

PROCEEDINGS OF THE GOVERNMENT OF KARNATAKA

Subject : Cases in which assent of Finance Department may be presumed to have been given - Orders regarding.

Read : 1) G. O. No. FD 2 TFP 88, dated 11 th May, 1988.  
2) G. O. No. FD 6 TFP 91, dated 10 th December, 1991.

PREAMBLE :

In the Government Orders referred to above certain powers have been delegated to the Secretaries of the Administrative Departments of Government. Para 302 and Appendix-10 of the Revised Secretariat Manual of Office Procedure also contain the list of cases in which the assent of the Finance Department may be presumed to have been given. Rule 45 of the Karnataka Government (Transaction of Business) Rules, 1977 provides for Finance Department to prescribe, by general or special order, cases in which its assent may be presumed to have been given.

For expeditious transaction of Government business, it is considered necessary to review the subject of delegation of powers. Accordingly, a review of existing delegation of financial and administrative powers has been under taken in Finance Department.

ORDER NO. FD 1 TFP 96, BANGALORE DATED: 10.7.1996.

In supersession of Government Orders referred to at Sl. Nos. 1 and 2 above, Finance Department prescribes the cases, as given in the Annex to this order, in which its assent may be presumed to have been given, as contemplated under Rule 45 of the Karnataka Government (Transaction of Business) Rules, 1977.

2. However, any general or special powers, which may have been delegated by specific orders to the Heads of Departments and Officers at different levels working under their control, will continue to be exercised by them. Similarly, if any authorities have been notified specifically, under specific orders, as sanctioning authorities, they will continue to exercise the powers specified in such orders. In other words, the presumption of Finance Department's assent in the cases listed in the Annex to this order will apply when approval of the Government in the concerned Administrative Department is required.

3. Appendix-10 to the Revised Secretariat Manual of Office Procedure is substituted by the Annex to this Government Order. However, the exercise of all these powers will be subject to budget provisions and the limitations contained in Economy Orders issued from time to time.

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

B. ESWARAPPA  
Secretary to Government-II,  
Finance Department.

## ANNEX

To Government Order No. FD I TFP 96, dated 10th July, 1996.

Cases in which assent of Finance Department may be presumed to have been given.

1. Appointments and promotions to sanctioned posts in accordance with the Rules of standing orders.
2. Filling up of vacancies by making incharge or independent charge arrangement and ordering the payment of charge allowance in accordance with the rules and standing orders. This also applies to continuation of such arrangement and payment of charge allowance beyond six months. This also includes operation of Rules 66, 67 and 70 of K.C.S.Rs.  
(Para 4 of G. O. No. FD 21 SRS. 87, dated 3rd August 1987 about seeking Finance Department's concurrence for continuation of such arrangements beyond twelve months is deleted.)
3. Continuation of Temporary posts. (Temporary posts sanctioned under both plan and non plan as per para 2 (i) of G. O. No. FD 58 SRS 79, dated 27th September 1979 which are required to be continued further).
4. Cases of suspension and payment of subsistence allowance (and their continuation) as per rules and standing orders.
5. Creation and continuation of posts under Rule 441 of K.C.S.Rs. the cost of which is recoverable from the borrowing institutions.
6. Creation of posts in institutions not getting Government funds but requiring Government approval as per law.
7. Sanction and continuation of deputation of Government servants on posts in other Government Departments and on foreign services, provided the prescribed rules, standing orders and standard terms and conditions are applicable.
8. Sanction of compulsory waiting under Rule 8 (15) (f) of K.C.S.Rs.
9. Deputation for training within or outside the State but within India, as per rules, provided the duration of training does not exceed three months and subject to availability of budget provision.
10. Deputation for training or higher studies within or outside the State but within India, subject to the rules and availability of budget provision and provided that such deputation for training or higher studies is part of an approved scheme which was concurred with by Finance Department.
11. Deputation for higher studies/training outside India in cases cleared by the Departmental Screening Committee, provided the representative of Finance Department has agreed to such deputation.
12. Permission to depute Government servants to proceed beyond the limits of the State within India, on duty, provided the payment of travelling allowance, (including

daily allowance) is in accordance with the rules and standing orders on the subject. However, the powers are subject to restrictions contained in Circular No. 47 of 1987, dated 18th May 1987.

13. Advances for tour charges to Government servants for journeys within and outside the State but within India wherever sanction of Government for such journey is necessary in accordance with the rules on the subject.

14. Claims for reimbursement of cancellation charges for journey on tour by any mode whatsoever in respect of non-officials where such journey is cancelled due to unavoidable circumstances beyond the control of the concerned non-official.

15. Sanction of pension and D.C.R.G. to Gazetted Officers according to rules.

16. Sanction of retirement of Government servants on invalid pension under Rule 273 of K.C.S.Rs. where such cases require the approval of Government.

17. Sanction of all kinds of leave in accordance with rules. It also includes leave on medical grounds to Government servants who are under orders of transfer, in accordance with the Rule 83 of K.C.S.Rs.

18. Sanction of Cyclostyling allowance and photocopying allowance in accordance with the rules and standing orders.

19. Sanction of compensatory and social security benefits in individual cases (wherever such sanction is necessary at Government level), provided it is covered by budget provision and is in accordance with the terms and conditions concurred with by Finance Department as part of approved schemes/rules.

20. Sanction of G.P.F. withdrawal and advances and other advances and reimbursements to eligible Government servants in accordance with the rules.

21. Condonation of delay covered under Articles 20, 21 and 146-A of Karnataka Financial Code, 1958, including relaxation of 22-A of K.F.C., 1958. This is subject to the following conditions:-

(a) the cases in which the Heads of Departments are already empowered are not referred to Government and only those not covered by delegated powers of Heads of Departments are referred to Government.

(b) the remarks of Accountant General regarding non-susceptibility of verification of such claims are invariably obtained in case of Gazetted officers who are their own drawing officers and whose pay and allowances are authorised by the Accountant General and same submitted to Government for reference.

(c) such claims are verified by Financial Advisers/Accounts Officers attached to the concerned Heads of Departments and the certificates of such verifications are invariably recorded by them in arrears bills, in addition to those as contemplated in Articles 132 and 133 of Karnataka Financial Code.

22. Withholding or withdrawing of pension or ordering recovery of any pecuniary loss from pension under Rule 214 of K.C.S.Rs.
23. Compulsory retirement of a Government servant under Rule 285 of K.C.S.Rs.
24. Grant of permission to a retired Government servant for acceptance of employment outside the State under Rule 305 of K.C.S.Rs.
25. Sanction of extraordinary pension under the Extraordinary Pension Rules.
26. Sanction of leave salary to Gazetted Officers under Rule 198 of K.C.S.Rs.
27. Sanction of rents (including revision) for hiring private buildings, including lands for Departmental use (other than for residential use) subject to availability of budget provision and fixation (or revision) of rents on the recommendation of either the Rent Controller or P. W. D. Officers (not below the rank of Executive Engineer).
28. Extension to existing telephones subject to availability of budget provision.
29. (i) Sanctioning premature retreading or replacement of tyres and tubes on motor vehicles subject to the following conditions :-
- (a) the Inspector of Motor Vehicles should certify that the tyres and tubes require retreading or replacement;
  - and
  - (b) the reasons for premature wear and tear of tyres and tubes is satisfactorily explained by the Heads of Departments.
  - (ii) Sanctioning expenditure, in relaxation of kilometrage and monetary limits prescribed under sub-rule 40(A) (3)(b), (c) & (d) of rule 55 of Manual of Contingent Expenditure, 1958 relating to repairs to Government vehicles, provided that the reasons for sufficient justification to sanction such expenditure are brought on record.
30. Sanction for getting forms, required for official use, printed in any press other than the Government Press, subject to the following conditions :-
- (a) the forms required are purely for local use and can be printed locally more conveniently and economically than at the Government Press, or
  - (b) the forms are required urgently and cannot be got printed at the Government Press due to its pre-occupation with more important items of work; and
  - (c) the rates of printing quoted by local private press are certified to be reasonable by the Director of Printing, Stationery and Publications.
31. Sanction to supply of additional quota of articles of stationery according to the prescribed procedure.
32. To write off irrecoverable loans or revenue as per rules upto and inclusive of Rs. 75,000 in each case subject to Rs. 7.5 lakh per annum.

33. To Write off the values of stores, property or Government money lost other than by fraud or negligence of Government servants, as per rules, upto and inclusive of Rs. 75,000 in each case subject to Rs. 7.5 lakh per annum.
34. Sanction to declare stores as obsolete, surplus or unserviceable and to dispose off them to the best advantage of Government, subject to the provisions of Articles 168 of K.F.C., whenever such sanctions require Government approval.
35. Sanction of expenditure on supply of uniform and kit articles to uniformed cadres and supply of clothing as per the scales laid down and in accordance with the rules and standing orders, within the available budget provision.
36. Sanction of daily allowance for halts on tour, wherever such sanction requires Government approval.
37. Approval of budgets of local bodies, etc., which require Government approval as per law. This is subject to the following conditions:-
- While communicating approval, it is made clear that the approval of the budget does not mean expenditure sanction where further approvals are necessary; and
  - Wherever Government grants, loans, etc., are taken as receipts by such local bodies in their budgets, the same should be in conformity with the amounts provided for in the State Budget for such purposes.
38. Sanction to continuance of on-going plan schemes, subject to the following conditions:-
- the limited objectives specified at the time of first sanction of the scheme cannot, by the very nature of the scheme, be achieved within the financial year in which the scheme was first sanctioned, and this aspect was recognised at the time of first sanction itself;
  - at the time of first sanction itself, the phasing of expenditure over the future years was quantified;
  - new posts, purchase of vehicles and installation of telephones are not sanctioned without further concurrence of Finance Department;
  - Sanction of loans/capital expenditure/grant-in-aid/subsidy/rebate/ expenditure on celebrations of any nature, is restricted to only those cases which, were covered at the time of the first sanction and it was brought out at that time that it would be repetitive in these cases;
  - Continuance of the temporary posts already sanctioned is governed by G.O. No. FD.58.SRS 79, dated 27th September, 1979;
  - Administrative approval for the works involved and sanction of loans/capital expenditure/grant-in-aid/subsidy/rebate etc., to new institutions or in new cases within the same scheme is within the limits of the delegated powers, relevant to these items; and
  - there is no change in the funding source/pattern/nature of the scheme (e.g., from one sector to another Centrally sponsored or Central sector).

State sector or Zilla Panchayat sector) and mode and agency of implementation etc.

39. Sanction of expenditure upto Rs. 20.00 lakhs in each case subject to availability of Budget provision. Such expenditure sanction may also be given in cases local bodies/institutions wherever Government approval is necessary as per law. (This power does not cover 'New Schemes' items of 'New Service' and purchase of vehicles).

40. Sanction of expenditure on participation in exhibitions by the Departments under the Administrative control of the Secretariat Department concerned, subject to the expenditure not exceeding Rs. 5.00 lakhs in respect of each Department for each exhibition and further, provided it is accommodated within the sanctioned Budget provision and the expenditure on TA and DA etc. is in accordance with the normal rules.

41. Repayment of loan instalments and payment of interest on loans borrowed by Government from LIC, GIC, RBI, NCDC and other such financing institutions on the basis of demands raised by them.

42. Proposals for suspension/remission of land revenue under the Karnataka Land Revenue Act, 1964 and the relevant rules on the subject. However, the statements of suspensions and remissions, made may be sent to Finance Department half yearly in September and March.

43. Notifying acquisition of lands required for approved schemes/projects.

44. Acceptance of tenders in accordance with the rules on the subject. Further, tenders, upto Rs. 2.00 lakhs in each case may be accepted for purchase of stores permissible for being ordered directly by the Departments where the lowest tender could not be accepted for the reasons to be recorded.

45. Sanction for entrusting works to Karnataka Land Army Corporation or Karnataka State Construction Corporation on entrustment basis as per the terms and conditions approved by Government without inviting competitive quotations or tenders, provided the cost of the work so entrusted does not exceed Rs. 50 lakhs.

46. Administrative approval of the estimates for works upto Rs. 1.00 crore in each case, provided there is a specific provision of not less than 30 percent of the estimated cost in the Budget. The administrative department will also have to ensure a provision of 40 percent and 30 percent respectively of the estimated cost in the Budget in the second and third year when it becomes an on-going work. If a work is scheduled to be completed in less than three years, the provision available for it should be proportionately more. Provision for the entire balance required will have to be ensured in fourth or successive years if the on-going work goes on beyond the third year.

47. Administrative approval of the estimates for works upto Rs. 50.00 lakhs each out of lumpsum provision in the Budget, provided 30 percent of the estimated costs of all such works put together does not exceed the lumpsum provision. If the lumpsum provision includes the amounts required for the on-going works, such amounts required for the on-going works, should be first deducted. The amount required in

a year for an on-going work will be computed as 40 percent of the estimated cost of such work in the second year and 30 percent of the estimated cost in the third year and entire balance required if it goes on beyond the third year. The administrative department will also ensure similar of more provisions in the subsequent years when these new works, approved in the current year become on-going works. If a work is scheduled to be completed in less than three years, the provision available for it should be proportionately more.

48. Distribution of lumpsum provision for works, exhibitions, conferences etc., provided the amount allotted for each item does not constitute 'New Service' and provided that the conditions stipulated in items 46 and 47 above are satisfied in case of works.

49. Excess over estimates or revised estimates upto 15 percent provided the excess over the original estimate does not exceed Rs. 15.00 lakhs in all.

50. Entering into annual contract for maintenance, servicing and repairs of expensive equipments, if the administrative Department is satisfied that it would be more economical than attending to them on adhoc basis.

51. Sanction of Grant-in-Aid upto Rs. 20.00 lakhs in each case, provided it is strictly in accordance with the approved Grant-in-Aid Code/Rules and further provided that there is specific Budget provision for the payment of Grant-in-Aid to the institute concerned or a lumpsum provision is distributed among the institutions with the concurrence of Finance Department.

52. Sanction of reappropriation not exceeding Rs. 20 lakhs in each case within a grant, subject to the provisions of Articles 308, 309, 312 and 313 of Karnataka Financial Code, 1958 and further subject to the conditions that it does not involve-

- (a) reappropriation between Plan and Non-plan;
- (b) an undertaking of a recurring liability which means a payment extending beyond the year in which it is sanctioned;
- (c) an increase in the allotment for secret service expenditure;
- (d) reappropriation from one grant to another grant;
- (e) reappropriation from voted to charged and vice-versa;
- (f) reappropriation from Revenue to Capital and vice-versa. Capital includes loans section also;
- (g) reappropriation from salary savings to other types of expenditure.

However, a copy of the order sanctioning reappropriation should, invariably, be sent to the Finance Department.

53. Proposals of a primarily administrative nature (e.g., shift of headquarters or an office etc.) provided no capital or non-recurring expenditure is involved and where no fresh recurring expenditure (other than TA and DA of the staff which is shifted) is involved.

54. Issue of Government orders pursuant to Cabinet decisions, provided the following conditions are satisfied, if the matter required consultation with Finance Department:-

- (a) Draft Cabinet Memorandum along with draft Government Order was sent to Finance Department and its views were reproduced in toto in it while placing the subject before the Cabinet;
- (b) no change was made in the draft Cabinet Memorandum after Finance Department's views were obtained and incorporated except to the extent of adding remarks on Finance Department's views;
- (c) no new points for decisions have arisen beyond those included in the draft Cabinet Memorandum sent to Finance Department;
- (d) there should be adequate budget provision for meeting the expenditure approved by the Cabinet;
- (e) it should not be an item of new service requiring advance from the Contingency fund, in which case it would require concurrence of Finance department; and
- (f) in the case of Plan Schemes, Plan Allocation is available.

Provided further that a copy each of draft Cabinet Memorandum, decision of the Cabinet and the Government Order issued in pursuance thereof are sent to Finance Department for its reference.

B. ESWARAPPA  
Secretary to Government-II  
Finance Department.