

**KARNATAKA CIVIL SERVICES
(PROBATION) RULES, 1977
NOTIFICATION**

No. DPAR 57 SRR 75, dated 25th June 1977

In exercise of the powers conferred by the proviso to article 309 of the Constitution of India,

the Governor of Karnataka hereby makes the following rules, namely:-

1. Title and Commencement.- (1) These rules may be called the Karnataka Civil Services (Probation) Rules, 1977.

(2) They shall come into force on the date of their publication in the official Gazette.

2. Definition.- In these rules, unless the context otherwise requires.-

(1) "appointed on probation" means appointed on trial.

(2) "probationer" means a Government servant on probation.

3. Period of Probation.- The period of probation shall be as may be provided for in the rules

of recruitment specially made for any service or post, which shall not be less than two years,

excluding the period if any, during which the probationer was on extraordinary leave.

4. Extension or reduction of period of probation- (1) The period of probation may, for reason to be recorded, in writing, be extended-

(i) by the Governor or the Government by such period as he or it deems fit;

(ii) by any other appointing authority by such period not exceeding half the prescribed period of probation;

Provided that if within the prescribed or extended period of probation, a probationer has appeared for any examinations or tests required to be passed during the period of probation and

the results thereof are not known before the expiry of such period, then the period of probation shall

be deemed to have been extended until the publication of the results of such examinations or tests

or of the first of them in which he fails to pass.

(2) The Government may, by order, reduce the period of probation of a probationer by such

period not exceeding the period during which he discharged the duties of the post to which he was

appointed or of a post the duties of which are in the opinion of the Government, similar [and]₁

equivalent to those of such post.

5. Declaration of satisfactory completion of probation etc.,-(1) At the end of the prescribed

or as the case may be the reduced or extended period of probation the appointing authority shall

consider the suitability of the probationer to hold the post to which he was appointed, and-

(a) if it decides that the probationer is suitable to hold the post to which he was appointed and

has passed the special examinations or test, if any, required to be passed during the period of

probation 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 expiry of the prescribed,

reduced or extended period of probation;

(b) if the appointing authority decides that the probationer is not suitable to hold the post to

which he was appointed or has not passed the special examinations or special tests. If any,

1. Substituted vide Notification No. DPAR 16 SRR 88(1) dated 15-8-1989, Gazette Dated 20-4-1989.

23

required to be passed during the period of probation, it shall, unless the period of probation is

extended under rule 4, by order, discharge him from service.

(2) A probationer shall not be considered to have satisfactorily completed the probation unless

a specific order to that effect is passed. Any delay in the issue of an order under sub-rule (1) shall

not entitle the probationer to be deemed to have satisfactorily completed his probation.

Note.- In this rule and rule 6 'discharge' in the case of a probationer appointed from another service

or post, means reversion to that service or post.

6. Discharge of a probationer during the period of probation.- (1) Notwithstanding anything

in rule 5, 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 an account of his unsuitability for the service of post; but the order of

discharge except when passed by the Government shall not be given effect to till it has been

submitted to and confirmed by the next higher authority.

(2) An order discharging a probationer under this rule shall indicate the grounds for the discharge

but no formal proceedings under the Karnataka Civil Services (Classification, Control and Appeal)

Rules, 1957, shall be necessary.

7. Termination for misconduct.- No order terminating the services of a probationer, whether

during or at the end of the period of probation for any misconduct, shall be passed

except in

accordance with the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

8. Appeal.- No appeal shall lie against an order discharging a probationer under rule 5 or rule

6.

9. Confirmation.- Subject to sub-rule (4) of rule 19 of the Karnataka State Civil Services (General

Recruitment) Rules, 1977, a probationer who has been declared to have satisfactorily completed

his probation shall be confirmed at the earliest opportunity in any substantive vacancy

which may
exist or arise;

Provided that where more than one approved probationer is available for such
confirmation,

the senior-most approved probationer on the date of vacancy shall be confirmed.

10. Increment and Pay.- (1) A probationer appointed at the initial or higher stage of a
time scale

may draw the increment that fall due during the prescribed ¹[.....]¹ increments after
the expiry

of such period unless and until he is declared to have satisfactorily completed his
probation.

11. Probation where validity of appointment is questioned.- Notwithstanding
anything

contained in the preceding rules, where the validity of the appointment of any person as
probationer

is questioned in any legal proceeding before a Court of law ²[and where interim orders
barring the

declaration of satisfactory completion of the period of probation has been ordered by
such court of

law]² the period of probation of such person shall continue until the final disposal of such
proceedings,

and pending such disposal, the appointing authority may, if it is satisfied that the
probationer has

satisfactorily completed the prescribed or extended period of probation direct that the
probationer

shall be entitled to draw increment in the scale of pay of the post held by such
probationer from

such date as may be specified in such direction and increments shall subject to the other
provisions

governing the drawal of increments applicable to Government servants generally, be
drawn by

such probationer accordingly.

1. Omitted vide Notification No. DPAR 65 SSR 78 dated 18-4-1980 Gazette dated 1-5-1980.

2. Inserted vide Notification No. DPAR 16 SRR 85, dated 31-12-1985 Gazetted dated 16-1-1986.

24

Provided that where no such interim order has been ordered in such proceedings, the
appointing authority may, if it is satisfied that the probationer has satisfactorily completed
the

prescribed or extended period of probation, declare by order that the probationer has
satisfactorily

completed his probation, subject to the final decision in such proceedings.

12. Repeal.- (1) The Karnataka Government Servants Probation Rules, 1957 are hereby
repealed:

Provided that the said repeal shall not affect the previous operation of the said rules or
anything duly done or suffered thereunder or affect any right, liability or obligation
acquired, accrued

or incurred under the said rules.

(2) Any reference in any rule or order to the rules repealed by sub-rule (1) shall be
construed as

a reference to these rules.

(3) All proceedings commenced under the rules repealed by sub-rule (1) and pending on

the
date of commencement of these rules shall be continued and disposed of in accordance
with the
provisions of these rules.

Governor of Karnataka,

By Order and in the name of the Governor of Karnataka.

(N.P. JOSHI)

Deputy Secretary to Government,
Department of Cabinet Affairs and Department of
Personnel and Administrative Reforms
(Service Rules).