



GOVERNMENT OF KARNATAKA

No: HFW 322 HSH 2012 Karnataka Government Secretariat,
Vikas Soudha,
Bangalore. Dated: 4.1.2013

NOTIFICATION

The draft of the following rules to amend the Karnataka State Civil Services (Regulation of Transfer of Medical Officers and other Staff) Rules, 2011 which the Government of Karnataka proposes to make in exercise of the powers conferred by section 12 of the Karnataka State Civil Services (Regulation of Transfer of Medical Officers and other Staff) Act, 2011 (Karnataka Act 2 of 2011) is hereby published as required by sub-section (1) of the said section, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after thirty days from the date of its publication in the Official Gazette.

Any objection or suggestion which may be received by the State Government from any person with respect to the said draft before the expiry of the period specified above will be considered by the State Government. Objections and suggestions may be addressed to the Principal Secretary to Government, Department of Health and Family Welfare, Vikasa Soudha, Bangalore-560 001.

DRAFT RULES

1. Title and commencement.- (1) These rules may be called the Karnataka State Civil Services (Regulation of Transfer of Medical Officers and other Staff) (Amendment) Rules, 2012.

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

2. Amendment of rule 2.- In rule 2 of the Karnataka State Civil Services (Regulation of Transfer of Medical Officers and other Staff) Rules, 2011 (hereinafter referred to as the said rules) in sub rule (1), after clause (a) the following shall be inserted, namely:-

"(aa) "critical vacancy" means and includes such of those vacancies in any cadre which in exigencies of administration and in the best interest of public health the Government cannot afford to perpetuate namely:-

- (i) newly created post in any Government Hospital or Government Institution or whenever there is a change in the staffing pattern in a Government Hospital or Government Institution providing for sanction of additional staff either by creation or by transfer or redeployment, as the case may be;
- (ii) where more than fifty percent of the sanctioned posts are vacant in any Government Hospital or Government Institution other than a Primary Health Centre or sub-centre;
- (iii) absence of one or more Specialists among the team of three Specialists viz., OBG, Paediatrician, Anaesthetist whose services are very much essential for providing proper maternal and child healthcare in a Government Hospital or Government Institution;
- (iv) vacancy that occurs due to transfer and posting of a Medical Officer to any of the posts which are exempted under section 3 of the Act."

3. Amendment of rule 3.- In rule 3 of the said rules, in the table, in the entries relating to serial No. (i), in column (2) after the words "Dental Health Officer", the words "and other Group-A officers" shall be inserted.

4. Amendment of rule 6.- In rule 6 of the said rules, after the table, the following shall be inserted, namely:-

"Provided that the minimum period of stay at a place specified above is not applicable to the cases of mutual transfers, husband-and-wife transfers, request transfers in cases of terminally ill, widows, physically disabled".

5. Substitution of rule 8.- For rule 8 of the said rules, the following shall be substituted, namely:-

"8. Notification of vacancies.- The list of vacancies that are to be filled by transfer, shall be displayed in the website of the Department. While preparing the list, the critical vacancies shall be given precedence over the non-critical vacancies and shall be filled up in the first instance by notifying only critical vacancies in the website of the Department. The non-critical vacancies may be filled up subsequently, subject to the maximum limit for effecting transfers as provided in these rules. The consequential vacancies that arise at the time of counseling shall also be included in the list of vacancies and displayed on the website as and when such vacancies arise."

6. Amendment of rule 11.- In rule 11 of the said rules,-

(a) for sub-rule (2), the following shall be substituted, namely:-

"(2) All transfers shall be done only in the months of April and May of every year.

Provided that competent authority may transfer in public interest any time during the year in exigencies of administration to

fill a critical vacancy or to accommodate transfer due to terminal illness.

(b) for sub-rule (6), the following shall be substituted, namely:-

"(6) The total number of transfers in public interest in a year, shall not exceed three percent of the working strength in the respective cadre. The total number of request transfers including all other categories of transfers, except mutual transfers, terminally ill cases and transfers under rule 4 and 5, in a year, shall not exceed five percent of working strength in the respective cadre."

7. Amendment of rule 12.- In rule 12 of the said rules,-

(a) in sub-rule (1), clause (c) shall be omitted; and

(b) sub-rule (2) shall be omitted.

By Order and in the name of the
Governor of Karnataka



(CHIKKEGOWDA)

Under Secretary to Government,
Health & Family Welfare Department

To,

The Complier, Karnataka Gazette, Bangalore, for publication in the Extra-ordinary Gazette dated: 04/01/2013 with a request to send 500 copies.

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2. The Principal Secretary to Government, Department of Personnel and Administrative Reforms, Vidhan Soudha, Bangalore.
3. The Secretary to Government, Department of Parliamentary Affairs and Legislation, Vidhan Soudha, Bangalore.
4. The Commissioner, Health & Family Welfare Services, Bangalore.
5. The Mission Director, National Rural Health Mission, Anandrao Circle, Bangalore.
6. The Director, Health & Family Welfare Services, Bangalore.

7. All the Joint Directors / Deputy Directors / Medical Officers
(Through Director, Health & Family Welfare Services)
8. All the District Health & Family Welfare Officers / District
Surgeons
9. The Private Secretary to Health & Family Welfare Minister,
Vikasa Soudha, Bangalore.
10. The Personal Secretary to the Secretary / Personal Assistants
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