KRISHNA BHAGYA JALA NIGAM LIMITED
[A Government of Karnataka Undertaking]

CADRE AND RECRUITMENT RULES

In exercise of the powers under Article 177 read with Article 178(16) and all other powers conferred by the Articles of Association of the Krishna Bhagya Jala Nigam Limited the Board of Directors of the Company has in its 97th meeting held on 09-07-2014 has approved the following rules, namely,

No. KBJNL/EST/M-228(Vol-III)/2014-15/ Date:

NOTIFICATION

1. TITLE AND COMMENCEMENT:

1.1 These rules may be called the Krishna Bhagya Jala Nigam Limited (Cadre and Recruitment) Rules, 2012.

1.2 They shall come into force immediately on their publication.

1.3 APPLICATION

They shall apply to all categories of posts in the Company, to the persons to be appointed and also to the persons already appointed to such posts and in the service of the Company on the date of coming into force of these rules, except to the extent otherwise expressly provided under Articles of Association or these Rules.

2. DEFINITIONS:

In these Rules, unless the context otherwise requires:

2.1 'Applicant' means a person who has applied in response to an advertisement issued by the Company for recruitment to a post in the Company.

2.2 'Application Form' means the form prescribed by the Company for making the application for recruitment.

2.3 'Backward classes' shall have the same meaning as defined in "The Karnataka State (The Schedule Castes, the Schedule Tribes and other Backward Classes Reservation of appointments and posts) Act, 1990."
2.4. "Cadre" means cadre of posts specified in the Schedule.

2.5. "Company" shall have the same meaning as defined in the Articles of Association.

2.6. "Contract Appointment" means appointment of a person to a specified post on such terms and conditions as may be determined by an agreement.

2.7. "Direct Recruitment" means appointment by selection in accordance with the provisions of these rules and otherwise than appointment by promotion, contract, deputation or transfer.

2.8. "Employee" means a person appointed in any of the posts in the Company.

2.9. "Equivalent Examination or Equivalent Qualification" means an examination or a qualification declared by a Competent Authority in Government of India or the State Government or any other authority authorized by Government of India or the State Government, to be equivalent to the qualification or the examination prescribed under these Rules.

2.10. "Ex-Serviceman" shall have the same meaning as defined in the Karnataka Civil Services (General Recruitment) Rules, 1977 or the corresponding Rules made from time to time.


2.11.1 MANAGING DIRECTOR means Managing Director of the Nigam.

2.12. "Merit list" means the list prepared by the committee constituted for the purpose of recruitment.

2.13. "Promotion" means appointment of an employee in the service of the Company from one cadre to a higher cadre or one post to a higher post in accordance with these Rules.

2.14. "Recognized Qualification" means qualification recognized by Government of India or the State Government or any other competent authority authorized by Government of India or the State Government.
2.15. "Schedule" means the Schedule to these Rules.

2.16. "Service" means service rendered in the Company.

2.17. All other words and expressions used but not defined in these Rules shall have the meaning assigned to them, respectively, the Articles of Association.

2.18. **PROBATION:**

In case of appointment by direct Recruitment, all appointments by direct Recruitment to a post in corporate cadre shall be on probation for a period of one year excluding the period if any during which probationer was on leave without pay.

2.19 **DECLARATION OF SATISFACTORY COMPLETION OF PROBATION:**

2.20 At the end of the prescribed or the extended period of probation, as the case may be, the appointing authority shall consider the suitability of the probationer to hold the post to which he was appointed and

2.21 If the said authority decides that the Probationer is suitable to hold the post to which he was appointed, it shall, as soon as possible, issue an order declaring the probationer to have satisfactorily completed his probation and such an order shall have effect from the date of the expiry of the prescribed or extended period of probation.

2.22 A probationer shall not be considered to have satisfactorily completed the probation unless a specific order to that effect is passed duly indicating the date from which the services of the probationer stand declared. Any delay in the issue of an order shall not entitle the probationer to be deemed to have satisfactorily completed the probation.

2.23 **DISCHARGE OF A PROBATIONER DURING THE PERIOD OF PROBATION:**

2.24 Notwithstanding anything contained in sub-rule above the appointing authority may, at any time during the period of probation, discharge from service a probationer on grounds arising out of the conditions, if any, imposed by the rules or in the order of appointment, or on account of misrepresentation of facts in the application made for appointment or on account of his unsuitability for the post.
2.24 An order discharging a probationer under the rule shall indicate the grounds for the discharge, but no formal disciplinary proceedings under these rules shall be necessary.

2.25 No appeal shall lie against an order discharging a probationer.

3. POSTS, THEIR CLASSIFICATION, STRENGTH AND SCALE OF PAY:

3.1. (a) The posts and cadres in the Company shall be classified under Group-A; Group-B, Group-C and Group-D corresponding to similar classification of posts and cadres in Government.

(b) The various cadres of posts in the Company, their strength and the scales of pay attached to them shall be as specified in the Schedule to these Rules.

(c) The cadre strength may be varied, with the approval of the Company, according to exigencies of circumstances.

4. APPOINTING AUTHORITY:

4.1 The Managing Director shall be the appointing authority for all cadres of posts in the Nigam.

5. METHODS OF RECRUITMENT:

5.1 Recruitment to various cadres in the Company shall be made by one or more of the following methods.

(a) By Direct Recruitment,
(b) By Promotion,
(c) By Transfer,
(d) By Deputation,
(e) On Contract,
(f) By Absorption

5.2 Specific method or methods of recruitment, qualifications and experience to various cadres shall be as prescribed in Schedule to these Rules.
PROCEDURE FOR APPOINTMENT BY DIFFERENT METHODS

6. APPOINTMENT BY DIRECT RECRUITMENT.

Selection of candidates for appointment by direct recruitment to the posts shall be made by one of the following methods.

6.1. On the basis of percentage of marks secured in qualifying examination and if more than one qualifying examination is prescribed, then on the basis of the average of the percentages of marks secured in the qualifying examinations,

OR

6.2. On the basis of the percentage of marks or average of percentages of marks, as the case may be, secured in the qualifying examination/s plus the marks secured in the interview, where an interview is also prescribed for selection.

OR

6.3. On the basis of percentage of marks or the average percentage of marks as the case may be, secured in the qualifying examination (s) plus the marks secured in the written test/practical test/trade test and/or interview, where such test and/or interview are also prescribed for selection.

OR

6.4. On the basis of marks secured in the interview, where only interview is prescribed for selection.

Among the above methods the specific method or methods of selection to each cadre shall be as prescribed in the Schedule to these Rules.

7. DISQUALIFICATION FOR APPOINTMENT:

a) No person shall be eligible for appointment in the Company unless he is a citizen of India.

b) No person who has more than one spouse living or who has married a person already having a spouse living shall be eligible for appointment.

c) No person who attempts to obtain extraneous support by any means for his appointment in the Company from officials or non-officials, as the case may be, shall be eligible for appointment.
d) No person shall be eligible for appointment in the Company if he or she-

i) is or was a member of or has associated himself or herself with any Body or Association after such Body or Association was declared as an unlawful Body or Association;

OR

ii) has participated in, or associated with any activity or Programme

(a) aimed at subversion of the Constitution of India;
(b) aimed at organized breach or defiance of law involving violence;
(c) which is prejudicial to the interests of the sovereignty and integrity of India or the security of the State; or
(d) which promotes, in grounds of religion, race, language, caste or community feelings of enmity or hatred between different sections of the people;

e) No person shall be eligible for appointment in the Company if he or she is dismissed from the employment of:

i) a State Government or Government of India;

OR

ii) a Local authority;

OR

iii) a Body Corporate established by a State Act or a Central Act or established by Government under a State Act or a Central Act:

f) No person shall be eligible for appointment in the Company if he or she is or has been permanently debarred or disqualified by the Union Public Service Commission or any State Public Service Commission from appearing for any examination or selection conducted by it.

g) No person shall be eligible for appointment in the Company if he or she has been convicted for an offence involving moral turpitude.
8. AGE LIMITS FOR RECRUITMENT:

8.1 Every candidate for appointment by direct recruitment must have attained the age of eighteen years and must not have attained the age of:

(a) Forty years in the case of a person belonging to any of the Scheduled Castes or the Scheduled Tribes or Category-I;
(b) Thirty eight years in case of a person belonging to any of the Other Backward Classes
(c) Thirty five years in the case of others;

As on the last date fixed for receipt of applications.

Provided that separate age limits may be prescribed in specific category of cases by making specific provisions in these Rules or in the Schedules to these Rules.

8.2 Notwithstanding anything to the contrary contained in Regulation 8.1 above, the maximum age limit for direct recruitment shall be deemed to have been enhanced in the following category of cases as indicated therein;

(a) in the case of a candidate already in service of the Company and who is a candidate for direct recruitment, it shall be deemed to have been enhanced by ten years or the number of years of service rendered by him in the Company, whichever is less;

(b) in the case of a candidate who is an ex-service man, by three years plus the number of years of service rendered by him in the Armed Forces of the Union,

(c) in the case of a candidate who is physically disabled by ten years,

(d) in the case of a candidate who is a widow, by ten years,

(e) in the case of a candidate who was a bonded labourer by ten years,

(f) in case of direct recruitment for the specified posts the age limit should not exceed 55 years.

Note: A candidate may claim enhancement under not more than one of the above provisions.
9. PROOF OF AGE:

Every person seeking appointment by direct recruitment in the Company shall produce documentary evidence in support of his/her date of birth and age namely,

a) Birth certificate,
   OR
b) Certificate from the school or college in which he/she last studied.

Provided that in the case of a person who has appeared for Secondary School Leaving Certificate examination or any other examination declared equivalent thereto, the date of birth recorded in the certificate issued in respect of such an examination shall only be accepted as proof of age of such person.

10. INVITING APPLICATIONS:

10.1 All posts for which appointment by direct recruitment is prescribed in Schedule shall be notified on the website of the Company with all relevant details essential for recruitment under these Rules. An abstract of the same, along with reference to the website, shall be published in two newspapers, one in Kannada and one in English having wide circulation, inviting applications from eligible candidates.

10.2 **Fee:** Every candidate applying for direct recruitment in the Company may be required to pay such fee, if any, as may be prescribed by the Company by an order. Provided that candidates belonging to any of the Scheduled Castes or the Scheduled Tribes or to Category-I (as per Govt.order) shall be required to pay only fifty percent of the fee prescribed by such order.

10.3 **Format of application:** The Managing Director shall prescribe the format of the application. The intending eligible candidates should make the application in the prescribed format only.

10.4 **Scrutiny of Applications:** All applications received in response to the notification/advertisement shall be registered in a Register kept for the purpose. They shall be scrutinized with reference to the requirements indicated in the advertisement/notification which shall be in conformity with the requirements prescribed in these Rules. Applications received after the last date specified in the notification/advertisement shall not be entertained.
10.5 Candidates shall satisfy all criteria prescribed for eligibility as on the last date fixed for the receipt of application.

10.6 A Scrutiny Committee shall be constituted by the Managing Director, for scrutiny of the applications so received, consisting Officers of the Company. The senior most among the Officer shall act as Chairman of the committee. The Scrutiny committee, after weeding out the ineligible candidates, shall prepare and submit the list of the eligible candidates to the Managing Director who, in turn, shall refer the same to the Selection Committee for the purpose of selection and preparation of the merit list.

11. INTERVIEW:

11.1 Where interview is prescribed in the schedule, the eligible candidates shall be called for interview on the basis of merit secured in the qualifying examination/s or in the qualifying examination/s plus in the practical test / trade test, as the case may be, subject to orders of reservation of posts. The number of candidates to be so called for interview shall not be more than ten times the number of posts notified / advertised. The Selection Committee shall conduct the interview.

11.2 Marks for interview:

The maximum marks for interview shall be fifteen only. The marks shall be assigned with reference to the following traits:

<table>
<thead>
<tr>
<th>Traits</th>
<th>Maximum Marks</th>
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<tbody>
<tr>
<td>i) General knowledge &amp; personality</td>
<td>5 (five only)</td>
</tr>
<tr>
<td>ii) Intuitiveness and power of expression</td>
<td>5 (five only)</td>
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<tr>
<td>iii Knowledge of the subject having a bearing on the job content of the post to which selection is being considered</td>
<td>5 (five only)</td>
</tr>
<tr>
<td>Total</td>
<td>15 (Fifteen only)</td>
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</tbody>
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Note: Where the interviews on any occasion for any particular cadre are spread over more than one day then the marks assigned for the candidates interviewed on each day of the interview shall be published on the notice board at the place of interview on the same day or before the commencement of interview on the next or the subsequent day.
12. **SELECTION COMMITTEE AND THE QUORUM:**

12.1 The Selection committee/s to select candidate for appointment to direct recruitment posts in the Company shall be constituted by the Company by notification. The selection committee/s shall comprise four members out of which two shall be from the Company and one shall be a subject expert or resource person and Director of Social Welfare, Government of Karnataka or his nominee not below the rank of Deputy Director.

12.2 The Company shall appoint one of the members from the Company as the Chairman of the Committee/s. Two members shall constitute the quorum, Chairman being present.

12.3 In addition to the members in the selection committee/s under clause (12.1), the Company may also appoint additional members for direct recruitment of posts where practical tests/trade tests are also required to be conducted in addition to interview for selection. Such additional members shall help the Selection Committee for conducting practical tests/trade tests only and they shall assign marks only for practical tests.

13. **THE SELECT LIST:**

The Selection committee shall draw up separate select list of the candidates, for each cadre of posts notified / advertised, in the order of merit obtained by the candidates on the basis of:

a) The Percentage or the average of percentage, as the case may be, of marks secured in the qualifying examination/s,

   OR

b) The percentage or the average of percentage, as the case may be, of marks secured in the qualifying examination/s plus the marks secured at the interview where an interview is also held;

   OR

c) The percentage of qualification (s) plus the marks secured in the practical test / trade test and marks secured in the interview, where both are held

   OR

d) The marks secured at the interview, Where only interview is prescribed for selection; and
subject to orders of reservation in force. The select list so drawn up shall be equal to the number of posts notified / advertised. A copy of the select list shall be published on the Notice Board of the Company indicating the category to which each candidate belongs and the marks obtained by each of them. The select list shall be furnished to the Managing Director.

14. ORDER OF APPOINTMENT:

14.1 Immediately on receipt of the select list the Managing Director shall, after obtaining approval of the Board where the Board is the appointing authority under the Rules, after verification of age, qualification, experience prescribed, if any, claims of reservation, antecedents, physical fitness and other conditions specified in these Rules, issue order of appointment to the selected candidates indicating their names strictly in the order of merit assigned in the select list. The appointment order shall be dispatched by Registered post Acknowledgement Due / Speed Post to the selected candidates.

Note: A common order of appointment shall be issued in respect of each cadre where more than one candidate is selected and appointed on the same occasion. In the order of appointment the names of the selected candidates shall be placed in the order of merit in the select list.

15. JOINING TIME:

15.1 The candidate/s appointed by direct recruitment shall report to duty within thirty days from the date of dispatch of the order of appointment by registered post / speed post.

15.2 Notwithstanding anything contained in Sub-rule 15.1, a candidate may, for valid reasons, seek extension of time for reporting to duty by making an application to the Managing Director. Such extension shall be sought within thirty days from the date of dispatch of the order of appointment by registered post / speed post. The Managing Director at his discretion, for reasons to be recorded in writing, may grant such further time, as it may deem fit necessary or reject the same.

15.3 The seniority of a candidate who reports to duty after the prescribed period under Sub-rule 15.1 but before the expiry of the extended period under Sub-rule 15.2 shall count from the date he reports to duty and not as per the ranking in the selection list as the same shall not be valid once extension of time is sought and granted.
The name of candidate who does not report to duty within the time specified under Sub-rule 15.1 / extended time under Sub-rule 15.2 or who does not seek extension of time or is not granted extension of time under Sub-rule 15.2 shall stand deleted from the select list forthwith and shall cease to be eligible for appointment for the post to which he is selected.

16. VERIFICATION OF SUITABILITY AND ANTECEDENTS

No candidate selected for appointment by direct recruitment in accordance with these Rules shall be appointed to any post or service in the Company unless the Managing Director is satisfied that the selected candidate is of good character and is suitable for appointment in all respects. For this purpose the candidate may be required to produce certificates of his conduct from two persons of repute and standing in the society from his locality, and who are not related to the candidate testifying to the character and conduct of the candidate. These certificates are in addition to the certificates from his school/college and previous employer if any. The Managing Director may take suitable steps to verify the antecedents, where it is felt necessary to do so.

17. PHYSICAL FITNESS:

17.1 No candidate selected for appointment by direct recruitment in accordance with these Rules shall be appointed to any post or service in the Company unless the Managing Director is satisfied that the selected candidate is physically fit to discharge the duties attached to the post.

17.2 In the case of Group-A and Group-B posts the selected candidate may be required to appear before a Medical Board to certify his fitness for appointment. In the case of Group-B and Group-C posts the selected candidate may be required to appear before a District Surgeon to certify his fitness for appointment. The opinion of the medical authority regarding physical fitness or otherwise of the candidate for appointment shall be binding on the candidate.

18. TRAVELLING ALLOWANCE:

18.1 No traveling allowance or daily allowance shall be paid to the candidates appearing for interview, tests, if any, or joining duty for the first time on appointment.
19. PROMOTION: Means appointment of employee from a post or grade of service or clause of service to higher post or higher grade of service or higher class of service, subject to availability of vacancy/post

19.1 APPOINTMENT BY PROMOTION:

19.2 The posts to which appointment by promotion may be made and the eligibility for such promotion shall be as prescribed in Schedule to these Rules.

19.3 Such appointment by promotion shall be made by the appointing authority on the basis of seniority-cum-suitability.

19.4 The eligibility and fitness of the employee for promotion to the post, to which promotion is considered, shall be assessed by the screening committee for promotion constituted by the Managing Director from time to time, on the basis of annual performance report pertaining to last three consecutive years with rating as extraordinary, very good & good, and record of service pertaining to the post from which the employee is to be promoted.

20. RESERVATION:

20.1 There shall be reservation for persons belonging to Categories of the Schedule Caste, the Schedule Tribes and other backward classes (Vertical Reservation) in accordance with the “Karnataka Schedule Caste, Schedule Tribes and other Backward Classes [Reservation of appointments etc.,] Act, 1990 and orders of Government issued in the matter of reservation for the purpose of Article 16(4) of the constitution from time to time.

20.2 There shall also be reservation for Special Categories of persons (Horizontal Reservation) in accordance with the orders issued by Government vide order No.G.O/SiAasSuEe/97/Se Ne Ni/2002 dated 22.11.2002 as modified from time to time.

20.3 There shall also be reservation for persons from Hyderabad-Karnataka Region as per Govt. Notification DPAR 06 PLX 2012, Dt. 06-11-2013.
21. **APPOINTMENT BY TRANSFER:**

Notwithstanding anything to the contrary contained in these Rules, the appointing authority may fill up a post classified for direct recruitment, by transfer if an eligible employee in the service of the Company in an equivalent cadre is available. Such appointment by transfer shall be on temporary basis only and the employee so transferred shall revert to his original post on the appointment of a direct recruit to that post.

22. **APPOINTMENT BY DEPUTATION:**

Notwithstanding anything to the contrary contained in these Rules, under exceptional circumstances for the reasons to be recorded in writing, any of the posts in Group A or Group B in the Company may, with the approval of the Managing Director, be filled up by appointment by deputation of a person in the employment of

a) State Government or Government of India; or
b) a local authority; or
c) a body Corporate established by a State Act or Central Act or established by the Government under a State Act or a Central Act.

The appointment by deputation shall be for a specified period not exceeding five years and the terms and conditions of such appointment by deputation shall be determined, with the approval of the Company, in each case. However the pay drawn in the employment will only be considered.

22.1 This shall be done in accordance with terms and conditions of deputation agreed upon between the lending authority and the Nigam.

23. **APPOINTMENT ON CONTRACT:**

23.1 Notwithstanding anything to the contrary contained in these Rules, under exceptional circumstances for reasons to be recorded in writing, any of the posts in Group A or Group B of the Company may be filled by appointment on contract with the approval of the Company. The appointment on contract shall be for a specified period not exceeding three years and on such terms and conditions as may be determined by agreement.
23.2 The appointment on contract, for reasons to be recorded in writing, may be renewed for another specified period. The terms and conditions of such renewal shall be determined, with the approval of Managing Director.

23.3 The appointment on contract, for reasons arising out of terms and conditions of agreement or for any other reason to be recorded in writing may be terminated during the subsistence of contract either during the initial period or during the renewed period, after giving due notice of 2 months on either side.

23.4 A person appointed on contract shall have no right to claim regularization of his appointment or for regular appointment in the Company on the basis of his contract appointment.

24. **APPOINTMENT BY ABSORPTION:**

Persons deputed from Central Government, State Government, any other Public Sector Undertaking of the State or a Local Body and working in the Company may be absorbed in the Company on such terms and conditions as may be decided by Board and then approved by the Government.

25. **APPOINTMENT ON COMPASSIONATE GROUNDS:**

In exceptional circumstances, in the case of death of a regularly appointed employee of the Company while in service of the Company, one of the dependents of such deceased employee may be appointed on compassionate grounds. For this purpose “The Karnataka Civil Services (Appointment on Compassionate Grounds) Rules, 1996” shall apply ‘mutatis mutandis’ to the employees of the Company. These appointment will be subject to the vacant post available "D Group only".

Provided that all the applications for Compassionate Appointment already made and pending on the date of coming into force of these Rules shall be considered in accordance with this rule and action taken.

Nigam shall fill up the backlog vacancies and this shall take precedence over direct recruitment as and when backlog vacancies are identified.

26. **CHANGE OF CADRE**

Notwithstanding any thing in these rules employees may be permitted to change their cadre subject to the following conditions.
26.1 The cadre in which the employee holding and cadre to which the employee desires change should be in the same scale of pay, in case the employee seeking changes does not have suitability the discretion of the Managing Director shall be final and weight-age to experience shall be considered.

26.2 The employee desiring the change should possess the qualification prescribed for the cadre to which he is seeking change.

26.3 The employee desiring to change cadre shall make an application to the appointing authority requesting for the change of cadre.

26.4 At the time of making the application the employee shall exercise an irrevocable option.

26.5 On receipt of the application the appointing authority may, if it is satisfied that the applicant is entitled to change the cadre, pass orders granting the change of cadre.

26.6 No employee shall be permitted to change the cadre under this rule more than once.

26.7 An employee who has been permitted to change his cadre under this rule shall be entitled to count his service in the previous cadre for the purposes of leave, fixation of pay and seniority.

Provided that the seniority of an employee permitted to change his cadre vis-à-vis the employees actually holding the post shall be determined on the date of such change with reference to the employees actually holding the post on that day and do not include the employees who have been promoted before that day.

26.8 An Employee who has been permitted to change the cadre under this rule shall not be eligible for promotion unless he has put in a service of not less than one year in the changed cadre. Such an employee shall not have any claim for seniority or for promotion to the next higher cadre over the persons who are promoted before he becomes eligible for promotion.

27. **SEVERENCE OF EMPLOYMENT:**

27.1 Not withstanding anything contained above, the services of the regular employees of Nigam shall be for the period of the existence of the Nigam or superannuation age of the employee, whichever is earlier.

27.2 An employee who wants to sever his service with the Nigam shall issue a 2 months notice of his intention to quit, at the end of which the employee could be relieved and he shall be eligible for his terminal benefits if he has completed the qualifying services as per prevailing law/rules.
28. **APPLICATION OF OTHER RULES:**

28.1 Notwithstanding anything contained in the above rules the Board of the company shall have the power to relax any of the rules in exceptional cases by a resolution passed by the Board.

28.2 Where there are no specific provisions in these rules to cover a situation and the rules are silent, the provisions in the rules applicable to Government Servants shall, 'mutatis mutandis' apply to the posts and employees in the Company.

29. **REPEAL & SAVINGS:**

Any rules or orders corresponding to the provisions in these Rules in force immediately before the commencement of these Rules and applicable to the employees of the Company are hereby repealed.

Provided that such repeal shall not affect the previous operation of the said rules or orders, as the case may be, or anything duly done or suffered there under or affect any right, liability or obligation already acquired or incurred under the said rules or orders, as the case may be.

BY ORDER OF THE BOARD OF DIRECTORS

MANAGING DIRECTOR