



## KARNATAKA ACT NO. 65 OF 2013

### THE KARNATAKA SCHEDULED CASTES SUB-ALLOCATION AND TRIBAL SUB-ALLOCATION (PLANNING, ALLOCATION AND UTILIZATION OF FINANCIAL RESOURCES) ACT, 2013

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## STATEMENT OF OBJECTS AND REASONS

**Act 65 of 2013.-** In pursuance to Article 46 of the Constitution of India and for effective implementation of the guidelines issued by the Planning Commission in formulation of Annual plan, it is considered necessary to provide for earmarking a portion of state plan outlay for the Scheduled Castes Sub-plan and Tribal Sub-plan,-

- (i) for allocation of state plan outlay for the Scheduled Castes Sub-plan and Tribal Sub-plan in proportion to the population of Scheduled Castes and Scheduled Tribes;
- (ii) to make such allocated funds non-divertible;
- (iii) to spend for the schemes directly benefiting the Scheduled Castes and Scheduled Tribes population; and
- (iv) for matters connected there with or incidental thereto.

Hence the Bill.

[L.A. Bill No. 25 of 2013, File No. Samvyashae 52 Shasana 2013]

[Entry 20 and 23 of List III of the Seventh Schedule to the Constitution of India.]

**Amending Act 38 of 2017.-** It is considered necessary to amend the “The Karnataka Scheduled Castes Sub-Plan and Tribal Sub-Plan (Planning, Allocation and Utilization of Financial Resources) Act, 2013” (Karnataka Act 65 of 2013) to,-

- (i) substitute the words "allocable budget" for the word "plan" and to substitute the word "sub-allocable budget" for the word "sub-plan" in view of the merging of plan and non-plan distinction in the budgeting process of the Government, words plan or outlay or annual plan.
- (ii) define the words "allocable budget" and "exempted expenditure" which are included in the amendment.
- (iii) change the percentage of SC/ST population from 40% to such percentages as may be prescribed by the Government for purpose of defining SC/ST habitation.
- (iv) the designate the Hon'ble Minister for social welfare as Vice-Chairman and also to include the Chief Secretary as member of the SC/ST State Development Council. Further designation of Secretary, Social Welfare as Member Secretary of Council.
- (v) constitute Taluk level monitoring committee by rules for implementation of Scheduled Castes Sub-Plan and Tribal Sub-Plan.
- (vi) to amend section 13 to allocate the unspent amount in any financial year to next to the immediately succeeding financial year in the ratio of 2:1 between the concerned administrative departments and Social Welfare Department for effective use of funds under SCSP/TSP.





(vii) substitute the word "development" for the words "annual and five year plans and",  
in the proviso to section 15.

Hence the Bill

[L.A. Bill No.29 of 2017, File No. Samvyashae 27 Shasana 2017]

[entry 20 of List III of seventh schedule of the Constitution of India.]

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## KARNATAKA ACT NO. 65 OF 2013

(First published in the Karnataka Gazette Extra-ordinary on the Twenty-seventh day of December, 2013)

### THE KARNATAKA SCHEDULED CASTES <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup> AND TRIBAL <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup> (PLANNING, ALLOCATION AND UTILIZATION OF FINANCIAL RESOURCES) ACT, 2013

(Received the assent of the Governor on the twenty-sixth day of December, 2013)

(As amended by Act 38 of 2017)

An Act to provide for earmarking a portion of state <sup>1</sup>[allocable budget]<sup>1</sup> for the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> in proportion to the population of Scheduled Castes and Scheduled Tribes and to put in place an institutional mechanism for preparation, implementation and monitoring of <sup>1</sup>[sub-allocation]<sup>1</sup> and for matters connected therewith or incidental thereto;

Whereas it is expedient to provide for earmarking a portion of state <sup>1</sup>[allocable budget]<sup>1</sup> for the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> in proportion to the population of Scheduled Castes and Scheduled Tribes and to put in place an institutional mechanism for preparation, implementation and monitoring of <sup>1</sup>[sub-allocation]<sup>1</sup> and for matters connected therewith or incidental thereto;

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

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

#### CHAPTER - I

#### PRELIMINARY

**1. Short title and commencement.-** (1) This Act may be called the Karnataka Scheduled Castes <sup>2</sup>[sub-allocation]<sup>2</sup> and Tribal <sup>2</sup>[sub-allocation]<sup>2</sup> (Planning, Allocation and Utilization of Financial Resources) Act, 2013.

(2) It shall come into force on such date as the State Government may, by <sup>1</sup>[notification]<sup>1</sup> in the Karnataka Gazette, appoint, and different dates may be appointed for different provisions of this Act.

1. This Act has came into force w.e.f. 20.03.2014. by Notification No. ಸಕಇ 75 ಎಸ್‌ಎಲ್‌ಪಿ 2014, Dated:20.03.2014.(See the text of the notification at the end of the Act)

2. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

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

<sup>1</sup>[(a) "allocable Budget" means the total expenditure in the Consolidated Fund of the State

excluding exempted expenditure]<sup>1</sup>



<sup>2</sup>[(aa)]<sup>2</sup> "Department" means a Government Department entrusted with the implementation of the <sup>3</sup>[allocable budget]<sup>3</sup> schemes for the welfare of the Scheduled Castes and the Scheduled Tribes;

<sup>1</sup>[(ab) "exempted expenditure" means the expenditure exempted from the applicability of this Act and includes expenditure on salary, salary Grant in aid, pension, administrative expenditure, principal repayment and interest payment on account of the State Government's own borrowings and off-budget borrowings by the State Government Undertakings and any other expenditure of administrative nature notified by the Government;]<sup>1</sup>

(b) "Gaps in development" means differences in development indicators of the Scheduled Castes or the Scheduled Tribes when compared to the state averages, as may be prescribed particularly relating to human and economic development;

(c) "General Schemes" means schemes included in the <sup>2</sup>[allocable budget]<sup>2</sup> of the Departments which benefit all social groups including the Scheduled Castes and the Scheduled Tribes;

(d) "Government" means, the Government of Karnataka;

(e) "Nodal Agency for SCSA/TSA" means the Nodal Agency constituted under section 5;

(f) "Prescribed" means prescribed by rules made under the Act;

(g) "State Council" means the State Council for Development of the Scheduled Castes and the Scheduled Tribes constituted under section 3;

(h) "Scheduled Castes and Scheduled Tribes" shall have the meaning assigned respectively under clauses(24) and (25) of Article 366 of the Constitution of India;

(i) "Scheduled Castes <sup>3</sup>[sub-allocation]<sup>3</sup> (SCSA)" means the <sup>3</sup>[allocable budget]<sup>3</sup> approved by the State Council for inclusion in the <sup>3</sup>[allocable budget]<sup>3</sup> of the Department to bridge the gap in development of the Scheduled Castes including the Scheduled Castes component of general schemes;

(j) "Scheduled Castes <sup>3</sup>[sub-allocation]<sup>3</sup> or Tribal <sup>3</sup>[sub-allocation]<sup>3</sup> Fund" means a portion of the total <sup>3</sup>[allocable budget]<sup>3</sup> of the State, in a financial year, as earmarked under the section 13;

(k) "Scheduled Castes <sup>3</sup>[sub-allocation]<sup>3</sup>/Tribal <sup>3</sup>[sub-allocation]<sup>3</sup> Schemes" means the Scheduled Castes <sup>3</sup>[sub-allocation]<sup>3</sup>/Tribal <sup>3</sup>[sub-allocation]<sup>3</sup>





schemes included in the Scheduled Castes <sup>3</sup>[sub-allocation]<sup>3</sup>/Tribal <sup>3</sup>[sub-allocation]<sup>3</sup> of the Department;

(l) "Scheduled Castes or Scheduled Tribe habitation" means any habitation where population of the Scheduled Castes or the Scheduled Tribes or combined population of the Scheduled Castes and the Scheduled Tribes is not less than <sup>3</sup>[such percentage as may be prescribed]<sup>3</sup> of the total population of the habitation;

(m) "<sup>3</sup>[sub-allocation]<sup>3</sup>" means Scheduled Castes <sup>3</sup>[sub-allocation]<sup>3</sup> (SCSA) or Tribal <sup>3</sup>[sub-allocation]<sup>3</sup> (TSA) or both;

<sup>4</sup>[(n) XXXX]<sup>4</sup>

(o) "Tribal <sup>3</sup>[sub-allocation]<sup>3</sup> (TSA)" means the <sup>3</sup>[allocable budget]<sup>3</sup> approved, by the State Council for inclusion in the <sup>3</sup>[allocable budget]<sup>3</sup> of the Department, to bridge the gap in development of the Scheduled Tribes including the Scheduled Tribes component of general schemes;

1. Inserted by Act 38 of 2017 w.e.f. 17.07.2017.

2. Clause (a) renumbered as clause (aa) by Act 38 of 2017 w.e.f. 17.07.2017

3. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

4. Omitted by Act 38 of 2017 w.e.f. 17.07.2017.

## CHAPTER - II

### INSTITUTIONAL ARRANGEMENT

**3. The State Council for Development of the Scheduled Castes or the Scheduled Tribes:-** (1) As soon as may be, after the commencement of this Act, the Government shall, by notification, constitute a Council to-be known as the State Council for the Development of Scheduled Castes and Scheduled Tribes to exercise the powers conferred and to perform the functions assigned to it under the Act and the rules made there under.

(2) The State council shall consist of the following, namely:-

(a)	The Chief Minister	- Chairman
(b)	The Minister for Social Welfare	- <sup>1</sup> [Vice-Chairman] <sup>1</sup>
(c)	The Minister for Parliamentary Affairs and Legislation	- Ex-officio Member
(d)	The Minister for Rural Development and Panchayat Raj	- Ex-officio Member
(e)	The Minister for Higher Education	- Ex-officio Member
(f)	The Minister for Revenue	- Ex-officio Member
(g)	Five MLAs or MLCs or MPs belonging to SC/ST as nominated by the Government	- Members
<sup>2</sup> [(ga)	The Chief Secretary to Government	- Ex-officio membe] <sup>2</sup>
(h)	The Development Commissioner & Additional Chief	- Ex-officio Member



	Secretary to Government	
(i)	The Secretary/Principal Secretary, Finance Department	- Ex-officio Member
(j)	The Secretary/Principal Secretary, Planning Department	- Ex-officio Member
(k)	Secretary/Principal Secretary, Social Welfare Department	- Ex-officio Member Secretary

(3) The Secretary to Government incharge of the Departments for which allocations are made shall be special invitees of the State Council.

(4) The term of the nominated MLAs or MLCs or MPs shall be thirty months.

(5) The nominated members shall be eligible for such allowances and fee as may be prescribed.

(6) The State council shall meet at least twice in a year.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

2. Inserted by Act 38 of 2017 w.e.f.17.07.2017.

**4. Functions of the State Council.-** The State Council shall perform the following functions, namely:-

(a) advise the State Government on all the policy matters relating to the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>;

(b) suggest measures for proper planning and implementation of the schemes by the departments;

(c) approve the annual Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal<sup>1</sup>[sub-allocation]<sup>1</sup> proposals of the Departments; and

(d) perform such other functions as may be prescribed.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**5. Nodal Agency and Nodal Department.-** (1) The Nodal Agency for the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> shall consist of the following, namely:-

(1)	The Minister for Social Welfare	- Chairman
(2)	The Development Commissioner and Additional Chief Secretary to Government	- Ex-officio Member
(3)	The Secretary/Principal Secretary to Government Social Welfare Department	- <sup>1</sup> [Ex-officio Member Secretary] <sup>1</sup>
(4)	The Secretary/Principal Secretary to Government Finance Department	- Ex-officio Member
(5)	The Secretary/Principal Secretary to Government Planning Department	- Ex-officio Member
(6)	The Secretary/Principal Secretary of all other Departments for which allocations are to be made shall	- Ex-officio Members





	be Special Invitees	
(7)	The Director, Scheduled Tribes Department.	- Convener TSA
(8)	The Ex-officio Commissioner, Social Welfare Department.	- Convener SCSA

(2) The Social Welfare Department shall be the Nodal Department for assisting the Nodal Agency to perform its functions and exercise its powers.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**6. Functions of the Nodal Agency.**-The Nodal Agency with the assistance of the respective Nodal Department shall perform the following functions, namely:-

- (1) Evaluate and appraise the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> proposed by the departments for ensuring conformity to the provisions of this Act;
- (2) Prepare the State Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> for placing before the State Council for Development of Scheduled Castes and Scheduled Tribes for consideration and approval;
- (3) Review the implementation and monitoring of the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> programme;
- (4) Identify impediments and suggest measures for overcoming the impediments;
- (5) Co-ordinate with the departments for preparation of the State level and district level Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>;
- (6) Maintain transparency in expenditure; maintain scheme wise; district wise, village wise and beneficiary wise details as may be prescribed; set up a web portal for tracking the progress of the implementation, expenditure, output and outcome indicators as may be prescribed of Scheduled castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>;
- (7) Facilitate at least annual social auditing of expenditure of Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> funds and facilitate analysis of improvement in Human Development Index against the projections for the State and district:

Provided that the directions of the Nodal Agency shall be binding on the Departments.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**7. Allocation of Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> fund and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> fund for financing the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> Schemes included in the <sup>1</sup>[sub-allocation]<sup>1</sup>.**- The Nodal Agency, while



indicating allocation of the Scheduled Castes<sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>Fund to the scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> schemes shall follow the following norms namely:-

- (a) for schemes exclusively benefiting the Scheduled Castes or the Scheduled Tribes individuals or the Scheduled Castes or Scheduled Tribes households 100% of scheme cost shall be allocated and accounted for under the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> fund;
- (b) for schemes benefiting the Scheduled Castes or the Scheduled Tribes habitations, 100% of scheme cost shall be allocated and accounted for under the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or the Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> fund. In case of other habitations the cost shall be allocated and accounted for under the Scheduled Caste <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> in proportion of the population of the Scheduled Castes or the Scheduled Tribes;
- (c) for general social sector schemes, that is education, health, women and child, labour, physically handicapped included in the <sup>1</sup>[sub-allocation]<sup>1</sup>, benefiting the Scheduled Castes or Scheduled Tribes individuals or the Scheduled Castes or Scheduled Tribes households, along with others, the scheme cost shall be allocated and accounted for under Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>, in proportion to the Scheduled Castes or Scheduled Tribe population;
- (d) In respect of non-divisible infrastructure works, a portion of the scheme cost as may be determined by the Government shall be deemed to have been provided for the Scheduled Caste <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> respectively.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**8. Recommendation by the Nodal Agencies and the Nodal Department.-**The schemes that fulfill the norms laid down in the Act shall be recommended by the Nodal Agency for inclusion in the <sup>1</sup>[allocable budget]<sup>1</sup> proposals of the departments and aggregated for placing before the State Council for Development of the Scheduled Castes and Scheduled Tribes for consideration and approval as pre-budget process.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**9. Administrative and technical support to the Nodal Department.-** The Government shall provide required Technical and other staff to the Nodal Department with an Administrative and Technical Support Unit as may be prescribed, to perform the functions and discharge the duties assigned to it and to assist the Nodal Agency.





**10. Department Level <sup>1</sup>[Sub-allocation]<sup>1</sup> Support Unit.-** The departments as identified by the State Council may establish a <sup>1</sup>[sub-allocation]<sup>1</sup> Support Unit, as may be prescribed to manage the respective Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**11. Implementation of the scheduled castes <sup>2</sup>[Sub-allocation]<sup>2</sup> or tribal <sup>2</sup>[Sub-allocation]<sup>2</sup> schemes in districts.-** (1) There shall be a District Monitoring Committee in each district, which shall be responsible for implementation of the Scheduled Castes <sup>2</sup>[sub-allocation]<sup>2</sup> or Tribal <sup>2</sup>[sub-allocation]<sup>2</sup> in the district consisting of the following members, namely:-

(1)	The Deputy Commissioner	- Chairman
(2)	Members of Legislative Assembly representing a part or whole of the district whose Constituency lie within district and Members of Legislative Council who are registered as electors within the district.	- Member
(3)	Chief Executive Officer of the Zilla Panchayat	- Member
(4)	The Joint Director, Agriculture	- Member
(5)	The Executive Engineer, PWD	- Member
(6)	The District Health Officer	- Member
(7)	The District level officers respective Departments for which allocations are made shall be Special Invitees.	- Members
(8)	District Social Welfare Officer	- Convener SCSA
(9)	The District Tribal Welfare Officer or Project Director for the Scheduled Tribes.	- Convener TSA

(2) The Zilla Panchayat and the District Monitoring Committee of each district shall review the implementation of the Scheduled Castes <sup>2</sup>[sub-allocation]<sup>2</sup> or Tribal <sup>2</sup>[sub-allocation]<sup>2</sup> periodically.

<sup>1</sup>[(3) The Government may constitute at taluka level Monitoring Committees in such manner with such Members as may be prescribed which shall also be responsible for implementation of the Scheduled Castes sub allocation and Tribal sub allocation.]<sup>1</sup>

1. Inserted by Act 38 of 2017 w.e.f.17.07.2017.

2. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**12. Institutional strengthening for effective implementation and Monitoring.-** The respective departments of Government shall take such measures as may be necessary for institutional strengthening at State level and District level Offices by providing necessary





guidelines, staff and training to the staff in the manner prescribed, for effective implementation and monitoring.

### CHAPTER - III

#### **PLANNING, RESOURCE ALLOCATION FOR THE SCHEDULED CASTES <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup> AND TRIBAL <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup> FUNDS AND SCHEMES**

**13. Earmarking of the scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/tribal <sup>1</sup>[sub-allocation]<sup>1</sup> fund from <sup>1</sup>[allocable budget]<sup>1</sup>.-** The State Government shall, in every financial year, earmark in such manner as may be prescribed, a portion of the total <sup>1</sup>[allocable budget]<sup>1</sup> of the State which shall be proportionate to the Scheduled Castes/Scheduled Tribe population of the State, to be called as the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> fund. <sup>1</sup>[In case of unspent amount out of Allocation in a particular financial year, in a particular demand, determined as per the Audited Accounts, the same may be added to the allocation for the financial year, next to the immediately succeeding financial year to the same demand of the concerned Administrative Department and demand of Social Welfare Department in the ratio of 2:1 respectively]<sup>1</sup>, but shall not be carried further beyond that year:

Provided that, the Fund to be earmarked shall be determined at least two months prior to the commencement of the next financial year:

Provided further that, the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> Fund outlay shall be revised according to State <sup>1</sup>[allocable budget]<sup>1</sup> final outlay:

Provided also that the expenditure of the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> fund shall be accounted for in the manner hereafter specified in this Act.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**14. Communication of <sup>1</sup>[allocable budget]<sup>1</sup> earmarked as the scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/tribal <sup>1</sup>[sub-allocation]<sup>1</sup> fund to the department.-** The Nodal department shall, for every financial year, communicate, in the manner prescribed, to the other department, a tentative <sup>1</sup>[allocable budget]<sup>1</sup> out of Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> Fund as earmarked under Section 11 for preparation of respective department wise Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**15. Schemes to be included under the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>.-** The <sup>1</sup>[sub-allocation]<sup>1</sup> of the departments shall include only such schemes that secure direct and quantifiable benefit to the Scheduled Castes or the Scheduled Tribes individuals or the Scheduled Castes/Scheduled Tribes households or the Scheduled Castes/Scheduled Tribes habitations or Tribal areas and that have the potential



to bridge the gaps in the development, following the norms laid down in this Act and the rules made thereunder:

Provided that the schemes shall be consistent with the <sup>1</sup>[Development]<sup>1</sup> priorities of the State of Karnataka as may be communicated by the Planning department.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**16. Obligation to cover the scheduled Castes/scheduled tribes in general schemes.-** The departments shall ensure coverage of the Scheduled Castes or the Scheduled Tribes in the ongoing general schemes consistent with their eligibility for the same.

**17. Formulation of the scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or tribal <sup>1</sup>[sub-allocation]<sup>1</sup> schemes and preparation of <sup>1</sup>[sub-allocation]<sup>1</sup> by the department.-** On receipt of communication under section 14, each department, shall after estimating the gaps in the development of the Scheduled Castes and the Scheduled Tribes, prioritize the development needs of the Scheduled Castes and Scheduled Tribe through a consultative process, as may be prescribed, and shall formulate the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> schemes and prepare the <sup>1</sup>[sub-allocation]<sup>1</sup> comprising of the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> schemes,-within the State <sup>1</sup>[allocable budget]<sup>1</sup> priorities as communicated under section 14.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**18. Submission of <sup>1</sup>[sub-allocation]<sup>1</sup> proposed to be included in the <sup>1</sup>[allocable budget]<sup>1</sup> for appraisal.-** Each Department, excluding the departments separately notified under this Act, shall submit, each year to the Nodal Department, the <sup>1</sup>[sub-allocation]<sup>1</sup> comprising of the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> Schemes proposed to be included in the <sup>1</sup>[allocable budget]<sup>1</sup>, for appraisal by the Nodal Agency concerned, within such time frame and in such format, as may be prescribed.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

## CHAPTER - IV

### APPRAISAL, ALLOCATION OF THE SCHEDULED CASTES <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup>/TRIBAL <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup> FUND AND APPROVAL OF THE <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup>

**19. Appraisal of the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> schemes by the nodal Agencies.-**The Nodal Agency for Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>, shall take up appraisal of the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> schemes and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> schemes respectively submitted by departments, to ensure conformity with the provisions of this Act.





1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

## CHAPTER - V

### BUDGET PROVISION, DISTRIBUTION AND STRENGTHENING OF IMPLEMENTATION MACHINERY

**20. Budget allocations.-** The annual Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[Sub-allocation]<sup>1</sup> approved by the State Council shall be included in the Demands for Grants of the departments under the relevant head of account for the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup>.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**21. The Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> Cell in Finance Department.-** There shall be an exclusive cell in the Finance Department for performing the functions relating to Budget implementation and allocation according to the provisions of this Act within the overall discipline of the ways and means position as determined by the Finance department.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**22. Budget Release Orders.-** Budget Release Orders shall be issued to each department, for the amount provided in the Budget Estimates for the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> immediately after passing of the budget by the State Legislature in accordance with the provisions of this Act.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

## CHAPTER - VI

### TRANSPARENCY AND ACCOUNTABILITY IN THE IMPLEMENTATION OF SCHEDULED CASTES <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup> OR TRIBAL <sup>1</sup>[SUB-ALLOCATION]<sup>1</sup>.

**23. Transparency and accountability.-** (1) Each department shall ensure transparency and accountability at all levels in the implementation of the Schedule castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> schemes.

(2) Each department shall, host the documents as may be prescribed in public domain.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**24. Incentives and penalties.-** The Government shall formulate an appropriate scheme, to award incentives for commendable performance. Any functionary or official being a public servant willfully neglects his duties required to be performed by him under this Act shall be subjected to disciplinary action under the relevant service/disciplinary rules applicable to the Government officials and functionaries or as decided by the Nodal agency





for the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> depending upon the intensity of such negligence shall be punishable with an imprisonment for a term which may extend up to six months.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**25. Cognizance of Offence.-** Offences specified under section 24 shall be non-cognizable. No court shall take cognizance of the said offence except upon a complaint in writing made by the prescribed Authority.

**26. Annual report to be placed before State Legislature.-** The Nodal agency shall place before the State Legislature, an Annual Report on outcome of implementation of the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> or Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> containing, department wise achievements and the un-utilized funds during the financial year under report.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**27. Power to make rules.-** (1) Subject to the other provisions of this Act, the Government may, by notification after previous publication make rules for carrying out all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) determination of gaps in development of Scheduled Castes and Schedule Tribes under section 2;
- (b) constitution of and transaction of business in the State Council for development of Scheduled Castes and Scheduled Tribes;
- (c) the qualification, disqualification and other allowances to the non-official members of the State Council under section 3;
- (d) maintenance of a web portal by the Nodal Agency under section 6;
- (e) constitution of Administrative and Technical support Unit in Nodal Department for Schedule Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> under section 9;
- (f) constitution of <sup>1</sup>[sub-allocation]<sup>1</sup> Support Unit at department level under section 10;
- (g) institutional strengthening at State, district and sub-district level for ensuring effective implementation, awareness, mass contact programme, social audit and monitoring of Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> under section 12;
- (h) earmarking Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> Funds from the <sup>1</sup>[allocable budget]<sup>1</sup> under section 13;
- (i) identification of scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> Schemes and preparation of <sup>1</sup>[sub-allocation]<sup>1</sup> by the departments under section 18;



- (j) preparation of budget proposal of Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup>/Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> for appraisal by the Nodal Departments under section 19;
- (k) strengthen the Finance Department for monitoring expenditure under the Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> under section 22; and
- (l) procedures for ensuring transparency and accountability in the implementation of Scheduled Castes <sup>1</sup>[sub-allocation]<sup>1</sup> and Tribal <sup>1</sup>[sub-allocation]<sup>1</sup> under section 23.

(3) Every rule made under this Act, shall be laid, as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

1. Substituted by Act 38 of 2017 w.e.f. 17.07.2017.

**28. Power to remove difficulties.-** (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions as appear to it to be necessary or expedient to remove the difficulty:

Provided that no such power shall be exercised after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as it is made, before each House of the State Legislature.

The above translation of ಕರ್ನಾಟಕ ಅನುಸೂಚಿತ ಜಾತಿಗಳ ಉಪಯೋಜನೆ ಮತ್ತು ಬುಡಕಟ್ಟು ಉಪಯೋಜನೆ (ಯೋಜನೆ ರೂಪಿಸುವುದು, ಆರ್ಥಿಕ ಸಂಪನ್ಮೂಲಗಳ ಹಂಚಿಕೆ ಮತ್ತು ಬಳಕೆ) ಅಧಿನಿಯಮ, 2013 (2013ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ 65) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

**H.R.BHARDWAJ**  
GOVERNOR OF KARNATAKA

By Order and in the name of the Governor of  
Karnataka

**S.B. GUNJIGAVI**  
Secretary to Government  
Department of Parliamentary Affairs and  
Legislation



### ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ಸಕಇ 75 ಎಸ್‌ಎಲ್‌ಪಿ 2014

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ,  
ವಿಧಾನ ಸೌಧ  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 20.03.2014.

### ಅಧಿಸೂಚನೆ

ಕರ್ನಾಟಕ ಅನುಸೂಚಿತ ಜಾತಿಗಳ ಉಪಯೋಜನೆ ಮತ್ತು ಬುಡಕಟ್ಟು ಉಪ ಯೋಜನೆ (ಯೋಜನೆ ರೂಪಿಸುವುದು, ಆರ್ಥಿಕ ಸಂಪನ್ಮೂಲಗಳ ಹಂಚಿಕೆ ಮತ್ತು ಬಳಕೆ) ಅಧಿನಿಯಮ, 2013 (2013ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ:65)ರ 1ನೇ ಪ್ರಕರಣದ (2)ನೇ ಉಪ ಪ್ರಕರಣದಡಿ ಪ್ರದತ್ತವಾದ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಕರ್ನಾಟಕ ಸರ್ಕಾರವು ಈ ಮೂಲಕ ಸದರಿ ಅಧಿನಿಯಮ ದಿನಾಂಕ: 20.03.2014 ರಿಂದ ಜಾರಿಗೆ ಬರತಕ್ಕದ್ದೆಂದು ಗೊತ್ತುಪಡಿಸುತ್ತದೆ.



ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಎನ್. ನರಸಿಂಹಮೂರ್ತಿ)  
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ-1  
ಸಮಾಜ ಕಲ್ಯಾಣ ಇಲಾಖೆ.





## KARNATAKA ACT NO. 38 OF 2017

(First published in the Karnataka Gazette Extra-ordinary on the seventeenth day of July, 2017)

### **THE KARNATAKA SCHEDULED CASTES SUB-PLAN AND TRIBAL SUB-PLAN (PLANNING, ALLOCATION AND UTILIZATION OF FINANCIAL RESOURCES) (AMENDMENT) ACT, 2017** (Received the assent of the Governor on the fourteenth day of July, 2017)

An Act to amend the Karnataka Scheduled Castes Sub-Plan and Tribal sub-plan (Planning, Allocation and Utilization of Financial Resources) Act, 2013;

Whereas it is expedient to amend the Karnataka Scheduled Castes Sub-Plan and Tribal sub-plan (Planning, Allocation and Utilization of Financial Resources) Act, 2013 (Karnataka Act 65 of 2013) for the purposes hereinafter appearing;

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

**1. Short title and commencement.-** (1) This Act may be called the Karnataka Scheduled Castes Sub-Plan and Tribal sub-plan (Planning, Allocation and Utilization of Financial Resources) (Amendment) Act, 2017.

(2) It shall come into force at once.

**2. Substitution of expression.-** In the Karnataka Scheduled Castes Sub-Plan and Tribal sub-plan (Planning, Allocation and Utilization of Financial Resources) Act, 2013 (Karnataka Act 65 of 2013) (hereinafter referred to as the principal Act) in the title, preamble, short title and in the Act, -

- (i) for the words "plan" or "plan outlay" or "annual plan" wherever they occur, the words "allocable budget" shall be substituted; and
- (ii) for the words "sub-plan" wherever they occur, the words "sub-allocation" shall be substituted.

(Section 2,3,5,11,13,15 are is incorporated in the principal Act)