



**KARNATAKA LEGISLATIVE COUNCIL
ONE HUNDRED AND FIFTY SIXTH SESSION**

**THE KARNATAKA STATE CIVIL SERVICES (REGULATION OF TRANSFER OF MEDICAL
OFFICERS AND OTHER STAFF) (AMENDMENT) BILL, 2025**

(LA Bill No. 28 of 2025)

(As passed by the Karnataka Legislative Assembly)

A Bill further to amend the Karnataka State Civil Services (Regulation of transfer of Medical Officers and other Staff) Act, 2011.

Whereas, it is expedient to amend the Karnataka State Civil Services (Regulation of transfer of Medical Officers and other Staff) Act, 2011 (Karnataka Act 2 of 2011) for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the seventy-sixth year of the Republic of India as follows:-

1. Short title and commencement.- (1) This Act may be called the Karnataka State Civil Services (Regulation of Transfer of Medical Officers and Other Staff) (Amendment) Act, 2025.

(2) It shall deemed to have come into force with effect from the 27th day of May, 2025.

2. Amendment of section 2.- In the Karnataka State Civil Services (Regulation of transfer of Medical Officers and other Staff) Act, 2011 (Karnataka Act 2 of 2011) (hereinafter referred to as the Principal Act), in section 2,-

- (i) the existing clause (a), shall be renumbered as clause (aa);
- (ii) before clause (aa), as so renumbered, the following shall be inserted, namely:-

“(a) “administrative posts” means post identified as the District Health and Family Welfare Officer, the District Surgeon, the Principal of Training Institutes, the Joint Director, the Deputy Director, the Programme Officer at the district level and the Superintendent of a major hospital of Health and Family Welfare Services and Deputy Director Ayush and District Health officer Ayush:”

- (iii) for clause (c), the following shall be substituted, namely:-

“(c) competent authority” means such authority as may be prescribed who is competent make orders of transfer of a Medical Officer or other staff;

- (iv) after clause (c), as so substituted, the following shall be inserted, namely:-

“(cc) “critical vacancy” means such vacancies of posts as may be prescribed”;

- (v) after clause (f) the following shall be inserted, namely,-
 - (ff) “Greater Bengaluru area” means the areas falling within the limits of the Greater Bengaluru Authority constituted under the Greater Bengaluru Governance Act, 2024 (Karnataka Act 36 of 2025)”;
- (vi) in clause (j) after the word “tenure” the words “identified as such by the Government by a notification” , shall be inserted;
- (vii) in clause (m), for the words “working as senior specialist” the words “working in senior specialist cadre” shall be substituted ;
- (viii) in clause (n), for the word “working as specialist” the words “working in specialist cadre”, shall be substituted.;
- (ix) after clause (n) the following shall be inserted,- namely:-
 - “(nn) “Special category of persons” means persons belonging to such special categories as may be specified in the rules.” : and
- (x) in clause (q), after the words “district headquarters” the words “excluding Greater Bengaluru area” shall be inserted.

3. Substitution of section 3.- For section 3 of the Principal Act, the following shall be substituted, namely:-

“3. Transfer or promotion to be through counselling.- The initial appointment, transfer or promotion of a Medical Officer or other staff under the Act, shall be done through a process of counselling conducted in such manner as may be prescribed:

Provided that, the provisions relating to transfers through process of counselling shall not apply to the posts identified as project posts, and administrative posts.

Provided further that the criteria and the manner of selection and posting for the project and administrative posts shall be such as may be prescribed.”

4. Amendment of section 4.- In section 4 of the Principal Act, for sub-section (2) except the proviso, following shall be substituted, namely: -

“(2) A Medical Officer or other staff who is in service has not served for a prescribed number of years in the rural area shall be transferred to a post in rural area”.

5. Amendment of section 5.- In section 5 of the Principal Act, for sub-section (2) and the entries relating thereto, the following shall be substituted, namely: -

“(2) Where a specialist or senior specialist who is working in a post which is not identified for the Post Graduate Degree or Post Graduate Diploma specialization shall be transferred to the post identified for the specialised qualification, possessed by him:

Provided that specialist and senior specialist may be posted to the Project posts and administrative posts in such manner as may be prescribed by the Government.”

6. Substitution of section 6.- For section 6 of the Principal Act, the following shall be substituted, namely:-

“6. Transfer of Medical Officer or Other Staff in public interest.-

(1) A Medical Officer or other staff who is in service and has completed the prescribed number of years of continuous service, in any Government hospital or Government institution in rural area, Zone -A, B or Greater Bengaluru area may be transferred through process of counselling to another Government hospital or Government Institution in the same area or zone or to any other area or Zone by giving priority to persons who have put in longer period of service or tenure in that area or post, and considering such criteria or weightage for the area or zone as may be prescribed, in the following order, namely,-

- (1) Rural area;
- (2) Zone-B in urban area;
- (3) Zone-A in urban area; and
- (4) Greater Bengaluru area:

Provided that the total number of such transfers during the year shall not exceed “fifteen percent” of the number of the working strength in that cadre.

Provided further that in respect of persons belonging to special categories, the Government may prescribe separate conditions and exceptions for transfers.

Provided also that for persons serving in the Greater Bengaluru area the total continuous service spent by the person in the Greater Bengaluru area on different posts shall be counted for the purpose of the length of the tenure rather than the total continuous service spent by person in the current post.

Provided also that, the vacancies in Greater Bengaluru area shall not be available during counselling to persons eligible to be transferred out from Greater Bengaluru area under sub-section (1).

(2) A Medical Officer or other Staff, on reinstatement from suspension or on being shifted from the current post in lieu of suspension pending disciplinary enquiry shall be posted any time during the year through counselling by the competent Authority but shall not be posted to a zone higher than his current working zone and may be restricted for posting within an area as specified in the orders of the Disciplinary Authority.

(3) A Medical Officer or other staff may be posted without counselling by the Government any time during a year to fill a critical vacancy:

Provided that, the medical officer or other staff to be posted shall be the senior most out of the list of long-standing persons prepared as per sub-section (1), subject to the exceptions to special categories as specified.”

7. Insertion of new section 7A.- After section 7 of the Principal Act, the following shall be inserted, namely:-

“7A. Appeal.- Any person aggrieved by the orders of the competent authority under the provisions of this Act may make an appeal to the Specified Authority as notified by the Government and the Specified Authority may dispose it off in such manner as may be prescribed.”

8. Repeal and savings.- (1) The Karnataka State Civil Services (Regulation of transfer of medical officers and other staff) (Amendment) Ordinance, 2025 (Karnataka Ordinance 05 of 2025) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS
(As appended to at the time of introduction)

It is considered necessary to amend The Karnataka State Civil Service (Regulation of Transfer of Medical Officers and other Staff) Act, 2011 to provide for,-

- (a) Definitions of the word's critical posts, administrative posts, Greater Bengaluru area, Special category of persons etc., to enable Government to make rules for posting to these posts.
- (b) Making rules regarding the manner of posting to project posts and administrative posts.
- (c) Omission of certain spent and redundant provision in the Act.
- (d) Appeal to the prescribed authority by persons who are aggrieved by the order of the competent authority to make transfer, under this Act.
- (e) Certain consequential amendments are also made.

As the matter was urgent and both houses of the state legislature were not in session the Karnataka Civil Services (Regulation of Transfer of Medical Officers and other Staff) (Amendment) Ordinance, 2025 (Karnataka Ordinance 05 of 2025) was promulgated to achieve the above object.

This Bill seeks to replace the said Ordinance.

Hence, the Bill

FINANCIAL MEMORANDUM

There is no financial implication by the proposed Legislative measure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 2:	<p>(i) Clause (c), of section 2 proposed to be substituted in item (iii), empowers the State Government to prescribe by rules, such authority as competent authority.</p> <p>(ii) Clause (cc), of section 2 proposed to be substituted in item (iv), empowers the State Government to prescribe by rules, such vacancies of posts to be a critical vacancy.</p>
Clause 3:	<p>Section 3 proposed to be substituted in clause 3,-</p> <p>(i) empowers the State Government to prescribe by rules, such manner through a process of counselling to be conducted.</p> <p>(ii) second proviso, empowers the State Government to prescribe by rules, the criteria and the manner of selection of posting for the project and administrative posts.</p>
Clause 5:	sub-section (2) of section 5 proposed to be substituted empowers the State Government to prescribe by rules, such manner the specialist and senior specialist may be posted.
Clause 6:	section 6 proposed to be substituted empowers the State Government to prescribe by rules, such criteria or weightage to be considered for Transfer through counselling.
Clause 7:	section 7 proposed to be inserted empowers the State Government to prescribe by rules, such manner in the appeal may be disposed by the specified authority.

The proposed delegation of legislative power is normal in character.

Dinesh Gundu Rao
Minister of Health and
Family Welfare Department

K.R. MAHALAKSHMI
Secretary
Karnataka Legislative Council

**EXPLANATORY STATEMENT AS REQUIRED BY SUB-RULE (1) OF RULE 77 OF
THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE
KARNATAKA LEGISLATIVE COUNCIL**

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- (b) Making rules regarding the manner of posting to project posts and administrative posts.
- (c) Omission of certain spent and redundant provision in the Act.
- (d) Appeal to the prescribed authority by persons who are aggrieved by the order of the competent authority to make transfer, under this Act.
- (e) Certain consequential amendments are also made.

As the matter was urgent and both houses of the state legislature were not in session the Karnataka Civil Services (Regulation of Transfer of medical officers and other Staff) (Amendment) Ordinance, 2025 (Karnataka Ordinance 05 of 2025) was promulgated to achieve the above object. This Bill seeks to replace the said Ordinance.

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ANNEXURE

**THE EXTRACT OF THE KARNATAKA STATE CIVIL SERVICES (REGULATION
OF TRANSFER OF MEDICAL OFFICERS AND OTHER STAFF) ACT, 2011
(KARNATAKA ACT 2 OF 2011)**

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2. Definitions.- In this Act, unless the context otherwise requires,-

- (a) “appointment” means appointment by direct recruitment or Absorption or promotion or by change of cadre of Medical Officer or other staff;
- (b) “appointing authority” means the authority competent to make appointment to the respective cadres;
- (c) “competent authority” means the authority competent to make Orders of transfer of a Medical Officer or other staff;
- (d) “Government” means the Government of Karnataka;
- (e) “Government hospital” means and includes district hospital, other major hospital, urban family welfare center, women & child hospital, general hospital at taluk level, community health center, urban primary health center, primary health center, sub center, mobile health unit, mobile tribal unit, maternity centre and AYUSH hospital, institution, centre or any other center by whatever name called and established by the Government belonging to any system of medicine;
- (f) “Government Institution” includes a Training center, an Administrative office or any other institution by whatever name called and established by the Government belonging to any system of medicine;
- (g) “medical officer” means a medical officer appointed by the Appointing Authority to any of the category of posts specified in Schedule - I;
- (h) “other staff” means a person appointed by the Appointing Authority to any of the category of posts specified in Schedule – II;
- (i) "process of counseling" means the process of giving opportunity to a person, considered for appointment or transfer, to opt a place or post on priority which is being given based on the length of service put in by him in the place or Zone where he is working and such other criteria as may be prescribed;
- (j) “project post” means a post under a project assisted either by a foreign Agency or Government of India, created for a specific objective and for a specific tenure;
- (k) “rural area” means the area other than the urban areas;
- (l) “schedule” means schedule appended to this Act;
- (m) “senior specialist” means a medical officer who has Post Graduate Degree or Post Graduate Diploma qualification and is working as senior specialist;
- (n) “specialist” means a medical officer who has Post Graduate Degree or Post Graduate Diploma qualification and is working as specialist;
- (o) “transfer” means posting of a Medical Officer or other staff from one place of working to a post in another place of working;
- (p) “urban area” means any area situated within the limits of a city corporation, city municipal council, town municipal council, town panchayat or other notified areas specified under the Karnataka Municipal Corporations Act, 1976 or the Karnataka Municipalities Act, 1964 and upto such distance away from

the limits of the above area notified as such by the Government from time to time;

- (q) "Zone-A" means urban area within the limits of a city corporation or city municipal council at a district headquarters;
- (r) "Zone-B" means urban area within the limits of a city municipal council which is in a place other than a district headquarter or a town municipal council or town panchayat and areas notified as urban areas;

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3. Transfer or promotion to be through counseling.- The transfer or promotion of a Medical Officer or other staff under this Act, shall be done through a process of counselling conducted in such manner as may be prescribed:

Provided that the provisions relating to transfers through process of counselling shall not apply to the posts identified as project posts, the posts of District Health and Family Welfare Officer, District Surgeon, Principal of Training Institute, Joint Director, Deputy Director, Superintendent of a major hospital of Health and Family Welfare Services and District Ayush Officer and Deputy Director of Ayush Department.

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4. Compulsory appointment of a medical Officer or other staff in rural areas.-

(1) The Appointing Authority or the Competent Authority while making initial appointment or promotion of a Medical Officer or other staff to a Government Hospital or Government Institution shall ensure that vacancies in rural areas are filled in the first instance:

(2) A Medical Officer or other staff who is in service on the date of commencement of this Act and has not served for a prescribed number of years in the rural area before the date of commencement of the Act shall be transferred to a post in rural area:

Provided that the provisions relating to compulsory transfer of Medical Officer or other staff to the rural area shall not apply to a person who has attained the age of fifty years.

(3) If no vacancy is available for initial appointment or promotion, in respect of the post for which compulsory rural service is prescribed, a vacancy may be created by transfer of a Medical Officer or other staff who has completed the prescribed number of years of rural service to another place in Zone B and if no vacancy is available in Zone B a person who has served longer period in Zone B may be transferred to Zone A of urban area.

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5. Compulsory appointment or transfer or promotion of a specialist or senior specialist to appropriate post.- (1) No Specialist or Senior Specialist with Post Graduate Degree or Diploma shall be posted or transferred to work in a post which is not identified as specialist post related or commensurate to the subject or specialisation in which he possesses Post Graduate Degree or Post Graduate diploma.

(2) Where a specialist or senior specialist who is working in a post which is not identified for the Post Graduate Degree or Post Graduate Diploma specialisation which he possesses on the date of commencement of this Act, he shall be transferred to the post identified for the specialised qualification, possessed by him:

Provided that the provision of this section shall not apply to the posts of District.

Health and Family Welfare Officer, District Surgeon, Principal of Training Institutes, Joint Director, Deputy Director, Programme Officer at the district level and Superintendent of a major hospital of health and family welfare services.

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6. Transfer of Medical Officer or Other Staff in public interest.- (1) A Medical Officer or other staff who is in service on the date of commencement of this Act and has completed the prescribed number of years of continuous service in any Government hospital or Government Institution in an area or zone may be transferred through process of counselling by giving priority to persons put in longer period of service in that area or post and considering such other criteria as may be prescribed, to another Government hospital or Government Institution in the same area or zone or to any other area or Zone in the following order, namely:-

- (1) rural area;
- (2) Zone - B in urban area and thereto;
- (3) Zone - A in urban area.

Provided that the total number of such transfers during the year shall not exceed fifteen percent of the number of the working strength in that cadre.

(2) A Medical Officer or other staff, on reinstatement from suspension shall not be posted to an area or zone higher than the area or zone, where he was working before suspension.

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