government rules relating to Deputation of its officers / staff.

- Individuals recruited and paid for by an outside agency (e.g. ESI Corporation) but posted to work within the Society Secretariat: all such persons shall be governed by the terms and employment of the organisation agency concerned. However, they shall be required to report to the Chief Executive Officer as may be decided by the Chairperson, Executive Committee.

All appointments would be temporary and would be made for the contract / deputation period as determined by the Executive Committee.

Leave rules:

Holidays, Casual Leave, Medical Leave: The Society staff and the full time consultants shall be governed by the State Government rules, in so far as observance of holidays and grant of casual / medical leave is concerned.

Training and capability development:

Full time consultants and staff of the Society (including staff on deputation) would be encouraged to take up skill development courses and even correspondence courses to further their employment prospects, enhance their skills, and build up Society capabilities.

Travelling / Dearness Allowance (TA / DA) Rules:

Travel within State: Travel of Society staff (including those who are employed by the Society on deputation basis) within the State shall be governed as per the entitlements given in the table below:

	<u>Chief Executive Officer</u>	<u>Senior Officers on deputation to the Society / Full time consultants</u>	<u>Junior / Clerical staff</u>
<u>Entitlement for air / rail travel</u>	<u>By Air (Economy Class) 1st AC AC Taxi</u>	<u>2nd AC / AC Chair Car</u>	<u>3rd AC / AC Chair</u>
<u>Entitlement for road travel (1)</u>	<u>AC Taxi</u>	<u>Taxi</u>	<u>Bus / shared taxi</u>
<u>Per-diem when hotel is not used</u>	<u>Rs. Per day</u>	<u>Rs. Per day</u>	<u>Rs. Per day</u>
<u>Per-diem when hotel is used (3)</u>	<u>Rs. Per night *</u>	<u>Rs. Per night *</u>	<u>Rs. Per night *</u>

***Maximum subject to actual:**

Travel outside the State: Travel outside the State shall be regulated on a case to case basis in accordance with delegated financial powers as indicated in Section -B above (Financial powers, item B-5)

Deduction of Tax at Source: Tax will be deducted at source as per income tax rules and the Society shall register itself with the relevant authorities in this regard.

GOVERNMENT OF KARNATAKA

No. ED 360 TEC 2022

Karnataka Government Secretariat
M.S Building,
Bangalore, Dated:28.12.2022**CORRIGENDUM NOTIFICATION**

In the notification No:ED 155 TEC 2022, Dated:29.10.2022, SCHEDULE –I, Serial No.4, Sub Serial No. k instead of words “**Dip GTTC (Tool and Die Making)**” the words “**All the Diploma courses run by GTTC with the approval of AICTE**” be inserted.

In the same order SCHEDULE –I, after the words “NOTE:Candidates of NTTF & GTTC (Karnataka centres only) Diploma shall have to study, Pass Applied Science, Applied Mathematics and Applied Science practical of the First year Diploma conducted by the Board of Technical Examination in Karnataka” the words “This condition is not applicable for the GTTC students whostudyDiploma Course after the Academic year 1999-2000” be inserted.

By order and in the name of the
Governor of Karnataka

(NARASIMHAPPA)
Joint Secretary to Government
Higher Education Department
(Technical Education and Planning)

PR-02

GOVERNMENT OF KARNATAKA

No.SWD 97 PKS 2022

Karnataka Government Secretariat,
Vikasa Soudha
Bengaluru,dated:28-12-2022**NOTIFICATION**

Whereas the draft of the Karnataka State Department of Social Welfare (Scheduled Castes welfare) Service (Cadre and Recruitment) Rules, 2022, which the Government of Karnataka proposes to make in exercise of the powers conferred by section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) was published as required by clause (a) of sub-section (2) of section 3 of the said Act, in Notification No.SWD 97 PKS 2022 dated:03-03-2022, in part IV A(PR No.175) of the Karnataka Gazette dated:08-03-2022 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of its publication in the Official Gazette.

Whereas, the said Gazette was made available to the public on 08-03-2022.

And whereas objections and suggestions received within the period above have been examined.

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.

1. Title and Commencement.- (1) These rules may be called the Karnataka State Department of Social Welfare (Scheduled Caste welfare) Service (Cadre and Recruitment) Rules, 2022.

(2) They shall come into force from the date of their final publication in the Official Gazette.

2. Method of recruitment and minimum qualification, etc:- The Karnataka Department of Social Welfare (Scheduled Caste welfare) Service shall consist of the categories of posts and scales of pay as specified in column (2) of the schedule below, their number, method of recruitment and minimum qualifications, shall be as specified in the corresponding entries in columns (3), (4) and (5) thereof.

3. Repeal and Savings:- The Karnataka General Service Scheduled Castes Welfare Branch (Recruitment) Rules, 1985 are hereby repealed.

Provided that, such repeal shall not affect:-

- (a) the previous operation of the said rules or anything duly done or any action taken under the said rules; or
- (b) any right, privilege, obligation or liability already acquired, accrued or incurred under the said rules.

By order and in the name of the
Governor of Karnataka

(DR. PRAJNA AMMEMBALA)
Deputy Secretary to Government-1,
Social Welfare Department

SCHEDULE-I (See rule - 2)						
Sl. No.	Category of post and Scale of Pay	Number of posts			Proposed	
		Perma nent	Tempo rary	Total	Method of Recruitment	Minimum Qualification
1	2	3			4	5
1	Commissioner (118500-214100)	1	0	1	Encadred to Indian Administrative Service (Senior Scale).	-
2	Additional Director (90,500-1,23,300)	0	2	2	By promotion from the cadre of Joint Director.	Must have put in a service of not less than three years in the cadre of Joint Director.

3	Joint Director (74,400-1,09,600)	3	9	12	By promotion from the cadre of Deputy Director.	Must have put in a service of not less than three years in the cadre of Deputy Director.
4	Deputy Director / Chief Administrative Officer (67,550-1,04,600)	10	21	31	By promotion from the cadre of Assistant Director Grade-I	Must have put in a service of not less than five years in the cadre of Assistant Director Grade-I.
5	Chief Accounts Officer (67,550-1,04,600)	1	0	1	By deputation of an officer in the cadre of Deputy Controller from the Karnataka State Audit and Accounts Department.	-
6	Assistant Director Grade-1 (52650-97100)	0	99	99	Fifty percent by direct recruitment in accordance with the Karnataka Recruitment of Gazetted Probationers (Appointment by Competitive Examinations) Rules, 1997;and Fifty percent by promotion from the cadre of Assistant Director (Grade-II) or Gazetted Manager on the basis of combined seniority.	For promotion.- Must have put in a service of not less than five years in the cadre of Assistant director Grade-II or Gazetted Manager.
7	Assistant Law Officer (52650-97100)	0	1	1	By deputation from the Karnataka Judicial Service.	
8	Assistant Director Statistics (43100-83900)	1	0	1	By deputation of an officer in the cadre of Assistant Director from the Directorate of Economics and Statistics.	

9	Assistant Director Grade-II (43100-83900)	0	99	99	<p>Forty percent by direct recruitment in accordance with the Karnataka Recruitment of Gazetted Probationers (Appointment by Competitive Examinations) Rules, 1997; and Sixty percent by promotion from the cadre of Office Superintendents or Inspecting Assistants or SCSP Superintendent and Senior Wardens (Women), Senior Wardens (Men) in the ratio of 8:1:1, every 1st, 3rd, 4th, 5th, 7th, 8th, 9th and 10th vacancy shall be filled by promotion from the cadre of Office Superintendent or Inspecting Assistants or SCSP Superintendents, every 2nd vacancy shall be filled by promotion from the cadre of Senior Warden (Women), and 6th vacancy shall be filled by promotion from the cadre of Senior Warden (Men).</p> <p>Provided that, Office</p>	<p>For promotion.-Must have put in a service of not less than five years in the cadre of Office Superintendent or Inspecting Assistant or SCSP Superintendent and Senior Warden(Women), Senior Warden(Men).</p> <p>Provided that, if an eligible official in any feeder cadre is not available to fill up the post earmarked to that cadre those posts shall be filled from an eligible official belonging to other feeder cadres on rotation basis.</p>
					<p>Superintendent or Inspecting Assistants or SCSP Superintendents and Senior</p>	

					Warden (Women), Senior Warden (Men) shall exercise an irrevocable option at the time of consideration for promotion.	
10	Research Officer (xxxxxxx)	0	1	1	By deputation of an officer in the cadre of Assistant Professor in Anthropology or Sociology or Social Work from an University established by law or by deputation of Group-A (junior) officer of Social Welfare Department.	-
11	Gazetted Managers (43100-83900)	0	32	32	By promotion from the cadre of Office Superintendent or Inspecting Assistants or SCSP Superintendents and Senior Warden (Women), Senior Warden(Men) in the ratio of 8:1:1, every 1 st , 3 rd , 4 th , 5 th , 7 th , 8 th , 9 th and 10 th vacancy shall be filled by promotion from the cadre of Office Superintendent or Inspecting Assistants or SCSP Superintendents, every 2 nd vacancy shall be filled by promotion from the cadre of Senior Warden (Women) and 6 th vacancy shall be filled by promotion from the cadre of Senior Warden (Men). Provided that, Office	Must have put in a service of not less than five years in the cadre of Office Superintendent or Inspecting Assistant or SCSP Superintendent and Senior Warden(Women), Senior Warden(Men). Provided that, if an eligible official in any feeder cadre is not available to fill up the post earmarked to that cadre those posts shall be filled from an eligible official belonging to other feeder cadres on rotation basis.

					Superintendent or Inspecting Assistants or SCSP Superintendents and Senior	
					Warden (Women), Senior Warden(Men) shall exercise an irrevocable option at the time of consideration for promotion.	
12	Account Superintendent (40900-78200)	2	32	34	By deputation of an official in the cadre of Accounts Superintendent from the State Audit and Accounts department	-
13	Junior Engineer (33450-62600)	1	0	1	By deputation of an official in the cadre of Junior Engineer from the Public Works Department or Rural Development and Panchayat Raj Department.	-
14	Office Superintendent / Inspecting Assistants / SCSP Superintendent (37900-70850)	33	195	228	Thirty Eight percent by promotion from the cadre of First Division Assistant; Sixty percent by promotion from the cadre of Warden (Men) and Warden (Women) based on their proportion; Two percent by promotion from the cadre of Stenographers. Provided that, warden(men), warden(women) shall exercise an irrevocable option at the time of consideration for promotion.	Must have put in a service of not less than five years in the cadre of First Division Assistant, Warden(Men)/Warden(Women) and Stenographers.

15	Assistant Statistical Officer (37900-70850)	1	1	2	By deputation of an official in the cadre of Assistant Statistical Officer from the Directorate of Economics and Statistics.	-
16	Librarian (37900-70850)	0	2	2	By deputation of an official in the equivalent cadre from the Department of Public Libraries	-
17	Senior Warden (Men) (33450-62600)	16	15	31	By promotion from the cadre of Warden (Men).	Must have put in a service of not less than five years in the cadre of Warden (Men).
18	Senior Warden (Women) (33450-62600)	15	15	30	By promotion from the cadre of Warden (Women).	Must have put in a service of not less than five years in the cadre of Warden (Women).
19	First Division Assistant (27650-52650)	115	174	289	Fifty percent by direct recruitment in accordance with the Karnataka Civil Services (Recruitment to Ministerial Posts) Rules, 1978; Forty five percent by promotion from the cadre of Second Division Assistant; and Five percent by promotion from the cadre of Ashram School/ Residential School Teacher. Provided that Ashram School/ Residential School teacher shall exercise an	For promotion.- Must have put in a service of not less than five years in the cadre of Second Division Assistant and Residential School Teachers. Provided that, if an eligible official in any feeder cadre is not available to fill up the post earmarked to that cadre those posts shall be filled from an eligible official belonging to other feeder cadres on rotation basis.

					irrevocable option at the time of consideration for promotion.	
20	Accounts Clerk (27650-52650)	0	1	1	By deputation of an official from the State Audit and Accounts Department.	-
21	Research Assistant (ARI)	0	4	4	By deputation of an official from Pre-University Education Department.	Must be holder of Master degree in Sociology from the cadre of Lecturer.
22	Warden (Men) (27650-52650)	395	872	1267	<p>Eighty percent by direct recruitment in accordance with the Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021; and</p> <p>Ten percent by promotion from the cadre of Ashram School / Residential School Teachers (Men); and</p> <p>Ten percent by promotion from the cadre of Junior Warden (Men),</p>	<p>For direct recruitment.- Must possess a Bachelor degree with B.ED.</p> <p>For promotion.- (1) Must possess a Bachelor degree.</p> <p>(2) Must have put in a service of not less than five years in the cadre of Ashram School /Residential School Teacher and Junior Warden (Men).</p> <p>Provided that, if an eligible official in any feeder cadre is not available to fill up the post earmarked to that cadre those posts shall be filled from an eligible official belonging to other feeder cadres on rotation basis.</p> <p>Note: Provided that Ashram School/ Residential School teacher shall exercise an irrevocable option at the time of consideration for promotion.</p>

23	Warden (Women) (27650-52650)	188	339	527	<p>Eighty percent by direct recruitment in accordance with the Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021; and</p> <p>Ten percent by promotion from the cadre of Ashram School /Residential School Teacher (Women); and</p> <p>Ten percent promotion from the cadre of Junior Warden (Women),</p>	<p>For direct recruitment.- Must possess a Bachelor degree with B.ED.</p> <p>For promotion.- (1) Must possess a Bachelor degree.</p> <p>(2) Must have put in a service of not less than five years in the cadre of Ashram School /Residential School Teacher and Junior Warden (women).</p> <p>Provided that, if an eligible official in any feeder cadre is not available to fill up the post earmarked to that cadre those posts shall be filled from an eligible official belonging to other feeder cadres on rotation basis.</p> <p>Note: Ashram School/ Residential School teacher shall exercise an irrevocable option at the time of consideration for promotion.</p>
24	Accounts Assistant (27650-52650)	7	10	17	By deputation from the cadre of Accounts Assistants from the State Audit and Accounts Department	-
25	Stenographer (27650-52650)	9	36	45	<p>Fifty percent by direct recruitment in accordance with Karnataka Civil Services (Recruitment to the posts of Stenographers and Data Entry Assistants) Rules, 1983; and</p> <p>Fifty percent by promotion</p>	<p>For direct recruitment.- In accordance with Karnataka Civil Services (Recruitment to the posts of Stenographers and Data Entry Assistants) Rules, 1983</p> <p>For promotion.- (1) Must have put in a service not less than five years of service in the cadre of Data Entry</p>

					from the cadre of Data Entry Assistants. Provided that if no suitable Data Entry Assistants. is available for promotion then by direct recruitment.	Assistants. (2) Must have passed Senior Kannada Typewriting and Senior Kannada Shorthand examination.
26	Senior Data Entry Assistants. (27650-52650)	0	45	45	By promotion from the cadre of Data Entry Assistants.	Must have put in a service of not less than ten years in the cadre of Data Entry Assistants.
27	Senior Driver (27650-52650)	0	9	9	By promotion from the cadre of Driver.	Must have put in a service of not less than ten years in the cadre of Driver.
28	Ashram School / Residential School Teacher (25800-51400)	147	193	340	By direct recruitment in accordance with the Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021.	In accordance with the qualification prescribed by the Department of Public Instructions in respect of the post of Primary School Assistant teacher (1 st Standard to 5 th Standard) from time to time.
29	Second Division Assistant (21400-42000)	83	395	478	By direct recruitment and promotion in accordance with the Karnataka State Civil Services (Recruitment to the Ministerial posts) Rules, 1978.	In accordance with the Karnataka Civil Services (Recruitment to Ministerial posts) Rules, 1978.

30	Junior warden (Men) (21400-42000)	0	365	365	By promotion from the cadre of Cooks (Men).	(1) Must have passed PUC or an equivalent examination; and (2) Must have put in a service of not less than five years in the cadre of Cooks (Men). Note: The qualification prescribed at clause (1) above, shall not be applicable for those who are already in service possessing SSLC qualification on the date of commencement of the Karnataka Civil Services (Recruitment to the
31	Junior Warden (Women) (21400-42000)	0	153	153	By promotion from the cadre of Cooks (Women).	(1) Must have passed PUC or an equivalent examination; and (2) Must have put in a service of not less than five years in the cadre of Cook (Women). Note: The qualification prescribed at clause (1) above, shall not be applicable for those who are already in service possessing SSLC qualification on the date of commencement of the Karnataka Civil Services (Recruitment to the Ministerial Posts) (Amendment) Rules, 2013.
32	Women Welfare Organiser (21400-42000)	254	0	254	These posts shall stand abolished after the existing incumbent retired from service or cease to be in service for whatever reason	

33	Data Entry Assistants. (21400-42000)	13	168	181	Fifty percent by direct recruitment in accordance with the Karnataka Civil Services (Recruitment to the Posts of Stenographers and Data Entry Assistants) Rules, 1983; and Fifty percent by promotion from any of the cadre in Group 'D' service on the basis of seniority, which is determined by treating a person holding a post carrying a higher scale of pay as a senior to a person holding a post carrying a lower scale of pay, seniority interse among persons holding posts carrying same scale of pay being determined on the basis of length of service in the respective cadres, seniority interse among persons in a cadre being maintained.	For promotion.- (1) Must have put in a service of not less than five years in the cadres specified in column (4). (2) Must posses the qualification prescribed in the Karnataka Civil Services (Recruitment to the Post of Stenographers and Data Entry Assistants) rules 1983.
34	Driver (21400-42000)	27	7	34	Fifty percent by direct recruitment. The said Driver direct recruitment post should be filled by the outsource basis as per the Finance Department and Department of Personnel and Administrative Reforms guidelines.	For direct recruitment.- (1) Must have passed SSLC or an equivalent examination; and (2) Must possess current light motor vehicle driving license. Immediately after selection by the department, the candidate must produce a certificate for test conducted by the RTO. For promotion.- (1) Must have

					Fifty percent by promotion from any of the cadres in Group 'D' service on the basis of seniority, seniority being determined by treating a person holding a post carrying a higher scale of pay as a senior to a person holding a post carrying a lower scale of pay, seniority inter-se among persons holding posts carrying same scale of pay being determined on the basis of length of service in the respective cadres, seniority inter-se among persons in a cadre being maintained.	passed SSLC or an equivalent examination; and (2) Must have put in a service of not less than five years in the cadres specified in column (4) thereof; and (3) Must possess current light motor vehicle driving license. Immediately after selection by the department, the candidate must produce a certificate for test conducted by the RTO.
35	Senior Office Attender (18600-32600)	9	4	13	By promotion from the cadre of Office Attender.	Must have put in a service of not less than seven years in the cadre of office Attender.
36	Cook (18600-32600)	1000	2630	3630	Seventy percent by promotion from the cadre of Kitchen Assistant; Twenty seven percent by promotion from the cadre of watchman; and Three percent by promotion from the cadre of peon.	Must have put in a service of not less than five years in the cadres specified in column (4). Note: A watchman and peon must have worked as cook for a period of not less than six months

37	Kitchen Assistant (17000-28950)	725	1598	2323	By direct recruitment. The said Kitchen Assistant direct recruitment post should be filled by the outsource basis as per the Finance Department and Department of Personnel and Administrative Reforms guidelines.	(1) Must have passed SSLC or equivalent examination (2) Must possess three years experience in cooking in any recognised institution with a certificate in cooking from a recognised institution
38	Office Attender/ Home Orderly (Head Office -1 post) (17000-28950)	287	37	324	By direct recruitment in accordance with Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021.	Must have passed SSLC or equivalent examination with Kannada as one of the language.
39	Watchman (17000-28950)	225	1536	1761	By direct recruitment in accordance with Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021.	Must have passed SSLC or equivalent examination with Kannada as one of the language.

SCHEDULE - II

(See rule - 2)

SCHEDULE CASTE SUB-PLAN AND SCHEDULE TRIBE SUB-PLAN CELL

Sl. No.	Category of post and Scale of Pay	No. of posts			Proposed	
		Permanent	Temporary	Total	Method of Recruitment	Minimum Qualification
1	2	3			4	5
1	Director SCSP/TSP Main Cell, Bangalore (90500-123300)	0	1	1	By deputation of an officer in the cadre of Additional director from the Social welfare Department	

2	Project manager SCSP/TSP Main Cell, Bangalore (67550-104600)	0	2	2	By deputation of an officer in the equivalent cadre of Deputy Director from the Karnataka State Government Department of (1)Social Welfare (2)Agriculture Department (3)Education (4)Public works department and (5)Industries and Commerce department.	
3	Assistant Project Manager (SCSP/TSP Cell) (a) 02 posts at Scsp/Tsp Cell at Bangalore) (b) 01 post at JD office, SWD, Dharwad District.c) 01 post at JD office, SWD, Kalburgi District.	0	4	4	By deputation of an officer in the equivalent cadre of the Assistant Director(Grade-I) from the Karnataka State Government Department of (1)Social Welfare (2)Agriculture Department (3)Education (4)Public works department and (5)Industries and Commerce department.	
4	Data Collecting Officer(SCSP/TSP Cell) a) 04 posts at SCSP/TSP Cell at Bangalore b) 01 post at JD office, SWD, Dharwad District. c) 01 post at JD office, SWD, Kalburgi District. d) 01 post at JD office, SWD, Mysore District. e) 01 post at DD office, SWD, Chitradurga District.	0	8	8	By direct recruitment in accordance with the Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021.	Must possess a Bachelor degree in Science/ commerce/ statistics or Masters degree with knowledge of computer.
5	Office Assistant(SCSP/TSP Main Cell)a) 02 posts at SCSP/TSP Cell at Bangaloreb) 01 post at JD office, SWD, Belgaum District.c) 01 post at DD office,	0	8	8	By direct recruitment in accordance with the Karnataka Civil Services (Direct Recruitment) (General) Rules, 2021.	Must possess a Bachelor degree with knowledge of computer

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	SWD, Raichuru District.d) 01 post at DD office, SWD, Vijayapura District.e) 01 post at JD office, SWD, Tumkuru District.f) 01 post at JD office, SWD, Kolar District.g) 01 post at DD office, SWD, Shimoga District.					
		0	23	23		

By order and in the name of the
Governor of Karnataka

(DR. PRAJNA AMMEMBALA)
Deputy Secretary to Government-1,
Social Welfare Department

PR-03