

KARNATAKA POWER TRANSMISSION CORPORATION LIMITED

Corporate Identity Number (CIN): U40109KA1999SGC025521

No.KPTCL/B100/3750/2019-20



Corporate Office,
Kaveri Bhavan,
Bengaluru-560009

Date: 22.07.2019

NOTIFICATION

- Sub:** Publishing of Provisional Seniority Lists of State wide cadres of Asst.Engrs (Elec/Civil) (Graduate/Non-Graduate) and above, Asst.Accounts Officer & above, Senior Personal Assistant & above as on 01.06.2019 in accordance with Govt. Order No.DPAR 186 SRS 2018 dated 15.05.2019.
- 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. [(2006) 8 SCC 212]
 3. Judgment dated **09.02.2017** of the Hon'ble Supreme Court of India in B.K.Pavitra & Others vs Union of India & Others [(2017) 4 SCC 620]
 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
 6. Notification No.KPTCL/SA3/73300/2017-18 dated **27.10.2017** publishing the Revised Final Seniority Lists of State Wide Cadres of Asst.Engrs Elec (Graduate) & above, Asst.Accounts Officer & above and Asst.Engrs Civil (Graduate) & above as on 01.05.2017
 7. Notification No.KPTCL/B58/71527/2017-18 dated **16.01.2018** publishing the Revised Final Seniority Lists of State Wide Cadres as on 01.05.2017 of Asst.Engrs Elec (Non-Graduate) & above, Asst.Engrs Civil (Non-Graduate) & above and Senior Personal Assistant & above.
 8. "The Karnataka Extension of Consequential Seniority to Government Servants promoted on the basis of Reservation (to the posts in the Civil Services of the State) Act, 2017" published in the Karnataka Gazette Extra-ordinary on **23.06.2018**
 9. Govt. Order No. DPAR 186 SRS 2018 dated **27.02.2019** issued by the DPAR, (Service Rules) Govt. of Karnataka
 10. Judgment dated **10.05.2019** of the Hon'ble Supreme Court of India in M.A. No. 1151 of 2018 in Civil Appeal No. 2368 of 2011 B.K.Pavitra & Others vs Union of India & Others and connected Review Petitions and Writ Petitions.
 11. Govt. Order No. DPAR 186 SRS 2018 dated **15.05.2019** issued by the DPAR, (Service Rules) Govt. of Karnataka
 12. Corporate Order No KPTCL/B16/B100/3736/2019-20 dated **18.05.2019** adopting the Govt. Order No. DPAR 186 SRS 2018 dated 27.02.2019 and 15.05.2019 issued by the DPAR, (Service Rules) Govt. of Karnataka
 13. Govt. Circular No DPAR 3 SRS 2019 dated **04.06.2019** issued by the DPAR, (Service Rules) Govt. of Karnataka

14. Govt. Circular No DPAR 186 SRS 2018 dated **24.06.2019** issued by the DPAR, (Service Rules) Govt. of Karnataka

1. The Corporation vide Official Memorandum dated 28.05.2014 had 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 its Judgment dated 09.02.2017 in Civil Appeal No.2368 of 2011 filed by B.K.Pavitra & Others vs Union of India & Others connected with other 7 Civil Appeals including Civil Appeal No.2369/2011 [(2017) 4 SCC 620] 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"** providing consequential seniority to persons belonging to the category of the Scheduled Castes and the Scheduled Tribes on promotion against roster points is ultra vires of Articles 14 and 16 of the Constitution of India.
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 06.05.2017 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 seeking to operationalize the judgment, the dates of promotions already accorded from time to time based on consequential seniority were reviewed and revised Final Seniority Lists of State wide cadres were published on 27.10.2017 and 16.01.2018.
5. Subsequently, the Govt. of Karnataka passed **"The Karnataka Extension of Consequential Seniority to Government Servants promoted on the basis of Reservation (to the posts in the Civil Services of the State) Act, 2017"** and published in the Karnataka Gazette Extra-ordinary on 23.06.2018. The Govt. vide Order No. DPAR 186 SRS 2018 dated 27.02.2019 issued instructions for taking action in accordance with the Act of 2017.

6. Later, pursuant to the interim order dated 01.03.2019 of the Hon'ble Supreme Court in IA No. 36981/2019 in WP No. 764/2018, instructions were issued in the Government Order dated 05.03.2019 to the effect that no further action should be taken for operation and implementation of Govt. Order dated 27.02.2019 until further directions are issued by Govt.
7. The Hon'ble Supreme Court in its judgment dated 10.05.2019 in MA No. 1151 of 2018 in Civil Appeal No. 2368 of 2011 B.K.Pavitra & Others vs Union of India & Others and connected Review Petitions and Writ Petitions has ordered as follows;

"K Conclusion

144 For the above reasons, we have come to the conclusion that the challenge to the constitutional validity of the Reservation Act 2018 is lacking in substance. Following the decision in BK Paivtra I, the State government duly carried out the exercise of collating and analyzing data on the compelling factors adverted to by the Constitution Bench in Nagaraj. The Reservation Act 2018 has cured the deficiency which was noticed by B K Pavitra I in respect of the Reservation Act 2002. The Reservation Act 2018 does not amount to a usurpation of judicial power by the state legislature. It is Nagaraj and Jarnail compliant. The Reservation Act 2018 is a valid exercise of the enabling power conferred by Article 16 (4A) of the Constitution.

145 We therefore find no merit in the batch of writ petitions as the constitution validity of the Reservation Act 2018 has been upheld. They shall stand dismissed. Accordingly, the review petitions and miscellaneous applications shall also stand dismissed in view of the judgment in the present case. There shall be no order as to costs. All pending applications are disposed of."

8. In the light of the above, the Government Order dated 05.03.2019 was withdrawn and Govt. Order No. DPAR 186 SRS 2018 dated 15.05.2019 was issued that all appointing authorities shall take action in accordance with the instructions contained in the Government Order dated 27.02.2019 with regard to the implementation of "The Karnataka Extension of Consequential Seniority to Government Servants promoted on the basis of Reservation (to the posts in the Civil Services of the State) Act, 2017".
9. The KPTCL vide Order No KPTCL/B16/B100/3736/2019-20 dated 18.05.2019 adopted the Govt. Order No. DPAR 186 SRS 2018 dated 27.02.2019 and 15.05.2019 issued by the DPAR, (Service Rules) Govt. of Karnataka.
10. Based on the Govt. Orders dated 27.02.2019 and 15.05.2019 the officers who have been demoted were promoted and reposted to the cadres held by them immediately prior to their demotion.
11. In accordance with "The Karnataka Extension of Consequential Seniority to Government Servants promoted on the basis of Reservation (to the posts in the Civil Services of the State) Act, 2017" the existing seniority lists of all state wide cadres have

been reviewed and redrawn with effect from 27.04.1978 by determining seniority, inter-se, of employees belonging to the SCs and STs and those belonging to General Category, as per the following Govt. Orders and Notifications adopted from time to time

- a) Govt. Order No.DPAR 29 SBC 77 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 No.DPAR 22 SBC 79 dated 30.08.1979:
Revising the roster prescribed in GO dated 27.04.1978.
- c) Govt. OM No. DPAR 29 SBC 77 dated 01.06.1978:
Fixing of seniority of employees promoted under reservation.
- d) Govt. Notification No. DPAR 13 SRR 92 dated 01.04.1992:
Amendment to KCS (General Recruitment) Rules, 1977 providing for treating of SC & ST roster points identified for the SCs or STs, unutilized or unfilled by promotion of SC & ST candidates but filled by general category, as backlog in promotion.
- e) Govt. Order No. DPAR 21 SBC 97 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.
- f) Govt. Order No. DPAR 21 SBC 97 dated 03.02.1999:
Providing for post based reservation, 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.
- g) Govt. Order No. DPAR 21 SBC 97 dated 13.04.1999:
Providing for clearing any existing backlog as per the additional roster points.
- h) Govt. Order No DPAR 18 SBC 86 dated 03.12.1990
Govt. Order No DPAR 49 SBC 92 dated 20.12.1992
Govt. Order No DPAR 28 SBC 91 dated 08.06.1995
Govt. Order No DPAR 2 SBC 96 dated 29.08.1997
The reservation orders applicable for promotion from the cadre of Asst.Executive Engineer to Executive Engineer issued from time to time.
- i) Govt. Orders No. DPAR 23 (i) Say Ne Ni 2015 dated 04.03.2015:
Providing revised method for clearing any existing backlog
- j) Govt. Orders No. DPAR 23 (ii) Say Ne Ni 2015 dated 04.03.2015:
Applicability of reservation in promotion where the element of direct recruitment does not exceed 75%.

12. In the light of the above, the seniority lists of the state-wide cadres are reviewed and provisional seniority lists prepared by assignment of dates of eligibility of promotion to various cadres is hereby published along with the following notes as hereunder;


Note:

- 1) Employees appointed by ESCOMs are not included in these seniority lists
- 2) The seniority of the following cadres will be considered separately and incorporated in appropriate places.
 - a) Asst.Engineers (Graduate) recruited and Appointment by Transfer from December 2015 and onwards
 - b) Asst.Accounts Officers recruited and promoted from December 2015 and onwards

a)	Provisional Seniority List of Asst.Engineer Elec. (Graduate) from 27.04.1978 to 01.06.2019 .	ANNEXURE-1A
b)	Provisional Seniority list of working Asst.Engineer Elec. (Graduate) & above (cadre-wise) as on 01.06.2019 .	ANNEXURE-1B
c)	Provisional Seniority List of Asst.Accounts Officer from 27.04.1978 to 01.06.2019 .	ANNEXURE-2A
d)	Provisional Seniority list of working Asst.Accounts Officer & above (cadre-wise) as on 01.06.2019 .	ANNEXURE-2B
e)	Provisional Seniority List of Asst.Engineer Civil (Graduate) from 27.04.1978 to 01.06.2019 .	ANNEXURE-3A
f)	Provisional Seniority list of working Asst.Engineer Civil (Graduate) & above (cadre-wise) as on 01.06.2019 .	ANNEXURE-3B
g)	Provisional Seniority List of Asst.Engineer Elec. (Non-Graduate) from 27.04.1978 to 01.06.2019 .	ANNEXURE-4A
h)	Provisional Seniority list of working Asst.Engineer Elec. (Non-Graduate) & above (cadre-wise) as on 01.06.2019 .	ANNEXURE-4B
i)	Provisional Seniority List of Asst.Engineer Civil (Non-Graduate) from 27.04.1978 to 01.06.2019 .	ANNEXURE-5A
j)	Provisional Seniority list of working Asst.Engineer Civil (Non-Graduate) & above (cadre-wise) as on 01.06.2019 .	ANNEXURE-5B
k)	Provisional Seniority List of Senior Personal Assistant from 27.04.1978 to 01.06.2019 .	ANNEXURE-6A
l)	Provisional Seniority list of working Senior Personal Assistant & above (cadre-wise) as on 01.06.2019 .	ANNEXURE-6B

13. Objections, if any, may be submitted to the Director(Admn. & HR), Corporate Office, KPTCL, Kaveri Bhavan, Bengaluru through individual representations with supporting records **on or before 20.08.2019, 5.30pm** for verification and consideration as per regulations. Objections received beyond prescribed time will not be considered.

//Approved by MD//


Director (Admn. & HR)
KPTCL

Copy of Notification for kind information:

1. The Managing Director, BESCOM/ MESCOM/ HESCOM/ GESCOM /CESC /PCKL /KREDL/BMRL /KAVIKA with request to also host the Notification and Annexures on the websites.
2. The Director(Finance),BESCOM
3. All Directors(Technical), ESCOMs
4. All Financial Advisers, KPTCL/ESCOMs
5. All Chief Engineers Electy, KPTCL/ESCOMs
6. PS to Additional Chief Secretary, Energy Department, Govt. of Karnataka, Bengaluru to place copy of the Notification before the Additional Chief Secretary.
7. SPS to MD/DF/DT/D(A&HR), KPTCL to place it before the MD/DF/DT/D(A&HR), KPTCL

Copy of Notification and Annexures published on 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.T.R.Ramakrishna, President, KPTC Employees' Union and Director KPTCL & ESCOMs
2. Sri.T.M.Shivaprakash, President, KEB Engineers' Association, 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