



Government of Karnataka

(Rural Development and Panchayath Raj Department)

Karnataka Rural Infrastructure Development Limited

Grameenabhivruddhi Bhavana, 4th & 5th Floor, Anandarao Circle, Bengaluru - 560 009.

Phone No : Admn : 080-28015635/36/46 Works : 080-28015640/41 Accts : 080-28015634/37

Fax No : 080-22879901, 28015644/45/34 Email Id : md@kridl.net Website : www.kridl.org

No.KRIDL/ADM/CE (Civil)/Promotion/2018-19

Date 28-04-2018

OFFICIAL MEMORANDUM

Sub: Promotion to the cadre of Chief Engineer (Civil) consequent to 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: 1.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)
2. Guidelines issued by the Govt. Order No.DPAR 182 SRR 2011 dated 06.05.2017 of DPAR, (Service Rules-1) Govt. of Karnataka.
3. This Office Notification No.KRIDL/ADM/Officer's Seniority List/2018-19 dated 13-04-2018.
4. Proceedings of the Departmental Promotional Committee dtd:24-04-2018.

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The Hon'ble Supreme Court of India in the case of B.K Pavithra and others v/s Union of India vide Civil Appeal No. 2368/2011 and Civil Appeals Nos 2369/2011, 2370-73/2011, 2374-77/2011, 2378/2011, 2379/2011, 4320-4327/2011 & 5280-5286/2011 read under reference No. 1, has stated that "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 (Section 3 & 4) which provides consequential seniority to those promoted under reservation is *Ultra vires* Articles 14 and 16 of the Constitution" and passed the following order of judgement in the said case.

"In view of the above, we allow these appeals, set aside the impugned judgment and declare provisions of the impugned Act to the extent doing away with the "Catch up" rule providing for consequential seniority under section 3 & 4 to persons belonging to SCs and STs on promotions against roster points to be ultra vires Articles 14 and 16 of the Constitutions. The 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 this judgment within three months from today.

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Based on the judgement of Hon'ble Supreme Court of India, the Government of Karnataka in its Government Order No. DPAR 182 SRR 2011 Bengaluru dated 06.05.2017 has issued guidelines for review and to revise the Seniority list which was published on 27.04.1978 by the Quasi Government/ Corporations/ Boards / Public Sector Undertakings under the administrative control of all the Department of Government of Karnataka. As per the said Government Order, the KRIDL has reviewed, revised the Seniority list from 27.04.1978 to till this date in respect of all Cadres and issued a notification on 13.04.2018.

The Departmental Promotion Committee on 24-04-2018 after considering the revised seniority list published in accordance with judgment of Hon'ble Supreme Court have considered and recommended the following senior officer who is eligible for promotion as mentioned against his name.

Sl. No.	Names Sriyuths	Present Post	Promotional Post	Pay Scale	Eligibility date of promotion
01	N.Lokesh	Superintending Engineer (Civil) Belagavi Zone	Chief Engineer (Civil)	Rs.48900-1200-52500-1350-60600-1500-63600	10-09-2016

The above officer is entitled for the fixation of pay notionally from the date as mentioned against his name but will not be entitled to any arrears of salary on the promotional posts. The Board of Directors of the Company is appointing authority for the post of Chief Engineer (Civil). Hence the promotion effected by this Official Memorandum is subject to ratification by the Board of Directors of the organization.


(DR.R.RAJU, I.F.S.,)
Managing Director
KRIDL, Bengaluru

To,

✓ The officer concerned.

Copy to:

- The Chief Engineer (South/ Central/ North) KIRDL, Hqrs.,
- The Chief Finance Officer-1 & 2, KRIDL, Hqrs.,
- The Chief Administrative Officer, KRIDL, Hqrs.,
- All Superintending Engineers, KRIDL Zones.
- The Concerned file.