



**Karnataka Rural Infrastructure Development Limited.**  
(Formerly Karnataka Land Army Corporation Limited)  
"Grameenabhiruddhi Bhavana" 4th & 5th Floor, Ananda Rao Circle, Bangalore-560 009

No.KRIDL/ADM/Seniority List/2017-18

Date 02-11-2017

**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) and also in accordance with. Govt. Order No. DPAR 182 SRR 2011 dated 06.05.2017.

Ref: Judgment dated 09.02.2017 of the Hon'ble Supreme Court of India in B.K.Pavitra & Others vs Union of India & Others

2. Govt. Order No. DPAR 182 SRR 2011 dated 06.05.2017 issued by the DPAR, (Service Rules-1) Govt. of Karnataka.
3. Letter No.RDP 07 KLA 2017 dated 08-06-2017 and 18-08-2017 of Director, (SGY, Roads, Bridges) & Ex-officio, Deputy Secretary, RDPR Department.
4. Letter No.RDP 107 ಸ್ವೀಮಠ 2017 dated 25-10-2017 of Under Secretary to Government, RD&PR Department (ಸೇವೆಗಳು-ಎ ಮತ್ತು ಸ್ವೀಮಠ)

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1. 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.*

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*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'*

- 2 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.
- 3 Government of Karnataka in its letter referred at Sl No. 2 & 3 have also issued directions to take necessary action Based on the judgment dated 09.02.2017 of the Hon'ble Supreme Court in Pavitra's case.
- 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.

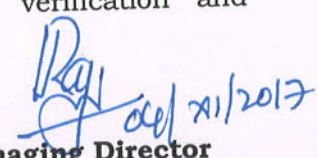
5 In the light of the above, the seniority lists of the following cadres in which promotions have been made in accordance with the existing policy of reservation in promotion and the seniority lists of the higher cadres are reviewed and published as hereunder;

a)	Provisional Revised Seniority List of Asst. Executive Engineer Gr-1 (Civil).	<b>ANNEXURE-A</b>
b)	Provisional Revised Seniority List of Asst. Executive Engineer Gr-1 (Structural Design).	<b>ANNEXURE-B</b>
c)	Provisional Revised Seniority List of Asst. Executive Engineer Gr-2 (Civil).	<b>ANNEXURE-C</b>
d)	Provisional Revised Seniority List of Executive Engineer (Civil).	<b>ANNEXURE-D</b>
e)	Provisional Revised Seniority List of Superintending Engineer (Civil).	<b>ANNEXURE-E</b>
f)	Provisional Revised Seniority List of Chief Engineer (Civil).	<b>ANNEXURE-F</b>

**Note:**

- 01) 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.
- 02) 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.
- 03) 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.
- 04) 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.

- 05) 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.
- 06) 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.
- 07) 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.
- 08) 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.
- 09) After considering the objections received, if any, against the provisional seniority lists, the final seniority lists will be published and consequential action taken thereon.
6. Objections, if any may be submitted to the Managing Director, KRIDL, "Grameenabhivruddhi Bhavan" 4<sup>th</sup> Floor, Ananda Rao Circle, Bengaluru-560009 through individual representations with supporting records within one month from the date of publication of this notification, for verification and consideration as per regulations.

  
Managing Director  
KRIDL, Bengaluru

**Copy of Notification and Annexures published on [www.kridl.org](http://www.kridl.org) for information of:**

- The Chief Engineer (South/ Central/ North) KRIDL, Hqrs.,
- All Superintending Engineers, KRIDL Zones.
- All Executive Engineers, KRIDL Divisions/ Hqrs.,/ On Deputation
- All Asst. Executive Engineers, KRIDL,/ On Deputation

**Copies of Notification for information to:**

- ✓ Asst. Executive Engineer (IT), KRIDL, host the Notification and Annexures on the KRIDL website.
- ✓ The concerned file.