CHAPTER I

CIVIL SERVANTS ACT, 1973

*Constitutional Provisions

Sl. No. 1:

Extracts from the Constitution of the Islamic Republic of Pakistan, 1973

Article 240 – Part XII Miscellaneous, Chapter I–Services.– Subject to the Constitution, the appointments to and the conditions of service of persons in the service of Pakistan shall be determined–

(a) in the case of the services of the Federation, posts in connection with the affairs of the Federation and All Pakistan Service, by or under Act of **[Majlis-e-Shoora (Parliament)]; and

(b) in the case of the services of a Province and posts in connection with the affairs of a Province, by or under Act of the Provincial Assembly.

Explanation.— In this Article, "All-Pakistan Service" means a service common to the Federation and the Provinces, which was in existence immediately before the commencing day or which may be created by Act of **[Majlis-e-Shoora (Parliament)].

Article 241, Ibid.–Until the appropriate Legislature makes a law under Article 240, all rules & orders in force immediately before the commencing day shall, so far as consistent with the provisions of the Constitution, continue in force and may be amended from time to time by the Federal Government or, as the case may be, the Provincial Government.

*For the Constitutional Provisions in the Constitutions of Islamic Republic of Pakistan 1956 and 1962, please see Annexures I & II.

**Subs. by P.O. No.14 of 1985, Art. 2 and Sch., for "Parliament".
Civil Servants Act, 1973
(Act No. LXXI of 1973)

Sl. No. 2:

An Act to regulate the appointment of persons to, and the terms and conditions of service of persons in, the service of Pakistan.

WHEREAS it is expedient to regulate by law, the appointment of persons to, and the terms and conditions of service of persons in, the service of Pakistan, and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:–

1. **Short title, application and commencement.**—(1) This Act may be called the Civil Servants Act, 1973.

(2) It applies to all civil servants wherever they may be.

(3) It shall come into force at once.

CHAPTER I. – PRELIMINARY

2. **Definitions.**—(1) In this Act, unless there is anything repugnant in the subject or context,—

(a) "ad hoc appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment, pending recruitment in accordance with such method;

(b) "civil servant" means a person who is a member of an All-Pakistan Service or of a civil service of the Federation, or who holds a civil post in connection with the affairs of the Federation, including any such post connected with defence, but does not include—

(i) a person who is on deputation to the Federation from any Province or other authority;

(ii) a person who is employed on contract, or on work-charged basis or who is paid from contingencies; or
(iii) a person who is a "worker" or "workman" as defined in the Factories Act, 1934 (XXV of 1934), or the Workman's Compensation Act, 1923 (VIII of 1923);

(c) "initial appointment" means appointment made otherwise than by promotion or transfer;

(d) "pay" means the amount drawn monthly by a civil servant as pay and includes technical pay, special pay, personal pay and other emoluments declared by the prescribed authority to be pay;

(e) "permanent post" means a post sanctioned without limit of time;

(f) "prescribed" means prescribed by rules;

(g) "rules" means rules made or deemed to have been made under this Act;

(h) "selection authority" means the Federal Public Service Commission, a departmental selection board, departmental selection committee or other authority or body on the recommendation of, or in consultation with which any appointment or promotion, as may be prescribed, is made; and

(i) "temporary post" means a post other than a permanent post.

(2) For the purposes of this Act, an appointment, whether by promotion or otherwise, shall be deemed to have been made on regular basis if it is made in the prescribed manner.

CHAPTER II. – TERMS AND CONDITIONS OF SERVICE OF CIVIL SERVANTS

3. Terms and conditions.— [(i)] The terms and conditions of a civil servant shall be as provided in this Act and the rules.

*[(ii) The terms and conditions of service of any person to whom this Act applies shall not be varied to his disadvantage].

*Re-numbered and added vide Civil Servants (Amendment) Act V of 1996, s.2, dated 17-3-1996.
4. **Tenure of office of civil servants.**—Every civil servant shall hold office during the pleasure of the President.

5. **Appointments.**—Appointments to an All-Pakistan Service or to a civil service of the Federation or to a civil post in connection with the affairs of the Federation, including any civil post connected with defence, shall be made in the prescribed manner by the President or by a person authorised by the President in that behalf.

6. **Probation.**—(1) An initial appointment to a service or post referred to in section 5, not being an *ad hoc* appointment, shall be on probation as may be prescribed.

   (2) Any appointment of a civil servant by promotion or transfer to a service or post may also be made on probation as may be prescribed.

   Where, in respect of any service or post, the satisfactory completion of probation includes the passing of a prescribed examination, test or course or successful completion of any training, a person appointed on probation to such service or post who, before the expiry of the original or extended period of his probation, has failed to pass such examination or test or to successfully complete course or the training shall, except as may be prescribed otherwise,—

   (a) if he was appointed to such service or post by initial recruitment, be discharged; or

   (b) if he was appointed to such service or post by promotion or transfer, be reverted to the service or post from which he was promoted or transferred and against which he holds a lien or, if there be no such service or post, be discharged:

   Provided that, in the case of initial appointment to a service or post, a civil servant shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

7. **Confirmation.**—(1) A person appointed on probation shall, on satisfactory completion of his probation, be eligible for confirmation in a service or, as the case may be, a post as may be prescribed.
(2) A civil servant promoted to a post *[post] on regular basis shall be eligible for confirmation after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not, merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing therefrom.

(5) Confirmation of a civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiation, in such service or post, whichever is later.

8. **Seniority.**—(1) For proper administration of a service, cadre or *[post] the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or *[post] to be prepared, but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or *[post], as the case may be.

(2) Subject to the provisions of sub-section (1), the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same *[service or cadre] whether serving in the same department or office or not, as may be prescribed.

(3) Seniority on initial appointment to a service, cadre or post shall be determined as may be prescribed.

(4) Seniority in *[a post, service or cadre] to which a civil servant is promoted shall take effect from the date of regular appointment to that post:

Provided that civil servants who are selected for promotion to a higher *[post] in one batch shall, on their promotion to the higher *[post], retain their *inter se* seniority as in the lower *[post].

*The words "or Grade" omitted and subs vide Civil Servants (Amendment) Ordinance No.III of 1984 (w.e.f.1-7-1983).*
9. **Promotion.**—(1) A civil servant possessing such minimum qualifications as may be prescribed shall be eligible for promotion to a *higher* post for the time being reserved under the rules for departmental promotion in the service or cadre to which he belongs.

**[Provided that the posts of—**

(a) Additional Secretary and Senior Joint Secretary may, in the public interest, be filled by promotion from amongst officers of regularly constituted Occupational Groups and services holding, on regular basis, posts in Basic Pay Scale 20; and

(b) Secretary may, in the public interest, be filled by promotion from amongst officers of regularly constituted Occupational Groups and services holding, on regular basis, posts in Basic Pay Scale 21;

In such manner and subject to such conditions as may be prescribed.]

(2) A post referred to in sub-section (1) may either be a selection post or a non selection post to which promotions shall be made as may be prescribed—

(a) in the case of a selection post, on the basis of selection on merit; and

(b) in the case of a non-selection post, on the basis of seniority-cum-fitness.

**(3) Promotion to posts in basic pay scales 20 and 21 and equivalent shall be made on the recommendations of a Selection Board which shall be headed by the Chairman, Federal Public Service Commission.**

10. **Posting and transfer.**—Every civil servant shall be liable to serve anywhere within or outside Pakistan, in any [equivalent or higher] post under the Federal Government, or any Provincial

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*Subs vide Civil Servants (Amendment) Ordinance No.III of 1984 (w.e.f.1-7-1983).*

**Omitted vide Civil Servants (Amendment) Ordinance No. III of 1984, s.4, (w.e.f. 1-7-1983).*

***Subs and added vide Civil Servants (Amendment) Ordinance No.XXXXIII of 2001, dated 4-8-2001.*

[@Added vide Civil Servants (Amendment) Ordinance No.XLIII of 2000, dated 6-7-2000.*

[@Ins. vide Civil Servants (Amendment) Act V of 1996, s.3, dated 17-3-1996.*}
Government or local authority, or a corporation or body set up or established by any such Government:

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that, where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

11. **Termination of Service.**—(1) The service of a civil servant may be terminated without notice—

(i) during the initial or extended period of his probation:

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one *[service], cadre or post to another *[service] cadre or post, his service shall not be so terminated so long as he holds a lien against his former post in such *[service] cadre or post but he shall be reverted to his former *[service], cadre or post as the case may be;

(ii) on the expiry of the initial or extended period of his employment; or

(iii) if the appointment is made *ad hoc* terminable on the appointment of a person on the recommendation of the selection authority, on the appointment of such person.

(2) Where, on the abolition of a post or reduction in the number of posts in a cadre or *[service] the services of a civil servant are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or *[service].

(3) Notwithstanding the provisions of sub-section (1), but subject to the provisions of sub-section (2), the service of a civil servant in temporary employment or appointed *ad hoc* shall be liable to termination on fourteen days’ notice or pay in lieu thereof.

**[11A. Absorption of civil servants rendered surplus.**—Notwithstanding anything contained in this Act, the rules, agreement, contract or the terms and conditions of service, a civil servant who is rendered surplus as a result of re-organization or abolition of a Division, department, office or abolition of a post in

*Subs vide Civil Servants (Amendment) Ordinance No. III of 1984 (w.e.f. 1-7-1983).

**Inserted vide Civil Servants (Amendment) Ordinance No. XX of 2001.
pursuance of any Government decision may be appointed to a post, carrying basic pay scale equal to the post held by him before such appointment, if he possesses the qualifications and fulfils other conditions applicable to that post:

Provided that where no equivalent post is available he may be offered a lower post in such manner, and subject to such conditions, as may be prescribed and where such civil servant is appointed to a lower post the pay being drawn by him in the higher post immediately preceding his appointment to a lower post shall remain protected].

*[11B. (1) Where it is brought to the notice of the appointing authority that appointment of a person to a civil post was made without observing the prescribed procedure or without fulfilling the prescribed qualification, experience and age limit, it may send a reference to the Federal Public Service Commission for determination whether he is fit to hold the post to which he was appointed and, if not, whether he is fit to hold any other post compatible with his qualification and experience.

(2) On receipt of the advice of the Federal Public Service Commission on a reference made under sub-section (1), the appointing authority may pass such order of appointment or termination of service as may be considered by it to be just and equitable:

Provided that if it is proposed to pass order of termination of service in the light of the advice of the Commission, a reasonable opportunity of showing cause against the order of termination, shall be provided.

(3) Where an order of appointment is made on the advice of the Commission, it shall be treated as a case of fresh appointment and seniority of such an appointee shall be determined in accordance with the Civil Servants (Seniority) Rules, 1993].

12. **[Reversion to a lower post etc.—(1) A civil servant appointed to a higher post on ad hoc, temporary or officiating basis shall be liable to reversion to his lower post.

(2) No civil servant shall be dismissed or removed from service or reduced in rank by an authority subordinate to that by which he was appointed.

**Subs vide Civil Servants (Amendment) Act V of 1996, s.4, dated 17-3-1996.
(3) No such civil servant as aforesaid shall be dismissed or removed from service, or reduced in rank, until he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided that this sub-section shall not apply: —

(i) Where a civil servant is dismissed or removed from service or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

(ii) Where the President or any person authorised by him under the rules is satisfied, for reasons to be recorded in writing, that in the interest of the security of Pakistan or any part thereof, it is not expedient to give to that civil servant such an opportunity.

12-A. *[Certain persons to be liable to removal, etc.—* Notwithstanding anything contained in this Act or in the terms and conditions of a civil servant appointed or promoted during the period from the first day of January, 1972, to the fifth day of July, 1977, the President or a person authorised by him in this behalf may,—

(a) without notice, remove such a civil servant from service or revert him to his lower post **[† †] as the case may be, on such date as the President or, as the case may be, the person so authorised may, in the public interest, direct; or

(b) in a case where the appointment or promotion of such a civil servant is found by the President or, as the case may be, the person so authorised to suffer from a deficiency in the minimum length of service prescribed for promotion or appointment to the higher grade, direct, without notice, that seniority in such case shall count from the date the civil servant completes the minimum length of service in such appointment or promotion, as the case may be].

*Subs *vide *Civil Servants (Amendment) Ordinance No. XXXIV of 1980.*

Note.— Persons whose service have been terminated under section 12-A of the Civil Servants Act, 1973 are not disqualified from future employment under Government *vide* Estt. Division O.M. No.4/9/78-Rev.I, dated 22-1-1984.

**The words "or Grade" omitted *vide* Civil Servants (Amendment) Ordinance No.III of 1984.
13. **[Retirement from service.**—(1) A civil servant shall retire from service—

(i) on such date after he has completed **[twenty] years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; or

(ii) where no direction is given under clause (i), on the completion of the sixtieth year of his age.

(2) No direction under clause (i) of sub-section (1) shall be made until the civil servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction.

Explanation: In this Section, “competent authority” means the appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

14. **Employment after retirement.**—(1) A retired civil servant shall not be re-employed under the Federal Government, unless such re-employment is necessary in the public interest and is made with the prior approval of the authority next above the appointing authority:

Provided that, where the appointing authority is the President, such re-employment may be ordered with the approval of the President.

(2) Subject to the provisions of sub-section (1) of section 3 of the ex-Government Servants (Employment with Foreign Governments) (Prohibition) Act, 1966 (XII of 1966), a civil servant may, during leave preparatory to retirement, or after retirement from Government service, seek any private employment:

Provided that, where employment is sought by a civil servant while on leave preparatory to retirement or within two years of the date of his retirement, he shall obtain the prior approval of the prescribed authority.

*Subs vide Civil Servants (Amendment) Ordinance No.XX of 2000, dated 1-6-2000.

**Subs vide Civil Servants (Amendment) Ordinance No. XXXIV of 2001, promulgated on 4-8-2001.
15. **Conduct.**—The conduct of a civil servant shall be regulated by rules made, or instructions issued, by Government or a prescribed authority, whether generally or in respect of a specified group or class of civil servants.

16. **Efficiency and discipline.**—A civil servant shall be liable to prescribed disciplinary action and penalties in accordance with the prescribed procedure.

17. **Pay.**—A civil servant appointed to a post *[...]* shall be entitled, in accordance with the rules, to the pay sanctioned for such post *[...]*:

Provided that, when the appointment is made on a current-charge basis or by way of additional charge, his pay shall be fixed in the prescribed manner:

Provided further that where a civil servant has, under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall, on the setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.

18. **Leave.**—A civil servant shall be allowed leave in accordance with the leave rules applicable to him, provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority.

19. **Pension and Gratuity.**—(1) On retirement from service, a civil servant shall be entitled to receive such pension or gratuity as may be prescribed.

(2) In the event of the death of a civil servant, whether before or after retirement, his family shall be entitled to receive such pension, or gratuity, or both, as may be prescribed.

(3) No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two-thirds of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

*The words "or Grade" Omitted vide Civil Servants (Amendment) Ordinance No.III of 1984, w.e.f. 1-7-1983.*
(4) If the determination of the amount of pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualifies for pension or gratuity; and any over payment consequent on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

20. Provident Fund.—(1) Before the expiry of the third month of every financial year, the accounts officer or other officer required to maintain provident fund accounts shall furnish to every civil servant subscribing to a provident fund the account of which he is required to maintain a statement under his hand showing the subscriptions to, including the interests accruing thereon, if any, and withdrawals or advances from his provident fund during the preceding financial year.

(2) Where any subscription made by a civil servant to his provident fund has not been shown or credited in the account by the accounts or other officer required to maintain such account, such subscription shall be credited to the account of the civil servant on the basis of such evidence as may be prescribed.

21. Benevolent Fund and Group Insurance.—All civil servants and their families shall be entitled to the benefits admissible under the Central Employees Benevolent Fund and Group Insurance Act, 1969 (II of 1969), and the rules made thereunder.

22. Right of appeal or representation.—(1) Where a right to prefer an appeal or apply for review in respect of any order relating to the terms and conditions of his service is provided to a civil servant under any rules applicable to him, such appeal or application shall, except as may be otherwise prescribed be made within thirty days of the date of such order.

(2) Where no provision for appeal or review exists under the rules in respect of any order or class of orders, a civil servant aggrieved by any such order may, within thirty days of the communication to him of such order, make a representation against it to the authority next above the authority which made the order:

Provided that no representation shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.
CHAPTER III.—MISCELLANEOUS

23. **Saving.**—Nothing in this Act or in any rule shall be construed to limit or abridge the power of the President to deal with the case of any civil servant in such manner as may appear to him to be just and equitable:

Provided that, where this Act or any rule is applicable to the case of a civil servant, the case shall not be dealt with in any manner less favourable to him than that provided by this Act or such rule.

*[23A. **Indemnity.**—No suit, prosecution or other legal proceedings shall lie against a civil servant for anything done in his official capacity which is in good faith done or intended to be done under this Act or the rules, instructions or directions made or issued thereunder.]*

23B. **Jurisdiction barred.**—Save as provided under this Act and the Service Tribunals Act, 1973 (LXX of 1973), or the rules made thereunder, no order made or proceedings taken under this Act, or the rules made thereunder by the President or any officer authorized by him shall be called in question in any Court and no injunction shall be granted by any Court in respect of any decision made, or proceedings taken in pursuance of any power conferred by, or under, this Act or the rules made thereunder].

24. **Removal of difficulties.**—If any difficulty arises in giving effect to any of the provisions of this Act, the President may make such order, not inconsistent with the provisions of this Act, as may appear to him to be necessary for the purpose of removing the difficulty:

Provided that no such power shall be exercised after the expiry of one year from the coming into force of this Act.

CHAPTER IV.—RULES

25. **Rules.**—(1) The President or any person authorised by the President in this behalf, may make such rules as appear to him to be necessary or expedient for carrying out the purposes of this Act.

(2) Any rules, orders or instructions in respect of any terms and conditions of service of civil servants duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, in so far as such rules, orders or instructions are not inconsistent with the provisions of this Act, be deemed to be rules made under this Act.

26. **Repeal.**—The Civil Servants Ordinance, 1973 (XIV of 1973), is hereby repealed.

*Added vide Civil Servants (Amendment) Ordinance No.LXI of 2001 dated 7-11-2001.*
The Civil Servants (Validation of Rules) Ordinance, 2001

Sl. No.3:

ORDINANCE NO.II OF 2001
AN
ORDINANCE

To validate certain rules made under the Civil Servants Act, 1973 and certain actions taken thereunder–

WHEREAS it is expedient to validate certain rules made under the Civil Servants Act, 1973 (LXXIII of 1973), for the purpose hereinafter appearing;

AND WHEREAS the National Assembly and the Senate stand suspended in pursuance of the Proclamation of Emergency of the fourteenth day of October 1999, and the Provisional Constitution Order No. 1 of 1999;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, read with the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:–

1. Short title and commencement.—(1) This Ordinance may be called the Civil Servants (Validation of Rules) Ordinance, 2001.

(2) It shall come into force at once.

2. Validation of certain rules.—(1) The Civil Servants Occupational Groups and Services (Probation, Training and Seniority) Rules, 1990, the Civil Servants (Seniority) Rules, 1993 and the Civil Servants (Confirmation) Rules, 1993 and all notifications amending the aforesaid Rules immediately before the commencement of the Ordinance are hereby affirmed and shall be deemed always to have been validly made.

(2) All orders made, proceedings taken, acts done, instructions issued, powers exercised, appointments made thereunder by any authority which were made, taken, done or purported to have been
Guidelines for Review of Cases of Civil Servants under Section 13(1)(i) of the Civil Servants Act, 1973

Sl. No. 4:

Section 13 of the Civil Servants Act, 1973, as amended vide Civil Servants (Amendments) Ordinance, 2000 lays down as under:—

“(1) A civil servant shall retire from service—

(i) On such date after he has completed *[twenty] years of service for pension or other retirement benefits as the competent authority may, in public interest, direct; or

(ii) Where no direction is given under clause (i), on the completion of the sixtieth year of his age.

(2) No direction under clause (i) of sub-section (1) shall be made until the civil servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction”.

Explanation: It this Section, “competent authority” means the appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973.

2. The guidelines approved by the Chief Executive for review of cases under Section 13(1)(i) of the Civil Servants Act, 1973 are given in the succeeding paragraphs.

3. When it comes to the notice of the competent authority that a civil servant has, *prima facie*, ceased to be efficient and that action is warranted against him under Section 13(1)(i) of the Civil Servants Act, 1973, it shall cause the case to be referred to a Review Committee stating the facts of the case along with supporting documentary evidence, if any, service record of the

*Subs. vide Ordinance No.XXXIV of 2001, promulgated on 4-8-2001.*
person in the form attached as Annex-I, and such other record as may be considered relevant to a case for the purpose of making a recommendation about his suitability for further retention in service.

4. The Review Committee for officers of BS-20 and above may comprise the following:

(i) Cabinet Secretary Chairperson (by name)

(ii) Establishment Secretary Member (ex-officio)

(iii) Secretary of Ministry/ Division concerned. Member (ex-officio)

(iv) Head of Department/Office (Incharge of the service, group, cadre, etc.) Member (Co-opted)

(v) Addl.Secretary/Joint Secretary Secretary Establishment Division.

5. The Secretary of the concerned administrative Ministry/ Division has been authorized to constitute Review Committees for officers of BS-19 and below subject to the proviso that each Review Committee should include a representative of Establishment Division as a Member of the Committee.

6. The Review Committees should examine the cases referred to them, and the Committees may recommend retirement in the following cases:

(a) Where two or more penalties under the Government Servants (Efficiency & Discipline) Rules, 1973, have been imposed on a civil servant.

(b) Where overall grading of the ACRs is Average, and/or where adverse remarks in regard to acceptance of responsibility, integrity, reliability, output of work and behaviour with the public were recorded in the ACRs (duly conveyed to the concerned civil servant and his representation against it finalized, as per rules).

(c) Where a civil servant is twice recommended for supersession by the Selection Board/DPC and the recommendation of the Selection Board/DPC is approved by the competent authority.
(d) Where other specific and cogent grounds, including the following, may warrant retirement of a civil servant:—

(i) persistent reputation of being corrupt;
(ii) possessing pecuniary resources and/or property etc. disproportionate to his known sources of income; and
(iii) frequent unauthorized absence from duty.

7. Where the Review Committee recommends retirement of a civil servant, specific reasons for doing so should be given. The recommendation of the Committee should be submitted for the approval of the competent authority. If the competent authority agrees with the recommendation of the Committee, a show cause notice shall be issued to the civil servant under sub-section (2) of Section 13 of the Civil Servants Act, 1973. After receipt of reply to the show cause notice the competent authority shall take the final decision.

8. The above instructions may also be brought to the notice of all Attached Departments and Subordinate Offices.

Annexure-I

PROFORMA FOR REVIEW OF SERVICE RECORD OF CIVIL SERVANTS, ON COMPLETION OF *[20] YEARS QUALIFYING SERVICE FOR PENSION

(1) Name
(2) Date of Birth
(3) Educational qualifications
(4) Name of the Post/Department
(5) Name of the Cadre/Group or Service
(6) Date of joining government service
(7) Details of pre-service and in service training
(8) Date of promotion to the present post.
(9) Date of completion of *[20] years service qualifying for pension
(10) Details of Service Record.

(a) Synopsis of ACR

<table>
<thead>
<tr>
<th>Year</th>
<th>Overall Assessment</th>
<th>Quantity and output of work</th>
<th>Integrity</th>
<th>Fitness for promotion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(a)</td>
<td>(b)</td>
<td>(c)</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) Pen picture recorded in the ACRs during last five years.

(c) Particulars of penalties imposed under the Government Servants (Efficiency and Discipline) Rules, 1973:—

<table>
<thead>
<tr>
<th>Name of Penalty</th>
<th>Grounds of Penalty</th>
<th>No and date of penalty</th>
<th>Imposing order</th>
</tr>
</thead>
</table>

*Subs. vide Ordinance No.XXXIV of 2001, Promulgated on 4-8-2001.*
(d) Particulars of adverse remarks in regard to acceptance of responsibility, integrity, reliability, output of work and behaviour with the public recorded in the ACRs (duly conveyed to the concerned civil servant and his representation against it finalized, as per rules).

(e) Particulars of supersessions in which Selection Board/Departmental Promotion Committee twice recommended supersession of a civil servant and the recommendation of the Selection Board/DPC was approved by the competent authority.

Signature
Name
Designation of the
Officer authenticating
the information.

Sl. No.5:

Queries have been raised by different quarters whether review exercise for retirement of Civil Servants is also applicable to the employees of Autonomous Bodies or not and whether the provisions of the Civil Servants Act, 1973 and amendments therein are also applicable to them or not. The position is clarified as under:–

(i) Supreme Court in their judgment in Civil Appeals Nos. 154 and 155 of 1988 held that organizations established through Resolutions were not bodies corporate but government departments and their employees were held to be civil servants. In the light of the aforesaid decision of the Supreme Court Civil Servants Act. 1973 and the rules made thereunder are applicable to the employees of organizations established through Resolutions.

(ii) In case of Autonomous bodies which are bodies corporate and are administered or controlled by Federal Government, and have their own Service Rules/Regulations, it is necessary to make enabling provision in their Service Rules/Regulations on the lines of Section 13(1)(i) of Civil Servants Act, 1973.
2. Ministries/Divisions are advised to take necessary action for making enabling provision in the Service Rules/Regulations of Bodies Corporate which are under their administrative control.


Clarification regarding Option of Seeking Pre-mature retirement

Sl. No. 6:

The amended Section 13(1)(i) of the Civil Servants Act, 1973 lays down that–

“(1) a civil servant shall retire from service–

(i) On such date after he has completed twenty years of service qualifying for pension and other retirement benefits as the competent authority may, in public interest, direct.”

2. However, queries have been received in the Establishment Division soliciting advice on the point as to whether, or not, a civil servant can seek voluntary retirement on completion of twenty years of service qualifying for pension and other retiring benefits under Section 13(1)(i) of the Civil Servants Act, 1973?

3. As such, it is clarified that there is no provision in the Civil Servants Act, 1973 under which a civil servant can seek voluntary retirement on completion of twenty years of service qualifying for pension and other retirement benefits. However, all Government servants have the right to seek retirement – if they so desire – on the completion of twenty five years service qualifying for pension and other retirement benefits (under CSR 465-B). This right is, however, subject to the provisions of the Essential Services Maintenance Act and is not available to a civil servant against whom the departmental inquiry/proceedings are pending.

4. All the Ministries/Divisions are requested to bring the above clarification to the notice of the Attached Departments and Subordinate Offices under their administrative control.

CHAPTER II

CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1973 AND ANCILLARY INSTRUCTIONS

Appointment, Promotion and Transfer Rules, 1973

Sl. No. 7:

In exercise of the powers conferred by section 25 of the Civil Servants Act, 1973 (LXXI of 1973), the President is pleased to make the following rules, namely:—

PART I — GENERAL

1. These rules may be called the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

2. In these rules, unless there is anything repugnant in the subject or context,—

(a) "appointing authority", in relation to a post means the person authorized under rule 6 to make appointment to that post;

(b) "["selection board" means a Board constituted by the Federal Government, for the purpose of selection for promotion or transfer to posts in basic pay scales 19 to 21 and equivalent, consisting of such persons as may be appointed by Government from time to time].

(c) "commission" means the Federal Public Service Commission;

(d) "["departmental promotion committee” means a Committee constituted for the purpose of making selection for promotion or transfer to posts under a Ministry, Division, Department or Office of the Federal Government in basic pay scales 18 and below and equivalent; and].

*Subs vide Establishment Division Notification S.R.O. No.430(I)/2000, dated 26-6-2000.*
(e) "departmental selection committee" means a Committee constituted for the purpose of making selection for initial appointment to posts under a Ministry, Division, Department or Office of the Federal Government in basic pay scales 1 and above other than appointments which fall within the purview of the Federal Public Service Commission under rule 3 of the Federal Public Service Commission (Functions) Rules, 1978; and]

(f) **[Omitted].

3. (1) Appointments to posts shall be made by any of the following methods, namely:–

(a) ***[by promotion [* * * * * * ] in accordance with Part II of these rules;

(b) by transfer in accordance with Part II of these rules, and

(c) by initial appointment in accordance with Part III of these rules].

(2) The method of appointment and the qualifications and other conditions applicable to a post shall be as laid down by the Ministry or Division concerned in consultation with the Establishment Division.

[(3) "Notwithstanding anything contained in sub-rule(I), or the method of appointment laid down in the recruitment rules, a person who is rendered surplus as a result of the reorganization or abolition of a Division, Department, Office or permanent post in pursuance of any Government decision or as a measure of economy may be appointed to a post in the basic pay scale to which he belonged, if he possesses the qualifications, and fulfils other conditions, applicable to that post"].

([4) Where a person referred to in sub-rule (3),—

(i) possesses educational qualifications which are considered interchangeable with, or equivalent to, the qualification prescribed in the relevant recruitment rules; or

**Omitted clause (f) vide Establishment Division Notification S.R.O. No. 146(I)/84, dated 9-2-1984.
@Added vide Establishment Division Notification S.R.O. No. 57(1)/93, dated 25-1-1993.
(ii) fulfils the prescribed qualifications and the conditions for initial appointment to the post in the relevant rules except the condition relating to prescribed experience, the appointing authority may, for reasons to be recorded in writing, relax the requirement of educational qualifications or, as the case may be, the prescribed experience.

4. (1) In each Ministry, Division, Department or Office of the Federal Government, there shall be one or more Departmental Promotion Committees, and Departmental Selection Committees, the composition of which shall be determined by the Ministry or Division concerned in consultation with the Establishment Division.

(2) Each such Committee shall consist of at least three members one of whom shall be appointed Chairman.

5. Where an appointing authority for *posts in basic pay scales 15 and below and equivalent* does not accept the recommendation of a Departmental Selection or Departmental Promotion Committee, it shall record reasons therefor and obtain orders of the next higher authority.

**6. **[(1) The appointing authority specified in column (3) of the table below shall be competent to make appointment to the various posts in the basic pay scales specified in column (2) of that table.

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Basic pay scale of posts</th>
<th>Appointing Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Posts in basic pay scales 20 and above or equivalent.</td>
<td><em>[Prime Minister].</em></td>
</tr>
<tr>
<td>2</td>
<td>Posts in basic pay scales 17 to 19 or equivalent.</td>
<td>Secretary of the Ministry or Division concerned.</td>
</tr>
<tr>
<td>3</td>
<td>Posts in basic pay scale 16 or equivalent.</td>
<td>An officer notified by the Secretary of the Ministry or Division concerned.</td>
</tr>
<tr>
<td>4</td>
<td>Posts in basic pay scales 3 to 15 or equivalent.</td>
<td>An officer notified by the Secretary of the Ministry or Division concerned.</td>
</tr>
<tr>
<td>5</td>
<td>Posts in basic pay scales 1 and 2 or equivalent.</td>
<td>An officer notified by the Secretary of the Ministry or Division concerned.</td>
</tr>
</tbody>
</table>

*Added vide Establishment Division Notification S.R.O. No.961(I)/99, dated 25-8-1999.*
*Provided that appointment to posts in Basic Pay Scales 20 and above or equivalent in the President’s Secretariat shall be made by the President*.

**Notwithstanding anything contained in sub-rule (1), the Appointing Authority specified in column (4) of the table below shall be competent to make appointments to the posts specified in column (3) of that table in the department specified in column (2) thereof.**

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of Department</th>
<th>Basic Pay Scale of posts</th>
<th>Appointing Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Pakistan Audit Department and Officers of Inter-Departmental Cadre of Pakistan Audit &amp; Accounts Group</td>
<td>(i) 17 to 19 or equivalent. (ii) 16 or equivalent. (iii) 3 to 15 or equivalent. (iv) 1 to 2 or equivalent.</td>
<td>Auditor-General of Pakistan. An officer notified by the Auditor-General of Pakistan. An officer notified by the Auditor-General of Pakistan. An officer notified by the Auditor-General of Pakistan.</td>
</tr>
<tr>
<td>2</td>
<td>Intelligence Bureau</td>
<td>(i) 17-19 or equivalent (ii) 1-16 or equivalent</td>
<td>Director-General Intelligence Bureau. Officer(s) notified by the Director General, Intelligence Bureau.</td>
</tr>
</tbody>
</table>

**PART II — APPOINTMENTS BY PROMOTION OR TRANSFER**

7. *[Promotions and transfer to posts in basic pay scales 2 to 18 and equivalent shall be made on the recommendation of the appropriate Departmental Promotion Committee and promotions and transfer to posts in basic pay scales 19 to 21 and equivalent shall be made on the recommendation of the Selection Boards].*

8. Only such persons as possess the qualifications and meet the conditions laid down for the purpose of promotion or transfer to a post shall be considered by the Departmental Promotion Committee or the Central Selection Board, as the case may be.

8-A. *[No promotion on regular basis shall be made to posts in basic pay scales 17 to 22 and equivalent unless the officer concerned has completed such minimum length of service, attended such training and passed such departmental examination, as may be prescribed from time to time].

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**Added vide Establishment Division Notification S.R.O. No.829(I)/2000, dated 16-11-2000.**

***Added vide Establishment Division Notification S.R.O. No.891(I)/2000, dated 14-12-2000.***

@Subs vide Establishment Division Notification S.R.O. No.430(I)/2000, dated 26-6-2000.


8-B. (1) Where the appointing authority considers it to be in the public interest to fill a post reserved under the rules for departmental promotion and the most senior civil servant belonging to the cadre or service concerned who is otherwise eligible for promotion does not possess the specified length of service the authority may appoint him to that post on acting charge basis.

(2) *[omitted ]

(3) In the case of a post in **[basic pay scales 17 to 22 and equivalent], reserved under the rules to be filled by initial appointment, where the appointing authority is satisfied that no suitable officer **[drawing pay in basic pay scale] in which the post exists is available in that category to fill the post and it is expedient to fill the post, it may appoint to that post on acting charge basis the most senior officer otherwise eligible for promotion in the organization, cadre or service, as the case may be, in excess of the promotion quota.

(4) Acting charge appointment shall be made against posts which are likely to fall vacant for a period of six months or more. Against vacancies occurring for less than six months, current charge appointment may be made according to the orders issued from time to time.

(5) Appointment on acting charge basis shall be made on the recommendations of the Departmental Promotion Committee or the Central Selection Board, as the case may be, same in the case of **[post in basic pay scale 22 and equivalent].

(6) Acting charge appointment shall not amount to appointment by promotion on regular basis for any purpose including seniority.

(7) Acting charge appointment shall not confer any vested right for regular promotion to the post [ ] held on acting charge basis.

9. Appointments by transfer shall be made from amongst the persons holding appointment on a regular basis in **[posts in the same basic pay scale or equivalent to or identical with the posts to be filled].

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**Subs vide Establishment Division Notification S.R.O. No. 146(I)/84, dated 9-2-1984.
PART III — INITIAL APPOINTMENT

10. *[Initial appointment to posts in the All-Pakistan Services, the Civil Services of the Federation and all posts in connection with the affairs of the Federation in basic pay scales 16 & above or equivalent and the posts in basic pay scales 11 to 15 or equivalent, in—

(1) The Federal Secretariat;
(2) The Central Board of Revenues;
(3) The Federal Investigation Agency;
(4) The Anti-Narcotics Force;
(5) The Pakistan Railways;
(6) The Directorate General of Immigration & Passports;
(7) The Export Promotion Bureau;
(8) The Islamabad Capital Territory Administration;
(9) The Bureau of Immigration & Overseas Employment;
(10) The Estate Office;
(11) The organizations, except autonomous bodies, under the Ministry of Health and the Ministry of Education;
except those which, under the Federal Public Service Commission (Functions) Rules, 1978, do not fall within the purview of the Commission, shall be made on the basis of tests and examinations to be conducted by the Commission].

11. *[Initial appointments to posts in basic pay scales 1 to 15 and equivalent, other than those mentioned in rule 10 shall be made on the recommendations of the Departmental Selection Committee after the vacancies have been advertised in newspapers].

12. A candidate for initial appointment to a post must possess the educational qualifications and experience and, except as provided in the rules framed for the purpose of relaxation of age limit, must be within the age limit as laid down for the post **[ ]:

**[Provided that unless otherwise specified in the method of appointment, qualifications and other conditions applicable to a post as laid down under sub rule (2) of rule 3, the experience prescribed for initial appointment shall be the post-qualification experience].

***[12-A. Alteration in the date of birth.—The date of birth once recorded at the time of joining government service shall be final and thereafter no alteration in the date of birth of a civil servant shall be permissible].

13. A candidate for appointment shall be a citizen of Pakistan;

Provided that this requirement may be relaxed with the approval of the Establishment Division:

Provided further that, in the case of candidates to be appointed on temporary basis to posts in the Pakistan Missions abroad, such relaxation shall not be accorded for a period exceeding one year at a time.

14. Vacancies in the undermentioned posts shall be filled on All-Pakistan basis in accordance with the merit and provincial or regional quotas prescribed by Government from time to time:

(i) All posts in *[basic pay scales 16 and above and equivalent].

(ii) Posts in *[basic pay scales 3 to 15 and equivalent] in offices, which serve the whole of Pakistan **[.]**

**[Provided that if no suitable person holding the domicile of the Province or Region to which a vacancy has been earmarked and fulfilling the prescribed qualifications is found even after the vacancy has been advertised twice, the appointing authority may fill up the vacancy on open merit on contract in the following manner, namely:-

(i) contract appointment shall be made initially for a period of one year, and if the post falls under the purview of the Federal Public Service Commission, the Commission shall be informed about contract appointment;

(ii) if nomination is not received from the Federal Public Service Commission within one year, contract appointment may in the public interest be extended for another one year; and

(iii) the Federal Public Service Commission shall ensure that the nominations of the qualified candidates are made within a period of two years. If Federal Public Service Commission does not find a suitable candidate, it shall advise the appointing authority, for the extension in the contract].

15. Vacancies in posts in *[basic pay scales 3 to 15 and equivalent] in offices which serve only a particular province or region shall be filled by appointment of persons domiciled in the province or region concerned.

16. Vacancies in posts in *[basic pay scales 1 and 2 and equivalent] shall ordinarily be filled on local basis.

17. A candidate for appointment must be in good mental and bodily health and free from any physical defect likely to interfere with the discharge of his duties. A candidate who after such medical examination as Government may prescribe is found not to satisfy these requirements, shall not be appointed.


PART-IV. — *AD HOC AND TEMPORARY APPOINTMENTS*

18. *[When under the Federal Public Service Commission (Functions) Rules, 1978, a post is required to be filled through the Commission, the appointing authority shall forward a requisition to the Commission on a prescribed form immediately. In exceptional cases, ad hoc appointment may, however, be made for a period of six months or less with prior clearance of the Commission as provided in rule 19.*

19. When the appointing authority considers it to be in public interest to fill a post falling within the purview of the Commission urgently pending nomination of a candidate by the Commission, it may proceed to fill it on ad hoc basis for a period of six months or less after obtaining prior clearance of the Commission. The post shall be advertised and the same procedures as laid down for initial appointment in Part III shall be followed in making ad hoc appointments.

20. Short term vacancies in the posts falling within the purview of the Commission and vacancies occurring as a result of creation of temporary posts for a period not exceeding six months, may be filled by the appointing authority otherwise that through the Commission on a purely temporary basis after advertising the vacancy.

**PART V — PROBATION**

21. (1) Persons appointed by initial appointment, promotion or transfer shall be on probation for a period of one year.

(2) The period of probation may be curtailed for good and sufficient reasons, to be recorded, or, if considered necessary, it may be extended for a period not exceeding one year as may be specified at the time of appointment.

(3) On the successful completion of probation period, the appointing authority shall, by specific order, terminate the probation.

(4) If no order is issued under sub-rule (3), on the expiry of the first year of probation period, the period of probation shall be deemed to have been extended under sub-rule (2):

Provided that, subject to the provisions of proviso to sub-section (2) of section 6 of the Civil Servants Act, 1973 in the absence of an order under sub-rule (3), the period of probation shall, on the expiry of the extended period under sub-rule (2), be deemed to have successfully been completed.

[Authority — Establishment Division Notification S.R.O.No.1498(I)/73, dated 20-10-1973].

*Subs vide Establishment Division S.R.O. No.122(I)/2000, dated 15-3-2000.*

**Added vide Establishment Division Notification S.R.O. No. 968(I)/82, dated 21-9-1982.*
Initial Appointment to Civil
Posts (Relaxation of Upper Age Limit) Rules, 1993

Sl. No. 8:

In pursuance of Rule 12 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973, the President is pleased to make the following rules, namely:

PART I – GENERAL

(1) These rules may be called the Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993.

(2) They shall come into force with immediate effect:

Provided that nothing in these rules shall apply to the appointment to the posts in BPS-17 to be filled through C.S.S. Competitive Examination.

PART II – GENERAL RELAXATION

(3) Maximum age limit as prescribed in the recruitment rules shall be relaxed in respect of the candidates mentioned in column (2) below to the extent mentioned against each under column (3):

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Category of candidates</th>
<th>Age relaxation admissible</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i)</td>
<td>(a) Candidates belonging to Scheduled Castes, Buddhist Community, recognized tribes of the Tribal Areas, Azad Kashmir and Northern Areas for all posts under the Federal Government.</td>
<td>3 years.</td>
</tr>
<tr>
<td></td>
<td>(b) Candidates belonging to Sindh(R) and Balochistan for posts in BPS-15 and below under the Federal Government.</td>
<td>3 years.</td>
</tr>
<tr>
<td>ii)</td>
<td>Released or Retired Officers personnel of the Armed Forces of Pakistan.</td>
<td>*[15] years or the number of years actually served in the Armed Forces of Pakistan, whichever is less.</td>
</tr>
<tr>
<td>iii)</td>
<td>Government servants who have completed 2 years continuous Government service on the closing date for receipt of applications.</td>
<td>10 years, upto the age of 55 years.</td>
</tr>
<tr>
<td>iv)</td>
<td>Disabled persons for appointment to posts in BPS-15 and below.</td>
<td>10 years</td>
</tr>
</tbody>
</table>

(4) Where a candidate is entitled to age relaxation under more than one categories specified in rule 3, he shall be allowed relaxation in age only in one category.

*[4A. (1) Subject to sub-rule (2) the maximum age limit prescribed for initial appointment under any rules for the time being in force shall be relaxed by a period of five years;

(2) The relaxation in upper age limit shall be over and above the relaxation of age admissible to candidates specified in rule 3 or in any other rules for the time being in force].

*[4B. Notwithstanding the provisions contained in these rules or any other rules for the time being in force, the President or the Prime Minister may, on extreme compassionate grounds, grant age relaxation to an individual candidate for a period not exceeding three years over and above the relaxation in upper age limit already admissible, if any].

**[4C. Notwithstanding anything contained in these rules, or any other rules for the time being in force, one-time relaxation in the upper age limit shall be admissible to the persons appointed to the posts, on ad-hoc basis, from the 1st October, 1981, to the 31st December, 1995, to the extent they are overage for initial appointment to the posts, held by them, as and when advertised by the Federal Public Service Commission].

@[4D. Notwithstanding anything contained in these rules or any other rules for the time being in force, the President or the Chief Executive may grant age relaxation to the widow, son or daughter of a deceased civil servant who dies during service for such period as may be considered appropriate].

(5) **Repeal.-** All existing rules, orders and instructions relating to age relaxation issued from time to time are hereby repealed. [No. F. 9/2/93-R.5]

[Authority.–Estt. Division Notification No.S.R.O 1079(1)/93, dated 4-11-1993].

Appointment on Contract Basis

Sl. No. 9:

The standard terms and conditions of appointment on contract were last circulated vide Establishment Division’s O.M.No. F.10/55/82-R.2, dated 15th January, 1985. These have since been reviewed in consultation with Finance Division and Law and Justice Division.

2. All Ministries/Divisions are requested that, henceforth, the revised format may be used in case of contract appointments in the Ministries, Divisions and their Attached Departments and other Organisations under them.

[Authority.– Establishment Division O.M.No.F.10/52/95-R.2, dated 18-7-1996].

Revised Format

GOVERNMENT OF PAKISTAN

Name of Ministry:———

No. Islamabad/Rawalpindi ,20---

From:

To:

SUBJECT: EMPLOYMENT ON CONTRACT BASIS

Sir,

I am directed to say that you have been selected for appointment on contract as ................. under the Federal Government on the following terms and conditions: –

1. Post: .......................

2. Place of posting: .................. or anywhere within or outside Pakistan as the competent authority may decide.

3. Period of contract: .............. (not exceeding two years) from the date of assumption of charge.
4. Pay: Minimum of the relevant scale of pay. Annual increment shall be admissible as under the normal rules.

5. Allowances: As admissible to corresponding civil servants. However, Qualifications Pay/Allowance, Senior Post Allowance and Orderly Allowance shall not be admissible in case these allowances were taken into account while calculating pension after retirement from previous service.

6. Travelling Allowance: As admissible to civil servants of the corresponding pay scale under the rules.

7. Seniority: This contract appointment does not confer any right for being placed in the gradation/seniority list of the cadre/group to which the subject post belongs.

8. Leave: As admissible under the Revised Leave Rules, 1980. However, provisions contained in Rules 5(c), 8, 11, 14, 16, 17, 18, 18-A, 19, 27, 33, 34, 35, 36 and 39 of Rules *ibid* shall not apply.

All leave at your credit will lapse on the termination of this contract.


10. Pension: Service rendered under this contract shall not qualify for a pension or gratuity.

Pension in respect of previous service, if any shall continue to be drawn in addition to pay.

11. General Provident Fund: No contribution towards G.P Fund shall be required.

12. Conduct and Discipline: Rules made and instructions issued by the Government or a prescribed authority as for civil servants under Section 15 and 16 of the Civil Servants Act, 1973 as amended from time to time shall apply.

14. Termination of contract: The appointment during the period of contract shall be liable to termination on 30 days notice on either side or payment of basic pay in lieu thereof, without assigning any reason.

15. Whole Time employment posting and transfer: Whole time of the contract appointee would be at the disposal of the Government. He may be employed in any manner required by appropriate authority without claim for additional remuneration. He shall at all times obey the rules prescribed for the time being for the regulation of the service or cadre to which the post in which he has been employed belongs.

16. Other matters: In respect of other matters not specified in this contract, the Rules/Regulations as applicable to Federal Civil Servants shall apply.

*[17. Accommodation]* The persons employed on contract shall not be entitled to government accommodation. However, they will be entitled to such house rent allowance as may be prescribed by Government from time to time.]

2. If the above terms and conditions of appointment are acceptable to you, please send your written confirmation by registered post or personally so as to reach the undersigned within one month of the date of this letter.

3. This offer of appointment will be treated as cancelled if you do not convey acceptance thereof or resumed duty within the time specified in para 2 above.

Your obedient servant

*Added vide Establishment Division Notification No. 10/52/95-R.2(Pt), dated 12-8-1998.*
It has been noticed with concern that contract appointments were made in the past indiscriminately without proper examination of the need therefor and without ensuring observance of the principle of open merit, and equality of opportunity. It has now been decided by the Chief Executive that the following guidelines should be strictly observed in future while proposing contract appointments to civil posts under the Federal Government:–

i) The concerned department should specifically justify why it is not possible to fill in a vacancy in accordance with the procedure laid down in the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and the Recruitment Rules and where it is considered necessary to fill in a post on contract, it shall only be for a period not exceeding two years. The professional qualifications, experience, and age limit (where necessary) required for the post, shall be prescribed in consultation with the Establishment Division.

ii) The decision to fill the vacant post on contract basis shall be taken at the level of the Secretary of the Ministry/Division and/or head of the Departments/Organization etc.

The post should be advertised and selection should be made by a Departmental Selection Committee as per following composition: –

<table>
<thead>
<tr>
<th>Basic Pay Scales</th>
<th>Composition of the Selection Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>BS-20 and above</td>
<td>Minister - Chairman</td>
</tr>
<tr>
<td></td>
<td>Secretary - Member</td>
</tr>
<tr>
<td></td>
<td>J.S(Admn) - Member-cum-Secy.</td>
</tr>
</tbody>
</table>

Note.– In case the post(s) are in an Attached Department/Subordinate Office, Head of the Department will be co-opted as member.

BS-1 to 19

Selection should be made by the Selection Committees/Boards which have been constituted for regular appointments in BS-19 and below.
iii) a) The condition of open advertisement may be dispensed with, with the approval of the Chief Executive, if it is proposed to appoint a retired civil servant or a retired officer of the Armed Forces or a retired Judge of a superior court, on contract basis.

b) The condition of open advertisement may be relaxed, with prior approval of the Chief Executive, in the cases of intake of qualified persons from the market/private sector in exceptional situations where it is not practicable to observe the said condition.

c) The condition of open advertisement may also be relaxed by the Chief Executive for the purpose of appointment on contract basis of widow, or one child of a deceased civil servant who dies during service provided that such special dispensation may be allowed only for appointment to posts in BS-10 and below.

iv) All contract appointments shall be made with the approval of the appointing authority prescribed under the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973.

v) As a matter of general policy the period of contract shall not be extended beyond two years but in exceptional cases where it is considered necessary to extend such appointments beyond the period of two years, the advice/concurrence of the FPSC may be sought at least six months in advance of expiry of the period of original appointment, and thereafter approval of the competent authority may be sought. It is clarified that the requirement of seeking advice/concurrence of FPSC is applicable only in respect of posts which fall under the purview of FPSC in accordance with Rule 3 of FPSC (Functions) Rules, 1978.

2. Policy guidelines for contract appointments in Autonomous Bodies/Semi Autonomous Bodies, Corporations, Public Sector Companies etc. owned and managed by the Federal Government shall be issued separately.

3. The Chief Executive may allow contract appointment of a retired civil servant or a retired officer of the Armed Forces or a retired Judge of a superior court or any other person on MP pay package in the public interest and merit.

Standard Terms and Conditions of Contract Appointments – Case of Retired Civil Servants, Retired Officers of the Armed Forces, Retired Judges of Superior Courts

Sl. No. 11:

Reference Standard Terms and Conditions of Contract Employment, issued vide Establishment Division’s O.M.No.10/52/95-R.2, dated 18.7.1996, as amended from time to time, the mater has been reviewed in consultation with the Finance Division, and it has been decided with the approval of the competent authority that the terms of re-employment of retired civil servants, retired officers of the Armed Forces and retired Judges of Superior Courts shall henceforth be as under:

I. Re-employment on a civil post relating to the affairs of the Federal:

(a) A retired civil servant and a retired officer of the Armed Forces, re-employed on a civil post equivalent to the post from which he retired, may be allowed the pay, allowances and perquisites sanctioned for the post. His pay may be fixed at that stage of the time scale of the post at which he was drawing his pay before retirement.

(b) A retired Judge of the superior courts may be allowed pay, allowances and perquisites sanctioned for the post, and his pay may be fixed at the maximum of the pay scale of the post.

(c) Retired civil servants or retired officers of the Armed Forces, re-employed against a higher post, may be allowed the last pay drawn plus allowances and perquisites sanctioned for the post.

II. Re-employment in Autonomous Bodies:

(a) A retired civil servant and a retired officer of the Armed Forces and a retired Judge of the superior courts, on re-employment in an autonomous body administered or controlled by the Federal Government, may be allowed pay as determined at (a), (b) and (c) above plus the allowances and perquisites sanctioned for the post.
(b) Where the terms and conditions of a post are prescribed in a statute or a statutory notification, the provisions of the statute or the statutory notification, as the case may be, should be prevail.

III. *Existing Pensionary benefits to continue.*

The terms and conditions proposed above should have no bearing on the pension to which a retired civil servant or a retired officer of the Armed Forces or a retired Judge of the superior courts may be entitled in accordance with the applicable law and the rules.

2. The standard terms and conditions of contract appointment circulated vide O.M.No.F.10/52/95-R.2, dated 18.7.1996 stand amended to the above extent. (Sl.No.9)

[Authority: Establishment Division O.M. No.10/52/95-R.2(Pt), dated 21-8-2001].

**Extension in the Period of Contract Appointments for Posts outside the purview of FPSC**

*Sl. No.12:*


v) “As a matter of general policy the period of contract shall not be extended beyond two years but in exceptional cases where it is considered necessary to extend such appointments beyond the period of two years, the advice/concurrence of the FPSC may be sought at least six months in advance of expiry of the period of original appointment, and thereafter approval of the competent authority may be sought”. It is clarified that the requirement of seeking advice/concurrence of FPSC is applicable only in respect of posts which fall under the purview of FPSC in accordance with Rule 3 of FPSC (Functions) Rules, 1978.

2. The above caveat is only applicable to such posts which fall within the purview of the FPSC in terms of Rule 3 of the FPSC (Functions) Rules, 1973 *i.e.* posts in BS-16 and above and posts in BS 11-15 in the departments specified *vide* SRO No.415/2000 dated 19.6.2000.
3. In terms of sub para (iv) of para 1 of above said OM dated 21.3.2000 contract appointments are required to be made with the approval of the appointing authority prescribed under rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. This means that contract appointment to posts in BS-20 and above are required to be approved by the Chief Executive, and extension of such appointments beyond two years would also require the approval of the Chief Executive.

4. As regards appointments beyond two years to posts in BS-19 and below falling outside the purview of the FPSC following instructions may be followed:—

(i) extension of contract appointments beyond two years to posts in BS-17-19 shall be subject to the approval of the Establishment Secretary;

(ii) extension of contract appointments beyond two years to posts in BS-16 shall be subject to approval of the Secretary of the administrative Division concerned and Heads of departments in BS-21;

(iii) extension of contract appointments beyond two years to posts in BS-15 and below shall be subject to approval of a Grade-21 officers designated by Secretary in the case of Ministries/Divisions and Head of Department in the case of Attached Departments and subordinate offices;

(iv) the case for extension shall be moved at least two months in advance of the expiry of original appointment.

[Authority. – Establishment Division O.M.No.8/10/2000-CP.I, dated 23-12-2000].

Sl. No. 13:

Provision of Government accommodation to persons appointed on contract, and Retention of Government accommodation by retiring officers/officials.—In continuation of Establishment Division O.M. No.10/52/95-R.2(Pt), dated 12.8.1998, the Prime Minister has been pleased to decide that contract appointees whose terms of contract had been issued prior to 12th August 1998 and who were in occupation of validly allotted Government owned/requisitioned houses prior to 12-8-1998 may be allowed to retain the said
accommodation till the expiry of their present tenure of contract appointment.

[Authority.– Establishment Division O.M. No.10/52/95-R2(Pt), dated 9-10-1998].

Sl. No. 14:

In partial modification of Establishment Division O.M. of even number dated 12.8.1998 and 9.10.1998 the competent authority has been pleased to decide that all Government servants who have been re-employed on contract after the age of superannuation shall be entitled to retain the allotted government accommodation.

2. Ministries/Divisions are requested to bring the above decision to the notice of their Attached Departments and Subordinate Offices.

[Authority.– Establishment Division O.M. No.10/52/95-R.2(Pt), dated 7-11-1998].

Sl. No. 15:

Reference Establishment Division O.M.No.10/52/95-R.2(Pt.) dated 12.8.1998, a question has arisen whether the instructions contained therein are applicable to persons employed on contract by the Government Departments which have their own accommodation. The matter has been considered carefully and the competent authority has been pleased to decide that in case any organisation has official accommodation available (other than pool accommodation of Estate Office) for allotment to its contractual employees, the same may be allotted in accordance with the rules of the respective department.

2. The competent authority has further been pleased to decide that officers/officials on retirement, shall be entitled to retain official accommodation for a period of six (6) months instead of two (2) months, as at present, and no extension shall be allowed beyond the aforementioned period. Retiring officers/officials should prepare themselves accordingly.

3. Ministries/Divisions are requested to bring the above decisions to the notice of the Departments and organisations under their administrative control.

[Authority.– Establishment Division O.M. No.10/52/95-R.2(Pt), dated 1-6-1999].
Relaxation in Upper Age Limit to persons employed in Government Department on Contract Basis

Sl. No. 16:

Sub rule (iii) of rule 3 of Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993, notified vide SRO 1079(I)/93 dated 4th November, 1993 provides 10 years relaxation up to 55 years in the upper age limit prescribed in the recruitment rules for Government Servants who have completed 02 years continuous government service on the closing date for receipt of applications.

2. A question has arisen whether the above mentioned relaxation in upper age limit is also available to those persons who are employed on contract basis in government departments? The matter has been examined and it is clarified that the above mentioned relaxation in upper age limit is admissible to “Government Servants”. The persons employed in a government department, (as distinct from a body corporate established by or under an Act of Parliament) on contract basis are “Government Servants,” and are eligible for and entitled to relaxation in upper age limit under sub rule (iii) of rule 3 of the Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 1993, subject to fulfilling the other conditions laid down in the said rules.

[Authority.— Establishment Division O.M.No.9/2/90-R.5, dated 11-9-2000].

Procedure regarding Appointment in Autonomous/Semi-Autonomous Bodies, under the Federal Government of Pakistan

Sl. No. 17:

In supersession of the instructions issued vide Office Memorandum No.1/85/94-E.6, dated the 12th September, 1994, henceforth the cases of appointment to various posts in
autonomous/semi-autonomous bodies shall be processed in accordance with the following guidelines:–

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Nature of Case</th>
<th>Selection Procedure</th>
<th>Approving Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>i.</td>
<td>Appointment of Chief Executive/Head of the Organization</td>
<td>Selection Board headed by the Minister Incharge to consider and recommend from a panel of three names for each vacancy.</td>
<td>Prime Minister/Chief Executive</td>
</tr>
<tr>
<td>&quot;ii. (a)</td>
<td>Posting of government servants of BS-21 and above</td>
<td>To be processed through the Establishment Division</td>
<td>Prime Minister/Chief Executive</td>
</tr>
<tr>
<td>(b)</td>
<td>Posting of government servants of BS-20</td>
<td>-</td>
<td>Establishment Secretary</td>
</tr>
<tr>
<td>(c)</td>
<td>Posting of government servants of BS-17 to 19</td>
<td>To be processed in the Ministry/Division concerned</td>
<td>Secretary of concerned Ministry/Division</td>
</tr>
<tr>
<td>(d)</td>
<td>Posting of government servants in BS-16 and below</td>
<td>To be processed by the Department Concerned.</td>
<td>Heads of Departments</td>
</tr>
<tr>
<td>iii.(a)</td>
<td>Appointment to posts in Management Grades other than of a Finance Member/Director and those covered by (i) and (ii) above</td>
<td>Selection Board headed by the Secretary of the Ministry/Division concerned to consider and recommend from a panel of three names for each vacancy.</td>
<td>Prime Minister/Chief Executive</td>
</tr>
<tr>
<td>&quot;(b)</td>
<td>Appointments to posts carrying a minimum pay equal to the minimum of BPS-20 and above</td>
<td>Selection Board headed by the Secretary of the Ministry/Division concerned to consider and recommend from a panel of three names for each vacancy.</td>
<td>Minister Incharge</td>
</tr>
<tr>
<td>iv.</td>
<td>Appointment of Heads of Subsidiary Companies not included in concerned and recommend</td>
<td>Selection Board headed by Secretary of the Ministry/Division from a panel of three names for each vacancy</td>
<td>Minister Incharge</td>
</tr>
<tr>
<td>v.</td>
<td>Appointment to posts other than those mentioned above.</td>
<td>Through appropriate Selection Board set up in the Organization</td>
<td>Head of the Organization concerned</td>
</tr>
</tbody>
</table>

2. This procedure shall be applicable, *mutatis mutandis*, for selections for these posts from open market.

3. The Constitution of Selection Boards for posts mentioned at Serial Numbers (i), (ii), (iii) and (iv) of Para 1 shall be subject to the approval of the Prime Minister/Chief Executive through Establishment Division (unless already so approved). The constitution of the Selection Board at Sr.No.(v) of para 1 shall be approved by the Minister Incharge of the Ministry/Division concerned.

4. In case where the services of any Government Servant are required for posting on deputation in any autonomous/semi-autonomous body, the administrative Ministry/Division concerned shall propose a panel of at least three names through the Establishment Division in case where the Prime Minister/Chief Executive is the competent authority.

5. Appointment to the post of Member(Finance), Director (Finance) or the Chief Finance Officer in any autonomous/semi-autonomous body irrespective of the designation shall be made with the approval of the Prime Minister/Chief Executive in case the post is in BS-20, equivalent or above. However, for these posts in BS-19/equivalent the Government’s approval will be accorded by the Finance Secretary in consultation with the Establishment Secretary.

*6. All appointments approved by the President or the Chief Executive/Prime Minister shall be notified by the Establishment Division. Posting of Officers of BS-20 in autonomous and semi-autonomous bodies will also be notified by the Establishment Division. The terms and conditions of deputation to autonomous bodies shall be regulated by the prescribed standard terms and conditions of deputation. Any deviation from the standard terms and conditions of deputation shall require prior approval of Finance and Establishment Divisions].

7. In cases where these instructions are in conflict with the provisions of the Laws governing any Corporation, the provision of the Law to the extent of conflict shall prevail.

8. Establishment Division’s U.O.No.1/85/94-E.6, dated the 5th May, 1996 regarding ban on promotion in the Corporation, is hereby cancelled.


Policy Guidelines for Contract Appointments for posts in Autonomous/Semi-Autonomous Bodies, Corporations, Public Sector Companies etc. owned and managed by the Federal Government

Sl. No. 18:

In order to regulate contract appointments in Autonomous/Semi-Autonomous Bodies, Corporations, Public Sector Companies etc., owned and managed by the Federal Government, the Chief Executive has been pleased to lay down the following policy guidelines:

(i) In the case of tenure posts, appointment to which is regulated by specific provisions of a law, rule and policy instructions, contract appointments may be made in the manner prescribed in the applicable law, rules and policy guidelines/directions issued by the Federal Government.

(ii) For projects which have a limited life, appointments may be made on contract basis by the prescribed appointing authority after open advertisement of the vacancies. The advertisement should indicate prescribed academic and professional qualifications, experience, age, provincial/regional quotas, special quotas etc. where applicable, as per rules/government policy.

(iii) For posts other than those mentioned at (i) and (ii) above contract appointments should be made only subject to fulfillment and observance of the following conditions:

(a) Where the nature of a particular job/vacant position requires contract appointment for a specific period, standing instructions should be issued by the administrative Ministry/Division concerned, after consultation with the Chairman of the Board of Directors/Board of Governors, specifying such posts and the parameters governing appointment on contract basis against such posts.

(b) Vacancies should be advertised in the leading national and regional newspapers.
(c) Selection should be made through regularly constituted Selection Committees/Boards.

(iv) In the case of contract appointments/re-employment of retired civil servants, retired Armed Forces Officers and retired Judges of Superior Courts, the condition of open advertisement shall not be applicable, provided that such appointments shall be made by or with the prior approval of the prescribed authorities in the Federal Government.

*(v) The contract appointment, where justified, may be made for a period of two years initially, on standard terms including termination clause of one month's notice or one month's pay in lieu thereof. Extension may be made on two yearly basis.]*

2. Ministries/Divisions are requested to circulate the above policy guidelines to all Autonomous/Semi-Autonomous Bodies, Corporations, Public Sector Companies etc., owned and managed by the Federal Government for strict compliance.


Guidelines for Appointment of Consultants

Sl. No.19:

Consequent upon the findings of various Committees appointed during 2001 to examine the appointments of consultants and deliberations of the Conference held on 13 November, 2001, under the Chairmanship of the COS to the Chief Executive, the competent authority was pleased to direct, *inter alia*, that guidelines regulating the appointment of consultants in all Ministries/Divisions and organizations under their administrative control, be framed/circulated on the approved lines, for compliance by all the Ministries/Divisions/Organizations. Accordingly, a set of guidelines, in the succeeding paragraphs, is circulated for strict compliance, to ensure that the best persons are transparently and competitively

appointed in a cost-effective manner, only when a consciously and formally identified need for consultants exists.

**Determination of Need for Consultants:**

2. Need identification is a pre-requisite for any organization planning to obtain services of consultants, who are normally required to tender advice, being experts/specialists, on specific (generally technical) issues/projects to:

   a) Address on uncommon problems;
   
   b) Provide technical supervisions; or
   
   c) Introduce innovative practices/solutions

Consultancies would generally fall into two broad categories:

i) **Project Consultancy**—to provide technical support/supervision by filling vacuum of technical expertise, specific to the project and funded out of development funds; and

ii) **General/Management Consultancy**—to provide expert advice, unavailable in-house, to introduce innovative solutions to Financial/Human Resources Management/Technical Issues or to act as agents of change for status-quo oriented permanent employees and commonly paid for out of non-development budget.

A consultancy would, therefore, always be assignment specific and time bound and should be preferred only when it is considered value effective to hire services of a consultant compared to developing in-house expertise.

3. As a first step, the client organization is required to ascertain as to whether or not the required expertise is available within the organization/government. In case the expertise is available in-house, reasons for not undertaking the assignment internally may be spelled out and detailed justification, including the following, may be given for hiring the consultant: –

   i) Terms of reference/specific tasks to be accomplished by the consultant.
   
   ii) Details of the outputs required of the consultant.
   
   iii) Anticipated benefits from the proposed assignment.
iv) Professional expertise and experience required for the task to be undertaken.

v) Approximate time required for completion of the job.

vi) Cost estimates.

The above information shall be placed for concept clearance before:

a) A committee headed by the Secretary of the Ministry/Division concerned and including representative of Finance Division, Establishment Division and the Planning & Development Division for non-development budget funded consultancy; or

b) The appropriate approval forum for development budget related consultancies.

Procedure for Hiring Consultants:

4. After concept clearance has been received, the following procedure will be pursued by the client Ministry/Division/Department/Organization:

i) Consultancy should be widely advertised indicating the requirements mentioned at para-3 above.

ii) Advertisement of consultancy will indicate the range of compensation package, including various facilities, depending on the nature of work involved. The applicants will be shortlisted and prioritized by an in-house Committee of the client organization.

iii) For General/Non-Development Budget funded consultancies, a Selection Board, headed by the Secretary of the Ministry/Division concerned and including a representative each of Establishment Division and Finance Division, will recommend a panel of at least three candidates in order of merit for consideration of the appointing authority. The Selection Board should also recommend the compensation package for the consultants placed on the panel.

iv) For development budget/project related consultancies a Competent Selection Board of the client organization, including a representative of the Planning & Development
Division, shall recommend a panel of at least three names to the appropriate approval forum.

v) Financial sanction for the appointment of a consultant on the terms and conditions recommended by the Selection Board should be obtained from the competent authority.

**Final Approval:**

5. Final approval will be accorded as follows:

i) Development project related consultancies will be approved by the competent approval forum and additional conditionalities of donors will be observed in grant funded consultancies.

ii) General/non-development budget funded consultancies will be approved by the Chief Executive, on proposals routed through the Establishment Division.

**Contracting Procedure:**

6. While making an offer of appointment, the following will be provided in the contract/agreement: –

i) Statement of objectives of the assignment.

ii) Responsibilities of the consultant stating particulars of the outputs required of him.

iii) Responsibilities of the client indicating types of inputs to be provided to the consultant.

iv) Duration of the contract indicating completion dates/termination of contract.

v) Financial provisions reflecting manner of payment of remuneration etc.

vi) General provisions regarding matters like earlier termination of contract.

vii) Mode of periodic performance appraisal of the consultant.

**Others:**

7. Following further guidelines will also be kept in view while appointing consultants:–

i) No person retired from a government organization will be hired as a consultant only to re-employ him/her.
ii) Consultants should not be appointed to perform routine functions of an organization.

iii) Special attention should be given by the Divisions/Organizations to train and develop their own personnel to take up higher responsibilities.

iv) An objective evaluation and assessment of a consultant’s performance should invariably be undertaken on a periodic basis in a manner especially designed for the job.

8. In addition to the above, following further guidelines will also be strictly complied with: –

i) Engagement of retired officers as Consultants/Advisers etc. shall require prior permission of the government, invariably i.e. Establishment Division in case of retired civilian officers; Defence Division in case of retired defence officers; and Law, Justice and Human Rights Division/Supreme Court/High Courts in case of retired judiciary officers.

ii) The Chief Executive’s Inspection Commission shall conduct regular/periodical checks in order to monitor compliance of the guidelines;

iii) Any deviation/departure of the prescribed guidelines shall be dealt with seriously and the defaulting officer(s) shall be proceeded against, under E&D law/rules.

iv) A uniform proforma be devised containing all essential particulars/details regarding appointment of a Consultant etc. for evaluation/rational decision making by the Selection Committee/Board concerned and approving authority.

9. Ministries/Divisions are requested to kindly comply with the above guidelines and also accordingly inform their related departments/organizations for compliance.

10. This issues with the conveyance of the approval of the competent authority by the Chief Executive Secretariat.

[Authority:– Establishment Division, MS Wing’s U.O. No.11-3/2001-MSW-III, dated 25-1-2002].
Sl. No. 20:

In pursuance of para-8(ii) of the Guidelines for Appointment of Consultants, circulated vide this Division’s U.O. of even number dated 25.1.2002, a proforma containing essential particulars/details regarding appointment of consultants has been designed for uniform evaluation and rational decision making by the Selection Board and the appointing authority.

2. It is, therefore, requested that information as per the enclosed proforma may invariably be placed before the Selection Board and the appointing authority.

[Authority:– Establishment Division, MS Wing’s U.O. No.11-3/2001-MSW-III, dated 12-2-2002].
APPOINTMENT OF CONSULTANTS
ESSENTIAL PARTICULARS/DETAILS TO BE PLACED BEFORE THE
SELECTION COMMITTEE/BOARD AND APPROVING AUTHORITY

PART – I

(1) Name of the Ministry/Division/Department hiring the Consultant _______________________

(2) Area of consultancy _______________________

(3) Duration of consultancy _______________________

(4) Date of clearance by the Concept Clearance Committee _______________________

(5) Date of advertisement (copy may be enclosed) _______________________

(6) Member of applications received for the position _______________________

(7) Number of Candidates short-listed (Prioritized list* may be enclosed) _______________________

PART – II

(1) Justification for hiring the consultant on basis of need assessment

(2) Terms of reference (TOR) of the assignment

(3) Major activities to be performed under the TOR with date of completion in respect of each activity

*Para 4(ii) of the guidelines for appointment of consultants refers.
(4) Qualifications, professional experience and other specifications considered necessary for the job

(5) Cost of hiring the consultant:
   (a) Remuneration to be paid to the consultant
   (b) Cost of supporting staff
   (c) Cost of equipment/material.
   (d) Others

(6) Anticipated benefits of the proposed consultancy including savings to the organization.

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PART – III

(To be filled when the case is submitted for consideration of the appointing authority)

(1) Names of candidates in order of merit, recommended by the Selection Board, broadly giving reasons for such selection.

(2) Compensation package for the Consultants recommended by the Selection Board.
PART – IV

(1) A profile of each candidate, *in case of individuals, and profiles of principals in case of a firm etc., covering the following, may be enclosed alongwith detailed CV:

(a) Name of the candidate/principal
(b) Age with date of birth
(c) Qualification and experience relevant to the assignment
(d) Other factors which support individual’s/firm’s suitability for the job

(2) Draft contract agreement **may be enclosed.

*In respect of:

(I) Candidates short listed when the case is submitted for consideration of the Selection Board.

(II) Panel of candidates recommended by the Selection Board when the case is submitted for consideration of the appointing authority.

**May be revised/modified, if required, in the light of recommendations of the Selection Board when the case is submitted for consideration of the appointing authority.
Operational Guidelines for the Administration of Surplus Pool

Sl. No. 21:

In a presentation to the Chief Executive on “Restructuring and Rightsizing of Federal Ministries/Divisions” held on 28.5.2001, it was, *inter alia*, decided that the officer-staff ratio (excluding drivers, despatch riders etc.) should be 1:3.2 for the year 2001-2002 and 1:2.5 for the year 2002-2003, and thereafter it would be reviewed again.

2. Each administrative Secretary may be made responsible for ensuring implementation of the above decision by making internal adjustment of staff. If any officer/staff becomes redundant to the requirement of the Ministries/Divisions/Departments as a result of implementation of the above or any other decision, that may be enlisted with the surplus pool for adjustment elsewhere. As a result of implementation of the above said decisions, the number of surplus civil servants will increase manifold.

3. In terms of Section 11(2) of the Civil Servants Act, 1973, the services of civil servants holding temporary and permanent posts can be terminated on abolition of such posts. However, on human considerations, Government decided in 1993 to create a surplus pool under the charge of the Establishment Division. The civil servants declared surplus as a result of abolition of posts are enlisted in the surplus pool for absorption elsewhere.

4. In order to speed up the pace of absorption of surplus civil servants following guidelines have been framed with approval of the competent authority, for effective administration of the surplus pool:

   (i) The name of a civil servant, other than *ad hoc* employees and persons appointed against leave and deputation vacancies, who may be rendered surplus as a result of reorganization or abolition of a Division/Department/Organization or reduction in the number of posts shall be placed in the surplus pool administered by Establishment Division for a period of two years whereafter his services shall stand terminated. If a civil servant has already completed two years in the surplus pool on the date of issuance of guidelines, he may be allowed to remain
enlisted in the pool for a period of another one year whereafter his services shall stand terminated.

(ii) If a post occupied by a deputationist or a person posted under Section 10 of Civil Servants Act, 1973 is declared surplus, the holder of the post shall be repatriated to his parent organization.

(iii) During the period of his placement in the Surplus Pool a civil servant shall remain on the pay rolls of his parent department and he shall be entitled to pay and allowances which he would have drawn in the post last held by him on regular basis in his parent organization before his placement in the Pool. His post in his parent department shall be treated as supernumerary post and it shall be abolished after his absorption or the period mentioned in sub-para(i) above, whichever be earlier.

(iv) During placement in the surplus pool, civil servants may be given the option to avail leave under Rule 27 of the Revised Leave Rules 1980.

(v) Civil Servants placed in the surplus pool shall be posted for absorption in other Divisions/Departments/Organizations in accordance with Rules 3(3) and 3(4) of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 and Section 11-A of the Civil Servants Act, 1973.

(vi) Surplus employees in BS 1 – 5 shall ordinarily be posted for absorption at the station of their last posting or place of domicile. Civil Servants of BS-6 and above may be posted at a station other than the station of their last posting or domicile but subject to availability of posts, efforts may be made to arrange their posting nearest to the station of their last posting or their place of domicile.

(vii) Failure of a surplus civil servant to join new post within the prescribed time shall render him liable to removal from the list of surplus pool and termination of his services. Where the competent authority is satisfied that failure of surplus civil servant to report for duty at the place of his new posting within the prescribed time was in circumstances beyond his control, it may for reasons to be recorded in writing, allow him additional time for joining or consider him
for alternative posting at a station other than the one to which he was last posted.

(viii) If a Division/Department/Organization fails to accept the services of civil servant transferred from surplus pool, the post shall be deemed to have been abolished.

(ix) Legal provision for termination, reversion, E&D proceeding, etc shall be invoked only after the surplus civil servant fails to \emph{abide by} the government orders within the given time-frame.

5. As regards employees of the autonomous bodies, they are not civil servants and are governed by the regulations/instructions operative in each individual Organization. Each Ministry/Division should, therefore, lay down a policy in consultation with the Finance Division for disposal of surplus employees of the autonomous bodies under its administrative control.

6. All Ministries/Divisions are requested to comply with the above instructions/guidelines strictly.

7. This supersedes all the instructions issued on the subject from time to time.

\textit{Authority.-- Establishment Division O.M.No.1/4/97-RW.III/CP.9, dated 9-10-2001].}
Civil Servants (Seniority) Rules, 1993

Sl. No. 22:

In exercise of the powers conferred by section 25 of the Civil Servants Act, 1973 (LXXI of 1973), read with section 8 thereof, the President is pleased to make the following rules, namely:

1. **Short title, application and commencement.**—(1) These rules may be called the Civil Servants (Seniority) Rules, 1993.

(2) They shall apply to all civil servants except those governed under:

(i) the Police Service of Pakistan (Composition Cadre and Seniority) Rules, 1985;

(ii) the Occupational Group and Services (Probation, Training and Seniority) Rules, 1990; and

(iii) the Establishment Division's O.M. No.1/2/74-ARC, dated 23rd January, 1974, amended vide O.M. No.2/1/75-ARC, dated 3rd March, 1976, and as amended from time to time.

(3) They shall come into force at once.

2. **Seniority on initial appointment.**—(1) Persons initially appointed on the recommendations of the selection authority through an earlier open advertisement shall rank senior to those appointed through a subsequent open advertisement.

(2) If two or more persons are recommended in open advertisement by the selection authority their *inter se* seniority shall be determined in order of merit assigned by the selection authority.

(3) If only one candidate is recommended in open advertisement by the selection authority, he shall count his seniority from:

(a) the date of recommendation by the selection authority, if he was already holding the same post.

(b) the date of his joining the post after being recommended by the selection authority if he was not already holding the same post.
3. **Seniority on promotion.**—Seniority in a service, cadre or post to which a civil servant is promoted shall take effect from the date of regular promotion to that service, cadre or posts:—

Provided that—

(a) Civil servants selected for promotion to higher posts on an earlier date shall be senior to those selected for such promotion on a later date;

(b) Civil servants selected for promotion to higher posts in one batch shall on their promotion to the higher post, retain their *inter se* seniority as in the lower post; and

(c) Civil servants eligible for promotion who could not be considered for promotion in the original reference in circumstances beyond their control or whose case was deferred while their juniors were promoted to the higher post, shall, on promotion, without supersession, take their seniority with the original batch.

4. **Seniority on appointment by transfer.**—Seniority in service, cadre or post to which a civil servant is appointed by transfer shall take effect from the date of regular appointment to the service, cadre or post;

Provided that—

(a) persons belonging to the same service, cadre or post selected for appointment by transfer to a service, cadre or post in one batch shall, on their appointment, take *inter se* seniority in the order of their date of regular appointment in their previous service, cadre or post; and

(b) persons belonging to different services, cadre or posts selected for appointment by transfer in one batch shall take their *inter se* seniority in the order of the date of their regular appointment to the post which they were holding before such appointment and, where such date is the same, the person older in age shall rank senior.

*[4A. In the event of merger of Ministries, Divisions, Attached Departments or Subordinate Offices, the *inter se* seniority of civil servants, other than those belonging to regularly constituted Occupational Groups and Services, shall be determined in accordance with the date of regular appointment to a cadre or post]*.

*Added vide Establishment Division Notification S.R.O. No.01(I)/2002 dated 1-1-2002.*
5. **Seniority of officers of the Armed Forces on induction in civil posts.**—Officers of the Armed Forces of Pakistan who are inducted in a civil service, cadre or post in accordance with the Government orders and instructions shall take seniority in that service, cadre or post from the date of such induction:

Provided that the officers inducted in one batch shall, on induction, retain their *inter se* seniority as in the Armed Forces of Pakistan.

6. **Inter se seniority of civil servants appointed in the same calendar year.**—Persons appointed by transfer in a particular calendar year shall, as a class, be senior to those appointed by promotion or by initial appointment to such posts in that year, and persons promoted to higher posts in a particular calendar year shall, as a class, be senior to those appointed by initial appointment to such posts in that year.

7. **Repeal and savings.**—The General Principles of seniority circulated *vide* Establishment Division's O.M.No.1/16/ 69-D.II, dated the 31st December, 1970, and all other existing rules, orders and instructions relating to seniority except—

   (i) the Police Service of Pakistan (Composition, Cadre and Seniority) Rules, 1985;

   (ii) the Occupational Groups and Services (Probation, Training and Seniority) Rules, 1990; and

   (iii) the Establishment Division's O.M.No.1/2/74-ARC dated 23rd January, 1974, amended *vide* O.M. No. 2/1/75-ARC, dated the 3rd March, 1976 and as amended from time to time.

are hereby repealed.

*Authority.— Establishment Division Notification No. S.R.O. 163(I)/93, dated 28-2-1993.*
Career Management and Grooming of Officers, NIPA Entrance Examination

Sl. No.23:

The Chief Executive have been pleased to approve the followings: –

“The promotion pre-requisite course at the National Institute of Public Administration for promotion of officers to BS-20 shall be preceded by the successful undertaking of an entrance examination by all BS-19 officers, to be conducted by the FPSC”. The syllabus is annexed.

2. Detailed guidelines for the NIPA entrance examination are as under: –

i) All officers, holding a BS-19 post on a regular basis under the Federal Government shall be eligible to take the examination.

ii) Each candidate shall be allowed a maximum of three chances to pass the entrance exam.

iii) Failure to qualify the examination in the prescribed number of attempts would render the officer(s) ineligible for nomination to Advanced course at NIPAs and hence ineligible for promotion to BS-20, with likely consequential pre-mature retirement.

iv) Candidates shall be required to attain 50% marks to successfully qualify the NIPA entrance examination.

v) Performance in the NIPA entrance examination shall be assigned 50% weightage with the balance 50% weightage earmarked to the service record of the officer to qualify for nomination for the training course at NIPAs.

vi) Final nomination of officers for undergoing the promotion pre-requisite training at the NIPA shall be undertaken by a High Powered Selection Board to be constituted by the
Establishment Secretary. (The proposed constitution lies within the competence of Secretary Establishment).

vii) First selection, based on qualifying pre-entrance exam, for NIPA Training will be made for courses starting in January 2002.

viii) FPSC would schedule the exam. and circulate accordingly.

ix) A roster of those who pass the exam. would be maintained in the Training Wing of Establishment Division and they would select officers for NIPA course in batches on seniority & merit after clearance of High Powered Board.

3. FPSC is requested to take further necessary action accordingly and make available the list of officers who pass the NIPA entry test by the end of November 2001 for selection of nominees for the NIPA Course starting in January 2002.

4. It is further requested that the decision should be given due publicity with circulation of syllabus to all concerned.

[Authority.– Establishment Division O.M. No.F. 10/7/2000-CP.I, dated 8-5-2001].
PART–A: SERVICE RULES

Note: Open book exam. for Part-A only. Candidates will be allowed to consult their books to answer the practical problems. Candidates will be asked to attempt one question out of three.

1. Rules of Business, 1973
2. Secretariat Instructions
4. Appointment, Promotion and Transfer Rules.

PART–B ECONOMY OF PAKISTAN

Note: Candidates will be asked to attempt two questions out of four, having 50 marks in total.

   1.1 Participatory Development
   1.2 Poverty/alleviation Strategies for Pakistan.
2. Rationalization of Revenue Generation and Taxation.
4. Role of Foreign Trade in Economic Development.
5. Islamization, Privatization and Deregulation of Pak-Economy.
7. Informal Economy.

PART–C EXECUTIVE SUMMARY – DRAFTING

Based on fact sheet to be provided, the candidates will be required to draft a Summary for the Head of the Government, Federal/Provincial Minister, Secretary etc., giving their options and recommendations.
SYLLABUS FOR NIPA ENTRANCE EXAMINATION

PAPER–2

(Marks=100)
(Max Time= 3 hrs)

Part–A: Current Affairs and International Relations
Marks: 80
Time: 150 minutes

Current Affairs:

Note: Candidates will be asked to attempt two questions out of four questions.

International Relations

Note: Candidates will be asked to attempt two questions out of four questions.

1. Pakistan’s Relations with Big Powers.
2. Pakistan’s Relation with Middle East, African and Far-Eastern Countries.
3. Pak-India Relations.
4. Pakistan’s Relations with Central Asian Countries: History and Prospects.
5. Regional issues (e.g. Kashmir Issue, Afghanistan Crisis and its resolution etc.)

Part-B: General Knowledge
Marks: 20
Time: 30 minutes

(40 questions)
Objective Test on general knowledge (Yes or No)
Sl. No. 24:

Reference Establishment Division’s O.M. of even number dated 8th May, 2001, the following time frame is prescribed for passing NIPA Entrance Exam: –

i) Officers holding BS-19 posts on regular basis are required to pass the NIPA Entrance Exam within five years of the date of their regular appointment to a post in BS-19. Provided that officers who may have completed two years or more service in BS-19, before issuing of these Instructions are required to pass the NIPA Entrance Exam within three years of the date of first examination.

ii) In case of persons posted outside Pakistan in Embassies or with international agencies or with foreign governments or pursuing higher studies/training outside Pakistan with the approval of the Government, the period of their foreign posting/training will be added to the period prescribed at (i) above.

iii) Failure to appear in the prescribed NIPA Entrance Exam within the prescribed time shall be construed as failure to pass the examination; this failure shall be treated as evidence of inefficiency for the purpose of Section 13(1)(i) of the Civil Servants Act, 1973 and the Removal from Service (Special Powers) Ordinance, 2000.


Career Management and Grooming of Officers – Promotion Exam. for Posts in BS-17 and 19

Sl.No.25:

Reference Establishment Division’s O.M. of even number dated 8th May, 2001 on the subject noted above and to circulate the following modifications and additional guidelines, approved by the competent Authority:–

i) Ministries/Divisions to devise and finalize the syllabus and conduct the promotion exam. for BS-17 and BS-19
ex-cadre posts under their administrative control, including Attached Departments. FPSC will devise syllabus and conduct promotion exam. for posts in BS-17 and 19 of only regularly constituted Occupational Groups in consultation with the Ministries/Divisions administering these groups.

ii) Qualifying marks for promotion exam. to BS-17 and 19 in individual/papers would be 50%.

iii) The examination should be passed as a whole and not in parts. Failure to qualify in one or more papers will be treated as failure in the Exam.

iv) Other eligibility criteria for promotion already laid down in the applicable rules shall remain in force.

v) No promotion would be made to BS-17 and 19 without passing the prescribed promotion exam. after 31st January, 2002.

2. A question has arisen whether promotion from BS-16 to posts in BS-18 in cases where no intermediate post is available in BS-17 would require to be based on promotion examination. The matter has been considered and it has been decided that in such cases also promotion should be based on promotion examination.

[Authority.– Establishment Division O.M.No.10/7/2000-CP.I, dated 9-7-2001]

Sl. No. 26:

Reference Establishment Division’s O.M. of even number dated 8th May, 2001 and 9th July, 2001 on the subject it has been decided that–

i) Period for passing promotion examination for posts in BS-19

Officers holding posts in BS-18 on regular basis are Required to appear in the promotion examination within seven years of the date of their regular appointment to a post in BS-18:

Provided that officers who may have completed four years or more service in BS-18 before issuance of these instructions may be required to pass the promotion
examination within three years of the date of the first examination.

ii) **Period for passing promotion examination for posts in BS-17**

Persons holding the feeding posts on regular basis are required to pass the promotion examination within three years of their becoming eligible for consideration for promotion:

Provided that persons who may have already completed three years service after becoming eligible for consideration for promotion may be required to appear in the promotion examination within three years of the date of the first examination.

2. In case of persons posted outside Pakistan in Embassies or within international agencies or with foreign governments or pursuing higher studies outside Pakistan with the approval of the Government, the period of their foreign posting/training may be added to the period prescribed at (i) and (ii) above.

3. Failure to appear in the prescribed promotion examination within the prescribed time shall be construed as failure to pass the examination and this failure shall be treated as evidence of inefficiency for the purpose of Section 13(1)(i) of the Civil Servants Act, 1973 and the Removal from Service (Special Powers) Ordinance, 2000.

[Authority: Establishment Division O.M.No.10(7)/2000-CP.I/II, dated 25-8-2001].

**Promotion related capacity building of Civil Servants in BS-17 to BS-19 of various Occupational Groups**

*Sl. No. 27:*

In order to ensure an optimum development of human resources available to the Government, it is imperative that a continuous process of capacity building is so engineered that training becomes a regular, mandatory requirement, directly linked to vertical growth of Civil Servants. In this context, the Chief Executive of Pakistan was pleased to decide that officers be trained in regular, short courses to equip them with skills and expertise
relevant to their job. It has, therefore, been decided by the Government that:–

a) Civil Servants prospectively appointed to all Occupational Groups/Services be required to undergo twelve days of short training course, each year after completing the initial common and specialized training programmes, in a pre-determined progressive mix of skills and concept courses;

b) Special focus will be given in Public Finance, Budget Preparation, Accounts etc., in addition to the relevant courses of each Occupational Group. Sample lists of which are annex;

c) Officers presently serving in BS-17 to BS-19 be required to undergo twelve days of training, starting year, 2002 [till the year of their consideration for promotion to the next higher grade]; and

d) Promotion to BS-18, BS-19 and BS-20 be conditional, amongst other criteria, to an assessment of satisfactory participation in these courses.

2. A sample list of short courses in skills and concepts development identified in consultation with various Ministries/Divisions/Departments is annexed. All the administrative Ministries/Divisions/Departments controlling the regularly constituted Occupational Groups, except Ministry of Foreign Affairs (in whose case policy would be announced later) are requested to arrange short training courses for their officers serving in BS-17 to BS-19, every year.

[Authority.—Establishment Division O.M.No.1/6/2002-CP.II, dated 5-4-2002].
<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Training Course</th>
<th>Duration</th>
<th>Training Institute</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td><strong>ACCOUNTING</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Introduction to Chart of Classification</td>
<td>3 days</td>
<td>Audit &amp; Accounts, Training Institutes, Lahore, Islamabad, Peshawar, Karachi &amp; Railways Accounts Academy, Quetta.</td>
</tr>
<tr>
<td>2.</td>
<td>Compilation of Monthly &amp; Annual Accounts</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Reconciliation of Accounts</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Appropriation and Finance Accounts</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>II</td>
<td><strong>AUDIT</strong></td>
<td></td>
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</tr>
<tr>
<td>1.</td>
<td>Value for Money Audit</td>
<td>3 days</td>
<td></td>
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<tr>
<td>2.</td>
<td>Issue in Managing Performance Audit</td>
<td>2 days</td>
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</tr>
<tr>
<td>3.</td>
<td>INTOSAL Auditing Standards</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Stage of Development of Project</td>
<td>-do-</td>
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<tr>
<td>5.</td>
<td>Planning for Performance Audit</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Audit Execution</td>
<td>5 days</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Financial Analysis</td>
<td>2 days</td>
<td></td>
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<tr>
<td>8.</td>
<td>Audit of Programme</td>
<td>-do-</td>
<td></td>
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<tr>
<td>9.</td>
<td>Certification Audit</td>
<td>6 days</td>
<td></td>
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<tr>
<td>10.</td>
<td>Evaluation of Internal Controls</td>
<td>-do-</td>
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<tr>
<td>11.</td>
<td>Report Writing</td>
<td>2 days</td>
<td></td>
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<tr>
<td>12.</td>
<td>Reporting Reviewing Concept &amp; Practical</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Audit of Revenue Receipts</td>
<td>3 days</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Any other subject considered Relevant by the controlling Division/Agency</td>
<td>During not more than 12 days</td>
<td></td>
</tr>
</tbody>
</table>

*Renamed vide Establishment Division O.M.No.1/17/92-CP.II, dated 10.12.2002*
## CUSTOMS AND EXCISE GROUP

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Training Course</th>
<th>Duration</th>
<th>Training Institute</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Customs laws and procedures</td>
<td>One week</td>
<td>Directorate of Customs &amp; Excise &amp; Sales Tax Karachi/Lahore/Islamabad and other Training Institutes where the facility of Training is available.</td>
</tr>
<tr>
<td>2.</td>
<td>Levy and Assessment of duties/taxes, Exemption, Repayments, Warehousing, Transit and Transshipment</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Import &amp; Export Policies and procedure, Concepts related to International Trade.</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Sales Tax Laws &amp; procedure</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Prevention of Smuggling, Search, Seizure &amp; arrest-Inquiries and Investigations</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Central Excise Law and procedure</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Financial Accounting for Tax Officers</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Customs Baggage Rules</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Basic Investigation Techniques</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
<td></td>
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</tbody>
</table>
## COMMERCE AND TRADE GROUP

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Training Course</th>
<th>Duration</th>
<th>Training Institute</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>a) Basis for International Trade</td>
<td>One week</td>
<td>Foreign Trade Institute</td>
</tr>
<tr>
<td></td>
<td>b) International Marketing</td>
<td></td>
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<tr>
<td>2.</td>
<td>a) Trade Policies</td>
<td>One week</td>
<td>Foreign Trade Institute</td>
</tr>
<tr>
<td></td>
<td>b) Trade Strategies</td>
<td></td>
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</tr>
<tr>
<td>3.</td>
<td>a) National Trade Laws and Institution</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td></td>
<td>b) International Trade Laws and Institutions</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>4.</td>
<td>a) Marketing Management</td>
<td>-do-</td>
<td>-do-</td>
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<tr>
<td></td>
<td>b) Marketing Research</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>c) Integration Marketing/Planning/Planning Execution</td>
<td></td>
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<tr>
<td>5.</td>
<td>Products Development</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>6.</td>
<td>a) Promotion of Trade and Investment</td>
<td>12 days</td>
<td>-do-</td>
</tr>
<tr>
<td></td>
<td>b) Managing Trade Fairs/Exhibitions abroad for Trade promotion</td>
<td>-do-</td>
<td>FTIP/IBA</td>
</tr>
<tr>
<td></td>
<td>c) Post fairs follow-up &amp; Analysis</td>
<td></td>
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<tr>
<td>7.</td>
<td>Organization Role and Functions of WTO and its Implications on Pakistan’s Trade and Investment</td>
<td>-do-</td>
<td>FTIP/IBA</td>
</tr>
<tr>
<td>8.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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### DISTRICT MANAGEMENT GROUP

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<tr>
<th>Sl.No.</th>
<th>Training Course</th>
<th>Duration</th>
<th>Training Institute</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Development Planning/Plan formulation, Planning Machinery in Pakistan</td>
<td>One week</td>
<td>Civil Services Academy NIsPA, any other Training Institutes where the facility of Training is available.</td>
</tr>
<tr>
<td>2.</td>
<td>Feasibility Study, Project Preparation, Implementation Monitoring and Evaluation</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Public Finance &amp; Finance Management</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Public Income, its Sources, Effects of Taxation on Production &amp; Distribution</td>
<td>-do-</td>
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</tr>
<tr>
<td>5.</td>
<td>Public Expenditure, objects &amp; classification, Effects of Public Expenditure on Production &amp; Distribution</td>
<td>-do-</td>
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</tr>
<tr>
<td>6.</td>
<td>Public Debts General Characteristics</td>
<td>-do-</td>
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</tr>
<tr>
<td>7.</td>
<td>Principles of audit &amp; Role of Public Accounts Committee</td>
<td>3 days</td>
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<tr>
<td>8.</td>
<td>Public Administration, Sector Management and concept of Public Governors</td>
<td>-do-</td>
<td></td>
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<tr>
<td>9.</td>
<td>Decision Making</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Devolution Plan</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>District Tehsil administration</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>Local Government and Rural Development</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Role of NGO in Development</td>
<td>-do-</td>
<td></td>
</tr>
<tr>
<td>14.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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<tr>
<td>Sl.No.</td>
<td>Training Course</td>
<td>Duration</td>
<td>Training Institute</td>
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</tr>
<tr>
<td>1.</td>
<td>Course on Macro Economic Planning</td>
<td>12 days</td>
<td>PIDE</td>
</tr>
<tr>
<td>2.</td>
<td>Course on Employment Income and Resource Mobilization</td>
<td>-do-</td>
<td>Pakistan Manpower Institute (PMI)</td>
</tr>
<tr>
<td>3.</td>
<td>Course on Human Resource Management</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>4.</td>
<td>General Course on Management</td>
<td>-do-</td>
<td>Pakistan Planning &amp; Management Institute (PPMI)</td>
</tr>
<tr>
<td>5.</td>
<td>Course on Balance of Payments</td>
<td>-do-</td>
<td>PIDE</td>
</tr>
<tr>
<td>6.</td>
<td>Course on Debt Management</td>
<td>-do-</td>
<td>PIDE</td>
</tr>
<tr>
<td>7.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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</tbody>
</table>

# ECONOMISTS GROUP

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<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Training Course</th>
<th>Duration</th>
<th>Training Institute</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Income Tax Law</td>
<td>One week</td>
<td>Directorate of Training and Research (Income Tax), Lahore</td>
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<tr>
<td>2.</td>
<td>Investigative Techniques and Commercial Practices</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>3.</td>
<td>Accountancy, Book Keeping and Auditing</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>4.</td>
<td>Knowledge of Computers/Information Technology</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>5.</td>
<td>Advance Management Programme</td>
<td>12 days</td>
<td>Pakistan Institute of Management Karachi/Lahore</td>
</tr>
<tr>
<td>6.</td>
<td>Financial Management Course</td>
<td>One week</td>
<td>-do-</td>
</tr>
<tr>
<td>7.</td>
<td>Skills in Administrative Matters</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>8.</td>
<td>Streamlining Administrative Procedure and Paperwork</td>
<td>-do-</td>
<td>-do-</td>
</tr>
<tr>
<td>9.</td>
<td>Course in Financial Management for D.D.Os or Equivalent Rank</td>
<td>-do-</td>
<td>NIPA, Karachi</td>
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<tr>
<td>10.</td>
<td>Finance and Accounting for non Financial Executives</td>
<td>-do-</td>
<td>Pakistan Institute of Management, Lahore/Karachi</td>
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<tr>
<td>11.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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<tr>
<td>Sl. No.</td>
<td>Training Course</td>
<td>Duration</td>
<td>Training Institute</td>
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</tr>
<tr>
<td>1.</td>
<td>Duties of Press Officers Abroad</td>
<td>One week</td>
<td>Information Service Academy, PTV Academy or any other Training Institute where the facility of Training is available.</td>
</tr>
<tr>
<td>2.</td>
<td>Projecting Kashmir Abroad</td>
<td>One week</td>
<td></td>
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<tr>
<td>3.</td>
<td>Conflict Resolution</td>
<td>One week</td>
<td></td>
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<tr>
<td>4.</td>
<td>Mass Communication As Agent of Socio-Cultural Change</td>
<td>3 days</td>
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<tr>
<td>5.</td>
<td>International Media and Dealing with Foreign Correspondents</td>
<td>3 days</td>
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<tr>
<td>6.</td>
<td>Publicity, Public Relations and International Relations</td>
<td>One week</td>
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<tr>
<td>7.</td>
<td>Media Diplomacy and New World Order</td>
<td>One week</td>
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<tr>
<td>8.</td>
<td>International News Agencies and their Role in World Politics</td>
<td>One week</td>
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</tr>
<tr>
<td>9.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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</table>
## MILITARY LANDS & CANTONMENT GROUP

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Training Course</th>
<th>Duration</th>
<th>Training Institute</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Cantonment Act 1924</td>
<td>One week</td>
<td>NIPA, CSA or any other Training Institute where the facility of training is available.</td>
</tr>
<tr>
<td>2.</td>
<td>Cantonment Property Rules</td>
<td>-do-</td>
<td></td>
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<tr>
<td>3.</td>
<td>Cantonment Servants Rules 1955</td>
<td>-do-</td>
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</tr>
<tr>
<td>4.</td>
<td>Cantonment Election Petition Rules 1997</td>
<td>-do-</td>
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<tr>
<td>5.</td>
<td>Administration &amp; Management of Government Land Inside and Outside Cantonment</td>
<td>-do-</td>
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<tr>
<td>6.</td>
<td>Acquisition &amp; Requisitioning of Land or Property for the purpose of Federation</td>
<td>-do-</td>
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<tr>
<td>7.</td>
<td>Resumption, Requisitioning Sale of Property for Defence Services</td>
<td>-do-</td>
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<tr>
<td>8.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Training Course</th>
<th>Duration</th>
<th>Training Institute</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Financial Management</td>
<td>One Week</td>
<td>STI, PCB, NIPA, PIM or any other Training Institute where the facility is available.</td>
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<tr>
<td>2.</td>
<td>Cash Management</td>
<td>-do-</td>
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<td>3.</td>
<td>Office Management</td>
<td>-do-</td>
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<tr>
<td>4.</td>
<td>Stress Management</td>
<td>3 days</td>
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<td>5.</td>
<td>Time Management</td>
<td>3 days</td>
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<tr>
<td>6.</td>
<td>Budgeting &amp; Financial Control</td>
<td>One week</td>
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<tr>
<td>7.</td>
<td>Communication Skills</td>
<td>-do-</td>
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<td>8.</td>
<td>Legal drafting</td>
<td>-do-</td>
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<td>9.</td>
<td>Service Rules</td>
<td>12 days</td>
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<td>10.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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<td>Sl. No.</td>
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<td>Training Institute</td>
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<tr>
<td>1.</td>
<td>Crisis Management</td>
<td>3 days</td>
<td>National Police Academy, or any other Training Institute where facility of Training is available.</td>
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<tr>
<td>2.</td>
<td>Traffic Management &amp; Road Safety</td>
<td>3 days</td>
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<tr>
<td>3.</td>
<td>Relation with Prosecution &amp; Prison Administration</td>
<td>3 days</td>
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</tr>
<tr>
<td>4.</td>
<td>Usage of Information Technology in Policing welfare</td>
<td>3 days</td>
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<td>5.</td>
<td>Various Systems of Policing</td>
<td>One week</td>
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<td>6.</td>
<td>Policing by objectives</td>
<td>3 days</td>
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<td>7.</td>
<td>Crime Scene Management/Major disorder</td>
<td>3 days</td>
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<td>8.</td>
<td>Modern Concepts and Methods of Patrolling</td>
<td>3 days</td>
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<td>9.</td>
<td>Interviewing &amp; Interrogating Skills</td>
<td>3 days</td>
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<td>10.</td>
<td>Preparation &amp; Scrutiny of Challans</td>
<td>3 days</td>
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<td>11.</td>
<td>Monitoring of Bails, acquittals and conviction in important cases</td>
<td>One week</td>
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<td>12.</td>
<td>Native &amp; Scope of Criminology, Modern Theories of Crime</td>
<td>One week</td>
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<td>13.</td>
<td>White Collar Crime &amp; Penology</td>
<td>One week</td>
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<td>14.</td>
<td>Any other subject considered relevant by the controlling Ministry/Division/Agency</td>
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<td>Duration</td>
<td>Training Institute</td>
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<tr>
<td>1.</td>
<td>Budgeting &amp; Financial Management</td>
<td>One week</td>
<td>Postal Staff College or any other Training Institute where the training facility is available</td>
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<tr>
<td>2.</td>
<td>Labour Management Relations</td>
<td>-do-</td>
<td>-do-</td>
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<tr>
<td>3.</td>
<td>Post Office Costing Studies</td>
<td>-do-</td>
<td>-do-</td>
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<td>4.</td>
<td>Postal Management</td>
<td>-do-</td>
<td>-do-</td>
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<td>5.</td>
<td>Postal Statistics</td>
<td>-do-</td>
<td>-do-</td>
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<td>6.</td>
<td>Establishment of Special Services with reference to</td>
<td>-do-</td>
<td>-do-</td>
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<td></td>
<td>(c) State of Existing Services</td>
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<td>-do-</td>
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<td></td>
<td>(d) Competition with Courier Services</td>
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<td>-do-</td>
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<td>7.</td>
<td>Importance of Post – Socio-Economic Development</td>
<td>-do-</td>
<td>-do-</td>
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<td>8.</td>
<td>Any other subject considered relevant by controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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## RAILWAYS GROUP

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<thead>
<tr>
<th>Sl. No.</th>
<th>Training Course</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Project Management</td>
<td>One week</td>
<td>PIM/LUMS, or any other Training Institute where the training facility is available.</td>
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<tr>
<td>2.</td>
<td>Presentation Skills for Management</td>
<td>One week</td>
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<td>3.</td>
<td>Preparation of Marketing Plan</td>
<td>One week</td>
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<td>4.</td>
<td>Development Marketing Skills</td>
<td>One week</td>
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<tr>
<td>5.</td>
<td>Management Course for Junior Executives</td>
<td>One week</td>
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<tr>
<td>6.</td>
<td>Financial Management for non-financial Management</td>
<td>One week</td>
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<tr>
<td>7.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
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## SECRETARIAT GROUP

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<th>Training Course</th>
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<tbody>
<tr>
<td>1.</td>
<td>Rules/Laws applicable to Civil Servants (Module-I)</td>
<td>One week</td>
<td>Secretariat Training Institute/ NIPA/CSA or any other Training Institute where the facility is available.</td>
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<td>2.</td>
<td>Rules/Laws applicable to Civil Servants (Module-II)</td>
<td>One week</td>
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<td>3.</td>
<td>Economy of Pakistan</td>
<td>One week</td>
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<td>4.</td>
<td>Preparation of Development Schemes</td>
<td>One week</td>
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<td>5.</td>
<td>Project Appraisal Formulation &amp; Monitoring</td>
<td>One week</td>
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<td>6.</td>
<td>International Relations</td>
<td>One week</td>
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<td>7.</td>
<td>Human Resource Management</td>
<td>One week</td>
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<tr>
<td>8.</td>
<td>Management Information System</td>
<td>One week</td>
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<td>9.</td>
<td>Legal Drafting</td>
<td>One week</td>
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<tr>
<td>10.</td>
<td>Financial Management &amp; Budgeting</td>
<td>One week</td>
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<tr>
<td>11.</td>
<td>Decision Making</td>
<td>One week</td>
<td></td>
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<td>12.</td>
<td>Any other subject considered relevant by the controlling Division/Agency</td>
<td>Duration not more than 12 days</td>
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<tr>
<td>Sl. No.</td>
<td>Training Course</td>
<td>Duration</td>
<td>Training Institution</td>
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<tr>
<td>1.</td>
<td>Reconciliation of Accounts</td>
<td>3 days</td>
<td>Audit &amp; Accounts Training Institute, Karachi/Lahore/Islamabad/Peshawar, Railways Accounts Academy Quetta.</td>
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<tr>
<td>2.</td>
<td>Financial Analysis</td>
<td>2 days</td>
<td>-do-</td>
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<td>3.</td>
<td>Planning for performance Audit</td>
<td>2 days</td>
<td>-do-</td>
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<td>4.</td>
<td>Communication Skills</td>
<td>3 days</td>
<td>P.I.M, NIPA</td>
</tr>
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<td>5.</td>
<td>I.T &amp; E.Govt.</td>
<td>One week</td>
<td>P.C.B, NIPAs, PASC</td>
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<tr>
<td>6.</td>
<td>Human Resource Management</td>
<td>One week</td>
<td>NIPA/STI</td>
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<td>7.</td>
<td>Introduction of Customs Laws</td>
<td>3 days</td>
<td>Directorate of Customs &amp; Excise &amp; Sales Tax</td>
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<td>8.</td>
<td>Sales Tax &amp; Procedure</td>
<td>3 days</td>
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<tr>
<td>9.</td>
<td>Central Excise Laws</td>
<td>3 days</td>
<td>-do-</td>
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<td>10.</td>
<td>Import &amp; Export Policies</td>
<td>3 days</td>
<td>-do-</td>
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<td>11.</td>
<td>Total Quality Management</td>
<td>3 days</td>
<td>CSA/NIPAs/PIM</td>
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<td>12.</td>
<td>Devolution Plan</td>
<td>3 days</td>
<td>-do-</td>
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<tr>
<td>13.</td>
<td>Local Government &amp; Development</td>
<td>3 days</td>
<td>-do-</td>
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<tr>
<td>14.</td>
<td>Problem Solving &amp; Decision Making</td>
<td>3 days</td>
<td>CSA/NIPAs/PIM</td>
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<td>15.</td>
<td>Macro Economic Planning</td>
<td>3 days</td>
<td>PIDE</td>
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<td>16.</td>
<td>Basic Income Tax Laws</td>
<td>3 days</td>
<td>Directorate of Training (Income Tax Lahore)</td>
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<td>17.</td>
<td>Mass Communication</td>
<td>One week</td>
<td>Information Academy</td>
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<td>18.</td>
<td>Media Diplomacy &amp; New World Order</td>
<td>One week</td>
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<tr>
<td>Sl. No.</td>
<td>Training Course</td>
<td>Duration</td>
<td>Training Institution</td>
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<td>19.</td>
<td>Financial Management</td>
<td>One week</td>
<td>NIPA, CSA, STI</td>
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<td>20.</td>
<td>Office Management</td>
<td>One week</td>
<td>Information Academy.</td>
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<td>21.</td>
<td>Legal drafting</td>
<td>One week</td>
<td>-do-</td>
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<tr>
<td>22.</td>
<td>Preparation of Budget</td>
<td>One week</td>
<td>-do-</td>
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<tr>
<td>23.</td>
<td>Stress Management</td>
<td>One week</td>
<td>NIPA/CSA/PIM</td>
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<tr>
<td>24.</td>
<td>Crisis Management</td>
<td>One week</td>
<td>National Police Academy, CSA, NIPAs</td>
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<td>25.</td>
<td>Labour Management</td>
<td>One week</td>
<td>NILAT Karachi</td>
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<tr>
<td>26.</td>
<td>Marketing Skills</td>
<td>One week</td>
<td>PIM, Karachi/NIPA</td>
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<td>27.</td>
<td>Civil Servants Act and (APT) Rules</td>
<td>One week</td>
<td>STI/NIPAs</td>
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<td>28.</td>
<td>Efficiency &amp; Discipline Rules &amp; Removal from Service (Special Powers) Ordinance</td>
<td>One week</td>
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<td>29.</td>
<td>Preparation of Development Schemes</td>
<td>One week</td>
<td>NIPAs/PIDE</td>
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<td>30.</td>
<td>Project Appraisal, Formulation &amp; Monitoring</td>
<td>One week</td>
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<td>31.</td>
<td>Management Information System</td>
<td>One week</td>
<td>NIPA/PASC</td>
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<td>32.</td>
<td>International Relations</td>
<td>One week</td>
<td>CSA/Staff College FSA</td>
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<td>33.</td>
<td>Investment Analysis &amp; Economic Management</td>
<td>One week</td>
<td>PASC/NIPAs/PIDE</td>
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<td>Training of Trainers</td>
<td>One week</td>
<td>PASC/NIPAs</td>
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<td>35.</td>
<td>Environmental Preservation</td>
<td>One week</td>
<td>NIPA/PASC</td>
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<td>36.</td>
<td>Role of Women in Rural Development</td>
<td>One week</td>
<td>PARD/NCRD</td>
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<td>37</td>
<td>Rural Development Administration</td>
<td>One week</td>
<td>PARD/NCRD</td>
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<td>38</td>
<td>International Economics</td>
<td>One week</td>
<td>NIPAs/PIDE</td>
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<tr>
<td>39</td>
<td>Financial Management of Development Projects</td>
<td>One week</td>
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<td>40</td>
<td>Business Communication</td>
<td>One week</td>
<td>PIM/NIPAs</td>
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<td>41</td>
<td>Human Rights</td>
<td>One week</td>
<td>NIPAs/STI</td>
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<td>42</td>
<td>Poverty &amp; Public Policy</td>
<td>One week</td>
<td>CSA/NIPA/PASC/NCRD</td>
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<td>Public Relations</td>
<td>One week</td>
<td>CSA/NIPA/PASC</td>
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<td>Production &amp; Operation Management</td>
<td>One week</td>
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<td>45</td>
<td>Ethics &amp; Public Policies</td>
<td>One week</td>
<td>-do-</td>
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<td>46</td>
<td>Social Welfare Policies</td>
<td>One week</td>
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<td>Role of NGOs in Rural Development</td>
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<td>PARD/NIPA/NCRD</td>
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<td>48</td>
<td>Gender &amp; Governance</td>
<td>One week</td>
<td>NIPAs/CSA/PASC</td>
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<td>Communicating Effectively through Print Media</td>
<td>One week</td>
<td>Information Academy</td>
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<td>Negotiation Skills</td>
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<td>NIPA/PIM</td>
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<td>51</td>
<td>Human Resource Planning</td>
<td>One week</td>
<td>NIPA/PASC</td>
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<tr>
<td>52</td>
<td>Training Need Assessment</td>
<td>One week</td>
<td>NIPA/PASC</td>
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<td>53</td>
<td>Internet Training</td>
<td>One week</td>
<td>PCB/NIPA/PASC</td>
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<td>Effective Record Management</td>
<td>One week</td>
<td>STI/NIPA/PIM</td>
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<td>Stores/Purchase Procedure</td>
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<td>STI/NIPA</td>
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<td>Training Institution</td>
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<td>Time Management</td>
<td>One week</td>
<td>NIPA/CSA/PIM</td>
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<td>57.</td>
<td>Concept of ISO 9000</td>
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<td>PIM</td>
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<td>Treasury Rules</td>
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<td>STI/NIPAs</td>
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<td>General Financial Rules</td>
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<td>NIPA/PIM</td>
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<td>Principles of Good Management</td>
<td>One week</td>
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<td>61.</td>
<td>Interpersonal Communication</td>
<td>One week</td>
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<td>62.</td>
<td>Public Relations for Front Line Officials</td>
<td>One week</td>
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<td>63.</td>
<td>Management of Public Records</td>
<td>One week</td>
<td>-do-</td>
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<td>64.</td>
<td>Organizational Behavior</td>
<td>One week</td>
<td>-do-</td>
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<td>67.</td>
<td>Human Resource Development</td>
<td>One week</td>
<td>STI, PIM, NIPA</td>
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<td>68.</td>
<td>Information Technology and Office Automation</td>
<td>12 days</td>
<td>PCB/NIPA</td>
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<td>69.</td>
<td>Management Concept and their Application in Third World Countries</td>
<td>One week</td>
<td>NIPA/PIM</td>
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<td>70.</td>
<td>Concept of Privatisation of Post Merits &amp; De-Merits</td>
<td>One week</td>
<td>Postal Staff College</td>
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<td>Training Course</td>
<td>Duration</td>
<td>Training Institution</td>
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<td>71.</td>
<td>Computer Literacy/Office-2000</td>
<td>One week</td>
<td>PCB/NIPA</td>
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<td>72.</td>
<td>Constitution of Pakistan</td>
<td>One week</td>
<td>NIPA/CSA</td>
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<td>73.</td>
<td>Microsoft Office</td>
<td>One week</td>
<td>PCB/NIPA</td>
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<td>74.</td>
<td>Out-look</td>
<td>2 days</td>
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<td>Web-page Designing</td>
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<td>-do-</td>
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<td>76.</td>
<td>Local Area Network (LAN)</td>
<td>2 days</td>
<td>-do-</td>
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<td>77.</td>
<td>Management Theory &amp; Practice</td>
<td>One week</td>
<td>NIPA/PIM</td>
</tr>
<tr>
<td>78. a) Financial Management</td>
<td>6 days</td>
<td>FTIP/PIM/IBA</td>
<td></td>
</tr>
<tr>
<td>78. b) Information Technology, &amp; E-Commerce and MIS</td>
<td>6 days</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Note*—The list of above Training Institutions is tentative. The training may be arranged as per available training facilities at any Training Institutions in the relevant field at the nearest station.
An ordinance to provide for dismissal, removal, compulsory retirement from service and reduction to lower post or pay scale of certain persons from Government service and corporation service;

WHEREAS in view of prevailing circumstances it is expedient and necessary and in the public interest and further for good governance to provide for measures, inter alia, dismissal, removal etc., of certain persons from Government service and corporation service as hereinafter stated;

AND WHEREAS it is necessary to provide for speedy disposal of such cases and for matters connected therewith or ancillary thereto;

AND WHEREAS the National Assembly and the Senate stand suspended in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No.1 of 1999;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No.1 of 1999, as well as Order No.9 of 1999, and in exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:--

1. **Short title, extent, commencement and application.**—
   (1). This Ordinance may be called the Removal from Service (Special Powers) Ordinance, 2000.
   
   (2). It extends to the whole of Pakistan.
   
   (3). It shall come into force at once.
(4). It shall apply to persons in Government service and corporation service.

2. Definitions.—In this Ordinance, unless there is anything repugnant in the subject or context—

(a) *[.. .. ..]*;

**[(aa)]"competent authority" means the *[Prime Minister]* and where, in relation to any person or class or persons, the *[Prime Minister]* authorizes any officer or authority, not being inferior in rank to the appointing authority prescribed for the post held by the person against whom action is proposed to be taken, to exercise the powers of competent authority under this Ordinance, that officer or authority, and in relation to an employee of a Court or Tribunal functioning under the Federal Government, the appointing authority or the Chairman or Presiding Officer of the Court or the Tribunal.

(b) "misconduct" includes conduct prejudicial to good order or service discipline or conduct unbecoming of an officer and a gentleman or involvement or participation for gain either directly or indirectly in industry, trade or speculative transactions or abuse or misuse of the official position to gain undue advantage or assumption of financial or other obligations to private institutions or persons such as may cause embarrassment in the performance of official duties or functions;

(c) “person in corporation service” means every person in the employment of a corporation, corporate body, authority, statutory body or other organizations or institutions set up, established, owned, managed or controlled by the Federal Government, or by or under any law for the time being in force or a body or organization in which the Federal Government has a controlling share or interest and includes the Chairman and the Managing Director, and the holder of any other office therein; and

*Omitted and subs. vide Removal from Service (Special Powers) (Amendment) Ordinance No.1 of 2003.

(d) “person in Government service” includes every person who is a member of an All-Pakistan Service or of a Civil Service of the Federation or who holds a civil post in connection with the affairs of the Federation or any employees serving in any Court or Tribunal set up or established by the Federal Government but does not include a Judge of the Supreme Court or of a High Court or Federal Shariat Court or any Court subordinate to the High Court, or any employee thereof.

3. *[Dismissal, removal and compulsory retirement etc.] of certain persons in Government or corporation service etc.—

(1) Where, in the opinion of the competent authority, a person in Government or corporation service, is—

(a) inefficient, or has ceased to be efficient for any reason; or *[or is guilty of being habitually absent from duty without prior approval of leave; or].

(b) guilty of misconduct; or

(c) corrupt, or may reasonably be considered as corrupt, because—

(i) he or any of his dependents or any other person, through him or on his behalf, is in possession of pecuniary *[source] or of property, for which he cannot reasonably account for, and which are disproportionate to his known resources of income; or

(ii) he has assumed a style of living beyond his known sources of income; or

(iii) he has a persistent reputation of being corrupt; or

**[(iv) he has entered into plea bargaining under any law for the time being in force and has returned the assets or gains acquired through corruption or corrupt practices voluntarily; or]}

**Added ibid (w.e.f. 27.5.2000)
(d) engaged, or is reasonably believed to be engaged, in subversive activities, and his retention in service is prejudicial to national security or he is guilty of disclosure of official secrets to any unauthorized person; or

(e) found to have been appointed or promoted on extraneous grounds in violation of law and the relevant rules.

the competent authority, after inquiry by the *[Inquiry Officer or the Inquiry Committee appointed] under section 5, may, notwithstanding anything contained in any law or the terms and conditions of service of such person, by order in **[writing] dismiss or remove such person from service, compulsorily retire from service or reduce him to lower post or pay scale, or impose one or more minor penalties as prescribed in the Government Servants (Efficiency & Discipline) Rules, 1973.

**[(2). Before passing an order under sub-section (1), the competent authority shall,–

(a) by order in writing, inform the accused of the action proposed to be taken in regard to him and the grounds of the action; and

(b) give him a reasonable opportunity of showing cause against that action within seven days or within such extended period as the competent authority may determine;

Provided that no such opportunity shall be given where the competent authority is satisfied that in the interest of security of Pakistan or any part thereof it is not expedient to give such opportunity:

Provided further that no such opportunity shall be given where the accused is dismissed ***[under clause (a) of subsection(2) of section(3)(a)] or where the competent authority is satisfied for reasons to be recorded in writing that it is not reasonably practicable to give the accused an opportunity of showing cause.


***Subs. vide Ordinance No. CVI of 2002.
(3) The dismissal or removal or premature retirement from service or reduction to lower post or pay scale of a person under sub-section (1) shall not absolve such person from liability to any punishment to which he may be liable for an offence under any law committed by him while in service].

*[3A. Procedure in case of conviction by a court of law.—
(1) Where a person in Government service or in Corporation Service on conviction by a court of law is sentenced to imprisonment or fine, the competent authority shall examine the facts and the grounds on which the order convicting such person was passed by a court of law.

(2) Where on examination the competent authority finds that order of imprisonment or fine is based on—

(a) establishment charges of corruption or moral turpitude it shall pass order of dismissal from service of the delinquent person in Government service or in corporation service to be effective from the date of his conviction by a court of law; and

(b) charges other than corruption or moral turpitude it may, in the light of the facts and circumstances of the case, decide as to whether it is a fit case for taking departmental action under this Ordinance and if it so decides it may, subject to the provisions of sub-section (2) of section 3, impose any penalty authorized by this Ordinance as it may deem fit in the circumstances of the case].

4. Suspension.—A person against whom action is proposed to be taken under sub-section (1) of Section 3 may be placed under suspension with immediate effect if, in the opinion of the competent authority, suspension is necessary or expedient:

Provided that the competent authority may, in an appropriate case, for reasons to be recorded in writing, instead of placing such person under suspension, require him to proceed on such leave as may be admissible to him from such date as may be specified by the competent authority.

**[5. Power to appoint an Inquiry Officer or Inquiry Committee.]**—(1) Subject to the provisions of sub-section (2), the competent authority shall, before passing an order under section 3, appoint an Inquiry Officer or Inquiry Committee to scrutinize the conduct of a person in Government service or a person in corporation service who is alleged to have committed any of the acts or omissions specified in section 3. The Inquiry Officer or, as the case may be, the Inquiry Committee shall—

(a) communicate to the accused the charges and statement of allegations specified in the order of inquiry passed by the competent authority;

(b) require the accused within seven days from the day the charge is communicated to him to put in a written defence;

(c) enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and the accused shall be entitled to cross-examine the witnesses against him; and

(d) hear the case from day to day and no adjournment shall be given except for special reasons to be recorded in writing and intimated to the competent authority.

(2) Where the Inquiry Officer or as the case may be, the Inquiry Committee is satisfied that the accused is hampering, or attempting to hamper, the progress of the inquiry he or it shall record a finding to that effect and proceed to complete the inquiry in such manner as he, or it, deems proper in the interest of justice.

(3) The Inquiry Officer or, as the case may be, the Inquiry Committee shall submit his, or its, findings and recommendations to the competent authority within twenty-five days of the initiation of inquiry.

(4) The competent authority may dispense with the inquiry under sub-section (1) if it is in possession of sufficient documentary evidence against the accused, or for reasons to be recorded in writing, it is satisfied that there is no need of holding an inquiry.

*Subs. vide Ordinance No. V of 2001 w.e.f. 27-5-2000.*
(5) Where a person who has entered into plea bargaining under any law for the time being in force, and has returned the assets or gains acquired through corruption or corrupt practices voluntarily, the inquiry shall not be ordered:

Provided that show cause notice shall be issued on the basis of such plea bargaining to such person informing of the action proposed to be taken against him and the grounds of such action requiring him to submit reply within fifteen days of the receipt of the notice. On receipt of the reply, the competent authority may pass such orders as it may deem fit.

6. **Powers of the Inquiry Officer or Inquiry Committee.**—
The Inquiry Officer or Inquiry Committee shall have power—
(a) to summon and enforce attendance of any person and examine him on oath;
(b) to require the discovery and production of any document;
(c) to receive evidence on affidavits; and
(d) to record evidence.

7. **Procedure to be followed by the Inquiry Officer or Inquiry Committee.**—The Inquiry Officer or Inquiry Committee shall, subject to any rules made under this Ordinance, have power to regulate its own procedure for the fixing of place and time of its sitting and deciding whether to sit in public or in private, and in the case of corporate Committee, to act notwithstanding the temporary absence of any of its members.

8. **Order to be passed upon a finding.**—Every finding recorded by the Inquiry Officer or, as the case may be, Inquiry Committee under section 5 shall, with the recommendation provided for in that section, be submitted to the competent authority and the competent authority may pass such orders thereon as it may deem proper in accordance of the provisions of this Ordinance.

9. **[Representation.**—(1) A person on whom a penalty is imposed under section 3, may, within fifteen days from the date of communication of the order prefer a representation to the Prime Minister for such officer or authority as the Prime Minister may designate:

Provided that where the order has been made by the Prime Minister such person may, within the aforesaid period, submit a representation to the President.

**Subs vide Removal from Service (Special Powers) (Second Amendment) Ordinance No.XXXII of 2002.
***Subs vide Removal from Service (Special Powers) (Amendment) Ordinance No.1 of 2003.
(2) The President, the *Prime Minister*, or an officer or authority, as may be designated for the purpose by the *Prime Minister*, may, on consideration of the representation, and any other relevant material, confirm, set aside, vary or modify the order in respect of which such representation is made.

10. **Appeal.**—Notwithstanding anything contained in any other law for the time being in force, any person aggrieved by any final order under section 9 may, within thirty days of the order, prefer an appeal to the Federal Service Tribunal established under the Service Tribunals Act, 1973 (LXX of 1973) **[:]

**[Provided that where a representation ***[- - -] has been preferred under section 9 but no decision has been received by, or communicated to, the applicant or, as the case may be, petitioner, within a period of sixty days of its submission to the prescribed authority, he may prefer appeal to the Service Tribunal within thirty days of the expiry of the aforesaid period].

11. **Ordinance to override other laws.**—The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in the Civil Servants Act, 1973 (LXXI of 1973), and the rules made thereunder and any other law for time being in force.

12. **Proceedings under this Ordinance.**—All proceedings initiated on the commencement of this Ordinance in respect of matters and persons in service provided for in this Ordinance shall be governed by the provisions of this Ordinance and rules made thereunder **[:]

*[Provided that the Federal Government may, by notification in the official gazette, exempt any class or classes of employees of a Corporation, a corporate body, authority, statutory body or other organization or institution set up, established, owned, managed or controlled by it or a body or organization in which it has a controlling share or interest from the provisions of this Ordinance and such class or classes of employees shall, notwithstanding anything contained in this Ordinance, be proceeded against and dealt with under the laws and rules applicable to such employees before the commencement to this Ordinance.]*

*Subs vide Removal from Service (Special Powers) (Amendment) Ordinance No.1 of 2003.

**Added vide Ordinance No.XIX of 2002.

***The words 'or review petition' omitted vide Ordinance No.XXXIII of 2002.

@Subs and added vide Ordinance No.XXIX of 2001.
13. **Pending proceedings to continue.**—For the removal of doubts, it is hereby provided that all proceedings pending immediately before the commencement of this Ordinance against any person whether in Government service or corporation service under the Civil Servants Act, 1973 (LXXI of 1973) and rules made thereunder, or any other law or rules, shall continue under the said laws and rules, and as provided thereunder.

14. **Pensionary benefits, etc.**—Notwithstanding anything contained in this Ordinance the payment of pension or other benefits to a person retired or reduced to a lower post or pay scale under this Ordinance shall, if admissible, be regulated in accordance with the law for the time being in force relating thereto.

*14A. **Indemnity.**—No suit, prosecution or other legal proceedings shall lie against the competent authority or an officer or authority authorized by it for any thing which is in good faith done or intended to be done under this Ordinance or the rules, instructions or directions made or issued thereunder.

14B. **Jurisdiction barred.**—Save as provided under this Ordinance, no order made or proceedings taken under this Ordinance, or the rules made thereunder by the competent authority or any officer or authority authorized by it shall be called in question in any Court and no injunction shall be granted by any Court in respect of any decision made or proceedings taken in pursuance of any power conferred by, or under, this Ordinance, or the rules made thereunder].

15. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Ordinance.

16. **Removal of difficulties.**—If any difficulty arises in giving effect to any of the provisions of this Ordinance, the President may make such Order, not inconsistent with the provisions of this Ordinance, as may appear to him to be necessary for the purpose of removing the difficulty.

MUHAMMAD RAFIQ TARAR,
*President.*

*Added vide Removal from Service (Special Power) (Amendment) Ordinance No.LXII of 2001, dated 7.11.2001.*
Delegation of Powers

Sl. No. 29:

In exercise of the powers conferred by section 2(a) of the Removal from Service (Special Powers) Ordinance, 2000, Chief Executive has authorized the officers shown in column (3) of the following tables to exercise the powers of the competent authority under section 3 of the said Ordinance in respect of class of persons shown in column (2) of the tables.

**TABLE NO.I**

For persons employed in the Federal Secretariat or serving in a post, or belonging to a service, group or cadre, administratively controlled by a Ministry or Division.

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Class of Persons</th>
<th>Officer authorized to exercise the powers of competent authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Holders of posts in BS-20 and above.</td>
<td>*Prime Minister.</td>
</tr>
<tr>
<td>2</td>
<td>Holders of posts in BS-16 – 19.</td>
<td>Secretary of the concerned Ministry/Division.</td>
</tr>
<tr>
<td>3</td>
<td>Holders of posts in BS-1 – 15.</td>
<td>An officer not below the appointing authority to be notified by the Secretary of the Ministry/Division concerned.</td>
</tr>
</tbody>
</table>

**["Explanation.– For the purpose of this notification, “Secretary of the concerned Ministry or Division” means the Secretary of the Ministry or Division which administratively controls the post, service, group or cadre to which a government servant belongs"]**.

*Subs. vide Ordinance No.1 of 2003

**Added vide Establishment Division Notification SRO No.411(I)/2000, dated 17-6-2000.*
TABLE NO. II
For persons employed in an Attached Department or a Subordinate Office of the Federal Government.

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Class of Persons</th>
<th>Officer authorized to exercise the powers of competent authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Holders of posts in BS-20 and above.</td>
<td>Prime Minister.</td>
</tr>
<tr>
<td>2</td>
<td>Holders of posts in BS-17 – 19.</td>
<td>Secretary of the Ministry/Division concerned.</td>
</tr>
<tr>
<td>3</td>
<td>Holders of posts in BS-16.</td>
<td>Head of Department or Head of Subordinate Office.</td>
</tr>
<tr>
<td>4</td>
<td>Holders of post in BS 1 – 15.</td>
<td>An officer not below the appointing authority to be authorized by the Head of Department or Head of Subordinate Office.</td>
</tr>
</tbody>
</table>

TABLE NO. III
For Persons in Corporation Service.

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Class of Persons</th>
<th>Officer authorized to exercise the powers of competent authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Holders of posts in BS-20 and above and equivalent.</td>
<td>Prime Minister.</td>
</tr>
<tr>
<td>2</td>
<td>Holders of posts in BS-16 – 19 and equivalent.</td>
<td>Managing Director/Chief Executive Officer of the Organization by whatever name called.</td>
</tr>
<tr>
<td>3</td>
<td>Holders of post in BS 1 – 15 and equivalent.</td>
<td>An officer not below the appointing authority to be authorized by the Prime Minister Officer of the Organization.</td>
</tr>
</tbody>
</table>

*Subs. vide Establishment Division Notification S.R.O.No.411(I)/2000, dated 17-6-2002.*
2. The Prime Minister has also authorized the Secretary of the concerned Ministry or Division to exercise under section 4 of the aforesaid Ordinance the powers to place a BPS-20 and above and equivalent officer under suspension for such period as he may consider appropriate.

[Authority.–Establishment Division Notification SRO No.281(l)/2000, dated 27-5-2000].

Sl. No. 30:

In exercise of the powers conferred by clause (a) of section 2 of the Removal from Service (Special Powers) Ordinance, 2000 (XVII. of 2000), read with section 4 thereof, the Chief Executive of Pakistan is pleased to authorize the Auditor-General of Pakistan to exercise the powers of competent authority:—

(a) under section 3 of the said Ordinance in respect of departmental and interdepartmental officers of the Accounts Group in Basic Pay Scale 17 to 19; and

(b) under section 4 of the said Ordinance the powers to place a BPS-20 and above officer of the Accounts Groups under suspension for such period as he may consider appropriate.

[Authority.–Establishment Division Notification SRO No.563(1)/2000, dated 15-8-2000].

Sl. No.31:

In exercise of the powers conferred by clause (a) of section 2 of the Removal from Service (Special Powers) Ordinance, 2000 (XVII of 2000), the Chief Executive of Pakistan is pleased to authorize the officer of the Intelligence Bureau specified in column (4) of the table below to be the competent authority in respect of the employees of the said Bureau serving in basic pay scales specified in column (3) of that table, and working in offices specified in

*Subs vide Establishment Division Notification SRO No.411(l)/2000, dated 17-6-2000.
column (2) thereof:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of office</th>
<th>Basic Pay scale of employees</th>
<th>Officers authorized to exercise the powers of competent authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>I.B.HQ/Prov.HQs &amp; NR, HQ, Academy and ICT Office.</td>
<td>BPS 16-19</td>
<td>Director General, IB.</td>
</tr>
<tr>
<td>2.</td>
<td>I.B. HQ, Islamabad.</td>
<td>BPS 1-15</td>
<td>DDG(A) or an officer of BPS-20 nominated by the DG IB.</td>
</tr>
<tr>
<td>3.</td>
<td>I.B. Academy.</td>
<td>BPS 1-15</td>
<td>Commandant (BPS-20), IB, Academy</td>
</tr>
<tr>
<td>4.</td>
<td>ICT Office including CI Field, Islamabad.</td>
<td>BPS 1-15</td>
<td>DDG, ICT office or an officer of BPS-20 nominated by the DG, IB.</td>
</tr>
<tr>
<td>5.</td>
<td>NR, HQ, Rwp/Prov. HQs NWFP, Punjab, Sindh, Balochistan, and all of their Field Units.</td>
<td>BPS 1-15</td>
<td>JDG/DDG incharge or the respective Prov. HQs/ Northern Region HQ.</td>
</tr>
</tbody>
</table>


Sl. No. 32:

In exercise of the powers conferred by sub-section (1) of section 9 of the Removal from Service (Special Powers) Ordinance, 2000 (XVII of 2000), the Prime Minister is pleased to designate the officers specified in column (3) of the tables below to whom representations against orders under section 3 of the said Ordinance shall be preferred in respect of classes of persons specified in column (2) of the said tables.

**TABLE I**

For persons in Government service employed in the Federal Secretariat or serving in a post, or belonging to a service or cadre administratively controlled by a Ministry or Division

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Classes of persons</th>
<th>Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Holders of posts of Basic Pay Scales 17 to 19 and equivalent.</td>
<td>Prime Minister.</td>
</tr>
<tr>
<td>2.</td>
<td>Holders of posts in Basic Pay Scale 16 and equivalent.</td>
<td>Prime Minister.</td>
</tr>
<tr>
<td>3.</td>
<td>Holders of posts in Basic Pay Scales 1 to 15 and equivalent.</td>
<td>An officer next above the officer or authority against whose order representation is preferred.</td>
</tr>
</tbody>
</table>
TABLE II
For Persons in Government service employed in an Attached Department or a Subordinate Office of the Federal Government

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Classes of persons</th>
<th>Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1. Holders of posts in Basic Pay Scales 17 to 19 and equivalent.</td>
<td>Prime Minister.</td>
</tr>
<tr>
<td></td>
<td>2. Holders of posts in Basic Pay Scale 16 and equivalent.</td>
<td>Secretary of the concerned Ministry or Division.</td>
</tr>
<tr>
<td></td>
<td>3. Holders of posts in Basic Pay Scales 1 to 15 and equivalent.</td>
<td>An officer next above the officer or authority against whose order representation is preferred.</td>
</tr>
</tbody>
</table>

TABLE III
For persons in Corporation service

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Classes of persons</th>
<th>Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1. Holders of posts in Basic Pay Scales 17 to 19 and equivalent.</td>
<td>Secretary of the concerned Ministry or Division.</td>
</tr>
<tr>
<td></td>
<td>2. Holders of posts in Basic Pay Scale 16 and equivalent.</td>
<td>Secretary of the concerned Ministry or Division.</td>
</tr>
<tr>
<td></td>
<td>3. Holders of posts in Basic Pay Scales 1 to 15 and equivalent.</td>
<td>An officer next above the officer or authority against whose order representation is preferred.</td>
</tr>
</tbody>
</table>

[Authority—Establishment Division Notification SRO No.581/(I)/2000, dated 21-8-2000].

Sl. No.33:
In exercise of the powers conferred by clause (aa) of section 2 of the Removal from Service (Special Powers) Ordinance, 2000 (XVII of 2000), the Chief Executive is pleased to authorize the
officers, specified in column (3) of the table below, to exercise the powers of the competent authority under the said Ordinance in respect of classes of persons in the Federal Public Service Commission specified in column (2) of the said table.

**TABLE**

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Classes of persons</th>
<th>Officers authorized to exercise the powers of competent authority under section 3, 4 and 5 of the Ordinance XVII of 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Holders of posts in BS 17-20 and equivalent.</td>
<td>Chairman, FPSC</td>
</tr>
<tr>
<td>2</td>
<td>Holders of posts in BS 3-16 and equivalent</td>
<td>Secretary, FPSC</td>
</tr>
<tr>
<td>3</td>
<td>Holders of posts in BS 1-2 and equivalent</td>
<td>Director (Estt), FPSC</td>
</tr>
</tbody>
</table>


**Sl. No.34:**

In exercise of the powers conferred by sub-section (2) of section 9 of the Removal from Service (Special Powers) Ordinance, 2000 (XVII of 2000), the Chief Executive is pleased to designate the officers specified in column (3) of the table below, to whom representation against order under section 3 of the said Ordinance shall be preferred in respect of classes of persons in the Federal Public Service Commission specified in column (2) thereof.

**TABLE**

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Classes of persons</th>
<th>Officers to whom representations shall be preferred</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Holders of posts in BS 17-20 and equivalent.</td>
<td>Chairman, FPSC</td>
</tr>
<tr>
<td>2</td>
<td>Holders of posts in BS 3-16 and equivalent</td>
<td>Chairman, FPSC</td>
</tr>
<tr>
<td>3</td>
<td>Holders of posts in BS 1-2 and equivalent</td>
<td>Secretary, FPSC</td>
</tr>
</tbody>
</table>

Sl. No.35:

In exercise of the powers conferred by clause (aa) of section 2 of the Removal from Service (Special Powers) Ordinance, 2000 (XVII of 2000), the Chief Executive is pleased to authorize the officers, specified in column (3) of the table below, to exercise the powers of the competent authority under the said Ordinance in respect of classes of persons serving in the Council of Islamic Ideology specified in column (2) of the table.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Classes of persons</th>
<th>Officers authorized to exercise the powers of competent authority under section 3, 4 and 5 of the Ordinance XVII of 2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Holders of posts in BS 16 and above and equivalent</td>
<td>Chairman, Council of Islamic Ideology.</td>
</tr>
<tr>
<td>2.</td>
<td>Holders of posts in BS 1-15 and equivalent</td>
<td>Secretary, Council of Islamic Ideology.</td>
</tr>
</tbody>
</table>


Sl. No.36:

In exercise of the powers conferred by sub-section (2) of section 9 of the Removal from Service (Special Powers) Ordinance, 2000 (XVII of 2000), the Chief Executive is pleased to designate the officers specified in column (3) of the table below, to whom representations against orders under section 3 of the said Ordinance shall be preferred in respect of classes of persons serving in the Council of Islamic Ideology specified in column (2) of the table.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Classes of persons</th>
<th>Officers to whom representations shall be preferred</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Holders of posts in BS 16 and above and equivalent</td>
<td>Chief Executive of Islamic Republic of Pakistan.</td>
</tr>
<tr>
<td>2.</td>
<td>Holders of posts in BS 1-15 and equivalent</td>
<td>Chairman, Council of Islamic Ideology.</td>
</tr>
</tbody>
</table>

**Sl. No. 37:**

In exercise of powers conferred by clause (aa) of section 2 of the Removal from Service (Special Powers) Ordinance, 2000, the Chief Executive of Islamic Republic of Pakistan has been pleased to authorize the Secretaries of the concerned Ministries/Divisions to exercise the powers under proviso to Section 4 of the said Ordinance in respect of officers of BS-20 and above and equivalent with the stipulation that proceedings against the accused persons sent on leave, shall be initiated/finalized within the time frame notified vide the “Removal from Service (Special Powers) Ordinance, 2000”.

2. All Ministries/Divisions are requested to bring the above decision to the notice of Attached Departments/Subordinate Offices/ Autonomous/Semi Autonomous Bodies etc. under their administrative control.


**Guidelines/Procedure for Taking Action under Removal from Service (Special Powers) Ordinance 2000**

**Sl. No. 38:**

For the purpose of ensuring expeditious and orderly processing of cases under the Removal from Service (Special Powers) Ordinance, 2000, the Chief Executive has been pleased to lay down the following procedure for processing of cases under the aforesaid Ordinance:

(i) When it is brought to the notice of an authority or an officer of a government Organization or Corporation that a government servant or corporation employee under him has, *prima facie*, ceased to be efficient or is involved in misconduct or corruption warranting action under the aforesaid Ordinance, he shall submit a report to the “competent authority” prescribed in SRO Notification of 27th May, 2000, giving the facts of the case alongwith supporting documentary evidence. Provided that in cases where the competent authority is the Chief Executive of Pakistan the report shall be submitted to the Chief
Executive of Pakistan through the Secretary of the concerned Ministry or Division.

(ii) While submitting cases to the Chief Executive of Pakistan for seeking his orders regarding initiation of proceedings under the aforesaid Ordinance, the Summary should invariably contain a concise statement giving specific allegations, and proposal in regard to appointment and composition of Inquiry Committee.

(iii) After approval of initiation of proceedings and appointment of Inquiry Committee under Section 5 of the Ordinance by the competent authority, the accused government servant or corporation employee, as the case may be, shall be conveyed a statement of allegations and order of appointment of Inquiry Committee. The Inquiry Committee shall submit its recommendations within the prescribed time (i.e. 30 days) to the competent authority specified in SRO Notification No.28(I)/2000, dated 27.5.2000. Provided that where the competent authority is the Chief Executive of Pakistan the Inquiry Committee shall submit its recommendation to the Chief Executive of Pakistan through the Secretary of the concerned Ministry or Division.

2. It is requested that the above instructions may be brought to the notice of all organizations under the administrative control of Ministries/Divisions.


Clarification in regard to Section 12 and 13 of the Removal From Service (Special Powers) Ordinance, 2000

Sl. No. 39:

Reference Section 12 of the Removal from Service (Special Powers) Ordinance, 2000 which lays down that “all proceedings initiated on the commencement of this Ordinance in respect of matters and persons in service provided for in this Ordinance shall be governed by the provisions of this Ordinance and rules made
thereunder” and Section 13 which lays down that “for the removal of doubts, it is hereby provided that all proceedings pending immediately before the commencement of this Ordinance against any person whether in Government service or Corporation service under the Civil Servants Act, 1973 (LXXI of 1973) and rules made thereunder, or any other law or rules, shall continue under the said laws and rules and as provided thereunder”. In this connection a reference was made to Law Division for advice on the following points:–

(i) Whether the expression “proceedings pending immediately before the commencement of this Ordinance” used in Section 13 cited above, would cover following cases:–

(a) proceedings initiated against a civil servant under the E&D Rules, or a corporation employee under the law and rules applicable to him, on which final orders of the competent authority, whether for exoneration or for imposition of a penalty, had not been passed before 27th May, 2000, the date of commencement of the Ordinance.

(b) Cases in which proceedings initiated against a civil servant before 27th May, 2000 under the E&D Rules or a corporation employee under the applicable law/rules, are quashed for any reason either under an order passed by a competent Court of Law or by the prescribed competent departmental authority, and it is decided to order fresh inquiry on the same charges which formed the basis of the earlier disciplinary proceedings under E&D Rules in the case of civil servant and applicable law/rules in the case of corporation employee.

(ii) whether in cases where disciplinary proceedings initiated before the commencement of the said Ordinance i.e. 27th May, 2000 are set aside, and a fresh inquiry involving a change in the charges which formed the subject matter of the earlier disciplinary proceedings under the E&D Rules in the case of civil servants and the applicable law/rules in the case of a corporation employee is initiated, the new proceedings would fall outside the ambit of Section 13 of the Ordinance, and would be covered by Section 12.
2. The Law Division have confirmed the views expressed in sub-paras (i) (a) and (b).

3. With regard to sub-para (ii) of para 1, Law Division have clarified that “mere change of the charges (which were substantially a part of the earlier proceedings) may not attract section 12 of the Ordinance. However, charges being fresh in substance and spirit can be processed under the said section 12 of the Removal from Service (Special Powers) Ordinance, 2000”.

4. The above clarification is for information and guidance of all Ministries/Divisions/Departments.

[Authority.—Establishment Division O.M. No.11/10/2000-D.I, dated 29-9-2000].

Clarification in regard to Invocation of Rules 3 and 8 of the Government Servants (Efficiency & Discipline) Rules, 1973 after coming into force of the Removal from Service (Special Powers) Ordinance, 2000

Sl. No. 40:

Rule 5 of the Government Servants (Efficiency and Discipline) Rules, 1973 requires, inter alia, that before passing an order of imposition of a penalty, an accused government servant should be informed in writing of the action proposed to be taken against him and the grounds of the action, and he should be given a reasonable opportunity of showing cause against the penalty proposed to be imposed on him. Rule 8 of the said rules, however, provides that “nothing in rule 5 shall apply to a case where the accused is dismissed or removed from service or reduced in rank, on the ground of conduct which has led to a sentence of fine or imprisonment”.

2. The Removal from Service (Special Powers) Ordinance, 2000 does not contain any provision on the lines of rule 8 cited above. This means that, if it is proposed to impose a penalty on a government servant under the said Ordinance on account of conviction by a Court of Law, the mandatory procedure of enquiry and show cause notice provided in Section 3 of the said Ordinance will have to be observed. This would inevitably entail delay. In order to avoid unnecessary delay it would be appropriate to invoke the
provisions of Rule 3 read with Rule 8 of the Government Servants (Efficiency and Disciplinary) Rules for the purpose of imposing an appropriate penalty in cases where a court of law passes an order of imprisonment or imposition of fine.

3. Section 12 of the Removal from Service (Special Powers) Ordinance, 2000 lays down as under:–

“All proceedings initiated on the commencement of this Ordinance in respect of matters and persons in service provided for in this Ordinance shall be governed by the provisions of this Ordinance and rules made thereunder”.

4. A question had arisen whether, in cases referred to in para 2, invocation of powers conferred by rules 3 and 8 of the Government Servants (Efficiency and Discipline) Rules, 1973 is legally sustainable or is hit by Section 12 of the said Ordinance cited above? The position has been examined and Law Division have clarified that, as matters provided in Rules 3 and 8 of the Government Servants (Efficiency and Discipline) Rules, 1973 have not been provided in the said Ordinance, the cases where a court of law passes an order of imprisonment or imposition of fine on a Government servant, can be dealt with under Rules 3 read with Rule 8 of the Government Servants (Efficiency & Discipline) Rules, 1973, and the provisions of Removal from Service (Special Powers) Ordinance, 2000 would not come into play.

5. The above clarification is circulated for information and guidance of all Ministries/Divisions/Departments and Subordinate Offices under their administrative control.

[Authority.—Establishment Division O.M. No.3/64/2000-R.2, dated 25-10-2000].

Exemption of Class or Classes of Employees of a Corporation from the Provision of the Removal from Service (Special Powers) Ordinance, 2000

Sl. No. 41:

An Ordinance promulgated by the President on 10.7.2001 called “Removal from Service (Special Powers) (Amendment) Ordinance, 2001.” It may be pointed out that, under the said Ordinance, the
following proviso has been added to Section 12 of the “Removal from Service (Special Powers) Ordinance, 2000;  

Provided that the Federal Government may, by notification in the official gazette, exempt any class or classes of employees of a Corporation, a corporate body, authority, statutory body or other organization or institution set up, established, owned, managed or controlled by it or a body or organization in which it has a controlling share or interest from the provisions of this Ordinance and such class or classes of employees shall, notwithstanding anything contained in this Ordinance, be proceeded against and dealt with under the laws and rules applicable to such employees before the commencement to this Ordinance.

2. If a Ministry/Division considers it in the interest of expeditious and effective processing of disciplinary proceedings against the employees of a corporation to seek exemption from the provisions of the said Ordinance, it may submit a self-contained Summary for the Chief Executive (through the Establishment Division) and this summary should cover, *inter alia*, the following points:–

(ii) Specific reasons and advantage of seeking exemption from the provisions of the Ordinance;

(iii) The nomenclature of the law or the rules of the resolution or the instructions under which disciplinary proceedings against the employees of the corporation for which exemption is sought, are regulated.

(iv) A certificate to the effect that the existing law/rules/resolutions/instructions adequately cover all types of persons employed by the corporation (*i.e.* servants, officers, experts, consultants, advisers etc.) of all description who are paid from the funds of the Corporation.

(v) A certificate to the effect that all the grounds of penalties, mentioned in the “Removal from Service (Special Powers) Ordinance” are included in the law/rules/resolution/instructions of the corporation.

(vi) A certificate to the effect that all kinds of penalties, included in the “Removal from service (Special Powers)
Ordinance, 2000” are fully provided in the law/rules/instructions of the corporation.

(vii) A copy of the relevant law/rules/resolution/administrative instructions as annexure to the Summary for the Chief Executive.

3. Ministries/Divisions are requested to bring the above referred Ordinance and the instructions to the notice of all concerned under their administrative control for information and future guidance.


Procedure to be followed while taking action under Removal from Service (Special Powers) Ordinance, 2000

Sl. No.42:

While dealing with disciplinary cases against Government Servants, it has been observed that the procedure laid down in the Removal from Service (Special Powers) Ordinance, 2000 is not being followed strictly. Such omissions sometimes vitiate the proceedings and cannot withstand judicial scrutiny. Recently, the Supreme Court of Pakistan in a Civil Appeal has set aside major penalty of Removal from Service imposed upon an accused officer and remanded the case for fresh inquiry. The Supreme Court held that:

“Overwhelming material exists on record to show that proceedings against the appellant were conducted in violation of the principles and procedure laid down to regulate the inquiry proceedings under the Efficiency and Discipline Rules, in as much as, the evidence of the witnesses sought to be produced against the appellant was not recorded by the Inquiry Officer in presence of the appellant whereby he was deprived of his lawful right to cross examine the witnesses”.

2. It is therefore necessary that extreme care should be taken to ensure that cases are dealt with according to the laid down procedure in the Removal from Service (Special Powers) Ordinance, 2000. For convenience, the procedure to be followed while taking action under the Removal from Service (Special Powers) Ordinance, 2000 as
amended from time to time is explained in the succeeding paragraphs:—

(1) When it has come to the notice of the competent authority (as defined under Section 2(aa) of the Ordinance read with SRO 281(I)/2000, dated 27.05.2000 and SRO 411(I)/2000, dated 17.6.2000) that a person in government or corporation service has ceased to be efficient or is involved in misconduct or corruption etc. warranting action under Section 3(1) of the Ordinance, the competent authority shall take a decision and accord its approval to the initiation of proceedings if in its opinion a case is made out against the accused. [Section 3(1) of the Ordinance]

(2) A person against whom action is proposed to be taken under Section 3(1) can be suspended with immediate effect with the approval of the competent authority. [Section 4 of the Ordinance read with para 2 of SRO 281(I)/2000 dated 27.5.2000 and SRO 411(I)/2000 dated 17.06.2000]

(3) Where the competent authority decides to hold an inquiry, formal order regarding appointment of Inquiry officer or inquiry Committee, as the case may be, shall be issued only with approval of the competent authority. [Section 5(1)]

(4) Keeping in view the nature of charges and other facts of the case the competent authority can dispense with the inquiry. [Section 5(4) and (5)]

(5) Procedure prescribed in sub Section (1), (2) and (3) of Section 5 shall be followed in case the competent authority in exercise of its discretionary power under Section 5(1), decides to hold an inquiry through an Inquiry Officer or Inquiry Committee.

(6) Formal order of inquiry containing charges/statement of allegations shall be framed by the competent authority and communicated to the accused by the Inquiry Officer or the Inquiry committee as the case may be. [Section 5(1)]

(7) That Inquiry officer/committee requires the accused to put in a written defence within seven days from the day the charge is communicated to him. [Section 5(1)(b)]
(8) Inquiry Officer/Inquiry Committee shall enjoy the powers defined in Section 6 of the Ordinance and ensure that:

(i) The procedure laid down in Sections (1), (2) and (3) of Section 5 be strictly adhered to during inquiry proceedings.

(ii) The Inquiry Officer/Committee shall record the statement of the witnesses on oath in presence of the accused. [Section 6 (d)] (in order to ensure his presence initials of the accused can be obtained on the statement of the witnesses).

(iii) The accused be allowed to cross-examine the witnesses produced against him during the proceedings. [Section 5(1)(c)]

(iv) The findings and recommendations of the Inquiry Officer/Inquiry Committee be recorded after due analysis and appreciation of evidence on record. (For authenticity each page of inquiry report may be initiated by the Inquiry Officer/Committee)

(9) On receipt of the findings and recommendations of the Inquiry officer or Inquiry Committee where appointed, if the competent authority is of the considered opinion that a penalty prescribed under Section 3(1) is to be imposed upon the accused person in Government or corporation service he shall issue a show cause notice alongwith copy of Inquiry report to the accused informing him of the action proposed to be taken against him and the grounds of action. On receipt of reply of the accused to the show cause notice, the competent authority may pass such order as it may deem proper in accordance with provisions of the Ordinance.

3. Ministries/Divisions are requested to bring the above instructions to the notice of attached Departments, Subordinate Offices, Autonomous/Semi-Autonomous Bodies/Corporations etc. under their administrative control.

Disposal of Representation by
the Appellate Authority(s)
within time limit prescribed
under Section 9(2) of the Removal
from Service (Special Powers)
Ordinance, 2000

Sl. No. 43:

Under Section 9(2) of the Removal from Service (Special Powers) Ordinance, 2000 the appellate authority is required to dispose of representations or review petitions within a period of sixty days of their filing. The withholding of a representation/review petition is not provided under the said Ordinance so there can be no occasion for the absence of communication of final order and in case no final order is passed within a period of sixty days it may be presumed to be a rejection of a representation/review petition.

2. However, it has been observed that the representations/review petitions are not submitted to the appellate authority(s) within the prescribed time with the result that the final orders are not passed by the appellate authority(s). In such cases representations/review petitions are deemed to have been rejected due to expiry of the mandatory period of sixty days without going into the merits of each case. It has further been observed that representations/review petitions by aggrieved officer(s) which lie with the Chief Executive of Pakistan are received in Establishment Division either after expiry of or just few days before the expiry of sixty days time limit, making it difficult for Establishment Division to properly examine and form up the case before its submission to the Chief Executive of Pakistan. Sometimes Establishment Division observes discrepancies in the representations which need to be clarified. It consumes extra time, and, meanwhile the prescribed time limit exhausts.

3. In order to avoid summary rejection of representations/review petitions due to time limitation factor and to ensure that such cases are properly evaluated and the decisions are taken on merit, it has been decided by the Chief Executive of Pakistan that in future all Ministries/Divisions/Departments shall submit the representations/review petitions so as to reach the prescribed appellate authority(s) at least fifteen days before the expiry of the mandatory period of sixty days.
4. It has further been decided that where a representation/petition is required to be submitted to the Chief Executive through Establishment Division, such representation should reach in Establishment Division within 20 days of its filing by the petitioner.

[Authority.–Establishment Division O.M.No.4/3/95/D.3. dated 26-3-2002].
In exercise of the powers conferred by section 25 of the Civil Servants Act, 1973 (LXXI of 1973), the President is pleased to make the following rules, namely:–

1. (1) These rules may be called the Civil Servants (Appeal) Rules, 1977.

(2) They shall come into force at once.

2. In these rules unless there is anything repugnant in the subject or context,—

   *(a) Appellate authority means.–

   (1) in cases relating to discipline.–

       (i) where the order is made by the authorised officer, the officer designated as authority under the Government Servants (Efficiency and Discipline) Rules, 1973.

       (ii) where the order is made by the officer, designated as authority under the rules specified in paragraph (1), the officer or authority next above the authority; and

       (iii) where the order is made by the Prime Minister, the President; and

   (b) *[ ]

   (c) "penalty" means a penalty provided for in the Government Servants (Efficiency and Discipline) Rules, 1973.

*Subs. and omitted vide Establishment Division Notification S.R.O.No.178(1)/99, dated 24-3-1999.

**Subs vide Establishment Division Notification SRO No.335(I)/2000, dated 14-6-2000.
3. Every civil servant shall be entitled to appeal, to the appellate authority from an order passed by an authority *[or an authorized officer] imposing upon him any penalty:

Provided that, where the penalty is imposed by an order of the President, the civil servant shall have no right to appeal but he may apply for review of the order.

4. (1) A civil servant shall be entitled to appeal to the appellate authority from an order passed by an authority which—

(a) alters to his disadvantage, his conditions of service, pay, allowances or pension; or

(b) interprets to his disadvantage the provisions of any rules whereby his conditions of service, pay, allowances or pension are regulated; or

(c) reduces or withholds the maximum pension, including an additional pension, admissible to him under the rules governing pensions; or

(d) terminates his employment or gives notice of such termination otherwise than—

i) on his reaching the age of superannuation, or

ii) in accordance with the provisions of the Civil Servants Act, 1973 (LXXI of 1973);

Provided that a person appointed by the President shall have no right to appeal from an order passed by the President, but he may apply for review of the order:

Provided further that no appeal or review shall lie on matters relating to the determination of fitness of a person to hold a particular post or to be promoted to a higher post or grade.

(2) A member of an All-Pakistan Unified Grades serving under a Provincial Government may appeal, from the order of the Provincial Government, to the President.

(3) A civil servant appointed by the President may appeal to the President from an order passed by an authority subordinate to the President.

5. (1) Every person preferring an appeal should do so separately and in his own name.

(2) Every appeal preferred under these rules shall contain all material statements and arguments relied upon by the appellant, shall contain no disrespectful or improper language, and shall be complete in itself.

(3) Every appeal shall be submitted through the Head of the office to which the appellant belongs or belonged, and through the authority from whose order the appeal is preferred.

(4) Every appeal shall be submitted within a period of thirty days of the communication of the order appealed against.

6. (1) In the case of an appeal under rule 3, the appellate authority shall consider—

(a) Whether the facts on which the order appealed against was based have been established;

(b) Whether the facts established afford sufficient ground for taking action; and

(c) Whether the penalty is excessive adequate, or inadequate, and, after such consideration shall confirm, set aside or modify the previous order,*[and the appellant shall be informed of the reasons for passing such order].

(2) In the case of an appeal under rule 4, the appellate authority shall pass such order as, having regard to all circumstances of the case, appears to it just and equitable.*[and the appellant shall be informed of the reasons for passing such order].

(3) The authority from whose order an appeal is preferred under these rules shall give effect to any order made by the appellate authority.

7. (1) An appeal may be withheld by an authority not lower than the authority from whose order it is preferred if:—

(a) it is an appeal in a case in which no appeal lies under these rules; or

(b) it does not comply with the provisions of sub-rule (1), (2) or (3) of the rule 5; or

*Added vide Establishment Division Notification S.R.O. No.582 (1)/93, dated 26-6-1993.
(c) it is not preferred within the time specified in sub-rule (4) of rule 5 and no reasonable cause is shown for the delay; or

(d) it is addressed to an authority to which no appeal lies under these rules; or

(e) it is a repetition of a previous appeal and is made to the same appellate authority by which such appeal has been decided, and no new facts or circumstances are adduced which afford grounds for a reconsideration of the case:

Provided that in every case in which an appeal is withheld, the appellant shall be informed of the fact and the reasons for it:

Provided further that an appeal withheld on account only of failure to comply with the provisions of sub-rule (2) or (3) of rule 5 or clause (d) may be resubmitted within one month of the date on which the appellant is informed of the withholding of the appeal and, if resubmitted in a form which complies with those provisions or is addressed to the proper appellate authority, as the case may be, shall not be withheld.

(2) No appeal shall lie against the withholding of an appeal by an authority competent to do so.

8.(1) Every appeal which is not withheld under these rules shall be forwarded to the appellate authority with an expression of opinion by the authority from whose order the appeal is preferred.

(2) Every appeal by a civil servant serving under a Provincial Government or a local authority, which is not withheld under these rules shall be forwarded by the Provincial Government or the local authority to the Federal Government with an expression of its opinion.

(3) A list of appeals withheld under rule 7, with reasons for withholding them shall be forwarded quarterly by the withholding authority to the appellate authority.

(4) An appellate authority may call for any appeal admissible under these rules which has been withheld by a subordinate authority and may pass such orders thereon as it considers fit.

*Added vide Establishment Division Notification No. 5/81-R.I., dated 26-12-1981.
9. (1) Nothing in these rules shall operate to deprive any person of any right of appeal which he would have had if these rules had not been made, in respect of any order passed before they came into force.

(2) All appeals pending immediately before the coming into force of these rules shall be deemed to be appealed under these rules.

10. The Civil Services (Classification, Control and Appeal) Rules, 1930, are hereby repealed, but the repeal thereof shall not affect any action taken or anything done thereunder.

[Authority.–Establishment Division Notification S.R.O. No. 54(I)/77, dated 17-1-1977].

Guidelines for Submission of Appeals/Representations to the Chief Executive/President

Sl. No.45:

It has been observed that Ministries/Divisions/Departments generally do not forward to the Establishment Division complete/comprehensive references on the appeals/representations filed by the aggrieved Civil Servants before the Chief Executive/President, for orders in the capacity of the Appellate Authority. It results in back-referencing and inordinate delay in processing/finalization of such cases.

2. In order to facilitate objective analysis and speedy disposal, the appeals/representations preferred by the Civil Servants under the Civil Servants (Appeal) Rules, 1977, or Section 9 of the Removal from Service (Special Powers) Ordinance, 2000, as the case may be, should invariably be submitted in the form of self contained Summary supported by copies of the following essential documents as annexures:–

(i) charge sheet;
(ii) reply of the accused to the charge sheet;
(iii) inquiry report;
(iv) Show Cause Notice;
(v) reply of the accused to the Show Cause Notice;
(vi) recommendations/order of the Authorized Officer or the Authority, as the case may be, regarding the imposition of penalty upon the accused;

(vii) notification of the penalty;

(viii) appeal/representation (in original) alongwith its enclosures; and

(ix) detailed parawise comments of the concerned Ministry/Division/Department on the appeal/representation, in juxtaposition as per prescribed format, annexed herewith.

2. All Ministries/Divisions/Departments and Provincial Governments are requested to bring these guidelines to the notice of all concerned for guidance/compliance.


PARAWISE COMMENTS ON THE APPEAL SUBMITTED BY …………………. (NAME, DESIGNATION, OFFICE, BPS), AGAINST MINOR/MAJOR PENALTY OF ………………………………………………………………………….…………….

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<th>Sl. No.</th>
<th>Contention of the accused (Relevant paras in appeal to be reproduced.)</th>
<th>Comments of the Ministry/Division/Department.</th>
<th>Comments to be offered by Establishment Division.</th>
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In exercise of the powers conferred by section 25 of the Civil Servants Ordinance, 1973 (No. XIV of 1973), the President is pleased to make following rules, namely:–

1. **Short title, commencement and application.**—These rules may be called the Government Servants (Efficiency and Discipline) Rules, 1973.

   *[(2) They shall come into force at once and shall apply to every civil servant].*

2. **Definitions.**—In these rules, unless the context otherwise requires,—

   (1) "accused" means a Government servant against whom action is taken under these rules;

   (2) "authority" means the appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973:

   "Provided that in the case of disciplinary proceedings already initiated against a Government servant before 14th June 2000, the powers of “authority” shall be exercised by the officer designed as such before the aforesaid date:]

   (3) "authorised officer" means an officer authorised by the authority to perform functions of an authorised officer under these rules *or, if no officer is so authorised, the authority;

   (4) "misconduct" means conduct prejudicial to good order or service discipline or contrary to Government Servants (Conduct) Rules, 1964 or unbecoming of an officer and, a gentleman and includes any act on the part of a Government servant to bring or attempt to
bring political or other outside influence directly or indirectly to bear on the Government or any Government officer in respect of any matter relating to the appointment, promotion, transfer, punishment, retirement or other conditions of service of a Government servant; and

(5) "penalty" means a penalty which may be imposed under these rules.

3. **Grounds for penalty.**—Where a Government servant, in the opinion of the authority—

   (a) is inefficient or has ceased to be efficient; or
   
   (b) is guilty of misconduct; or
   
   (c) is corrupt, or may reasonably be considered corrupt because—
       
       (i) he is, or any of his dependents or any other person through him or on his behalf is, in possession (for which he cannot reasonably account) of pecuniary resources or of property disproportionate to his known sources of income; or
       
       (ii) he has assumed a style of living beyond his ostensible means; or
       
       (iii) he has persistent reputation of being corrupt; or

   (d) is engaged, or is reasonably suspected of being engaged, in subversive activities, or is reasonably suspected of being associated with others engaged in subversive activities or is guilty of disclosure of official secrets to any unauthorised person, and his retention in service is, therefore prejudicial to national security, the authority may impose on him one or more penalties.

4. **Penalties.**—(1) The following are the minor and major penalties, namely—

   (a) **Minor Penalties:**
       
       (i) censure;
(ii) withholding, for a specific period, promotion or increment, otherwise than for unfitness for promotion or financial advancement in accordance with the rules or orders pertaining to the service or post;

(iii) stoppage, for a specific period, at an efficiency bar in the time-scale, otherwise than for unfitness to cross such bar;

(iv) recovery from pay of the whole or any part of any pecuniary loss cause to Government by negligence or breach of orders;

(b) Major Penalties:

(i) reduction to a lower post or time-scale, or to a lower stage in a time-scale;

(ii) compulsory retirement;

(iii) removal from service; and

(iv) dismissal from service.

(2) Removal from service does not, but dismissal from service does, disqualify for future employment.

(3) In this rule, removal or dismissal from service does not include the discharge of a person—

(a) appointed on probation, during the period of probation, or in accordance with the probation or training rules applicable to him; or

(b) appointed, otherwise than under a contract, to hold a temporary appointment, on the expiration of the period of appointment; or

(c) engaged under a contract in accordance with the terms of the contract.

5. Inquiry Procedure.—(1) The following procedure shall be observed when a Government servant is proceeded against under these rules:—

(i) In case where a Government servant is accused of subversion, corruption or misconduct, the authorised officer may require him to proceed on leave or, with the approval of the authority suspend him, provided that
any continuation of such leave or suspension shall require approval of the authority after every three months.

*Provided further that where the authority is President or Prime Minister, the powers of the authority under this clause shall be exercised by the Secretary, Establishment Division.*

(ii) The authorised officer shall decide whether in the light of facts of the case or the interests of justice an inquiry should be conducted through an Inquiry Officer or Inquiry Committee. If he so decides, the procedure indicated in rule 6 shall apply.

(iii) If the authorised officer decides, that it is not necessary to have an inquiry conducted through an Inquiry Officer or Inquiry Committee, he shall—

(a) by order in writing, inform the accused of the action proposed to be taken in regard to him and the grounds of the action; and

(b) give him a reasonable opportunity of showing cause against that action:

Provided that no such opportunity shall be given where the authority is satisfied that in the interest of the security of Pakistan or any part thereof it is not expedient to give such opportunity.

(iv) On receipt of the report of the Inquiry Officer or Inquiry Committee or, where no such officer or Committee is appointed, on receipt of the explanation of the accused, if any, the authorised officer shall determine whether the charge has been proved. If it is proposed to impose a minor penalty he shall pass orders accordingly. If it is proposed to impose a major penalty, he shall forward the case to the authority along with the charge and statement of allegations served on the accused, the explanation of the accused, the findings of the Inquiry Officer or Inquiry Committee, if appointed, and his own recommendations regarding the penalty to be imposed. The authority shall pass such orders as it may deem proper.

*Added vide Establishment Division Notification S.R.O No.853(1)/84, dated 30-9-1984.*

*Added vide Establishment Division Notification S.R.O No.43(I)/86, dated 7-1-1986.*
[(2) The exercise of powers under clauses (i) and (iv) of sub-rule (1) by the authorised officers in the Pakistan Missions abroad shall, unless already so provided, always be subject to the approval of the authority].

6. **Procedure to be observed by the Inquiry Officer and Inquiry Committee.**— Where an Inquiry Officer or Inquiry Committee is appointed, the authorised Officer shall—

1. Frame a charge and communicate it to the accused together with statement of the allegations explaining the charge and of any other relevant circumstances which are proposed to be taken into consideration.

2. Require the accused within a reasonable time, which shall not be less than seven days or more than fourteen days from the day the charge has been communicated to him, to put in a written defence and to state at the same time whether he desires to be heard in person.

3. The Inquiry Officer or the Committee, as the case may be, shall enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defence of the accused as may be considered necessary and the accused shall be entitled to cross-examine the witnesses against him.

4. The Inquiry Officer or the Committee, as the case may be, shall hear the case from day to day and no adjournment shall be given except for reasons to be recorded in writing. However, every adjournment, with reasons therefor shall be reported forthwith to the authorized officer. Normally no adjournment shall be for more than a week.

5. Where the Inquiry Officer or the Committee, as the case may be, is satisfied that the accused is hampering, or attempting to hamper, the progress of the enquiry he or it shall administer a warning, and if thereafter he or it is satisfied that the accused is acting in disregard of the warning, he or it shall record a finding to that effect and proceed to complete the enquiry in such manner as he or it thinks, best suited to do substantial justice.

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*Added vide Establishment Division Notification No.7/5/75-DI, dated 14-5-1975.*
(6) The Inquiry Officer or the Committee, as the case may be, shall within ten days of the conclusion of the proceedings or such longer period as may be allowed by the authorized officer, submit his or its findings and the ground thereof to the authorized officer.

6-A. *[Revision.—] (1) Subject to sub-rule (2), the authority may call for the record of any case pending before, or disposed of by, the authorized officer and pass such order in relation thereto as it may deem fit;

(2) No order under sub-rule (1) shall be passed in respect of an accused unless the authorized officer to be designated by the authority has informed him in writing of the grounds on which it is proposed to make the order and has been given an opportunity of showing cause against it, including an opportunity of personal hearing if requested by the accused or is otherwise necessary in the interest of justice, in particular, when the authority contemplates to pass an order adverse to the interest of the accused:

Provided that no such opportunity shall be given where the authority, for reasons to be recorded in writing, is satisfied that, in the interest of security of Pakistan or any part thereof, it is not expedient to give such an opportunity.

7. **Powers of Inquiry Officer and Inquiry Committee.**—(1) For the purpose of an inquiry under these rules, the Inquiry Officer and the Inquiry Committee shall have the powers of a civil court trying a suit under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person and examining him on oath;
(b) requiring the discovery and production of documents;
(c) receiving evidence on affidavits;
(d) issuing commissions for the examination of witnesses or documents.

(2) The proceedings under these rules shall be deemed to be judicial proceeding within the meaning of sections 193 and 228 of the Pakistan Penal Code (Act XLV of 1860).

8. **Rule 5 not to apply in certain cases.**—Nothing in rule 5 shall apply to a case—

(a) where the accused is dismissed or removed from service or reduced in rank, on the ground of conduct which has led to a sentence of fine or of imprisonment; or

(b) Where the authority competent to dismiss or remove a person from service, or to reduce a person in rank, is satisfied that, for reasons to be recorded in writing by that authority, it is not reasonably practicable to give the accused an opportunity of showing cause.

*[8-A. **Action in respect of Government servant required to proceed on leave.**—If a Government servant proceeding on leave in pursuance of an order under sub-rule (1) of rule 5 is not dismissed, removed from service, reduced in rank or compulsory retired, he shall be required to rejoin duty and the period of such leave shall be treated as duty on full pay].

9. **[Procedure of inquiry against government servants serving in Provincial Governments or working on deputation outside their department or service to which they belong.**—When a government servant, to whom these rules apply, is serving under a Provincial government or in a department, outside the department or service to which he belongs, or in a statutory organization, corporate body, or local authority, and the borrowing authority wants to initiate disciplinary proceedings against such government servant under these rules, the borrowing authority shall forward to the concerned lending authority a report with supporting documents, on the basis of which disciplinary proceedings are proposed, and if considered necessary, it may with the approval of the lending authority place him under suspension or send him on forced leave. On receipt of report from the borrowing authority, the lending authority shall take action as prescribed by these rules].

10. **Appeal.**—A person on whom a penalty is imposed shall have such right of appeal as may be prescribed under **[the Civil Servants (Appeal) Rules, 1977]:

Provided that, where the penalty is imposed by order of the President, there shall be no appeal but the person concerned may apply for review of the order.

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*Added vide Establishment Division Notification No.2/14/73-DI, dated 12-3-1975.
***Subs vide Establishment Division Notification S.R.O. No.55(I)/77, dated 18-1-1977
*10-A. Appearance of Counsel.–No party to any proceedings under these rules before the authority, the authorised officer, and Inquiry Officer or an Inquiry Committee shall be represented by an advocate.

11. Repeal.–The Government Servants (Efficiency and Discipline) Rules, 1960 in their application to the Government servants to whom these rules apply **[and the Civilian Employees in Defence Services (Classification, Control and Appeal) Rules, 1961] are hereby repealed but the repeal thereof shall not affect any action taken or anything done or suffered thereunder.

[Authority.– Establishment Division Notification No. S.R.O. 1213(1)/73, dated 18-8-1973].

Disciplinary Proceedings against Accused Government Servants

Sl. No. 47:

During a high level meeting chaired by the Chief Executive, it was noted that the designated ‘Authorized Officers’ have adequate powers under the Government Servants (E&D) Rules, 1973 to departmentally proceed against Government Servants involved in the alleged charges of misconduct, inefficiency, corruption etc. They have all the powers to take following actions: –

(a) To send such officers on forced leave for a period of three months or to recommend suspension from service and extension in forced leave and suspension, in terms of Rule 5(1)(i) of the said Rules;

(b) To frame charges/allegations and to initiate disciplinary action in terms of Rule 5(1)(ii) & (iii) and to impose one or more minor penalties prescribed in the rules with due process of law after giving a reasonable opportunity of showing cause;

(c) To recommend to the Authority award of any of the major penalties prescribed in the rules after due process of law.

2. The designated ‘Authorities’ also have the original as well as revisional powers under Rule 5(1)(iv) and Rule 6-A of the Government Servants (E&D) Rules, 1973 which include powers to

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call for record of any case pending before or disposed of by the Authorized Officer and to pass such order in relation thereto as it may deem fit. Similarly the appellate authorities under the Civil Servants (Appeal) Rules, 1977 have full powers to modify the orders passed by the departmental authority or the Authorized Officer in cases of appeal where the penalty imposed upon the accused officer is considered inadequate.

3. The Chief Executive of Pakistan, in the light of the above, has been pleased to direct that in order to enforce the Government Servants (E&D) Rules, 1973 and the Civil Servants (Appeal) Rules, 1977 in true spirit, the designated ‘Authorities’ ‘Authorized Officers’ and the Appellate Authorities shall invoke the above mentioned provisions of law/rules whenever such a situation arises, without any leniency or hesitation for conclusion of disciplinary proceedings strictly on merit. It is desired that the aforementioned directions of the Chief Executive be fully implemented and due care taken to strictly observe the provisions of Rules, prescribed procedures and instructions issued on the subject from time to time.

4. All Ministries/Divisions/Departments are advised to ensure that up to date lists of all disciplinary cases (initiated, pending and finalized) shall be sent periodically to the Discipline Wing of the Establishment Division for scrutiny/re-assessment etc on the proforma already prescribed vide Establishment Division O.M. No.1/3/70-D.I, dated 7th May, 1970.

5. The above instructions may kindly be communicated to all concerned for proper guidance and strict compliance in future.

ANNEXURE

STATEMENT SHOWING PARTICULARS OF DISCIPLINARY CASES PENDING OR PROPOSED TO BE INITIATED IN THE MINISTRIES/DIVISIONS/DEPARTMENTS/SEMI-AUTONOMOUS BODIES

Name of Division/Department etc...........................................................................

<table>
<thead>
<tr>
<th>Name and particulars of the official concerned</th>
<th>Date of receipt of complaint/allegation etc.</th>
<th>Whether investigations inquiries have been instituted or disciplinary action is proposed to be initiated</th>
<th>Reasons in brief for instituting or proposing disciplinary action</th>
<th>Date of institute departmental action</th>
<th>Whether the person concerned is under suspension if so from what date</th>
<th>Present position of the case</th>
<th>Reasons for delay</th>
<th>The period by which the case is expected to be finalized</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
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<td>1</td>
<td>2</td>
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<td>8</td>
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</table>
Disciplinary proceedings under
Government servants (E&D)
Rules, 1973 against accused
Government servants:
Furnishing of case material

Sl. No. 48:

Instances have come to the notice of the Establishment Division that the Ministries/Divisions and Provincial Governments while forwarding the cases for obtaining the orders of the competent authority i.e. Establishment Secretary under Rule 5 (1) (i) of the Government Servants (E&D) Rules, 1973 do not generally observe the provisions of said rules, laid down procedure and earlier instructions issued on the subject matter. It has particularly been observed that the copies of relevant documents and case material against the accused officers are not enclosed as annexure along with the Summary/Note for the Establishment Secretary, duly signed by the respective authorized officers on the subject.

2. All the Secretaries/Additional Secretaries Incharge of Ministries/Divisions and Chief Secretaries of the Provincial Governments are requested to kind ensure that while forwarding the cases of BS-17 and above Federal Government Servants, for obtaining the orders of the Establishment Secretary under Rule 5 (1) (i) of the Government Servants (E&D) Rules, 1973, following information and copies of documents be enclosed along with the Summary/Note:

(i) In case of the proposal for placing BS-17 and above Federal Government Servants under suspension, copies of all relevant documents/case material including biodata of the accused officer and copies of documents on the basis of which suspension of the officer is necessitated viz. any complaint or fact finding inquiry/probe etc. be provided.

(ii) In case of a request for extension in suspension period of a Government Servant under suspension or extension in forced leave period, on expiry of current sanction after three months, the present position of the disciplinary case including the stage of inquiry if it is in progress, may invariably be stated in the said proposals.
(iii) In case of recommendation for reinstatement in service of a Government Servant under suspension or termination of forced leave period, the copies of complete record of proceedings viz. charge sheet along with statement of allegations, show cause notice if issued instead of charge sheet, report of the Inquiry Officer and final orders of the Authorized Officer etc. be provided.

3. The above instruction may kindly be communicated to all the concerned quarters for guidance and compliance in future.

[Authority.– Establishment Division O.M. No.11/5/2000-D.1, dated 4-5-2000].

Applicability of the Disciplinary Proceedings against Dismissed, Removed or Compulsorily Retired Civil Servants

Sl. No.49:

On a directive from the Chief Executive Secretariat, the question as to whether any order under the Government Servants (E&D) Rules, 1973 can be passed against a civil servant who already stands dismissed from service, has been examined in consultation with Law, Justice & Human Rights Division. It has been clarified that if a person is dismissed or removed from service or compulsorily retired he does not retain the status of a civil servant for the purpose of any other disciplinary proceedings or imposition of any other penalty. There is a concept of law that the process of appeal is the continuation of the original proceedings, therefore, if a dismissed, removed or retired employee moves a departmental appeal or representation or files an appeal before the appropriate judicial forum he is deemed to be a civil servant for that particular matter only under the said concept of continuation of status during the process of appeal.

2. Where an appeal is filed, the appellant may be treated as a civil servant for the purpose of disposal of that appeal only and the result of any other inquiry that may have been conducted may be held in abeyance. However, if the dismissed, removed or retired person does not file any appeal, the order of dismissal, removal from service or compulsory retirement will attain finality and the result of the other inquiry will become infructuous.

[Authority.– Establishment Division O.M.No.SCE/6/97, dated 14.1.2002].
Clarification in regard to Invocation of Rules 3 and 8 of the Government Servants (Efficiency & Discipline) Rules, 1973 after coming into force of the Removal from Service (Special Powers) Ordinance, 2000

Please see Sl. No. 40:

Review of Rule frame work on Efficiency and Discipline of Autonomous Bodies etc. for incorporation of the provisions at par with Article 194 of Civil Services Regulations, as Amended

Sl. No. 50:

The Prime Minister’s Office while examining the report in a case of criminal offence committed by an employee of an autonomous body has observed that departmental proceedings and action under the criminal law are not mutually exclusive and could be taken simultaneously without prejudice to the outcome in either proceedings. Despite this legal position, organization’s report shows that the court was successfully persuaded in this case by the accused officer to grant bail, inter alia, for the reason that no departmental proceedings had been initiated against him; thereafter, on their part the organization also proceeded further and reinstated the officer to his substantive position on the basis of bail grant order in his favour, to reinforce and obviate any legal challenge. It was obvious then that the relevant authorities of the organization did not apply their own mind to the facts and merits of the case leading to the registration of the case, and to determine the desirability or otherwise of initiating the Efficiency and Discipline proceedings against the accused officer. Such indifference and apathy also reflects connivance on the face of record, was unjustified and hence unacceptable. Prime Minister’s Office has requested the Establishment Division to examine the matter in detail; also to advise all Ministries/Divisions to direct the State Enterprises/Autonomous Bodies under their administrative control/responsibility to review their rule-framework on Efficiency and Discipline for incorporation of the provisions at par with article 194 of the Civil Service Regulations, as amended.
2. The instruction printed at Serial No.118 (pages 542-543 of ESTACODE 1989 edition) provide as under:–

   i) There is no bar to the holding of a Departmental Inquiry against a Government Servant who is being prosecuted in a criminal court. However, departmental inquiry can be deferred till the termination of criminal proceedings where the holding of departmental inquiry may effect of impeding the course of justice or of prejudicing the trial.

   (ii) In case the accused Government Servant has been acquitted from a criminal case on technical grounds the departmental proceedings on the same facts can be started.

   (iii) In case the accused Government Servant cannot be criminally prosecuted in a Court of law for some reasons or others, it does not bar the Government for inquiring into the truth of a charge against a Government Servant by means of departmental inquiry.

It has been observed that above instructions are not fully followed by the Ministries/divisions while dealing with criminal cases.

3. In view of the above all Ministries/Divisions are requested to strictly follow the instructions contained in Establishment Division’s Office Memorandum No.4/5/69-D.I, dated 17th June,1969 printed at Serial 118 (pages 542-543 of ESTACODE 1989 edition). They are also advised that above instructions may be brought to the notice of Heads of all attached Departments/Subordinate Offices/Autonomous Bodies/State Enterprises etc., and the staff working under them for their strict compliance.

   *[4. Ministries/Divisions are further advised to direct the State Enterprises/Autonomous Bodies under their administrative control/responsibility to review their existing rule-framework on Efficiency and Discipline and suitably incorporate following provisions of the civil service Regulations in their Service Rules.

   Article 194. A Government servant who has been charged for a criminal offence or debit and is committed to prison shall be considered as under suspension from the date of his arrest. In case such a Government servant is not arrested or is released on bail, the

*Subs vide Establishment Division Corrigendum No.3/1/99-R.3, dated 8-6-1999.
competent authority may suspend him, by specific order, if the charge against him is connected with his position as Government servant or is likely to embarrass him in discharge of his duties or involves moral turpitude. During suspension period the Government servant shall be entitled to the subsistence grant as admissible under FR-53.

Article 351. Future good conduct is an implied condition of every grant of a pension. The Local Government, and the Government of Pakistan, reserve to themselves the right of withholding or withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or be guilty of grave misconduct.

The decision of the Governor General on any question of withholding or withdrawing the whole or any part of a pension under this Regulation shall be .............. and conclusive.

Article 351-A The Governor-General reserves to himself the right to order the recovery from the pension of an officer who entered service, of any amount on account of losses found in judicial or departmental proceedings to have been caused to Government by the negligence or fraud of such officer during his service:

Provided that–

(1) such departmental proceedings, if not instituted while the officer was on duty:–

i) shall not be instituted save with sanction of the Governor General;

ii) shall be instituted before the officer’s retirement from service or within a year from the date on which he was last on duty whichever is later;

iii) shall be in respect of an event which took place not more than one year before the date on which the officer was last on duty; and

iv) shall be conducted by such authority and in such places whether in
Pakistan or elsewhere, as the Governor General may direct;

(2) all such departmental proceedings shall be conducted, if the officer concerned so request in accordance with the procedure applicable to departmental proceedings on which an order of dismissal from service may be made; and

(3) such judicial proceedings, if not instituted while the officer was on duty, shall have been instituted in accordance with sub-clauses (ii) and (iii) of clause (1).

Article 351-B  The government may, within one year from the date of issue of Pension Payment Order, recover any of its dues from the pension granted to a civil servant, subject to the condition that no recovery shall be made from the pension without the personal order of the Head of the Ministry or Division or Head of the Department, declared as such under S.R. 2(10) and included in Appendix No.14 Vol. II of the compilation of the Fundamental Rules and Supplementary Rules as the case may be].

[Authority.–Establishment Division O.M.No.3/1/99-R.3, dated 30-4-1999].

Government Policy in regard to Autonomous Bodies established through Resolutions

Sl. No.51:

A number of autonomous bodies were established by the Federal Government from time to time through Resolutions under which some measure of functional autonomy was allowed to the Board of Governors/Board of Directors for the purpose of effective discharge of their allocated responsibilities. The legal status of such organizations came up for consideration before the Supreme Court in Civil Appeal No.154 of 1988, and it was held by the Court that
organizations established through Resolutions were not bodies corporate but Government departments, and their employees were held to be civil servants.

2. In the light of the aforesaid decision of the Supreme Court the question whether the organizations established through Resolutions should be made bodies corporate after fulfilling the required legal formality, or be run as a department of Government has remained under consideration of the Government for some time. The Chief Executive has now been pleased to approve the following general policy guidelines:–

i) All Ministries/Divisions incharge of organizations established through Resolution should determine in consultation with the Management Services Wing of Cabinet Division whether those organizations should be run as Government Department (i.e. Attached Department or Subordinate Office) or as autonomous body.

ii) Where it is considered necessary in the public interest to run an organization as an autonomous body for the effective discharge of its functions, the Ministry/Division concerned should either get it registered as a Society or a Company under the relevant law or draft a separate legislation in consultation with Law and Cabinet Divisions for changing legal status of the organization to that of a body corporate.

3. All Ministries/Divisions are requested to take necessary action accordingly.

[Authority.–Establishment Division O.M.No.4/1/91-R.7/R.3, dated 6-9-2000].
CHAPTER VI

FEDERAL PUBLIC SERVICE COMMISSION

*Constitutional Provisions

Sl. No. 52:


Article 242

(i) Parliament in relation to the affairs of the Federation and the Provincial Assembly of a Province in relation to the affairs of the Province, may, by law, provide for the establishment and constitution of a Public Service Commission.

(ii) The Chairman of the Public Service Commission constituted in relation to the affairs of the Federation shall be appointed by the President in his discretion.

(iii) A Public Service Commission shall perform such functions as may be prescribed by law.

Federal Public Service Commission Ordinance, 1977

Sl. No. 53:

ORDINANCE No. XLV OF 1977

AN ORDINANCE

to repeal and, with certain modifications, re-enact the Federal Public Service Commission Act, 1973

WHEREAS it is expedient to repeal and, with certain modifications, re-enact the Federal Public Service Commission Act, 1973 (LXVI of 1973);

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (CMLA Order No.1 of 1977), and in exercise of all powers

*For the Constitutional Provisions in the Constitutions of Islamic Republic of Pakistan 1956 and 1962, please see Annexures III & IV.
enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:–

1. **Short title and commencement.**–(1) This Ordinance may be called the Federal Public Service Commission Ordinance, 1977.

   (2) It shall come into force at once.

2. **Definitions.**–In this Ordinance, unless there is anything repugnant in the subject or context,–

   (a) "Commission" means the Federal Public Service Commission; and

   (b) "member" means a member of the Commission and includes the Chairman thereof.

3. **Composition of Commission, etc.**–(1) There shall be a Federal Public Service Commission.

   (2) The President shall by regulations determine –

   (a) the number of members of the Commission and their conditions of service; and

   (b) the number of members of the staff of the Commission and their conditions of service:

   Provided that the salary, allowances and privileges of a member of the Commission shall not be varied to his disadvantage during his term of office.

   (3) The Chairman and other members of the Commission shall be appointed by the President.

   (4) *[The Commission shall have–

   (a) not less than one half of the members who shall be persons having held in the service of Pakistan in basic pay scale 21 or above post:

   Provided that no serving Government servant shall be appointed as a member;

(b) At least one member each from—

i. retired judges of the superior judiciary;

ii. retired officers not below the rank of Major-General or equivalent of the Armed Forces; and

iii. women and the private sector possessing such qualification and experience as the Federal Government may by rules prescribe.

*[5) No proceedings or act of the Commission shall be invalid merely on the ground of the existence of a vacancy in, or a defect in the constitution of the Commission].

4. Term of office of members, etc.—**(1) A member of the Commission shall hold office for a term of five years from the date on which he enters upon office and shall not be eligible for re-appointment:

(2) A member may resign his office by writing under his hand addressed to the President.

**[4A. Oath of Office.—Before entering upon office the Chairman and a member shall make oath in the form set out in the Schedule to this Ordinance before the President in case of Chairman and before the Chairman in case of a member].

5. **[Ineligibility for further employment.—On ceasing to hold office a member shall not be eligible for further employment in the service of Pakistan].

5A. **[Appointment of a serving member as a Chairman.—A serving member of the Commission shall be eligible for appointment as Chairman for a term not exceeding the unexpired portion of his term as such member].

6. **Removal from office.**— A member shall not be removed from office except in the manner applicable to a Judge of a High Court.

*[7. Functions of the Commission.**—(1) The functions of the Commission shall be—

(a) to conduct tests and examinations for recruitment of persons to:

(i) All-Pakistan Services, the civil services of the Federation and civil posts in connection with the affairs of the Federation in basic pay scale 16 and above or equivalent; and

(ii) Posts in basic pay scale 11 to 15 or equivalent in the following departments:

(1) The Federal Secretariat;
(2) The Central Board of Revenue;
(3) The Federal Investigation Agency;
(4) The Anti-Narcotics Force;
(5) The Pakistan Railways;
(6) The Directorate General of Immigration and Passports;
(7) The Export Promotion Bureau;
(8) The Islamabad Capital Territory Administration;
(9) The Bureau of Emigration and Overseas Employment;
(10) The Estate Office;
(11) The organizations, except autonomous bodies, under the Ministry of Health and the Ministry of Education; and

(b) to advise the President—

(i) On matters relating to qualifications for and method of recruitment to, services and posts referred to in clause (a);*

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(ii) On the principles to be followed in making initial
appointments to the services and posts referred to in
clause (a) and in making appointments by promotion to
posts in BS 18 and above and transfer from one service
or occupational group to another; and

(iii) On any other matter which the President may refer to the
Commission; *[and]

[(c) to hold examinations for promotion for such posts as the
Federal Government may, from time to time, by notification in the
official Gazette, specify].

Explanation.–In this section, “recruitment” means initial appoint-
ment other than by promotion or transfer.

(2) Recruitment to the following posts shall be outside the
purview of the Commission: –

(i) In the President’s Secretariat;

(ii) Filled by appointing a person on contract for a specified
period not exceeding two years;

(iii) Filled on ad hoc basis for a period of six months or less
provided that–

(1) No ad hoc appointment shall be made before
placing a requisition with the Commission for
regular appointment; and

(2) Before filling the post on ad hoc basis, prior
approval shall be obtained from the Commission;

(iv) Filled by re-employing a retired officer, provided that the
re-employment is made for a specified period not
exceeding two years in a post not higher than the post in
which the person was employed on regular basis before
retirement; and

(v) Filled by the employment or re-employment of persons
on the recommendations of the High Powered Selection
Board constituted by the President who are, or have
been, Officers of the Armed Forces and hold, or have
held, such posts therein as are declared by the President
to be equivalent to the posts to be so filled].

**(3) (a) A candidate aggrieved by any decision of the Federal Public Service Commission may, within thirty days of such decision, make a representation to the Commission and the Commission shall decide the representation within fifteen days after giving the candidate a reasonable opportunity of hearing. The decision of the Commission, subject to the result of review petition, shall be final.

(b) A candidate aggrieved by the decision of the Commission made under paragraph (a) may, within fifteen days of the decision, submit a review petition to the Commission and the Commission shall decide the review petition within thirty days under intimation to the petitioner.

(c) Save as provided in this Ordinance, no order made or proceeding taken under this Ordinance, or rules made thereunder, by the commission shall be called in question in any court and no injunction shall be granted by any court in respect of any decision made or taken in pursuance of any power conferred by, or under, this Ordinance.

(d) Any candidate aggrieved by a decision of the Commission under paragraph (b) may, within thirty days of the decision, prefer an appeal to the High Court.

**[7-A. Conduct of business of Commission, etc.—The Chairman of the Commission may, with the approval of the Federal Government, make rules for regulating the conduct of the business of the Commission; and such rules may provide for any of the functions of the Commission specified by it being performed by a Committee composed of two or more members constituted by the Chairman for the purpose].

***[Validation.—All appointments of persons who are or have been, officers of the Armed Forces of Pakistan, made on or after the fifth day of July, 1977 but before the twenty-fifth day of June, 1980, without reference to the Federal Public Service Commission shall be deemed to have been validly made].

8. Commission to be informed when its advice not accepted.—Where the President does not accept the advice of the Commission, he shall inform the Commission accordingly.

**Added vide Federal Public Service Commission (Amendment) Ordinance No.XXV of 1978, dated 24-5-1978
9. **Reports of Commission.**—(1) It shall be the duty of the Commission to present to the President annually a report on the work done by the Commission, and the President shall cause a copy of the report to be laid before the National Assembly and the Senate.

(2) The report referred to in sub-section (1) shall be accompanied by a memorandum setting out so far as is known to the Commission:

(a) the cases, if any, in which the advice of the Commission was not accepted and the reasons therefor; and

(b) the matters, if any, on which the Commission ought to have been consulted but was not consulted and the reasons therefor.

10. **Rules.**—The Federal Government may, by notification in the official Gazette, make rules, for carrying out the purposes of this Ordinance.


**[SCHEDULE**

[See section 4A]]

I, ________________________ do solemnly swear that I will bear true faith and allegiance to Pakistan:

That, as a Chairman (or Member) of the Federal Public Service Commission I will discharge my duties, and perform my functions, honestly, to the best of my ability and faithfully in accordance with the Constitution of the Islamic Republic of Pakistan and the law, and always in the interest of the solidarity, integrity, well-being and prosperity of Pakistan.

That, I will not allow my personal interest to influence my official conduct or my official decisions and that in the performance of my functions, whether in the selection of persons for recruitment or appointment or in any other way, I will act without fear or favour, affection or ill will.

May Allah Almighty help and guide me (A'meen).

MUHAMMAD RAFIQ TARAR

*President*.

*[Authority.— Federal Public Service Commission Ordinance No.F.24(1)/77-Pub., dated 17-12-1977].


Federal Public Service Commission
(Functions) Rules, 1978

Sl. No. 54:

In exercise of the powers conferred by section 10 of the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), the Federal Government is pleased to make the following rules, namely:–

1. These Rules may be called the Federal Public Service Commission (Functions) Rules, 1978.

2. In these rules, unless there is anything repugnant in the subject or context,—

(a) "ad hoc basis", when used with reference to an appointment, means appointment of a person on temporary basis pending appointment of a person nominated by the Commission;

(b) "civil servant" means a person who is, or has been, a civil servant within the meaning of the Civil Servants Act, 1973 (LXVI of 1973);

(c) *Omitted.

(d) "regular basis" when used with reference to an appointment, means appointment other than on ad hoc basis, or on contract, or on a temporary basis, for a specified period;

(e) "retired officer" includes a retired officer of the Armed Forces; and

(f) "test" includes written examination, interview and *viva voce*.

3. **[(1) The Commission shall conduct tests and examinations for recruitment to all posts—

(i) in connection with the affairs of the Federation in basic pay scales 16 and above or equivalent; and

(ii) in basic pay scales 11 to 15 or equivalent in—

(1) the Federal Secretariat;

(2) the Central Board of Revenue;**

(3) the Federal Investigation Agency;
(4) the Anti-Narcotics Force;
(5) the Pakistan Railways;
(6) the Directorate General of Immigration and Passports;
(7) the Export Promotion Bureau;
(8) the Islamabad Capital Territory Administration;
(9) the Bureau of Immigration and Overseas Employment;
(10) the Estate Office;
(11) the Organizations, except autonomous bodies, under the Ministry of Health and Ministry of Education, other than the posts—

(a) specified in the Schedule to these rules;

(b) filled by appointing a person on contract for a specified period not exceeding two years;

(c) filled on \textit{ad hoc} basis for a period of six months or less provided that—

(i) no \textit{ad hoc} appointment shall be made before placing a requisition with the Commission for regular appointment; and

(ii) before filling the post on \textit{ad hoc} basis, prior approval shall be obtained from the Commission;

(d) filled by re-employing a retired officer provided that re-employment is made for a period not exceeding two years in a post not higher than the post in which the person was employed on regular basis before retirement; and
(e) filled by the employment, other than posts in pay scale 17 filled by serving armed forces officers on the recommendations of FPSC, or re-employment of persons who are, or have been officers of the armed forces of Pakistan and held, or have held such posts therein as are declared by the President to be equivalent to the posts to be so filled; and

(2) For removal of doubts it is clarified that the process already initiated for recruitment to posts in BPS 11 to 15 shall be completed in accordance with the provisions of these rules existing immediately before the provisions of sub-rule (1) if the advertisement for recruitment had already appeared in the newspapers;

SCHEDULE

[See rule 3 (a)]

POSTS EXCLUDED FROM THE PURVIEW OF THE COMMISSION

<table>
<thead>
<tr>
<th>Ministry, Division or Organization.</th>
<th>Name of post</th>
</tr>
</thead>
<tbody>
<tr>
<td>President’s Secretariat (Personal or Public)</td>
<td>All posts].</td>
</tr>
</tbody>
</table>

4. The Commission shall test civil servants appointed at any time between the first day of January, 1972 and the fifth day of July, 1977, or promoted to a higher post during the said period whose cases may be referred to the Commission by the President, and make a report to the President whether they are fit to hold the post to which they were appointed or promoted, as the case may be, and, if not, whether they are fit to hold any other civil post *[equivalent or lower, as the case may be] compatible with their qualifications and experience.

*Subs vide Establishment Division Notification S.R.O. No. 147(I)/84 dated 9-2-1984.*
*[5. The Commission shall, on a reference made by the appointing authority, test persons who may have been appointed to a civil post without observing the prescribed procedure or without fulfilling the prescribed qualifications, experience and age limits, and advise whether they are fit to hold the post to which they were appointed, and, if not, whether they are fit to hold any other civil post in the same or lower Basic Scale compatible with their qualifications and experience].

**SCHEDULE**

[See Rule 3(a)]

**POSTS EXCLUDED FROM THE PURVIEW OF THE COMMISSION**

<table>
<thead>
<tr>
<th>Ministry/Division</th>
<th>Name of post</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. All Ministries</td>
<td>Private Secretaries to Ministers and Ministers of State.</td>
</tr>
<tr>
<td>2. Ministry of Foreign Affairs</td>
<td>Posts connected with cypher control and management</td>
</tr>
<tr>
<td>3. Intelligence Bureau</td>
<td>All posts.</td>
</tr>
<tr>
<td>4. Defence Production Division</td>
<td>All posts in the Pakistan Ordnance Factories and Project p.711.</td>
</tr>
<tr>
<td>5. Defence Division</td>
<td>All posts in the Directorate General, Inter Services Intelligence.</td>
</tr>
<tr>
<td></td>
<td><em>(2) The post of Civilian Intelligence Operator (BS-17) in Survey Section, Military Intelligence Directorate, GHQ.</em></td>
</tr>
<tr>
<td></td>
<td>*<strong>(3) Posts connected with defence projects.]</strong></td>
</tr>
<tr>
<td></td>
<td>*<strong>(4) All posts in BPS-16 and above in the PAF Public School Lower Topa Murree under Ministry of Defence.]</strong></td>
</tr>
<tr>
<td>6. [Prime Minister’s Secretariat</td>
<td>Prime Minister’s Office all posts in BPS-16 and above.]</td>
</tr>
<tr>
<td>7. [Revenue Division</td>
<td>(i) Posts of Senior Auditor (BS-16) in the Sales Tax Department under the Central Board of Revenue.</td>
</tr>
<tr>
<td></td>
<td>(ii) Posts of Computer Operator (BS-16) in the Sales Tax Department under the Central Board of Revenue.]</td>
</tr>
</tbody>
</table>

*Note.*—The exclusion, from the purview of the Federal Public Service Commission, of posts in Serial No.7, shall be a one time exemption for recruitment of officers or officials.

[Authority.—Establishment Division Notification S.R.O. No. 1316 (l)/78, dated 9-11-1978.]

*Re-numbered (1) and Added (2) vide Establishment Division Notification S.R.O.No.1221(l)/97, dated 3-12-1997.

**Added vide Establishment Division Notification S.R.O. No. 836(l)/98, dated 21-7-1998.


@ Added vide Establishment Division Notification S.R.O. No. 1003(l)/98, dated 28-9-1998.

CHAPTER VII
THE SERVICE TRIBUNALS

Constitutional provisions

Sl. No.55:


Article No.212 – (1) Notwithstanding anything hereinbefore contained, the appropriate Legislature may by Act provides for the establishment of one or more Administrative Courts or Tribunals to exercise exclusive jurisdiction in respect of –

(a) matter relating to the terms and conditions of persons who are or have been in the service of Pakistan, including disciplinary matters;

(b) matters relating to claims arising from tortuous acts of Government, or any person in the service of Pakistan, or of any local or other authority empowered by law to levy any tax or cess and any servant of such authority acting in the discharge of his duties as such servant; or

(c) matters relating to the acquisition, administration and disposal of any property which is deemed to be enemy property under any law.

(2) Notwithstanding anything hereinbefore contained, where any Administrative Court or Tribunal is established under clause (1), no other court shall grant an injunction, make any order or entertain any proceedings in respect of any matter to which the jurisdiction of such Administrative Court or Tribunal extends and all proceedings in respect of any such matter which may be pending before such other court immediately before the establishment of the Administrative Court or Tribunal; other than an appeal pending before the Supreme Court, shall abate on such establishment:

Provided that the provisions of this clause shall not apply to an Administrative Court or Tribunal.
established under an Act of a Provincial Assembly unless, at the request of that Assembly made in the form of a resolution, Majlis-e-Shoora (Parliament) by law extends the provisions to such a Court or Tribunal.

(3) An appeal to the Supreme Court from a judgment, decree, order or sentence of an Administrative Court or Tribunal shall lie only if the Supreme Court, being satisfied that the case involves a substantial question of law of public importance, grants leave to appeal.

The Service Tribunals Act, 1973 (Act No. LXX of 1973)

Sl. No. 56:

An Act to provide for the establishment of Service Tribunals to exercise jurisdiction in respect of matters relating to the terms and conditions of service of civil servants.

WHEREAS it is expedient to provide for the establishment of Administrative Tribunals, to be called Service Tribunals, to exercise exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, and for matters connected therewith or ancillary thereto.

It is hereby enacted as follows:–

1. Short title, commencement and application.—(1) This Act may be called the Service Tribunals Act, 1973.

(2) It shall come into force at once.

(3) It applies to all civil servants wherever they may be.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context, —

"[a] "civil servant" means a person who is, or has been, a civil servant within the meaning of the Civil Servants Act, 1973 (LXXI of 1973);][a] and shall include a person declared to be a civil servant under section 2(a); and]
(b) "Tribunal" means a Service Tribunal established under section 3.

2-A. Service under certain corporations, etc. to be service of Pakistan.–Service under any authority, corporation, body or organization established by or under a Federal law or which is owned or controlled by the Federal Government or in which the Federal Government has a controlling share or interest is hereby declared to be service of Pakistan and every person holding a post under such authority, corporation, body or organization shall be deemed to be a civil servant for the purposes of this Act.

3. Tribunals.–(1) The President may, by notification in the official Gazette, establish one or more Service Tribunals and, where there are established more than one Tribunal, the President shall specify in the notification the class or classes of civil servants in respect of whom or the territorial limits within which, or the class or classes of cases in respect of which, each such Tribunal shall exercise jurisdiction under this Act.

(2) A Tribunal shall have exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, including disciplinary matters.

(3) A Tribunal shall consist of–

(a) a Chairman, being a person who **[is, or] has been, qualified to be Judge of a High Court; and

(b) such number of members @ not less than three [each of whom is a person who possesses such qualifications as may be prescribed by rules, as the President may from time to time appoint].

(4) The Chairman and members of a Tribunal shall be appointed by the President on such terms and conditions as he may determine.

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the President.

(6) The Chairman or a member of a Tribunal shall not hold any other office of profit in the service of Pakistan if his remuneration is thereby increased.


***Added vide Ordinance No. IX of 1978, dated 18-3-1978.

@Subs vide Service Tribunals (Amendment) Act IV of 1987, dated 15-6-1987.
(7) Notwithstanding anything contained in sub-section (3), sub-section (4), sub-section (5) or sub-section (6), a Tribunal established to exercise jurisdiction in respect of a specified class or classes of cases may consist of one or more persons in the service of Pakistan to be appointed by the President.

*3-A. Benches of the Tribunal.—(1) The powers and functions of a Tribunal may be exercised or performed by Benches consisting of not less than two members of Tribunal, including the Chairman, constituted by the Chairman.

(2) If the members of a bench differ in opinion as to the decision to be given on any point,—

(a) the point shall be decided according to the opinion of the majority;

(b) if the members are equally divided and the Chairman of the Tribunal is not himself a member of the bench, the case shall be referred to the Chairman and the decision of the Tribunal shall be expressed in terms of the opinion of the Chairman; and

(c) if the members are equally divided and the Chairman of the Tribunal is himself a member of the bench, the opinion of the Chairman shall prevail and the decision of the Tribunal shall be expressed in terms of the opinion of the Chairman].

4. Appeals to Tribunals.—(1) Any civil servant aggrieved by any order, whether original or appellate, made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him, *or within six months of the establishment of the appropriate Tribunal, whichever is later, prefer an appeal to the Tribunal:*

Provided that—

(a) where an appeal, review or representation to a departmental authority is provided under the Civil Servants Ordinance, 1973, or any rule against any such order, no appeal shall lie to a Tribunal unless the aggrieved civil servant has preferred an appeal or application for review or representation to such

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*Added vide Ordinance No. IX of 1978, dated 18-3-1978.
departmental authority and a period of ninety days has elapsed from the date on which such appeal, application or representation was so preferred; *[ ]

(b) no appeal shall lie to a Tribunal against an order or decision of a departmental authority determining the fitness or otherwise of a person to be appointed to or hold a particular post or to be promoted to a higher grade; **[and]***

[(c) no appeal shall lie to a Tribunal against an order or decision of a departmental authority made at any time before the 1st July, 1969].

(2) Where the appeal is against an order or decision of a departmental authority imposing a departmental punishment or penalty on a civil servant, the appeal shall be preferred–

(a) in the case of a penalty of dismissal from service, removal from service, compulsory retirement or reduction to a lower post or time-scale or to a lower stage in a time-scale, to a Tribunal referred to in sub-section (3) of section 3; and

(b) in any other case, to a Tribunal referred to in sub-section (7) of that section.

Explanation.–In this section, "departmental authority" means any authority other than a Tribunal, which is competent to make an order in respect of any of the terms and conditions of civil servants.

5. Powers of Tribunals.–(1) A Tribunal may, on appeal, confirm, set aside, vary or modify the order appealed against.

(2) A Tribunal shall, for the purpose of deciding any appeal, be deemed to be a civil court and shall have the same powers as are vested in such court under the Code of Civil Procedure, 1908 (Act V of 1908), including the powers of–

(a) enforcing the attendance of any person and examining him on oath;

(b) compelling the production of documents; and

(c) issuing commission for the examination of witnesses and documents.

*The word "and" Omitted vide Service Tribunals (Amendment) Act XXXI of 1974.
***Added vide Service Tribunals (Amendment) Act XXXI of 1974.
6. **Abatement of suit and other proceedings.**—All suits, appeals or applications regarding any matter within the jurisdiction of a Tribunal pending in any court immediately before the commencement of this Act shall abate forthwith:

Provided that any party to such a suit, appeal or application may, within ninety days of the *establishment of the appropriate Tribunal, prefer an appeal to it* in respect of any such matter which is in issue in such suit, appeal or application.

7. **Limitation.**—The provisions of sections 5 and 12 of the Limitation Act, 1908 (IX of 1908), shall apply to appeals under 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) requirements as to the number of members of the Tribunal necessary for hearings before, or order or decision by, a Tribunal *or a Bench thereof*; and

(b) filling for a specified period any vacancy in the office of the Chairman or a member of the Tribunal caused by the absence on leave or otherwise of the Chairman or, as the case may be, a member.

9. **Repeal.**—The Service Tribunals Ordinance, 1973 (XV of 1973), is hereby repealed.

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*Subs vide Service Tribunals (Amendment) Act XXXI of 1974.*
Annexure – I

Extracts from the Constitution of the Islamic Republic of Pakistan, 1956.

THE SERVICES OF PAKISTAN

CHAPTER I. – SERVICES

179.—(1) No person who is not a citizen of Pakistan shall be eligible to hold any office in the service of Pakistan;

Provided that the President or, in relation to a Province, the Governor, may authorize the temporary employment of a person who is not a citizen of Pakistan;

Provided further that a person who is, immediately before the Constitution Day, a servant of the Crown in Pakistan shall not be disqualified from holding any office in the service of Pakistan on the ground only that he is not a citizen of Pakistan.

(2) Except as expressly provided by the Constitution, the appointment and conditions of service of persons in the service of Pakistan may be regulated by Act of the appropriate legislature.

180.—Except as expressly provided by the Constitution—

(a) every person who is a member of a defence service, or of a civil service of the Federation, or of an All-Pakistan Service, or holds any post connected with defence, or a civil post in connection with the affairs of the Federation, shall hold office during the pleasure of the President, and

(b) every person who is a member of a civil service of a Province or holds any civil post in connection with the affairs of a Province, other than a person mentioned in paragraph (a) of this Article, shall hold office during the pleasure of the Governor.

181.—(1) No person who is a member of a civil service of the Federation or of a Province, or of an All-Pakistan Service, or holds a civil post in connection with the affairs of the Federation, or of a Province, shall be dismissed or removed from service, or reduced in rank, by an authority subordinate to that by which he was appointed.
(2) No such person as aforesaid shall be dismissed or removed from service, or reduced in rank, until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him:

Provided that this clause shall not apply—

(a) where a person is dismissed or removed from service or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

(b) where an authority empowered to dismiss or remove from service a person, or to reduce him in rank, is satisfied that for some reason, to be recorded by that authority, it is not reasonably practicable to give that person an opportunity of showing cause; or

(c) where the President or the Governor, as the case may be, is satisfied, for reasons to be recorded by him, that in the interest of the security of Pakistan or any part thereof, it is not expedient to give to that person such an opportunity.

Recruitment and conditions of service.

182.—Except as expressly provided by the Constitution or an Act of the appropriate legislature, appointments to the civil services of, and civil posts in the service of, Pakistan shall be made—

(a) in the case of services of the Federation and posts in connection with the affairs of the Federation, by the President or such person as he may direct;

(b) in the case of services of a Province and posts in connection with the affairs of a Province, by the Governor of the Province, or such person as he may direct.

(2) Except as expressly provided by the Constitution, or an Act of the appropriate legislature, the conditions of service of persons serving in a civil capacity shall, subject to the provisions of this Article, be such as may be prescribed—

(a) in the case of persons serving in connection with the affairs of the Federal, by rules made by the President, or by some person authorized by the President to make rules for the purpose;

1For the Pakistan Military Lands and Cantonments Service (Class I) Probation, Training and Seniority Rules, 1956, see Gaz. of P., 1956, Ext., pp. 1153-1164.

2For the Karachi Excise Subordinate Service Recruitment Rules, see Gaz. of P., 1956, Pt.VI, pp.67 & 168.
(b) in the case of persons serving in connection with the affairs of a Province, by 1rules made by the Governor of the Province, or by some person authorized by the Governor to make rules for the purpose;

Provided that it shall not be necessary to make rules regulating the conditions of service of persons employed temporarily on the condition that their employment may be terminated on one month’s notice or less; and nothing in this clause shall be construed as requiring the rules regulating the conditions of service of any class of persons to extend to any matter which appears to the rule-making authority to be a matter not suitable for regulation by rule in the case of that class:

Provided further that no such Act as is referred to in this clause shall contain anything inconsistent with the provisions of clause (3).

(3) The rules under clause (2) shall be so framed as to secure—

(a) that the tenure and conditions of service of any person to whom this Article applies shall not be varied to his disadvantage; and

(b) that every such person shall have at least one appeal against any order which—

(i) punishes or formally censures him; or

(ii) alters or interprets to his disadvantage any rule affecting his conditions of service; or

(iii) terminates his employment otherwise than upon his reaching the age fixed for superannuation:

Provided that when any such order is the order of the President or the Governor, the person affected shall have no right of appeal, but may apply for review of that order.

1Rules for the grant of anticipatory pension, see Gazette of West Pakistan, 1956, Pt. I, pp. 509-515.
183.—(1) In the Constitution “All Pakistan Services” means the services common to the Federation and the Provinces which were the All-Pakistan Services immediately before the Constitution Day.

(2) Parliament shall have exclusive power to make laws with respect to the All-Pakistan Services.

(3) Articles 182 and 188 shall apply to the All-Pakistan Services as they apply to Services of the Federation.

(4) No member of an All-Pakistan Service shall be transferred to a Province to serve in connection with the affairs of that Province, or be transferred from that Province, except by order of the President made after consultation with the Governor of that Province.

(5) While a member of an All-Pakistan Service is serving in connection with the affairs of a Province, his promotion and transfer within that Province, and the initiation of any disciplinary proceedings against him in relation to his conduct in that Province, shall take place by order of the Governor of that Province.
Annexure – II


THE SERVICES OF PAKISTAN

CHAPTER I. – TERMS AND CONDITIONS OF SERVICE, ETC.

174.—Subject to this Constitution, the appointment of persons to, and the terms and conditions of service of persons in, the service of Pakistan may be regulated by law.

175.—A person who is not a citizen of Pakistan shall not, except as provided in clause (2) of this Article, be eligible to hold any office in the service of Pakistan.

(2) A person who, immediately before the commencing day, was in the service of Pakistan shall not be disqualified from continuing in the service of Pakistan by reason only that he is not a citizen of Pakistan.

176.—Subject to this Constitution–

(a) a person who is a member of an All-Pakistan Service, of any of the Defence Services of Pakistan or of a civil service of the Centre, or who holds a post connected with defence or a civil post in connection with the affairs of the Centre, shall hold office during the pleasure of the President; and

(b) a person who is a member of a civil service of a Province, or who, except as a member of an All-Pakistan Service, holds a civil post in connection with the affairs of a Province, shall hold office during the pleasure of the Governor of the Province.
**177.**—(1) Subject to this Constitution, a person who is a member of an All-Pakistan Service or of a civil service of the Centre or of a Province, or who holds a civil post in connection with the affairs of the Centre or of a Province—

(a) shall not be dismissed or removed from service, or reduced in rank, by an authority subordinate to that by which he was appointed unless that subordinate authority has been expressly empowered to do so by an authority not so subordinate; and

(b) subject to clause (2) of this Article, shall not be dismissed or removed from service, or be reduced in rank, unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken with respect to him.

(2) Paragraph (b) of clause (1) of this Article shall not apply—

(a) where a person is dismissed or removed from service, or reduced in rank, on the ground of conduct which has led to his conviction, entailing imprisonment, on a criminal charge; or

(b) where an authority empowered to dismiss or remove a person from service, or to reduce a person in rank, considers that, in the circumstances of the case, it is not practicable to give to the person an opportunity of showing cause or that it would be prejudicial to the security of Pakistan for the person to be given such an opportunity.

**178.**—(1) Subject to this Constitution and Law—

(a) appointments to an All-Pakistan Service or to a civil service of the Centre, or to a civil post in connection with the affairs of the Centre, shall be made by the President or a person authorized by the President in that behalf; and

(b) appointments to a civil service of a Province, or to a civil post in connection with the affairs of a Province, shall be made by the Governor of the Province or a person authorized by the Governor in that behalf.
(2) Subject to this Constitution and law, the terms and conditions of service of persons serving in a civil capacity in the service of Pakistan (other than persons whose terms and conditions of service are specified in this Constitution) shall be as prescribed—

(a) in the case of a person who is a member of an All-Pakistan Service or who is serving in connection with the affairs of the Centre – by rules made by the President or by a person authorized by the President in that behalf; and

(b) in the case of a person (not being a member of an All-Pakistan Service) who is serving in connection with the affairs of a Province – by rules made by the Governor of the Province or by a person authorized by the Governor in that behalf.

(3) Rules made for the purposes of clause (2) of this Article shall be so framed as to ensure –

(a) that the terms and conditions of service of a person (in so far as those terms and conditions relate to remuneration or age fixed for superannuation) are not varied to his disadvantage; and

(b) that where an order is made which -

(i) punishes or formally censures a person;

(ii) alters or interprets to the disadvantage of a person any rule affecting his terms or conditions of service; or

(iii) terminates the employment of a person otherwise than upon his reaching the age fixed for superannuation, he shall, except where the order is made by the President or a Governor, have at least one appeal against the order and, where the order is made by the President or a Governor, he shall have the right to apply to the President or the Governor for a review of the order.

179.—(1) Subject to this Constitution and law, the president, in relation to the affairs of the Centre, and the Governor of a Province, in relation to the affairs of a Province, may authorize the temporary employment of persons in the service of Pakistan and may make rules for regulating such temporary employment.

(2) The preceding Articles of this Chapter (other than Article 174) do not apply to or in relation to the temporary employment of persons in the service of Pakistan.
THE SERVICES OF PAKISTAN

CHAPTER I.– PUBLIC SERVICE COMMISSIONS

184.–(1) Subject to the provisions of this Article, there shall be a Public Service Commission for the Federation, and a Public Service Commission for each Province.

(2) The Public Service Commission for the Federation, if requested so to do by the Governor of a Province, may, with the approval of the President, exercise all or any of the functions of the Public Service Commission of the Province.

(3) Where the federal Public Service Commission is exercising the functions of a Provincial Public Service Commission in respect of any matter, references in the Constitution or in any Act to the Provincial Public Service Commission shall, unless the context otherwise requires, be construed, in relation to that matter, as references to the Federal Public Service Commission.

185.–In the case of the Federal Public Service Commission the President, and in the case of a Provincial Public Service Commission the Governor, may by regulations determine–

(a) the number of members of the Commission and their conditions of service; and

(b) the number of members of the staff of the Commission and their conditions of service.

186.–(1) The Chairman and other members of a Public Service Commission shall be appointed, in the case of the Federal Public Service Commission by the President in his discretion, and in the case of a Provincial Public Service Commission by the Governor of the Province in his discretion.
(2) Not less than one half of the members of a Public Service Commission shall be persons who have held office in the service of Pakistan for not less than fifteen years.

*Explanation.*—for the purposes of this Article the service of Pakistan shall be deemed to include the service of the Crown in British India, and the service of the Crown in Pakistan before the Constitution Day.

(3) The term of office of the Chairman and other members of the Federal Public Service Commission and of a Provincial Public Service Commission shall be five years.

(4) Any member of a Public Service Commission may resign his office by writing under his hand addressed, in the case of the Federal Public Service Commission to the President, and in the case of a Provincial Public Service Commission to the Governor.

(5) On ceasing to hold office—

(a) the Chairman of the Federal Public Service Commission shall not be eligible for further employment in the service of Pakistan;

(b) the Chairman of a Provincial Public Service Commission shall be eligible for appointment as Chairman or other member of the Federal Public Service Commission, or as Chairman of another Provincial Public Service Commission, but shall not be eligible for any other employment in the service of Pakistan; and

(c) a member of a Public Service Commission, other than the Chairman thereof, shall be eligible for appointment as Chairman or other member of any Public Service Commission other than that on which he has already served, but shall not be eligible for any other employment in the service of Pakistan:

Provided that a person who is a member of a Public Service Commission may be appointed as Chairman of that Commission for the unexpired term of his office.
187.—(1) A member of a Public Service Commission shall not be removed from office except on the ground of misbehaviour or infirmity of mind or body.

(2) A member of the Federal Public Service Commission shall not be removed from office except in the manner applicable to a Judge of a High Court.

(3) A member of a Provincial Public Service Commission shall not be removed from office except by an order of the Governor of the Provincial made in a case where the Supreme Court, on reference having been made to it by the Governor, has reported that the member ought to removed on a ground such as is mentioned in clause (1).

188.–(1) It shall be the duty of the Federal Public Service Commission and a Provincial Public Service Commission to conduct examinations for appointment to the services and posts connected with the affairs of the Federation, or the Province, as the case may be.

(2) The President, in respect of services and posts in connection with the affairs of the Federation, and the Governor of a Province, in respect of services and posts in connection with the affairs of the Province, may make regulations specifying the matters in which generally or in any particular class of case, or in any particular circumstances, it shall not be necessary for a Public Service Commission to be consulted; but, subject to such regulations the appropriate Public Service Commission shall be consulted—

(a) on all matters relating to methods of recruitment to civil services and posts, and qualifications of candidates for such services and posts;

(b) on the principles to be followed in making appointments to civil services and posts and in making promotions and transfers from one service to another, and on the suitability of candidates for such appointments, promotions or transfers;
(c) on all disciplinary matters affecting a person in the service of the Federal or a Provincial Government in a civil capacity, including compulsory retirement whether for disciplinary reasons or otherwise, and memorials or petitions relating to such matters;

(d) on any claim by or in respect of a person who is serving or has served under the Federal or a Provincial Government in a civil capacity that any costs incurred by him in defending any legal proceedings instituted against him in respect of acts done or purported to be done in the execution of his duty should be paid out of the Federal Consolidated Fund or the Provincial Consolidated Fund, as the case may be;

(e) on any proposal to withhold a special or additional pension or to reduce an ordinary pension; and

(f) on any claim for the award of a pension or allowance in respect of injuries sustained while serving under the Federal or a Provincial Government in a civil capacity, and any question as to the amount of any such award;

and it shall be the duty of the Public Service Commission to advise on any matter so referred to them, and on any other matter which the President or the Governor, as the case may be, may refer to the Commission.

(3) Where under the Constitution or any law, rules are made for regulating the appointment or conditions of service of persons in the service of Pakistan, but not under the control of the Federal Government or a Provincial Government, such rules may provide for consultation with the appropriate Public Service Commission; and, subject to any express provision of the Constitution or of the said law, clause (2) shall apply mutatis mutandis.
189.—An Act of Parliament may provide for the exercise of additional functions by the Federal Public Service Commission, and an Act of a Provincial Legislature may provide for the exercise of additional functions by the Provincial Public Service Commission.

190.—(1) It shall be the duty of the Federal Public Service Commission to present to the President annually a report on the work done by the Commission, and the President shall cause a copy of the report to be laid before the National Assembly; and it shall be the duty of each Provincial Public Service Commission to present to the Governor annually a report on the work done by the Commission, and the Governor shall cause a copy of the report to be laid before the Provincial Assembly.

(2) The report shall be accompanied by a memorandum setting out—

(a) the cases, if any, in which the advice of the Commission was not accepted and the reasons therefor;  

(b) the matters, if any, on which the Commission ought to have been consulted, but was not consulted, and the reasons therefor.
Annexure – IV


THE SERVICES OF PAKISTAN

CHAPTER 2.—PUBLICK SERVICE COMMISSIONS.

180.—There shall be a Central Public Service Commission for the Centre, and a Provincial Public Service Commission for each Province.

181.—In the case of the Central Public Service Commission, the President, and in the case of a Provincial Public Service Commission, the Governor of the Province concerned, may by Order determine:—

(a) the number of members of the Commission; and

(b) the number of members of the staff of the Commission and their terms and conditions of service.

182.—The members of the Central Public Service Commission shall be appointed by the President, and the members of a Provincial Public Service Commission shall be appointed by the Governor of the Province concerned.

(2) The terms and conditions of service of a member of the Central Public Service Commission shall be determined by Act of the Central Legislature or, until so determined, by the President, and the terms and conditions of service of a member of a Provincial Public Service Commission shall be determined by Act of the Legislature of the Province concerned or, until so determined, by the Governor of the Province.

(3) Not less than one-half of the members of a Commission shall be persons who are at the time of appointment, or who have been at some time before appointment, in the service of Pakistan.
(4) Where a person appointed as member of a Commission was, immediately before his appointment, in the service of Pakistan, his rights as a person in the service of Pakistan shall not, subject to his appointment and service as such a member, be affected.

183.—(1) Before entering upon his office, a member of a Commission shall make an oath in such form set out in the First Schedule as is applicable to his office.

(2) The oath shall be made:

(a) in the case of a member of the Central Public Service Commission – before the Chief Justice of the Supreme Court; and

(b) in the case of a member of a Provincial Public Service Commission – before the Chief Justice of the High Court of the Province concerned.

184.—(1) A member of a Commission shall, subject to this Article, hold office for a term of three years from the date on which he enters upon his office.

(2) A member of a Commission shall not be removed from office except in the manner prescribed in clauses (5) and (6) of Article 128 for the removal from office of a Judge, and in the application of those clauses for the purposes of this clause, any reference in those clauses to a Judge shall be read as a reference to a member of the Commission.

(3) A member of a Commission may resign his office by writing under his hand addressed:

(a) in the case of a Central Public Service Commission–to the President; and

(b) in the case of a Provincial Public Service Commission–to the Governor of the Province concerned.
185.—(1) The functions of the Central Public Service Commission shall be:

(a) to conduct tests and examinations for the selection of suitable persons for appointment to the All-Pakistan Services, the civil services of the Centre and civil posts connected with the affairs of the Centre;

(b) to advise the President on any matter on which the Commission is consulted under clause (2) of this Article or which is referred to the Commission by the President; and

(c) such other functions as may be prescribed by law.

(2) Except to the extent that the President, after consulting the Commission, may provide otherwise by Order, the President shall, in relation to the All-Pakistan Services, the civil services of the Centre and civil posts connected with the affairs of the Centre, consult the Central Public Service Commission with respect to:

(a) matters relating to qualifications for, and methods of recruitment to, services and posts;

(b) the principles on which appointments and promotions should be made;

(c) the principles on which persons belonging to one service should be transferred to another;

(d) matters affecting terms and conditions of service and proposals adversely affecting pension rights; and

(e) disciplinary matters.

186.—(1) The functions of a Provincial Public Service Commission shall be:

(a) to conduct tests and examinations for the selection of suitable persons for appointment to the civil services of the Province concerned and civil posts connected with the affairs of the Province;
(b) to advise the Governor of the Province on any matter on which the Commission is consulted under clause (2) of this Article or which is referred to the Commission by the Governor; and

(c) such other functions as may be prescribed by law.

(2) Except to the extent that the Governor of a Province, after consulting the Public Service Commission of the Province, may provide otherwise by Order, the Governor shall, in relation to the civil services of the Province and civil posts connected with the affairs of the Province, consult the Commission with respect to–

(a) matters relating to qualifications for, and methods of recruitment to, services and posts;

(b) the principles on which appointments and promotions should be made;

(c) the principles on which persons belonging to one service should be transferred to another;

(d) matters affecting terms and conditions of service and proposals adversely affecting pension rights; and

(e) disciplinary matters.

Reference by Province to the Central Commission

187.—The Governor of a Province may, with the approval of the President, refer to the Central Public Service Commission a matter relating to the services of the Province or posts connected with the affairs of the Province.

Commission to be advised when advice not acceptable.

188.—Where the President or a Governor does not accept the advice of a Commission, he shall inform the Commission accordingly.
189.—(1) Each Commission shall, not later than the fifteenth day of January in each year, prepare a report on its activities during the year ending on the previous thirty-first day of December and submit the report—

(a) in the case of the Central Public Service Commission – to the President; and

(b) in the case of the Public Service Commission of a Province–to the Governor of the Province.

(2) The report shall be accompanied by a memorandum setting out, so far as is known to the Commission—

(a) the cases, if any, in which its advice was not accepted, and the reasons why the advice was not accepted; and

(b) the cases where the Commission ought to have been consulted but was not consulted, and the reasons why it was not consulted.

(3) The President or the Governor, as the case may be, shall cause the report and memorandum to be laid before the National Assembly or the Provincial Assembly, as the case requires, at the first meeting of the Assembly held after the thirty-first day of January in the year in which the report was submitted.

190.—In this Chapter, “Commission” means the Central Public Service Commission or a Provincial Public Service Commission.