

**KARNATAKA CIVIL SERVICES (EXCLUSION OF THE SERVICE
RENDERED BY A GOVERNMENT SERVANT AS A LOCAL
CANDIDATE FOR COMPUTING THE SERVICE FOR GRANT OF
SELECTION TIME SCALE OF PAY) ACT, 1986**

27 of 1986

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An Act to provide for exclusion of the service rendered by a Government Servant as a local candidate for grant of selection time Scale of Pay. Whereas, in Government Order No. FD 37 SRP(1) 71, dated 22nd February 1971, the scheme of grant of selection time scale to certain categories of Government Servants who had completed specified years of service in one cadre without promotion was introduced with effect from 1st January, 1970 in order to provide some relief to Government Servants on account of stagnation owing to inadequate promotional opportunities in that cadre. And whereas, in Government Order No. ED 199 PMC 71, dated 13th October 1972, the Government extended the benefit of selection time scale of pay to primary school teachers also. And whereas, one of the conditions laid down in para 5(d) of Government Order No. ED 199 PMC 71, dated 13th October, 1972 is that the service rendered by a Government Servant as a local candidate shall not count for computing the service for grant of said benefit. And whereas, in Writ Petition Nos. 10169 to 10171 and

13450 to 13459 of 1977, the High Court of Karnataka has held that the conditions to exclude the service rendered by a Government Servant as local candidate in para 5(d) of Government Order No. ED 199 PMC 71, dated 13th October, 1972 was contrary to statutory rules and was unenforceable. And whereas, it was never the intention of the State Government to include the service rendered by Government Servant as local candidate for computing the service for grant of the selection time scale of pay, as that would result in Junior Government Servant getting the benefit of the higher scale of pay than the senior. And whereas, it is necessary to spell out the intention to exclude the service rendered by a Government Servant as local candidate for computing the service for grant of selection time scale of pay. Be it enacted by the Karnataka State Legislature in the Thirty-sixth Year of the Republic of India as follows

1. Short title and commencement :-

(1) This Act may be called me Karnataka Civil Services (Exclusion of the Service rendered by a Government Servant as a local candidate for computing the service for grant of selection time scale of pay) Act, 1986.

(2) It shall be deemed to have come into force on the 1st day of January, 1970.

2. Definitions :-

In this Act, unless the context otherwise requires.

(i) "Government Servant" means a person who is a member of the Civil Services of the State of Karnataka or who holds a civil post in connection with the affairs of the State of Karnataka and includes any person whose services are temporarily placed at the disposal of the Government of India, the Government of another State, a local authority or any person whether incorporated or not;

(ii) "Local candidate" means a temporary Government Servant not appointed regularly as per rules of recruitment to that service.

3. Computing of service for grant of selection time scale of pay :-

Notwithstanding anything in any judgment, decree or order of any Court, for computing the period of service prescribed for grant of the selection time scale of pay sanctioned in Government Order No. FD 37 SRP (1) 71, dated 22nd February, 1971, service rendered by

a Government Servant as local candidate shall not be counted.