

**IN THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL
AT KALABURAGI**

DATED: THIS THE 3rd DAY OF SEPTEMBER, 2026

P R E S E N T

HON'BLE Mr. S.Y. WATAWATI., JUDICIAL MEMBER

AND

HON'BLE DR. AMITA PRASAD., ADMINISTRATIVE MEMBER

APPLICATION NUMBER 20425 OF 2026

BETWEEN:

Sri Gururaj
S/o Sham Sundar Joshi,
Age: 46 years,
Occ: Assistant Teacher,
Govt., Girls High School, Hunasagi,
Tq: Surapur, Dist: Yadgiri,
R/at Kodaikenal, Tq: Hunasagi,
Dist: Yadgiri – 585 215.

... APPLICANT

(Sri M.M Sangond, Advocate for Applicant)

AND:

1. The State of Karnataka,
Represented by its Principal Secretary,
Department of School Education and Literacy,
M.S. Building,
Bengaluru –560 001.
2. The Addl. Commissioner
Department of School Education,
Ivan, E Shahi Road,
Kalaburagi – 585 102.
3. The Deputy Director,
Department of School Education,
Yadgiri, Dist:Yadgiri-585 101.

4. The Block Education Officer,
Surapur, Tq: Surapur,
Dist: Yadgiri – 585 101.

...RESPONDENTS

(Sri Viranagouda M. Biradar, AGA for Respondents)

This Application, coming on for ADMISSION and the same having been heard and reserved for pronouncement of orders on interim prayer of stay, this day, the **Hon'ble JUDICIAL MEMBER Mr. S. Y. WATAWATI**, made the following:

ORDERS ON INTERIM PRAYER

We heard the arguments of both sides on interim prayer.

2. We have perused the records. It reveals that while the applicant was working as Assistant Teacher, Government Girls High School, Hunasagi, Surapur Taluk, Yadgiri District, the 3rd respondent vide impugned order dated 20.08.2026 placed him under suspension pending enquiry on the ground that the applicant has participated in the activities of RSS knowingly that the Government servant cannot participate in the function organized by the political party or any association participated in the politics, thereby, he has committed misconduct as contemplated under Rules 3(1)(2)(3) and 5(1) and 7 of Karnataka State Civil Services (Conduct) Rules, 2021, vide Annexure-A3. The applicant has not disputed his participation in the RSS function held on 12.10.2025, i.e., on Sunday and has taken the

contention that there is no bar to participate in the said program organized by the non-political party.

3. As such, we have gone through the Karnataka Civil Services (Conduct) Rules, 2021, which reads as follows:-

"5. Taking part in politics and election-(1) No Government Servant shall be a member of or be otherwise associated with, any political party or any organization which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity."

Rule 7 of the above said Rules, referred in the impugned order, has been omitted by GSR 126 dated 04.04.1968 w.e.f. 25.04.1968 in the above said Conduct Rules.

4. In the instant case, the alleged act of the applicant was that he was participated in an event organized by a association. When he participated in the event organized by a non-political party, the act of the applicant did not violate the conditions stipulated under Rule 5 of the Conduct Rules, 2021 referred to supra. Further, the State Government has not issued any order or notification prohibiting any Government Official from participating in such an event. If there had been any specific order issued by the Government barring the Government Servant from participating in an event organized by such

an association, then only it would have amounted to a violation of the Conduct Rules, 2021, that has not been considered by the respondent authorities while passing the impugned order and could have been considered after following the conditions stipulated under Rule 10(3) of KCS (CCA) Rules, 1957, and which has also not been prima facie followed by the respondent authorities while passing the impugned order.

5. At this stage, the applicant has made out a prima facie case to stay the operation of the impugned order. Accordingly, impugned order bearing No.ಇ5/ಆಡಳಿತ/ಸ.ಶಿ./ಶಿ.ಕ್ರ/10/2025-26 dated 20.08.2026 passed by the 3rd respondent at Annexure-A3, in so far as suspension of the applicant is concerned is hereby stayed, till the next date of hearing.

6. For reply statement, call on 09.10.2026.

Sd/-
(S.Y. WATAWATI)
JUDICIAL MEMBER

Sd/-
(Dr. AMITA PRASAD)
ADMINISTRATIVE MEMBER

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