

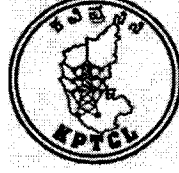
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## KARNATAKA POWER TRANSMISSION CORPORATION LIMITED

Corporate Identity Number (CIN): U40109KA1999SGC025521

No.KPTCL/SA3/73300/2017-18



Corporate Office,  
Kaveri Bhavan,  
Bengaluru-560009

Date: 08<sup>th</sup> May 2017

### NOTIFICATION

**Sub:** Publishing of Provisional Seniority List, revised in accordance with the Judgment dated 09.02.2017 of the Hon'ble Supreme Court in Civil Appeal No.2368 of 2011 (B.K.Pavitra & Others vs Union of India & Others) clubbed with other 7 Civil Appeals including Civil Appeal No.2369 of 2011 (R.S.Raveesh Kumar & Others vs KPTCL & Others) and also in accordance with Govt. Order No. DPAR 182 SRR 2011 dated 06.05.2017.

**Ref:**

1. Official Memorandum No.KPTCL / SA3/43100/2013-14 dated 28.05.2014 publishing the Seniority List of State-Wide Cadres as on 01.04.2014.
2. Judgment dated 19.10.2006 of the Hon'ble Supreme Court of India in M.Nagaraj & Others vs Union of India & Others.
3. Judgment dated 09.02.2017 of the Hon'ble Supreme Court of India in B.K.Pavitra & Others vs Union of India & Others
4. Govt. Order No. DPAR 182 SRR 2011 dated 06.05.2017 issued by the DPAR, (Service Rules-1) Govt. of Karnataka
5. Corporate Order No KPTCL/B16/69324/ 2017-18 dated 08.05.2017 adopting the Govt. Order No. DPAR 182 SRR 2011 dated 06.05.2017

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1. The Corporation vide Official Memorandum dated 28.05.2014 has published the Seniority List of State Wide Cadres as on 01.04.2014 subject to the outcome of the Civil Appeal No.2369/2011 (R.S.Raveesh Kumar & Others VS KPTCL & Others).
2. The Hon'ble Supreme Court in their Judgment dated 09.02.2017 in Civil Appeal No.2368 of 2011 filed by B.K.Pavitra & Others vs Union of India & Others clubbed with other 7 Civil Appeals including Civil Appeal No.2369/2011 mentioned above has held that Sections 3 and 4 of the "Karnataka Determination of Seniority of the Government Servants promoted on the basis of Reservation (to the posts in the Civil Services of the State) Act, 2002" which provides consequential seniority to those promoted under reservation is ultra vires of Articles 14 and 16 of the Constitution of India. The extract of

Para 27 of Hon'ble Supreme Court Judgment dated 19.02.2017 is reproduced below;

***'In view of the above, we allow these appeals, set aside the impugned judgment and declare the provisions of the impugned Act to the extent of doing away with the 'catch-up' rule and providing for consequential seniority under Sections 3 and 4 to be ultra vires Articles 14 and 16 of the Constitution. This judgment will not affect those who have already retired and will not affect financial benefits already taken. Consequential promotions granted to serving employees, based on consequential seniority benefit, will be treated as ad hoc and liable to be reviewed. Seniority list may be now revised in the light of the judgment within three months from today. Further consequential action may be taken accordingly within three months'***

3. Based on the judgment dated 09.02.2017 of the Hon'ble Supreme Court in Pavitra's case, Govt. of Karnataka by its order dated 06.05.2007, has directed that the seniority lists of all cadres in which promotions have been made in accordance with the existing policy of reservation in promotion and the seniority lists of all cadres higher than such cadres shall be reviewed and action shall be taken.
4. In pursuance of the Judgment dated 09.02.2017 of the Hon'ble Supreme Court and strictly in accordance with the directions issued by the Govt. vide Order dated 06.05.2017 of DPAR seeking to operationalize the judgment, the dates of promotions already accorded from time to time based on consequential seniority have been reviewed and revised as per "Other catch-up rule" duly taking into consideration of the following Govt. Orders and Notifications adopted from time to time.
  - a) Govt. Order dated 27.04.1978: Introduction of reservation in promotion upto the lowest level of Group A w.e.f. 27.04.1978.
  - b) Govt. Order dated 30.08.1979: Revising the roster prescribed in GO dated 27.04.1978.
  - c) Govt. Notification dated 01.04.1992: Amendment to Rules providing for treating of SC & ST roster points unfilled by promotion of SC & ST candidates, are filled by general category, as backlog in promotion.
  - d) Govt. Order dated 24.06.1997: Providing additional roster points to clear backlog in promotions and to review promotions already issued under Backlog since 01.04.1992 in accordance with additional roster points.
  - e) Govt. Order dated 03.02.1999: Restricting the operation of the roster points for promotion of SC and ST candidates where the representation exceeds 15% and 3% of working strength, respectively.

- f) Govt. Order dated 13.04.1999: Providing for clearing any existing backlog vacancies as per the additional roster points.
- g) The reservation orders applicable for promotion from the cadre of Asst.Executive Engineer to Executive Engineer issued from time to time are followed.

5. In the light of the above, the seniority lists of the following cadres in which promotions have been made in accordance with the existing policy of reservation in promotion and the seniority lists of the higher cadres are reviewed and published as hereunder;

a)	Provisional Revised Seniority List of Asst.Engineer Elec. (Graduate) from 27.04.1978 to 01.05.2017.	ANNEXURE-1A
b)	Provisional Revised Seniority list of working Asst.Engineer Elec. (Graduate) & above (cadre-wise) as on 01.05.2017.	ANNEXURE-1B
c)	Provisional Revised Seniority List of Asst.Accounts Officer from 27.04.1978 to 01.05.2017.	ANNEXURE-2A
d)	Provisional Revised Seniority list of working Asst.Accounts Officer & above (cadre-wise) as on 01.05.2017.	ANNEXURE-2B
e)	Provisional Revised Seniority List of Asst.Engineer Civil (Graduate) from 27.04.1978 to 01.05.2017.	ANNEXURE-3A
f)	Provisional Revised Seniority list of working Asst.Engineer Civil (Graduate) & above (cadre-wise) as on 01.05.2017.	ANNEXURE-3B

**Note:**

- 1) Consequent to review of seniority, while assigning deemed date of promotion, the eligibility and suitability for promotion as on that date has been verified with reference to the date of passing of departmental examination, requests for postponement of promotion and status of departmental enquiries, if any.
- 2) Consequent to review of seniority the Senior General Category Employee (SGCE) is deemed to have been promoted with effect from the date his Junior Reserved Category Employee (JRCE) got his promotion earlier and the seniority of the Senior General Category Employee shall count notionally from that deemed date of promotion.
- 3) If by the time the SGCE reaches the higher cadre, the JRCE has already got his promotion to the next higher cadre, the seniority of the JRCE in that cadre is not altered. However, the exercise as explained above, has been repeated when the SGCE is also promoted to the next higher cadre.
- 4) In case of serving employees, consequent to review, if any JRCE does not get deemed date of eligibility in the cadre under review, he is not reverted, if he has been promoted on the basis of consequential seniority prior to 01.03.1996.
- 5) In case of SGCE if they have retired and consequent on review if they get a date of eligibility earlier to the actual date of promotion, they shall be deemed to have been promoted from such date.
- 6) The revised dates and rankings in respect of retired JRCE are indicated only for preparation of revised seniority lists and do not affect the financial benefits already drawn by them.
- 7) A JRCE has been considered for promotion to the next higher cadre to which reservation in promotion applies if he has the required qualifying service based on the deemed date of eligibility assigned to him and if he is otherwise eligible.
- 8) Where the promotions are made to a cadre from two or more lower (feeder) cadres, the deemed dates of eligibility assigned are determined on the basis of quota prescribed in the rules of recruitment.

9) After considering the objections received, if any, against the provisional seniority lists, the final seniority lists will be published and consequential action taken thereon.

10) Employees appointed by ESCOMs are not included in these seniority lists

11) The seniority of the following Asst. Engineers whose names are not reflected in the Seniority List published as on 01.04.2014 will be considered separately and incorporated in appropriate places.

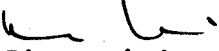
Asst. Engineers appointed by Transfer on 25.08.2015 and onwards

Asst. Engineers Contract Asst. Engrs regularized on 21.04.2016 w.e.f 29.12.2010

Asst. Engineers Recruited during December 2015

Asst. Engineers Recruited under HK Region Reservation during December 2015

6. Objections, if any may be submitted to the Director (Admn. & HR), Corporate Office, KPTCL, Kaveri Bhavan, Bengaluru through individual representations with supporting records within one month from the date of publication of this notification, for verification and consideration as per regulations.

  
Director (Admn. & HR)  
KPTCL

**Copy of Notification for kind information:**

1. The Managing Director, ESCOMs, PCKL, KREDL, BMRL, KAVIKA with a kind request to instruct the concerned to also host the Notification and Annexures on the ESCOM websites.
2. All Directors(Technical), ESCOMs
3. All Financial Advisers, KPTCL/ESCOMs
4. All Chief Engineers Electy, KPTCL/ESCOMs
5. PS to Additional Chief Secretary, Energy Department, Govt. of Karnataka, Bengaluru to place it before the Additional Chief Secretary.
6. PS to MD/DF/DT/D(A&HR)/D&CS, KPTCL to place it before the MD/DF/DT/D(A&HR)/D&CS, KPTCL

**Copy of Notification and Annexures published on [www.kptcl.com/eprasarana](http://www.kptcl.com/eprasarana) for information of:**

1. All Chief Engineers Electy/ Financial Advisers, KPTCL/ ESCOMs / on deputation
2. All Superintending Engineers/Controllers, KPTCL/ESCOMs / on deputation
3. All Executive Engineers /Dy.Controllers, KPTCL/ESCOMs / on deputation
4. All Asst. Executive Engineers /Accounts Officers, KPTCL/ESCOMs / on deputation
5. All Asst. Engineers /Asst. Accounts Officers, KPTCL/ESCOMs / on deputation

**Copies of Notification for kind information to:**

1. Sri.Nagaraj, President, KPTC Employees' Union, Bengaluru and Director KPTCL & ESCOMs
2. Sri.A.N.Jayaraj, President, KEB Engineers' Association, Bengaluru and Director KPTCL & ESCOMs.
3. General Secretary, KPTC Employees' Union, Bengaluru
4. General Secretary, KEB Engineers' Association, Bengaluru
5. General Secretary, KPTCL Accounts Officers' Association, Bengaluru
6. General Secretary, KEB SC/ST Employees Welfare Association, Bengaluru
7. General Secretary, KPTCL Diploma Engineers Association, Bengaluru
8. General Secretary, KPTCL & ESCOMs SC/ST Officers Association, Bengaluru