



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ ಎ Part - IVA	ಬೆಂಗಳೂರು, ಮಂಗಳವಾರ, ೩೧, ಜನವರಿ, ೨೦೨೩(ಮಾಘ, ೧೧, ಶಕವರ್ಷ, ೧೯೪೪) BENGALURU, TUESDAY, 31, JANUARY, 2023(MAGHA, 11, SHAKAVARSHA, 1944)	ನಂ. ೪೪ No. 44
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GOVERNMENT OF KARNATAKA

No: SDEL 90 ITA 2018

Karnataka Government Secretariat
Multistoried Building
Bengaluru, Dated:30/01/2023.

NOTIFICATION

The draft of the Karnataka Technical Educational Institutions (Grant in aid for Private Industrial Training Institutes) Rules, 2023 which the Government of Karnataka proposes to make in exercise of the powers conferred by clause (e) of sub section (2) of section 3 read with sub section (1) of section 49 and section 145 of the Karnataka Education Act, 1983 (Act 1 of 1995) is hereby published as required by sub-section (1) of section 145 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after fifteen days from the date of its publication in Official Gazette.

Any objection or suggestion which may be received by the State Government from any person with respect to the said draft before the expiry of the period specified above will be considered by the State Government. Objections and suggestions may be addressed to the Principal Secretary to Government, Skill development, Entrepreneurship and livelihood Department, M .S. Building, Dr.B R Ambedkar Veedhi, Bengaluru- 560 001.

DRAFT RULES

1. Title and commencement.-(1) These rules may be called the Karnataka Technical Educational Institutions (Grant in aid for Private Industrial Training Institutes) Rules, 2023.

(2) They shall come into force from the date of their final publication in the Official Gazette.

2. Definitions .- (1) In these rules, unless the context otherwise require,
(a) **“Academic year”** means a year commencing from the first day of August;

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- (b) **“Act”** means the Karnataka Education Act, 1983 (Karnataka Act 1 of 1995);
- (c) **“Affiliation”** means accreditation or affiliation granted to the trades or units of Industrial Training Institutes by NCVT under the aegis of DGT, New Delhi;
- (d) **“Appointing Authority”** means the Managing Committee or the Management;
- (e) **“Appellate Authority”** means the Secretary to Government, Department of Skill Development, Entrepreneurship and Livelihood;
- (f) **“Approved Staff”** means employees of the Private Industrial Training Institute approved by the Competent Authority in accordance with the staffing pattern as shown in Schedule-II to these rules;
- (g) **“Competent Authority”** means the Commissioner of Industrial Training and Employment;
- (h) **“controller of examination”** means the controller of examination or such other officer authorized by the State Government from time to time in the training wing of the Department;
- (i) **“DGT”** means the Directorate General of Training, under the Ministry of Skill Development Entrepreneurship, Government of India;
- (j) **“Department”** means the Department of Skill Development, Entrepreneurship and Livelihood in Karnataka;
- (k) **“Director”** means the Director of Industrial Training and Employment in Karnataka;
- (l) **“Employee”** means and includes both teaching and non-teaching staff of the Aided private Industrial Training Institute;
- (m) **‘Grant’ or ‘Grant-in-Aid’** means any sum of money paid as aid out of the State funds to any private Aided Industrial Training Institute for a specific purpose;
- (n) **“Government”** means the Government of Karnataka;
- (o) **“Governing Council”** means group of persons appointed by management to administer and look after the affairs of the Industrial Training Institute as prescribed by the Government.
- (p) **“Head of the Institution”** means the Principal or any other person who has been appointed by the Management
- (q) **“Institute”** means a Private Industrial Training Institute established and run by a local body or trust or society or body of persons duly registered and affiliated to National Council for Vocational Training for imparting craftsman training according to the norms specified in the Training Manual, published by DGT;
- (r) **“Joint Director”** means the Joint Director of Divisional Office or such other officer authorized by the State Government from time to time in the training wing of the Department;
- (s) **‘Managing Committee’ or ‘Management’** means a body of persons which maintain Aided Private Industrial Training Institute or a registered

Association or a Society or a body of persons registered under Societies Act which maintain a recognized Aided Private Industrial Training Institute;

(t) **'NCVT'** means National Council for Vocational Training- a non-statutory advisory body set up under the aegis of DGT of Government of India; and

(u) **'Special Officer'** means the Special Officer appointed by the Government, or the competent authority specially authorized by the Government for the purpose of taking over the administration of the Private Industrial Training Institute.

(2) All other words and expressions used in these rules but not defined here in shall have the same meaning assigned to them under the said Act, Karnataka Civil Services Rules or any other rule made or deemed to have been made under the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990).

3. General principles for Grant-in-Aid.-(1) Subject to the financial capacity and resources of the Government, a sum of money may be annually allotted by the Government for distribution as Grant-in-Aid to a Industrial Training Institute under private management with the objective of extending and improving vocational training in the State, subject to the conditions hereinafter specified in these rules ,-

- (i) The object of the Government is to provide salary to the employees of the Private Industrial Training Institutes brought under Grant and which are already under Grant in Aid Code of 1997, to such extent as far as possible on par with the staff of the Government Industrial training Institutes holding equal or equivalent posts. The Grant shall be extended in accordance with the approved pattern of staff on admission of such staff to salary grants by the Government.
- (ii) Grants payable by the Government are entirely discretionary and cannot be claimed as a matter of right. Notwithstanding anything contained in these rules the Government reserves the right to withdraw, reduce, alter and modify the amount of grant or to revise the rules relating to Grant-in-Aid.
- (iii) Grants paid from the State Funds are sanctioned by the Government on the recommendation of the Competent Authority, subject to such conditions as may be imposed.

(2) The Government shall be the authority for the interpretation for any provisions in these rules, and its decision shall be final.

(3) The provisions of these rules shall be supplementary to the general rules of Expenditure and Disbursement of Grant-in-Aid laid down in the Karnataka Financial Code, 1958. The rules and modus operandi regarding sanction and claim of grant shall be as specified in rule 161 and 161-A of the Karnataka Financial Code, 1958.

4. General conditions for Grant-in-Aid.- (1) No new institution shall be admitted to Grant-in-Aid. However those employees who are admitted for Grant-in-Aid shall continue to get Grant-in-Aid until the Grant-in-Aid is withdrawn as per the established procedure.

(2) The Grant in Aid once extended to the institute shall continue unless and until it is withdrawn by order of the Government. However, the Competent authority, either *suo-moto* or on direction of the Government or upon the report of its subordinate officers, after recording the reasons, may withhold the grant for such period and to such extent as it deems fit in the circumstances of the case, whenever it appears that the concerned institute has violated any provisions of these rules.

(3) In case of gross mismanagement, deterioration of standards of efficiency and discipline or breach of instructions or orders issued by the Competent Authority or infringement of provisions of conditions, rules and procedures laid down in these rules which in the opinion of the Competent Authority is of a serious nature, the grant may be reduced or withdrawn by the Competent Authority after giving such an institution an opportunity of being heard.

Provided that any order of the competent authority withdrawing the grant under this rule shall be appealable to the Government within thirty days from the date of receipt of the order by the management.

(4) The grant-in-aid, if extended, shall be applicable from the date of making application. It is hereby clarified that if any material discrepancies, like shortage of tools, unqualified teaching staff, insufficiency of other basis infrastructure etc., are noticed during the inspection and those discrepancies are set right by the management, then grant shall be extended from the date when they are set right.

(5) Only the Institutes conducting the courses as per DGT norms leading to the award of certificates by NCVT are eligible to continuing the Grant-in-Aid, subject to the conditions mentioned herein below and directions that may be issued by the Government or the Competent Authority from time to time,-

- (i) Grant-in-Aid can be withdrawn, if it is brought to the notice of the Competent Authority or Government, such institution is denying admissions to any person on grounds of religion, race, caste, language, gender or any of them.
- (ii) Institutes or Managements conducting training as non-profit organizations only are eligible for continuing grants.
- (iii) The Management shall appoint staff of the Institutes in accordance with this rules and qualifications prescribed in this behalf and shall observe the reservation policy of the state and conditions of service prescribed herein.
- (iv) The Management shall not appoint any member of the Governing Council as staff for admitting him for salary grant.
- (v) The Management shall not comprise of the members of the same family.
- (vi) The Management shall report to the Competent Authority without delay all changes in its constitution.
- (vii) The Management shall maintain the accounts of the Institute strictly as per the provision of Karnataka Financial Code, 1958 and as prescribed by the Government. The management shall furnish returns to the Department if so directed.
- (viii) The Management shall get the accounts of the Institute audited by an independent auditor who shall be a chartered accountant and not connected with the Management in any way.
- (ix) The Management shall keep the accounts of the Institute open to inspection and audit by inspecting and other officers deputed by the

Competent Authority or by the Accountant General or by their nominees.

- (x) The audit report on the final accounts of a year shall be sent to the Competent Authority not later than 31st of July of the following year.
 - (xi) The Management shall admit candidates to the Institute in accordance with the rules and procedure relating admissions prescribed by the NCVT and the orders issued by the Government from time to time.
 - (xii) The admissions and attendance to these grant in aid Institutions shall be the same as followed by the DGT Manual and Instructions issued by the government from time to time.
 - (xiii) The Grant-in-Aid will be given only for the teaching posts. However, any Non-teaching post which is currently admitted Grant-in-Aid, will be continued until the present incumbent continues to be in service.
- (6) The posts and the persons working in such posts in the Institutes shall be eligible for the benefits of Grant-in-Aid only from the date of sanction of the Grant-in-Aid by the Government and the earlier period of un-aided service shall not count for pay fixation, increment, leave, seniority and other service benefits including pension, if they are eligible.
- (7) The Management shall give an undertaking that the post for which Grants sought are free from litigation.
- (8) Institutes already receiving grants from Government or Quasi-Government or local bodies or foreign agencies and the like are not eligible for Grant-in-Aid under these rules.
- (9) The Management shall enter into an agreement with the Competent Authority with regard to the fulfillment of its obligations and conditions under these rules.
- (10) The Management shall appoint a Correspondent or a Secretary to carry on correspondence and transact business with the Department.
- (11) All academic issues relating to admission of candidates, conduct of training, fulfillment of curricular and non-curricular activities of trainees, conducting of examinations, and issue of NCVT certificates, establishment and salary matters, and other related items shall be dealt by the Governing Council subject to the provisions of this rules issued from time to time.
- (12) The Management may nominate one member each from teaching and non teaching staff to the Governing Council.
- (13) If in the opinion of the Competent Authority,
- (i) the Management of any Institute for which the Grant-in-Aid is extended under these rules, persistently defaults or neglects in the performance of duties imposed on it by these rules which is prejudicial to the interest of vocational or Industrial training in the Institute and detrimental to staff or students therein; or
 - (ii) the Management of any institute for which the Grant-in-Aid is extended is not functioning in accordance with the agreement entered into by the Management for the purpose of salary grant or other directions issued by the State Government or the Department in the interest of due performance of vocational training, the Competent authority may, after hearing the Management, by order remove the said Management and appoint a Special Officer to manage the affairs of the Institute for a period of one year. If after the lapse of one year, the situation still persists, may extend the period for one more year.

(14) After lapse of one year from the appointment of Special Officer or extended period of one more year, as the case may be upon the report of the Competent authority, if it appears to the Government that if the management is restored, the affairs of the Institute would not be performed in accordance with the provisions of these rules; then the Government may order for closure of the said institute and immediately after the rolling out of the admitted trainees. No new admissions are allowed to such institute. The Management or Grant In Aid employees of such institute shall have no rights to claim the grants.

Provided that the costs incurred by the Government for all such proceedings shall be recoverable from the management along with interest at the rate of eight percent per annum.

(15) The special officer appointed under sub rule (13) shall perform such functions and discharge such duties as may be specified.

(16) The Management shall make available employees selected by the Controller of Examinations for being utilized for the purposes of trade tests conducted by the Department. The period of absence in all such cases shall be treated as on duty and their salary will be regulated as if they are on duty for the said period.

(17) Grant-in-Aid will apply only to the trade and unit for which it is granted, the managing body to which it is granted and to the particular location of the Institute at the time of affiliation and grant.

(18) (i) The change in ownership of the Industrial Training Institute such as change in Trust or Societies or Private or Public limited companies or Sole Proprietary or Private Institutions or Individuals shall not be allowed and such institutions shall be de-affiliated as per NCVT norms. Hence for such institutions Grant-in-Aid shall be deemed to be withdrawn.

(ii) If there is any change in Site or Location of the Institution (change in geo-tagging location of the Institution) such institution shall be re-affiliated as per NCVT norms, but for such Grant-in-Aid institutions shall be automatically deemed to have been withdrawn.

Note: Provided that, clause (ii) of sub rule 18 of rule 4 shall not apply to the institutions, if they are shifted due to the land acquisition made by the Government.

(iii) If vacancy arise in sanctioned Grant-in-Aid posts due to reasons like retirement or death or resignation or promotion etc, the Grant-in-Aid for such post shall automatically stands withdrawn.

(19) When a recognized institute ceases to exist by legal implication on the ground that it is shifted without prior permission of the Competent authority, such institute shall be treated as a new institute for the purposes of affiliation and sanction of Grant-in-Aid and all the conditions for sanction of affiliation and Grant-in-Aid shall have to be fulfilled including completion of the period of eligibility.

(20) The institution or Management receiving Grant-in-Aid shall make admissions to the various trades or units in accordance with the conditions, rules and procedures that may be prescribed for the purpose by the Competent Authority from time to time.

(21) Any proposal for a change in the management of an aided private industrial training institute should be submitted to the Competent Authority together with the following documents namely :-

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- (i) A copy of the resolutions of each of the two Managements, i.e., the existing and the proposed, resolving to transfer the management in one case and take over the management in the other case;
 - (ii) List of assets, liabilities, and the staff of the institute concerned proposed to be transferred; the effective date, and other particulars; and
 - (iii) An agreement on stamp paper of requisite value to this effect signed by both Managements.

Note: Details regarding moveable and immovable properties shall be listed out and enclosed as Schedule to the agreement while the staff list with the service particulars of each member shall be enclosed in the proposal.

(22) The agreement shall come into effect only after approval by the Competent Authority. However, after the approval of the competent authority, for working out the liabilities and obligations arising out of the agreement between the managements inter se, the actual date of agreement may be taken into account.

(23) For change of management, immediately on receipt of the proposal complete in all respects, action shall be taken by the Competent Authority to consider and pass final orders not later than forty five working days from the date of the receipt of proposal either recommending or rejecting the proposal.

(24) Proposal for change in the location of an aided private Industrial Training Institute shall be submitted to the Competent Authority stating the reasons for shifting.

(25) On receipt of such proposal, the Competent Authority may itself inspect or direct the Head of the concerned division to inspect the proposed location and satisfy that all the required infrastructure as mandated by the DGT Orders and Norms from time to time are available.

(26) If after satisfying itself either on its own inspection or upon the report of the Head of the concerned division in this regard, the Competent Authority may accord permission to the institute for shifting to new location within the limit specified by the Competent Authority. Due care must be taken by all the concerned to see that such change or shifting of new location shall be as per DGT Norms and shifting is done within the stipulated time.

(27) After shifting is carried out, within three months from the date of shifting institute shall apply for re-affiliation. The application shall be complete in all respects.

(28) Subject to the condition contained in sub rule (26), the grant continues to be released in the new premises if, and only if, the training is continued after fulfilling all the conditions in the new premises without any break.

Provided that the grant gets stopped if the institute fails to submit the application for re-affiliation within the period mentioned in sub-rule (26) or does not fulfills the conditions for grant.

(29) The management may file an appeal to the Government against the order of the Competent Authority rejecting the proposal for change in the management or shifting of location within forty five working days from the date of receipt of order. The order of the Government on such appeal shall be final.

Explanation: Change in the management for the purpose of this rule means change in its entire constitution or transfer of management to other body. It does not include mere inclusion, exclusion or substitution of some of its members. Such inclusion, exclusion or substitution may be at the discretion of the

management. However, such change shall be informed to the Competent Authority as soon as it occurs.

(30) When the monthly salary is debited in advance, it shall be treated as advance grant, subject to adjustment of excess payment if any in the subsequent payment.

(31) The salary grant shall include basic pay, Dearness Allowance. and other allowances at the scales admissible to the corresponding staff of the Government Industrial Training Institutes subject to conditions laid down at rules 3 and 6 and the list of benefits not admissible as stated in schedule-IV.

(32) The *modus operandi* for drawl of grant as provided under the Karnataka Financial Code, 1958 shall *mutatis mutandis* shall apply for drawls of grants under these rules.

(33) The Management shall certify at the beginning of each academic year that the institute continues to function without reduction in the number of trades or units. Unless withheld or stopped by the competent authority as provided under these rules, or otherwise directed by Government, monthly salary grants for approved staff once sanctioned will shall continue to be released.

(34) The Audit Report on the final accounts of a year shall be sent to the Competent authority not later than 31st July of the following year. The grant due will shall be sanctioned provided the “financial position of the management is satisfactory” and the institute conforms to the conditions of recognition and aid.

(35) All the movable and immovable properties including land and building, machinery etc. of a Grant-in-Aid Institutions shall not be transferred to any other Management without prior permission of the Competent Authority.

5. Responsibility of Management of private aided industrial training institutes.- Every management shall be responsible,-

- (a) To strictly fulfill the conditions of affiliation as laid down by the Government;
- (b) To subject the institute to the inspection by the officers of the department;
- (c) To strictly abide by the instructions issued by the inspecting and auditing authorities;
- (d) To keep such accounts and promptly render to the department such returns and reports as may be directed by the Competent authority;
- (e) To appoint the principal, the technical and non-technical staff strictly according to rules and on the basis of the government orders or the orders of Competent authority issued from time to time;
- (f) To give effect to any policy decisions of the Government from time to time;
- (g) To report to the Competent authority without delay any changes in its constitution; and
- (h) To impart training as per guidelines issued by the NCVT under the aegis of DGT New Delhi.

6. Duties and Code of Conduct for the Management.- (1) It shall be the duty of the management,-

- (a) To uphold the dignity and integrity of the nation;
- (b) To ensure that none of the employees of the institute engage in private tuitions, anti-social activities or any political activities;
- (c) To endeavour to promote the education of the weaker sections and the specially abled persons.
- (d) To adhere to and act in accordance with provisions of these rules, and orders made or instructions given by the Competent authority from time to time.
- (e) To follow the curricula, syllabi and text books for any trade and instruction prescribed by the DGT. from time to time.
- (f) To make necessary arrangements like sparing the building, furniture, man power etc., for conduct of any type of examination conducted by the Commissionerate or Department or the Government.
- (g) To protect the interest of the staff and trainees of the institute.
- (h) To make available all the account books and other documents to the inspecting authority at the time of inspection or enquiry.
- (i) To abide by the provisions of this rules, in respect of recruitment and promotion, reservation roster and service conditions of its employees and follow the orders issued by the Government from time to time ; and
- (j) Not to close down the institutes run by them without prior and proper intimation to and approval of the State Government and strictly following the rules in this regard.

(2) The funds of the Institute may comprise various items shown in Schedule-I. The entries therein are illustrative and there may be other heads of income. But, the management shall not collect the fees not mentioned as prescribed in the Schedule-I.

Provided that the Government may by notification, specify any other fees in addition to the above or may vary or delete any of the items in Schedule-I.

7. Procedure for release of grant to Institutions.- (1)The provisions contained in the Karnataka Financial Code relating to the Expenditure and Disbursement of Grant-in-Aid shall *mutatis mutandis* apply for the expenditure and disbursement of Grant-in-Aid under these rules.

(2) The salary grant will be paid in such number of installments, as the Government may fix from time to time on the basis of budgeted income and expenditure of the financial year under consideration.

(3) The Scale of admissible salary grants is as per Government Orders issued from time to time.

(4) The Management of Private Industrial Training Institute shall pay the monthly salary and other remuneration dues to their staff through Electronic Clearing service Bank Account and maintain proper accounts and submit monthly returns to the Competent Authority.

(5) The Account of the Institution shall be audited by the Chartered Accountant and approved by the Competent Authority.

(6) The Competent Authority, if he finds it necessary, may get the accounts audited independently.

(7) The release of grants for the subsequent year shall be subject to the approval of the Audit report for the previous year by the Competent Authority.

8. Service Conditions of Employees:

(1) Subject to the other provisions in these rules,-

(a) The categories of posts, educational experience and related qualifications for recruitment of teaching and non teaching posts, posts of principal and of training officers in the private aided industrial training institutes shall be as specified in the Cadre and Recruitment Rules of the Department revised from time to time. The staffing pattern shall be as shown in Schedule-II :

Provided that all the employees shall have working knowledge of Kannada language. Further all the correspondence by the institutes with the Department or Government shall be in Kannada language only. The correspondence with Directorate General of Training, New Delhi may be in English language.

Provided further that the management may take steps to insist its employees, other than Group-D employees, to acquire computer literacy.

(b) The salary of employees admitted to aid in the institutes shall generally be the same as those applicable for the corresponding category of the posts held by the employees in Government Industrial Training Institutes.

(2) (a) Subject to the provisions hereinafter contained, the employees whose appointments to the posts held by them are approved by the Competent authority with grant in aid are entitled to leave, and other service benefits as per the Government orders issued from time to time.

Note: List of benefits which are not admissible to the employees is shown in Schedule-IV

(b) The pay of the employee shall be fixed at the minimum of the time scale of pay of the post held by him on the date of the grant approved by the Competent authority. The service, if any, during non-grant period shall not be taken into account for the purpose of leave, pension and for fixation of pay even on notional basis.

(c) Every member of the approved staff of the Institution receiving grant-in-aid shall subscribe to fifteen years Public Provident Fund Account on receipt of such grant.

(d) The staff who are admitted to Grant –in-Aid after 01.04.2006 shall not be eligible for pensions under the defined Government pension schemes. They may be considered for New Pension Scheme if the management pay the employee contribution.

(e) The eligibility criteria for sanctioning the time bound and annual increments for Aided staff is same as per the rules applicable to the Government employees in Govt ITIs,

(3) The grants released by the Government under these rules shall be to the employee on the recommendation of the management as an advance grant to the aided employees to bear the expenses relating to the monthly salary to the aided employee. It is paid out as per the agreement entered between the Management and the Competent Authority. The employees are not parties to this agreement. There is no employer and employee relationship between Government and Employees of the Grant in aid private Industrial Training Institutes.

(4) Any non-payment of salary to an aided employee by the Management on the ground that the salary is held up by the Competent Authority on account of non observation of the provisions of these rules or other recommendations by the Management, does not create any cause of action or locus on the employee to raise a claim of salary against the Competent Authority or the Government. The rights and obligations of payment of salary are purely between the Management and the employees. The Endeavour lies on the management to scrupulously follow all the rules and abide by the conditions of the agreement and ensure timely release of grants.

(5) Where the management commits any wrongful act or makes deviation from and fails to observe any rules, Guidelines, Code or other directives of the Government while making appointment or promotion of any person to an aided post, salary of such person shall be paid by the management from its own fund and not from the financial assistance from the State Government.

Provided that if the wrongful act as stated above comes to light at a later point of time; the entire amount paid as grant towards that post shall be repayable with interest at eight percent per annum by the management. Such appointment being illegal abinitio does not confer any kind of right to the person so appointed.

(6) If such deviation or violation as stated in sub-rule (5), comes to the notice of the Competent Authority, after satisfying itself about such contravention, the Competent Authority shall direct the management to discharge or revert as the case may be, the employee who does not possess qualification, age and required experience prescribed for such appointment or promotion but is so appointed or promoted. On failure of the management to carry out such order, it shall be lawful for the Competent Authority to withdraw the grant to that post immediately and initiate action for recovery of the entire salary grant paid to that unqualified employee, along with interest at eight percent per annum from the Management.

(7) Such a direction or action of the Competent Authority under sub-rule (6), shall be appealable to the Government. The person so discharged or reverted or the Management may file such appeal within thirty days from the date of such direction or action. The order of the Government on such appeal shall be final.

(8) The mode of appointment or Promotion, Qualification, Experience, Roster Rules and Age Limit are as per the Cadre and Recruitment rules of the department and any revisions made thereon shall also applicable from time to time .

(9) No post under grant in aid shall be kept vacant for more than six months. The management shall take immediate steps for filling up the vacancy as soon as they occur. In case the management fails to take steps to fill up the post, the Competent authority shall issue a notice to the management immediately.

(10) No post under grant in aid shall be filled up without obtaining prior permission of the Competent Authority. For filling up vacancies of aided posts by the Management shall make appointment by inviting applications through advertisement. The advertisement shall appear in at least two daily newspapers of wide circulation in the State level. A copy of the news paper containing advertisement shall be sent to the Competent Authority.

(11) (1) In making all appointments and promotions to Grant-in-Aid posts, the Management is bound to follow the reservation roster, backlog system and Hyderabad Karnataka reservation roster system as in force for recruitment and promotions same as followed in Government institutes, and vacancies shall be classified accordingly.

(2) All appointments and promotions for aided posts/Student Centric Grant posts are always subject to the approval of the Competent Authority.

(12) (a) The Management shall maintain seniority lists of the employees. The seniority list must be prepared and published every year cadre wise and circulated among the employees. If the Management has got more than one institute, the seniority list shall be prepared and maintained for each institute separately.

(b) If any employee files objections to the seniority list, the same shall be considered and suitable order shall be passed by the management.

(c) The management shall thereafter publish seniority final list and circulate it among the employees.

(13) The management may fill up the post of principal by promotion as per the Cadre and Recruitment Rules of Government Industrial Training Institutes. The Management may take recourse to direct recruitment for those posts (including principal) which are to be filled up by promotion, only if none of the existing employee is considered adequately qualified and experienced.

(14) Promotions shall be based on seniority and eligibility. In all cases of promotions, the inter seniority of employees and reservation policy shall be observed. All promotions must precede a screening by a committee to be formed by the Management and to be headed by the president or the head of the Management.

(15) If an employee who is already in service in an aided post applies and gets selected to another aided post in the same Grant-in aid institution or any other Grant-in aid institution such employees shall not entitled to the benefit of counting his past service for any purpose.

(16) For the purpose of appointment of all the sanctioned Grant-In-Aid posts in the Institute by direct recruitment, the Management shall constitute a "selection committee" consisting of:-

(i) The President of the Governing Council or the Head of the Managing Committee or his nominee;

(ii) The Head of the Institute.

(iii) A representative of the Competent authority not below the rank of Joint Director of Training.

(iv) Senior subject expert nominated by the Competent Authority.

(17) An employee appointed to any approved posts in a private aided Industrial Training Institute shall be on probation for a period of two years excluding any extra ordinary leave during that period. After that period, if all the conditions of the appointment are fulfilled and if found fit, the appointing authority shall pass an order confirming him in that post. This procedure shall be applicable even for the post filled up under student centric grants.

Note: Mere passage of prescribed or extended period and fulfilling of conditions shall not mean that the employee is confirmed. The Appointing Authority shall pass order in this regard.

Provided that the Appointing Authority may extend the period of probation by a further period of one year, if found necessary.

Provided further that the appointing authority may, during the period of probation, for the reasons to be recorded in writing, discharge the employee if he is found unfit to hold the post to which he is appointed with the concurrence of the Competent Authority.

For declaring the probationary period and obtaining benefits of Time bound increment and promotions it is mandatory to complete the examinations / training prescribed by the Competent Authority from time to time.

(18) The age of retirement of an employee shall be same as that of the employees working in the Government Industrial Training Institutes.

(19) Any employee working in the aided post of an institute may resign from service after giving one month's notice in writing to the Appointing Authority or surrendering one month's salary in lieu thereof. A copy of such notice shall be sent to the Competent Authority. If the competent authority is satisfied that tendering of resignation is voluntary, it forwards the notice to the Appointing Authority for acceptance. The Competent authority shall call for and secure the personal presence of the employee tendering resignation to satisfy itself about the veracity of resignation. The Appointing Authority shall not accept the resignation until the notice issued from the Competent Authority.

(20) (i) The Grant in aid ITI employees are entitled to all kinds of leave (i.e including maternity and paternity leave) as applicable to the employees of Government ITIs and shall be governed by the relevant provisions of the rules relating to leave contained in Karnataka Civil Services Rules amended from time to time .

(ii) The Head of the institute may sanction all kinds of leaves to other employees of their institute.

(iii) The Management may sanction all kinds of leaves to the head of their institute.

(vi) The Maximum limit of leaves that can be sanctioned shall be as applicable to the employees of the Government Industrial Training Institutes.

(21) An employee may after completing qualifying service of not less than fifteen years may retire from service voluntarily after giving not less than three months notice to the appointing authority. The appointing authority shall forward and obtain the permission from competent authority. All conditions enshrined in Rule 285 of Karnataka Civil service Rules shall mutatis mutandis apply to such retirements. However based on situations the decision of the competent authority is final in the matter.

(21) Transfer of an Aided employee is allowed based on following different circumstances.

(a) Transfer between one Aided institution to another Aided institution.

(b) Transfer within the institutions of the same Management.

(c) Transfer based on workload.

Such transfers shall be regulated as per the instructions issued from the competent authority from time to time.

9. Rules Of Discipline.- (1)Every Private Aided Industrial Training institute or management shall have a code of service conditions and service rules. The management shall have discipline, appeal and conduct rules in line and spirit as prescribed in the Karnataka Civil Services (Classification, Control and Appeal) Rules 1957 and Karnataka Civil Services (Conduct) Rules 1966. Any grievances

of the staff of the Private Aided Industrial Training institutes shall be addressed by the Management of the institute.

(2) The Government or Officer or authority or any staff of the government shall not be made a respondent party to any suit or legal proceedings pertaining to any disputes/litigations between the management and staff of the grant in-aid institutes.

(3) For any action in violation of rules pertaining to suspension, dismissal etc., on the part of the management, the subsistence allowance, arrears of salary if any or any other amounts to the aggrieved shall be paid solely by the Management from its own funds and the government is not liable to pay any amounts for the omissions/commissions on the part of the managements.

(4) For any Management and Employees disputes with regard to Conditions of service or any other matter and any appeal against an order of the Competent authority shall lie to the Karnataka High Court within two months from the date of communication of the order.

10. Competency to draw and disburse.- (1) The Joint Directors of the divisions or other officers of the Department specially authorized by the Competent Authority in this behalf, are competent to draw and disburse the salary grant subject to all cannons of financial propriety. They shall prepare the bills of the private aided institutes in HRMS module.

(2) The Principals or other persons authorized to sign the monthly pay bills of the institutes shall compute the income tax liability of the employees and deduct the applicable income tax at source and shall file returns and furnish certificate Form No. 16 to the employees as provided under Income Tax Act, 1961 (Central Act 43 of 1961) as amended from time to time.

Provided that it shall be obligatory on the part of the Principal to submit a report of compliance with this rule to the Joint Director of the Divisional Office or any of the authorized person to draw and disbursed the grant-in-aid staff salaries in the month of August and February, failing which, it shall be lawful for the concerned, after recording the reasons, to withhold the salary of the Principal or other persons authorized to sign the monthly pay bills.

NOTE: other person authorized to sign the monthly pay bills means when the post of the principal is vacant, the training officer and if the post of the training officer (aided) is also vacant or if there is no post of training officer sanctioned to that institute, then senior most junior training officer (aided) to be authorized by the management to sign the bills.

(3) If any of the conditions of grant is violated by the management or for any other reason the Joint Director(Training) of the Divisional Office or any of the authorized person to draw and disburse the grant-in-aid staff salaries feels it necessary not to draw salary of one or more employees; he may record the reasons for so doing and withhold the salary of such of the employees as deemed necessary and forthwith submit a detailed report to the Competent authority and get his ratification. The Competent authority shall examine the case carefully and after recording his objective satisfaction, may ratify the act or else turn down the proposal and direct the Joint Director(Training) of the Divisional Office or any of the authorized person concerned to draw and disburse the salary.

Provided that the management may file an appeal to the Government against the order of ratification within thirty days from the date of service of ratification order.

(4). These rules are supplementary to the general rules of Expenditure of the Government and rules governing disbursement of Grant-in-Aid laid down in the Karnataka Financial Code, and where these rules are found to be inconsistent with provisions of the Karnataka Financial Code, 1958; the rules of the Karnataka Financial Code shall prevail.

(5). If any difficulty arises in interpretation or implementation of any of these rules, the matter shall be referred to the Government and the interpretation of any such rule and the decision of Government in this regard shall be final.

11. Withdrawal Of the Grants:- (1) In order to be eligible to receive the grant-in-aid, the Institute shall have minimum admission of 50% of the sanctioned strength in the concerned trade or unit. In case number of trainees falls below the prescribed limit, the institute will be issued with a notice calling for explanation for short fall of admissions and permission can be given and it is valid only until completion of the course for the said batch of the concerned trades or units. In case the admissions are above the prescribed limit grant-in-aid will be continued. However if the admissions are less than 50% of the permitted intake in subsequent year then the grants shall be withdrawn.

(2) Salary to an aided post in Institutes shall be withheld by the competent authority if the attendance of the trainees per unit falls below 50% of the permitted intake for consecutive three academic years. It shall be lawful for the Competent authority to withdraw the grant accorded to that post.

(3) In case of gross mis-management, deterioration of standards of efficiency, infrastructures prescribed by DGT and discipline or breach of instructions or order issued by the Competent authority or infringement of provisions of conditions, rules and procedures laid down in these rules, which in the opinion of the Competent Authority is of a serious nature, the grant may be withdrawn by the Competent Authority after giving such an institution an opportunity of being heard.

(4) The Competent Authority after conducting such enquiry as he deems fit and after giving an opportunity of being heard in the matter, is satisfied that any institution or Management is charging fees at rates higher than those prescribed by the Government, the Grant-in-Aid shall be withdrawn.

(5) The result of the institution shall be more than the district or state average whichever is higher. In any case the result shall not be less than fifty percent. In case the result fall below the prescribed limit the institute shall be issued with a notice. They will be given one year time to improve the performance of students. In case the result is improved and comes within the required limit the Grant-in-Aid will be continued. However the benefit of one year will not be given in the subsequent occasions.

(6) The Competent Authority shall withdraw Salary Grants of the employees in the Grant-in-Aid Institutions on any of the following grounds,-

- (i) Closing of Grant-in-Aid -Institutions due to lack of required infrastructure as per DGT Norms.
- (ii) Zero Admissions in the Grant-in-Aid Trades/Units in two consecutive years.
- (iii) If the Grant-in-Aid Trades/Units de-affiliated by the DGT, New Delhi.
- (iv) Abolition of Trades/Units by the policies of the Government
- (v) The employee does not possess the required Qualification / Experience.

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- (vi) If the Grant-in-Aid employees are found to be surplus as per Schedule-II.
 - (vii) If the Grant-in-Aid employees or Management involves in any criminal activities.
 - (viii) Any other reasons as prescribed by the DGT. From time to time.

(7) In case of withdrawal of grants the Appellate Authority shall be, The Secretary/ Principal Secretary/ Additional Chief Secretary to Government, Department of Skill Development, Entrepreneurship and Livelihood.

12. With effect from the date of commencement of these rules the grant-in-aid posts eligible for filling up due to retirement / death / other reasons shall be brought under student centric grant. The details of emoluments under this grants will be issued by the Competent authority from time to time in the form of circulars.

13. Repeal and savings:- (1) The Grant in aid code for Private Industrial Training Institutes 1997 are hereby repealed.

Provided that, such repeal shall not affect,-

- (a) The previous operation of the said rules or anything duly done or any action taken under the said rules; or
- (b) Any right, privilege, obligation or liability already acquired, accrued or incurred under the said rules.

By order and in the name
of Governor of Karnataka

(RANGANATHA)
Under Secretary to Government
Skill Development, Entrepreneurship and
Livelihood Department

SCHEDULE-I

[See rule-6(2)]

APPROVED ITEMS OF INCOME AND REVENUE
(Permitted scale for both aided and unaided trades)

I - ACADEMIC INCOME:

Sl. No.	Particulars of income/revenue	Permitted Amount
1.	Practical Training Material fee.	As prescribed by the Department from time to time
	(a) For Engineering Trades	
	(b) For non-engineering Trades	
2.	Instructional Materials Fee	
3.	Library and Reading Room Fee.	
4.	Extra-curricular Activities Fee.	
5.	Admission Application Fee.	
6.	Registration Fee.	
7.	Trade test(Examination)Fee.	
8.	Any Other	

Note: Among the items of fees mentioned above; some are reimbursable by the Government to the candidates belonging to SC/ST category through the Social Welfare department of the State. This fact may be informed to such trainees. The institutes shall keep all the orders and circulars issued by the Government in this regard.

II - MISCELLANEOUS RECEIPTS: All other items of revenue like sale proceeds of old books, periodicals, furniture; fine amounts (other than late fee and the like payable to Government) breakage charges, income from investments of its own funds etc., shall form part of revenue of the institution. Such revenue may be made use of for meeting routine expenditure of the institution.

III- OTHER INCOMES: Subscriptions, Donations, Endowment, Contributions, Gifts and such other receipts, if any, shall be accounted for, as per bye-law of the management. The competent authority shall be informed about such receipts. Normally, the income shall be made use for the purpose for which they are received and only after that the remaining fund may be used for meeting routine expenditure of the institution. Whenever contributions are received with the permission of the competent authority, from the donors; the Management shall make use of the funds according to the wish of the donor and shall inform the competent authority on the same.

IV- GRANT-IN-AID

The grants are given by the Government only for meeting expenses on account of payment of salary to the staff members who are covered by the Grant-in-aid scheme. It is paid directly to the bank accounts of staff members.

Note: All the above or such other revenue/income than mentioned above, shall be faithfully accounted for by the management.

SCHEDULE-II

(See rule 8)

STAFF PATTERN FOR PRIVATE I.T.I's ELIGIBLE FOR GRANT IN AID

No. of units Affiliated to NCVT	Principal-II	Training Officer	Junior Training Officer		Office Superintenden	First Division Assistant	Second Division Assistant	Total Posts
			TT and TP	W/S.Cal& Sc. Engg. Drawing				
1	2	3	4	5	6	7	8	9
1	0	0	1	0	0	0	0	1
2	0	0	2	0	0	0	0	2
3	0	0	3	0	0	0	0	3
4	1	0	4	1	0	1	0	7
5	1	0	5	1	0	1	0	8
6	1	0	6	1	1	1	1	11
7	1	0	7	1	1	1	1	12
8	1	1	8	1	1	1	1	14
9	1	1	9	2	1	2	1	17
10	1	1	10	2	1	2	1	18
11	1	1	11	2	1	2	1	19
12	1	1	12	2	1	2	1	20
13	1	1	13	2	1	2	1	21
14	1	1	14	2	1	2	1	22
15	1	1	15	2	1	2	1	23
16	1	2	16	2	1	2	2	26
17	1	2	17	2	1	2	2	27
18	1	2	18	2	1	2	2	28
19	1	2	19	2	1	2	2	29
20	1	2	20	4	1	3	2	33
21	1	2	21	4	1	3	2	34
22	1	2	22	4	1	3	2	35
23	1	2	23	4	1	3	2	36
24	1	3	24	4	1	3	2	38
25	1	3	25	4	1	3	3	40

NOTE:

1. For units exceeding 25, no proportional adjustments shall be made. The proposal should be sent to the Commissionerate and the Commissioner will pass suitable order.
2. Up to three units, the management shall make proper arrangements for teaching of Workshop Calculation and Science and Engineering Drawing subjects.

SCHEDULE-III**(See rule 8)****QUALIFICATION AND EXPERIENCE PRESCRIBED FOR STAFF FOR
RECRUITMENT AND PROMOTIONS**

Sl. No.	Name of the post	Pay Scale	Sanctioned Posts	Qualification and Experience	Remarks
1	Principal	Same as applicable to the post of Principal Gr-II of Govt.ITIs.	As mentioned in Schedule-II	As per the Cadre and Recruitment Rules of the Commissionerate of Industrial Training and Employment framed as per the standards and norms laid down by the DGT, New Delhi.	
2	Training Officer	Same as prescribed for similar staff and working respectively in Govt.ITI's.			
3.	Junior Training Officer.				
4.	Office Superintendent				
5.	First Division Assistant				
6.	Second Division Assistant.				

1. Orders of the Government with regard to reservation policy regarding appointment and promotion are strictly applicable to all appointment and promotions made by the Managements in respect of the posts covered under grant in aid.

2. Without prejudice to other reservations; there shall be 33% horizontal reservation to women candidates.

3. For appointment of Junior Training Officers; the management may give preference to the candidates possessing pre- appointment ATI/CTIS or such equivalent course trained as determined by the Department.

4. Working knowledge of Kannada is compulsory for employees of all the cadres.

5. The above guidelines are directory; any deviation on compelling circumstances shall be only with previous sanction of the competent authority.

SCHEDULE-IV

(See rule 8 (2))

List of benefits not admissible in respect of employees of aided institutions.

- (1) For service rendered during unaided period for purpose of fixation of pay, leave, pension or any other service benefits.
- (2) Medical reimbursement facilities.
- (3) House building advance, House purchase advance and any type of advance.
- (4) Transfer grant, Transfer Travelling Allowance and Daily Allowance.
- (5) Leave Travel Concession, Home Travel Concession and such other concessions admissible to government servants.
- (6) Invalid pension before the qualifying service of fifteen years.
- (7) Compassionate Pension on account of abolition of post held by the employee.
- (8) Additions to qualifying service.
- (9) Such other benefits as may be specified by the Government as not admissible from time to time by notification.
- (10) Transfer/deputation from Grant –in –Aid Institutional Training Institute to any Government Institutional Training Institute or Government Offices.
- (11) Appointment on Compassionate Ground to Grant-in-Aid and to any Government Institutional Training Institute or Government Offices.

By order and in the name
of Governor of Karnataka

(RANGANATHA)
Under Secretary to Government
Skill Development, Entrepreneurship and
Livelihood Department