

GOVERNMENT OF SINDH

SERVICES AND GENERAL ADMINISTRATION DEPARTMENT

(SECTION IX-REGULATION)

Karachi, the 28th March 1974.

NOTIFICATION

No. SOIX-Reg (S&GAD) 2/D/1-73. --- In exercise the powers conferred by section 26 of the Sindh Civil Servants Act, 1973, (Sindh Act XIV of 1973) the Government of Sindh are pleased to make the following rules, namely:-

**THE SINDH CIVIL SERVANTS
(APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1974.**

**PART-I
G E N E R A L**

1. These rules may be called the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974.
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 authorised under rule 6 to make appointment to that post;
 - (aa) "Basic Scale", means a basic scale of pay sanctioned by Government in which a post or group of posts is placed;
 - (b) "Provincial Selection Board", means a Board constituted under rule 6-A;]
 - (c) "Commission" means the Sindh Public Service Commission;
 - (cc) "Department" means an Administrative Department of Secretariat; provided that Services and General Administration Department shall, for the purpose of Secretariat employees, be deemed as Department;]

-
1. These Rules were published in the Sindh Government Gazette part IV-A, Dt: 28-03-1974 pages 187-190.
 2. Subs. vide S&GAD Notification No. SOIX-REG(S&GAD)2/D/1-74 (Pt-II) Vol-II, Dt: 12-01-1976 for original clause (b) or rule 2.
 3. Clause (cc) inserted Vide S&GAD Notification No. SOIX-REG(S&GAD)2/D/1-74 Part-II, Dt: 1-08-1974.
 4. Inserted vide Notification No. SOIX-REG(S&GAD)II/48-84 dated 11-2-85.

- (d) "Departmental Promotion Committee" means a Committee constituted for the purpose of making selection or promotion or transfer to posts under a Department or Office of Government in Basic Scale 18 and below;

- 1[(e) "Departmental Selection Committee" means a Committee constituted for the purpose of making selection for initial appointment to post under a Department or Office of Government in B.S. 10 and below;
- (f) "Government" means the Government of Sindh;
- (g) "Grade" means a National Scale of Pay sanctioned by Government in which a post or group of posts is placed;
- 2[(h) "Head of Attached Department" means the Head of an Attached Department defined in clause (xiv) of rule 2 of the Sindh Government Rules of Business, 1973 and includes any other officer declared as such by Government;
- (i) "Head of Office" means a Civil Servant appointed as such by Government and he shall be the Head of office for his own office and offices sub-ordinate to him;
- (j) "Regional Head of the Department" means the officer appointed as such by Government;
- 3[(k) "Secretary" means and includes Secretary, Chief Secretary or Additional Secretary incharge of a Department.]
3. (1) Appointments to posts shall be made by any of the following methods, namely :-
- (a) by promotion or transfer in accordance with Part II of these rules; and
- (b) by initial appointment in accordance with Part III of these rules.

-
1. Amendment: figure "15", the figure "10" shall be substituted. vide SORI(S&GAD)11/01/98(A),dt:20-11-1999.
2. Clauses (h) (i) and (j) inserted vide S&GAD Notification No. SOIX-REG(S&GAD)2/D/1-74(Pt-II), Vol, II dated the 10th October, 1974.
3. Clause (h) added vide S&GAD Notification No.SOIX-REG(S&GAD)2/D/1-74-Pt-II dated 1st August 1974, has been re-numbered as clause (K) vide (S&GAD) Notification No.SOIX-REG (S&GAD)2/D/1-74 (Pt-II) Vol.- II dated the 10th October, 1974.

- (2) The method of appointment and the qualifications and other conditions applicable to a post shall be as laid down by the Department concerned in consultation with the Services and General Administration Department.

4. (1) The authorities competent to make appointment to the various posts shall be as follows

S.No.	POST	APPOINTING AUTHORITY
1.	Posts sanctioned in Basic Scales 1 and 2	(i) Head of Office.* (ii) Deputy District Officer concerned
2.	Posts sanctioned in Basic Scales 3 to 5	(i).Head of Office in bs-18 or above otherwise the next higher Officer in bs-18 or above.* (ii) District Officer concerned
3.	Posts sanctioned in Basic Scales 6 to 8	(i). Head of Office in Basic Scale 18 with special pay or in the higher post otherwise Regional Head of the Department or if there is no Regional Head, the Head of the Attached Department.* (ii) Executive District Officer concerned
4.	Posts sanctioned in Basic Scales 9 to 11	(i) Head of Office of in Basic Scale 19 or above, otherwise Regional Head of the Department or if there is no Regional Head, the Head of Attached Department.* (ii) District Coordination Officer concerned.
5.	Posts sanctioned in Basic Scales 12 to 15	(i). Regional Head of the Department if in Basic Scale-20, otherwise the Head of the Attached Department if in Basic Scale-20, alternatively the Secretary of the Department concerned.* (ii) District / City Nazim concerned
6	Posts sanctioned in Basic Scale 16	Secretary concerned.
7.	Posts sanctioned in Basic Scale 17 (excluding civil judges)	Minister concerned.
8	Posts sanctioned in Basic Scale 18 (excluding Deputy Commissioners, Superintendents of Police, Senior Civil Judges and, and Additional District and Sessions Judges.	Chief Secretary
9	Posts of Deputy Commissioners, Superintendents of Police, Civil Judges, Senior Civil Judges, Additional District and Session Judges sanctioned in Basic Scale 17 and 18.	Chief Minister
10	Posts sanctioned in Basic Scale 19 and above	Chief Minister

(2) The Controlling authority in respect of travelling allowance of a civil servant shall be his Head of office in BS 18 or above; Modified vide Regulation Wing's order No.SORI(SGA&CD)2-7/2001: dated 23rd October, 2004

provided that Secretaries, to Government and any officer of B.S. 20 and above, if posted as Head of an Attached Department or Regional Head shall be his own Controlling Officer.

Explanation: A person appointed to a post mentioned in column 3 on a current charge basis or by way of additional charge shall be deemed to be the appointing authority of the posts in B.S mentioned there against in column 2".

5. (1) In each Department or Office of Government, there shall be one more Department Promotion Committees and Departmental Selection Committees, the composition of which shall be determined by the department concerned in consultation with the Services and General Administration Department.

[(1-A) In each District, there shall be one or more Departmental Promotion Committees appointed by the District Coordination Officer concerned.”

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

4[6. Where an appointing authority for B.S-10 and below does not accept the recommendation of a Departmental Selection or Departmental Promotion Committee, it shall record reasons therefore and obtain orders of the next higher authority.

PART II APPOINTMENTS BY PROMOTION OR TRANSFER.

2[6-A. For the purpose of selection for appointment by promotion or transfer to post in BS-18 carrying special pay, and above and such other posts as may be notified by Government, the Chief Minister may constitute one or more than one Provincial Selection Board consisting of not less than three members, one of whom shall be nominated as Chairman.

3[Provided that the Selection Board headed by the Chief Minister shall make selection for appointment by promotion or transfer to posts in B.S. 20 of above.]

7. (1) Appointments by promotion or transfer to posts in B.S. 1 & 2 shall be made by the appointing authority on merit.

(2) Appointments by promotion or transfer to posts in B.S. 3 to B.S. 18 without special pay other than the posts for which Provincial Selection Board has been constituted under rule 6-A shall be made on the recommendations of the appropriate Departmental Promotion Committee.

(3) Appointment by promotion and transfer to posts in B.S. 18 with special pay, and above and the posts notified under rule 6-A, shall be made on the recommendations of the appropriate Provincial Selection Board.]

1. Subs. vide Notification No. SOIX-REG (S&GAD)11-48-84 dated 11th February 1935.

2. Subs-

3. Inserted vide S&GAD Notification No. SOIX-REG (S&GAD)1-3/77 dated 6-3-1978.

4. Subs- figure “15”, the figure “10” shall be substituted. vide SORI(S&GAD)11/01/98(A), dt: 20-11-1999.

4[(4) If, on an order of promotion, any civil servant declines writing to accept the promotion, such civil servant shall not be considered for such promotion for the next four years following the order.]".

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

5["Provided that no promotion on regular basis shall be made in B-S-18 to B-S-21 unless the officer concerned has completed such minimum length of service as may be notified by Government"].

6[Provided further that a Civil Servant declining to avail of benefit of order of his first time-promotion shall not be considered for such promotion for the next four year from the date of such order and he shall stand superseded permanently on his foregoing such promotion second time].

6[Explanation: Where a class of posts not being a fixed number, or percentage of posts in such class are upgraded as a result of revision of pay scales, the incumbents holding the posts immediately before the up-grading shall continue in the up-graded posts and their continuance shall not be deemed as promotion for the purpose of this part].

8-A (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) So long as a civil servant holds the acting charge appointment, a civil servant junior to him shall not be considered for regular promotion but may be appointed on acting charge basis to a higher post.

4. Substituted Vide S&GAD Notification No.SOIX-Reg(S&GAD)II/48-84 dated 11-02-1985.

5. Substituted Vide S&GAD Notification No.SOIX-Reg(S&GAD)21 Dt/1-74vol.II dated 12-01-1976.

6. Added Vide Notification No.SOIX-Reg(S&GAD)2/10/1-74 (Pt-II) Vol.III dated 4th September 1976.

4. Added vide Notification No. SOIX-REG (S&GAD)VI 15-81 dated 16th March 1983.

5. Added vide Notification No. SOIX-REG (S&GAD)II 1-4/84 dated 1st April 1989.

6. Added vide Notification No. SOIX-REG (S&GAD)II/23/81 dated 5-7-1981.

7. Added vide Notification No. SOIX-Reg (S&GAD)VI 15-81 dated 16th March 1983.

(3) In the case of a post in BS-17 and above, reserved under the rules to be filled by initial appointment, where the appointing authority is satisfied that no suitable officer of the grade 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 recommendation of the Departmental Promotion Committee or the Provincial Selection Board, I or II as the case may be.

(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 or grade held on acting charge basis.

(8) The civil servant appointed on acting charge basis shall assume full duties and responsibility of post.

(9) The civil servant appointed on acting charge basis shall be entitled to draw fixed pay equal to the minimum pay at which his pay would have been fixed had he been appointed to that post on regular basis.

Explanation: Service rendered on acting charge basis in the grade applicable to the post shall not count for purposes of drawal of increments in the grade held immediately before appointment on acting charge basis.]

9. (1) Appointments by transfer shall be made from amongst the persons holding appointment on regular basis in the same grade in which post to be filled exists.

(2) Except as otherwise provided in any law for the time being in force, transfers of Civil Servants of various BPS mentioned in column 2 of the table below shall be ordered on notified by the authorities respectively mentioned in column 3 and in the manner indicated in column 4 of that table;

1. Substituted vide Note- No. SOIX-REG(S&GAD)11/14-84 dated 11-2-85.

2. Sub rules 2 and 3 added vide Note No. SOIX-REG (S&GAD)2/D/1-74 dated 7-5-78.
S.G.G Part IV-A at pages 87-89.

TABLE

Serial No.	Basic Pay Scale of office/officials	Authority competent to make transfer	Department to issue order of transfer.
1	2	3	4
1.(a)	Officers of the Federal Government working under the Provincial Government.	Chief Minister through Services and General Administration Department.	Services and General Administration Department.
(b)	Heads of Attached Department.	Do	Do
(c)	Heads of Regional Offices in Basic Scale 20 and above.	Do	Do
(d)	Deputy Commissioners, Assistant Commissioners and Sub-Divisional Magistrates and Superintendent of Police.	Do	Do
(e)	Officers of and above the status of Deputy Secretary to Govt. in the Secretariat.	Do	Do
2.	Section Officers and Superintendents.		
(a)	Within the Secretariat.	Chief Secretary	Do
(b)	within the Department.	Secretary concerned.	Department concerned.
3.	Other Officers under the Services and General Administration Department holding posts in Basic Scale 16 or 17.	Chief Secretary	Services and General Administration Department.
4.	Officers holding posts in Basic Scales 16 and 17 other than Civil Judges and Judicial/Magistrates.	Heads of Attached Department in Basic Scale 19 or above, and where there is no; Such Head of the Attached Department, the Regional Head of the Office in Basic Scale 19 or above within his jurisdiction, otherwise the Secretary concerned.	Attached Department Regional Office or the Department concerned as the case may be,
(a)	Officials holding posts in Basic Scale 1 and 2 within the District.	Deputy District Officer	

(b)	Officials holding posts in Basic Scale 3 to 5 within the District.	District Officer	
(c)	Officials holding posts in Basic Scale 6 to 11 within the District.	Executive District Officer	
(d)	Officials holding posts in Basic Scale 12 to 15 within the District.	District Coordination Officer	
(e)	Officials holding posts in Basic Scale 16 and 17 within the District other than Civil Judges/Judicial Magistrates, D.D.Os and D.Ss.P.	District Coordination Officer, in consultation with the Nazim City / District Government.	
5.	Mukhtiarkars in Basic Scale 16.	District Coordination Officer within his jurisdiction; provided that the inter-district transfer shall be made by the Board of Revenue, Sindh.	Officer or Department concerned, as the case may be.
6.	Officers holding post in Basic Scale 18 under the administrative control of the Services and General Administration Deptt.	Chief Secretary.	Services and General Administration Department.
7.	Civil Judges, Judicial Magistrates, Senior Civil Judges, Assistant Sessions Judges, Additional District and Sessions Judges and District and Sessions Judges.	High Court.	High Court.
8.	Officers holding posts in Basic Scale 18 other than those mentioned at Sr. No. 6 and 7.	Minister (Subject to the condition that transfer of an officer before completion of one year of his existing posting shall be made with the approval of the Chief Minister through the Chief Secretary).	Department concerned
9.	Officers in Basic Scale 19 and above holding posts of Commissioners, Deputy Commissioners and Deputy Inspector General of Police.	Chief Minister.	Services and General Administration Department.
10.	Officers holding posts in Basic Scale 19 other than	Chief Secretary.	Do

	those mentioned at Sr. No.9.		
11.	Officers holding posts in Basic Scale 20 and above shown in the cadre schedule of APUG.	Chief Minister.	Do
12.	Officers holding posts in Basic Scale 20 other than those shown in the cadre schedule of APUG.	Chief Secretary.	Do

(3) Transferring authorities in respect of posts in BS 1 to 15 shall be notified by the Secretaries of the Departments in consultation with the Services and General Administration Department and until a notification is issued as aforesaid the authorities empowered under the respective Delegation of powers Rules in force immediately before the 2nd day of August, 1973, shall continue to exercise powers of transfer to the extent shown in the said rules.]

2[(4) Where the transferring authority is of the opinion that any post whose incumbent has been transferred can not be kept vacant, without being detrimental to the work he may order any officer under his control to hold the said post, in addition to his own duties, until a substitute is appointed or for a period of one month whichever is earlier.]

1. Substituted vide Notification No.SOR-I (S&GAD) 2/4-94, Dated 25-8-1994.

2. Added vide Notification No.SOIX-REG(S&GAD) VI-I/81 dated 22nd July 198

[9-A. Notwithstanding anything contained in these rules, a person who has been rendered surplus, on account of abolition of a post he was holding in, any office or department of the Government or, any autonomous body or, on account of permanently taking over the administration of such autonomous body wholly or partially by the Government, may be appointed to any post in any Department or office of the Government; provided that ----

- (i) such person possess such qualifications as are laid down under rule 3(2), for appointment to such post;
- (ii) such person shall be appointed to a post of equivalent or comparable B-S. and if such post is not available, than to a post of lower Basic Scale.
- (iii) seniority of such person in the new cadre shall be reckoned from the date of appointment in that cadre; and
- (iv) previous service, if not pensionable, shall not count for pension and gratuity unless Government directs otherwise".

PART III
INITIAL APPOINTMENT

²[10. Initial appointments to posts in B.S 11 to 22 shall be made if the posts :

- (a) fall within the purview of the Commission, on the basis of examination or test to be conducted by the Commission;
- (b) do not fall within the purview of the Commission, in the manner as may be determined by Government.

[10-A (i) Not with standing anything contained in these rules the appointing authority may appoint one of the children of a civil servant who dies during service to a post in any of the basic pay scale No.11 to 20; provided that the child possesses the minimum qualifications prescribed for appointment to that post.

(ii) The appointment as aforesaid shall be subject o the availability of a vacancy and where two or more vacancies in different pay scales are available at a time and the child possesses qualifications to make him eligible for appointment to more than one he will preferably be appointed to the post carrying higher pay scale.

³[11. Initial appointment to posts in BPS 3 to 10 shall be made on the recommendations of the Departmental Selection Committee after the vacancies in these BPSs have been advertised in newspapers.]

[11-A. Where a civil servant dies while in service or is declared invalidated or incapacited for further service one of his children shall be provided job on any of the pay scales No. 1 to 10 in the Department in which the deceased civil servant was working without observance of the prescribed formalities if such child is otherwise eligible for the post.

[12. (1) A candidate for appointment by initial recruitment must possess the educational qualifications and experience and be within the age limit laid down for that appointment.

(2) The age limit laid down for appointment to the posts mentioned in column 2 of the table below may be relaxed upto the extent shown in columns 3, 4 and 5 thereof by the authorities respectively specified in the said columns. Provided that the upper age limit in respect of a disabled person as defined in the Disabled Persons (Employment and Rehabilitation) Ordinance, 1981, shall stand relaxed upto ten years in addition to the relaxation that may be granted under sub-rule (2).

1. Rule 9A insted vide S&GAD Notification No. SOIX-REG(S&GAD)2/D/1/74 Part-II Vol.III dated 1-02-1978.

2. Subs- figure "16", the figure "11" shall be substituted. vide SORI(S&GAD)11/01/98(A), dt: 20th November, 1999.

3. Subs- figure "15", the figure "10" shall be substituted. vide SORI(S&GAD)11/01/98(A), dt: 20th November, 1999.

TABLE

Serial no.	Posts in BPS	Up to One year	Up to Three years	Up to Five years	Up to Ten years
1	2	3	4	5	6
1	01 – 11	Regional Head of the Department or Head of the Attached Department.	Secretary of the Department.	Chief Secretary or Minister Incharge.	Chief Minister
2	12 – 15	Do	Secretary of the Department.	Chief Secretary or Minister Incharge	Chief Minister
3	16 and above	Do	Secretary of the Department or Minister Incharge.	Chief Secretary or Minister Incharge	Chief Minister

(IN CIVIL COURTS)

Serial no.	Posts in BPS	Up to Six months	Up to One year	Up to Three years	Up to Five years
1	2	3	4	5	6
1	01 – 11	Most Senior Judge of the High Court	Chief Justice	Chief Justice	Chief Justice

13. A candidate for appointment shall be a citizen of Pakistan and a domicile of the Province of Sindh.

Provided that this requirement may be relaxed with the approval of the Services and General Administration Department.

14. Vacancies in the undermentioned posts shall be filled on Provincial basis in accordance with the merit and regional or district quota as determined by Government from time to time :

- (i) Posts in BPS 16 and above.
- (ii) Posts in BPS 3 to 15 in offices, which serve the whole Province.

15. Posts in BPS 3 to 15 in offices, which serve only a particular region or district shall be filled by appointment of persons domiciled in the region or district concerned.

16. Posts in BPS 1 and 2 shall ordinarily be filled on local basis

17. (1) No candidate shall be appointed to a post unless, after such medical examination as Government may prescribe, such candidate is found medically fit to discharge the duties of the post; provided that blindness or Medical Officer or Medical Board conducting the medical examination certificates that such defect shall not interfere with his duties.

(2) Where a candidate is not found fit under sub-rule (1) on account of any disability, the Director, Health Service, Sindh, may upon the request of the Head of the office, condone such disability as is not likely to interfere with his duties."]

PART IV
ADHOC AND TEMPORARY APPOINTMENTS

18. When under the Sindh Public Service Commission (Functions) Rules, 1974, a post is required to be filled through the Commission, the appointing authority shall forward a requisition on the prescribed form to the Commission immediately it is decided to fill the post or, if that is not practicable and the post is filled on ad-hoc basis as provided in rule 19 within two months of the filling of the post.

19. When the appointing authority considers it to be in the public interest to fill a post falling within the purview of the Commission urgently it may, pending nomination of a candidate by the Commission, proceed to fill such post on adhoc basis for a period not exceeding six months by advertising the same in accordance with the procedure laid down for initial appointment in Part III.

20. Short-term vacancies in the post 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 than through the Commission on a purely temporary basis after advertising the vacancy.

2[21. The Authority competent to exercise any power under these rules may with the prior approval of the Chief Minister delegate such power generally or for any specific purpose to an officer subordinate to such Authority.]

SAEED AHMAD QURESHI
Chief Secretary to Government of Sindh

-
1. Subs. vide Notification No.SOIX-REG(S&GAD)IV/10-84 dated 8th August 1984.
 2. Rule 21 added vide S&GAD Notification No.SOIX-REG(S&GAD)2/D/1-74 Pt-II Vol.II Dt: 28-06-1972.

PART I

RULES

WEST PAKISTAN CIVIL SERVICES (APPLICATIONS FOR POSTS) RULES, 1957

In exercise of the powers conferred by sub-clause (b) of clause (2) of Article 182 of the Constitution of Pakistan and in supersession of all previous orders on the subject, the Governor of West Pakistan, is pleased to make the following rules :---

1. *Short title* ---- These Rules may be called the West Pakistan Civil Services (Applications for posts) Rules, 1957.

2. *Eligibility* ----- No Government servant shall be Eligible for appointment to any service of the Province or in any post in connection with the affairs of the Province, other than the service of the post to which he is for the time being appointed, unless he applies with the permission, in writing of the head of office or department in which he is employed.

3. *Application of competitive examinations* --- If any Government Servant applies for permission and is otherwise eligible to appear at a competitive examination to be held by a Provincial (or the Central) Public Service Commission, his application shall be forwarded ----

(a) always, if it is in connection with an examination for recruitment to a ministerial service; and

(b) twice, but not more than twice, if it is in connection with any other examination.

4. *Release on selection for appointment to a post for which application has been forwarded* ---- When a person whose application has been forwarded to the appointing authority or a Public Service Commission in accordance with these rules, is selected for appointment, he shall ordinarily be released.

5. *Applications made before joining Government Service* ---- If any person, who before appointment to any service of the Province or to any post in connection with the affairs of the Province, has appeared at any competitive examination or has applied for a post elsewhere and is, as a result, offered a post higher than the one to which he is for the time being appointed, he shall be released to join such service or post.

6. *Employment in other departments of Government or under another Government* ---- A Government Servant shall not apply for any appointment in another office or department of Government or under another Government unless the head of such office or department or such other Government has invited applications for the post provided that in the case of an appointment for which applications are not

ordinarily invited, a Government servant may inform the authority, which makes the appointment, by a letter submitted through the appointing authority of his own post or service, that he wishes his name to be considered.

7. *Temporary Government servants* ---- If a temporary Government servant (other than an accountant or stenographer) or employee of the Health, Irrigation, Electricity or Buildings and Roads Department who is not likely to be employed permanently in the office or department in which he is employed, applies for a permanent post elsewhere his application shall not be withheld.

8. *Permanent Government servants and certain temporary Government servants* --- A permanent Government servant employed in any service of the Province, who is not covered by any of the foregoing rules, and a temporary accountant, stenographer or employee of the Health, Irrigation, Electricity or Buildings and Roads Department may ordinarily be permitted to apply twice, and not more than twice, in any calendar for a post or to appear in examination for a post or for the transfer or his services to a post in an other office or department or under any other Provincial Government or the Federal Government or a Statutory Corporation constituted by the Government of West Pakistan or any other Provincial Government of the Federal Government, unless the head of that office or department in which he is employed considers that the grant of permission would be inconsistent with the public interest.

9. *Circumstances in which advance copies of application may be sent* ---- Ordinarily an application for a post in respect of which selection is to be made by a Provincial (or the Federal) Public Service Commission shall be accompanied by permission in writing of the authority referred to in Rule (2). When however, there is a likelihood that the last date prescribed for the submission of application will expire before such permission can be obtained an advance copy may be submitted to the Commission. The candidature of such applicant will be treated as provisional and permission has been accorded under these rules. In the event of such permission not being granted, the Public Service Commission concerned will be informed immediately of the decision, so that the Commission may cancel the candidature of the applicant.

10. *Application for a higher post in the service or department* ---- If a Government servant, whether permanent or temporary, applies for a post advertised by the West Pakistan Public Service Commission, which is included in the same service in which he is for the time being employed or in a higher services of the same nature, his application shall not be withheld.

"10-A *Application for Service in Local Bodies* ---- A permanent Government Servants employed in any service of the Province to any post in connection with the affairs of the Province, and a temporary Accountant, Stenographer or employee of the Health, Irrigation, Electricity or Buildings and Roads Department may ordinarily be permitted to apply for service

under Local Bodies unless the head of the office or Department in which he is employed considers that the grant of permission would be inconsistent with the public interest".

11. (1) *Application for private employment* --- A Government servant shall not apply or accept private employment, without the previous permission, in writing of the appointing authority.

(2) An application for permission to apply for private employment shall not be entertained unless the appointing authority is satisfied, that on such employment having been secured, the resignation of the applicant can be accepted without detriment to the public service.

(3) If a Government servant who is refused permission to apply for private employment wishes to resign his appointment under the Government, the authority competent to accept his resignation, subject to any general or special law or order on the subject, may ordinarily accept the resignation but, where the authority is satisfied that the Government servant in securing the private employment has taken advantage of his official position, it shall not accept the resignation.

(4) A Government servant who is permitted to apply for private employment, must, on accepting it, resign his appointment under Government. After such acceptance, he shall not be allowed any leave, nor shall he be permitted to retain his lien on his appointment under Government.

(S&GAD Notification No. SR-1-14/57, dated 26th April, 1957, as amended by Notification No. SOXII-2-12/61, dated 20th July, 1961 and SOXII S&GAD-1-14/57, dated 18th January, 1963)

**APPLICATIONS FOR POSTS RULES, 1957
INTERPRETATION**

A question has arisen whether a Government Servant, who has been permitted to apply for a competitive examination under rule 3 of the West Pakistan Civil Services (Application for Posts) Rules, 1957, or has been permitted to apply elsewhere, should on release under rule 4 *ibid.* be required to abide by the condition of his existing employment contracted by him, that on resigning his post, he will either give one month's notice in writing or surrender one month's salary in lieu of the notice.

2. The correct position is that if the second employment is a private employment, the condition of one month's notice is enforceable but when the second employment is also an employment under Government, as envisaged by the West Pakistan Civil Services (Application for Posts) Rules, 1957 will be a case of virtual transfer from one Government appointment to another and no question of resignation or notice would arise in such a case.

S&GAD Memo No. SOXXII-1-14/57 dated 21st December, 1959.

**PART -- II
NOTIFICATIONS**

SERVICES & GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

Karachi, the 11th June, 1975

No. SOIX-REG(S&GAD)2/D/1-74(Pt-II) Vol-II.--- In pursuance of the provisions contained in clause (i) of rule 2 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 the Government of Sindh, in supersession of the notification No.SOIX-Reg(S&GAD)2/D/1-74 (Pt-II)Vol-II, dated the 15th October, 1974, are pleased to declare :--

- (i) every civil servant in grade 17 and above, who is incharge of a unit of administration comprising a defined territorial jurisdiction or an institution;
- and
- (ii) every civil servant in grade 16 whose jurisdiction extends to a revenue district or a territorial division of a Department, to be head of office.

SAEED AHMAD QURESHI

Chief Secretary to the Government of Sindh.

The original notification No. SOIX-Reg (S&GAD) 2/D/1-74-(Pt-II)Vol-II, dated the 15th October, 1974, superceded by this notification is reproduced below :--

NOTIFICATION

Karachi, the 15th October, 1974.

No. SOIX-REG(S&GAD)2/D/1-74(Pt-II)Vol-II.--- In pursuance of the provisions contained in Clause (i) of rule 2 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, the Government of Sindh are pleased to declare, every civil servant in grade 17 and above, who is incharge of a unit of administration comprising a defined territorial jurisdiction or an institution, to be the "Head of Office" for the purpose of the said rules.

No. SOIX-REG(S&GAD)2/D/1-74(Pt-II) Vol-II.---- In pursuance of the provisions contained in Clause (i) of rule 2 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, the Government of Sindh are pleased to declare, every civil servant in grade 17 and above, who is incharge of a unit of administration comprising a defined territorial jurisdiction or an institution, to be the "Head of Office" for the purposes of the said rules.

SAEED AHMAD QURESHI

Chief Secretary to the Government of Sindh.

1. This Notification was published in the Sindh Govt. Gazette Part-IV-A dated the 30th October, 1957 Page-98.

SERVICES & GENERAL ADMINISTRATION DEPARTMENT
(REGULATION WING)

Karachi, the 27th February, 1984.

No. SOIX-Reg(S&GAD)/II/11-81.--- In pursuance of the provisions contained in proviso to rule 8 of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 and in supersession of this Department Notification of even Nos. dated the 23rd April, 1981 and 3rd January 1983, the Government of Sindh are pleased to direct that minimum length of service for promotion to various posts in Basic Pay Scale shall be as follows :---

For B-18	5 years in B-17
For B-19	12 years in B-17 and above.
For B-20	17 years in B-17 and above.
For B-21	22 years in B-17 and above.

Provided that :---

(i) Where initial appointment of a person not being a person in government service takes place in a post in B-18, 19 or 20, the length of service specified in this notification shall be reduced by the following periods :---

<i>First appointment in</i>	<i>Reduced by</i>
B-18	5 years.
B-19	12 years.
B-20	17 years.

(ii) Where initial appointment of a person already in Government Service takes place, on the recommendations of the Sindh Public Service Commission, in a post in B-18, 19 or 20, the length of service specified in this notification shall be reduced by the periods specified in para (i) of the proviso;

(iii) Where first appointment of a person other than a person covered by para (ii) of the proviso was made to government service in B-16 or below, one-half

- (iv) of the service in B-16 and one-fourth in B-15 and below may be counted as service in B-17 for computing length of service for the purpose of promotion only.

Provided further that ---

(a) Where posts have been upgraded from B-16 to B-17 purely by revision of pay scale without any change in the nature of duties and responsibilities and without any condition of higher academic qualifications, the service in B-16 may be reckoned in B-17 for purpose of promotion to B-18 and above.

(b) Where upgradation to B-17 has been made conditional to possessing of higher academic qualification as prescribed minimum service for five years in B-16 and/or B-17 with the prescribed qualification shall be required for the purpose of promotion to B-18.

A. SAMI QURESHI

Chief Secretary to Government of Sindh

NOTE.---- This Notification has been published in Sindh Government Gazette Part-I dated 15th July, 1984 at page No.226.

NOTIFICATION

Karachi, the 18th July, 1982.

No. SOIX-REG(S&GAD)II/17-82.--- In exercise of powers conferred by rule 21 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, the Chief Secretary to Government of Sind, with prior approval of the Martial Law Administrator Zone 'C', is pleased to delegate his powers of appointment by way of initial recruitment of Drivers/Dispatch Riders in Grade-4 to the Administrative Secretaries.

NOTE :---- The persons so appointed shall be placed on a pool of such Officials to be maintained by the Services and General Administration Department, which shall prepare and maintain a common seniority list of all the Drivers and Dispatch Riders of the Secretariat with reference to their dates of appointment on regular basis.

M. MASUD ZAMAN

Chief Secretary to Government of Sindh.

PART III

ADMINISTRATIVE INSTRUCTIONS

ABOLITION OF CLASSIFICATION OF SERVICE

I am directed to enclose a copy of D.O letter No. 5/1/73-ARC, dated 12th September, 1973, from the Secretary to the Government of Pakistan, Establishment Division, addressed to the Chief Secretary, Government of Sindh, on the subject noted above, and to request that the directives contained in the above mentioned letter should be strictly implemented.

2. The Federal Government now desire that all appointments, promotions etc., should be made in terms of grades as specified in the national pay scales, i.e. Serial No. 1 to 15, concerning what were previously known as non-gazetted Government servants, and scales No. 16 to 23 for Government servants formerly known as gazetted employees. Since the Government of Sindh have so far notified grades No. 1 to 15 only and have not as yet adopted the national pay scales for such Government servants as were formerly known as gazetted employees, it may not be possible to indicate the number of grade in their cases till these have been notified by this Government. But this can easily be done in cases covering grade 1 to 15.

3. I am, therefore, desired to request you to ensure that all orders of appointments, promotions etc., should invariably indicate the grade number and the designation of the post. In case of grades 16 to 23, orders if issued before the notification of these pay scales by the Provincial Government, may indicate the existing pay scale and designation for the time being. The number of the grade may, however, be indicated after these have been adopted and notified by the Provincial Government.

No. S.O. VIII REG(S&GAD) 16-114/73.

Dated, the 16th October, 1973

CABINET SECRETARIAT

ESTABLISHMENT DIVISION

GOVERNMENT OF PAKISTAN, RAWALPINDI

Kindly refer to my D.O. letter No. 5/1/73-ARC, dated the 7th September, 1973, circulating a gradation list of officers of all Pakistan Unified Grades.

2. Consequent upon the abolition of Classes amongst Government servants and the merger of all services and cadres in a unified service, it has been decided that in future all

appointments, promotions etc., will be made in terms of grades as specified in the National Pay Scales i.e. Serial No. 1 to 15 concerning what was previously known as gazetted employees. For this purpose it has been decided to renumber Scales No. 1 to VII as 16 to 22 and Ministry of Finance is being requested to notify the same. As a new post of Secretary-General has been created it will be assigned B.S No. 23.

It is requested that in future in all cases of appointments, promotions etc., the respective Grades number should invariably be specified alongwith designation of the posts. A few specimens of the draft notifications etc., are enclosed for purposes of illustration.

No. 5/1/73---ARC.

Dated the 12th September, 1973.

SPECIMEN OF NOTIFICATIONS.

- I. No..... Having been selected by FPCS for the post of Research Officer, Mr. ABC is appointed to Grade 16 and placed on probation for a period of one year with effect from extensible by order either before or after it's termination, by a further period not exceeding provided that, if no order has been made by the day following the termination of either of the aforementioned probationary periods, the appointment shall be deemed to be held until further orders.
- II. No..... On transfer from the Government of Sindh, Mr. XYZ is appointed to officiate in Grade 19 as Deputy Secretary to the Federal Government and posted to the Finance Division with effect from the date he assumes charge of the post and until further orders.
- III. No..... Mr. XYZ, Deputy Secretary, Industries Division, is promoted to Grade 20 and is appointed to officiate as Joint Secretary to the Federal Government in the Ministry of Commerce with effect from the date he assumes charge of the post and until further orders.

DELEGATION OF ADMINISTRATIVE POWERS

I am directed to state that with the changes brought about by the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, and other rules framed after enforcement of Administrative Reforms, the Departmental Delegation of Powers Rules have become obsolete. The legal position of the Departmental Delegation of Powers Rules vis-a-vis the Sindh Civil Servants (Appointments, Promotion and Transfer) Rules, 1974, is explained below for the information and guidance of all.

2. The Departmental Delegation of Powers Rules delegate following powers to various categories of officers :--

- (a) Power to appoint;
- (b) Power to suspend, reduce in rank, retire compulsorily and dismiss a Civil Servant;
- (c) Power to order other punishments;
- (d) Power to hear appeals in respect of punishments both under (b) and (c) above;
- (e) Power to transfer; and
- (f) Power to function as Controlling authority for T.A.

3. These rules in so far as they are not inconsistent with the provisions of the Sindh Civil Servants Act, 1973, and the rules made thereunder, are deemed by sub-section (2) of section 26 of the said Act to have been made under that Act. In order to determine the consistency of powers delegated under the Departmental Delegation of Powers Rules with the provisions of the said Act and the rules framed and the notification issued thereunder, each delegation made under the Delegation of Powers Rules has been discussed below.

4. The delegation in respect of powers of appointment now stands withdrawn. These powers are now conferred by rule 4 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974.

5. Similarly on the coming into force of the Sindh Civil Servants (Efficiency and Discipline) Rules, 1973, the provisions prescribing the authority competent to impose major and minor penalties have become infructious. These powers now vest either in the appointing authority or the Authorised Officer.

6. Powers to hear appeals have now been conferred on various authorities under the Sindh Civil Servants (Appeals) Rules, 1975. More over Section 23 of the Sindh Civil Servants Act, 1973 lays down that where no provision for appeal exists under the rules, a civil servant aggrieved by any order may make a representation against that order to the authority next above the authority which made the order. Hence the provision to hear appeals under the delegation of powers rules has ceased to be operative.

7. As regards powers of transfer, these have been delegated under Schedule No. V of the Sindh Government Rules of Business. Head of office in Grade-18 or above of a civil servant has

now been declared as the controlling officer for the purpose of Travelling Allowance. The earlier delegation therefore stands superseded.

No. SOIX REG. (S&GAD)2/C/12-74,

Dated 7th June, 1975.

**DRAWAL OF PAY FROM COMMERCIAL FIRMS ON EMPLOYMENT
DURING L.P.R. IN ADDITION TO LEAVE SALARY**

A Government servant while on L.P.R. continuous to remain in service and he retires on the expiry of such leave. But it would appear that under proviso to rule 9.7 of the West Pakistan Civil, Service Pension Rules 1963, and a Government servant can be permitted to take up private employment even during the period of L.P.R.

2. Taking up private employment is not like getting re-employment under Government. There is also no express or implied provision in the Rules debarring a Government servant on L.P.R. from accepting full pay from his private employer in addition to getting leave salary from Government. There would appear to be no justification to apply in such a case the principle applicable in case of a re-employed Government Pensioner who gets pay of the post minus pension.

3. It would, however, appear open to Government in case of a Government servant who takes up private employment with the permission of Government while on L.P.R. to grant such permission subject to condition of the Government servant getting pay of the post minus the amount of leave salary as a Government servant on L.P.R. continues to remain in Government service, but such an action would not in any way be beneficial to Government, as only the private employer will be benefited thereby at the cost of the Government servant.

No. SOVIII-Reg(S&GAD) 1-126/75,

Dated 3rd August, 1976.

**GRANT OF L.P.R. TO CIVIL SERVANTS RETIRED UNDER
SECTION 13(i) OF THE SINDH CIVIL SERVANTS ACT, 1973
AFTER COMPLETION OF 25 YEARS OF SERVICE**

It has been decided that Government servants who are retired under section 13(i) of the Sindh Civil Servants Act, 1973, after completion of 25 years of service should be allowed 3 months L.P.R., subject to title, provided they apply for such a leave within the time limit stipulated in the retirement order.

No. SOIII(S&GAD)-13-12/73

Dated the 17th May, 1974.

**GRANT OF L.P.R. TO CIVIL SERVANTS COMPULSORY
RETIRED FROM SERVICE.**

In supercession of all previous orders and instruction, it has been decided that civil servants compulsorily retired under the Sindh Civil Servants (Efficiency and Discipline) Rules, 1973, should not be allowed any leave preparatory to retirement.

2. In this connection it may be pointed out that those retired under Section 13(i) of the Sindh Civil Servants Act, 1973 after completion of 25 years of service, are allowed three months LPR. vide this Department circular letter No. SOIII(S&GAD)-13-12/73, Dated 17th May, 1974. But those retired compulsorily under the Efficiency & Discipline Rules, get no such leave.

3. The main Justification for giving a partial benefit of leave to the Government employees being retired after 25 years of service is that in a number of cases this eventuality is not foreseen by the employees.

4. This argument does not apply to the officials who are retired as a result of Departmental Enquiry. Therefore, no leave need be granted to them.

No. SOVIII-REG (S&GAD)-1-71/74,

Dated 8th August 1974.

27

**ORDERS OF CHIEF MINISTER
EDUCATIONAL QUALIFICATION NOT TO BE RELAXED**

The Chief Minister has been pleased to order that if an appointment order is issued by him but there is no vacancy available with the department, the order may not be implemented but the position brought to his notice. He has also been pleased to direct that educational qualifications should not be relaxed in any case.

No. DS(G)S&GAD / 75-599,

Dated the 31st January, 1973.

**PERMISSION TO GOVERNMENT AND SEMI-GOVERNMENT
EMPLOYEES TO APPEAR FOR INTERVIEW BEFORE
FOREIGN RECRUITING TEAM**

Below copy of Office Memorandum No. 15-3(18)71-RI, dated the 28th October, 1972, from the Government of Pakistan, Ministry of Labour and Works (Labour and Local Bodies Division), Islamabad, regarding permission to Government and Semi-Government employees to appear for interview before Foreign Recruiting Team without prior approval of their Heads of Departments in emergent cases.

The under signed is directed to say that this Division has been insisting in the past that Government/Semi-Government employees appearing for interview before foreign recruiting teams should obtain prior approval of their Heads of Department. Instances have, however, come to the notice of this Division recently that a number of foreign recruiting teams published advertisements in newspapers requiring candidates to appear for interviews at very short notices. The result was that very few Government/Semi-Government employees posted away from the headquarters of the organization concerned appeared for interviews before the recruiting teams as they could not secure approval of their Head of Departments at such short notice and the foreign team could not meet its requirement in full from Pakistan.

2. The policy of Government is to encourage foreign employment of Pakistanis in increasing numbers so that more and more avenues of employment are available within the country. It has, therefore been decided that in cases where interview are arranged by the foreign recruiting teams at short notice, Government/Semi-Government employees, posted away from the headquarters of the organization, may appear for interview without prior approval of their Head of Department. The employees concerned would, however, inform the Head of Department of the fact of his having appeared for an interview before the foreign recruiting team immediately thereafter, Normally permission should be given freely in line with Government's policy of promotion of foreign employment, unless of course, in special cases, a Government servant cannot be relieved in the interests of public service.

3. As requested in a number of communications from this Division, persons selected for employment abroad are to be relieved as soon as possible in order to enable them to join their assignment in the foreign country.

No. SOVIII-REG:(S&GAD)7/89-72,

Dated the 4th December, 1972.

28

POSTING OF OFFICERS TO THEIR HOME DISTRICTS.

I am directed to say that it has been brought to the notice of Government that inspite of clear instructions issued from time to time certain Officers of Grade 16 and above were posted in their

home districts. This is to be discouraged. This question of posting of Officers in their home district has therefore been considered afresh. In modification of previous instructions in that connection it has now been decided that no Mukhtiarkar, SHO or any of the following Grade 16 Officers should be posted to his Home District in future :-

- (i) D.S.P. including D.S.P. (Anti-Corruption)
- (ii) Extra-Assistant Director, Agriculture.
- (iii) S.D.O.
- (iv) Excise and Taxation Officer.
- (v) Ward Rationing Officer.
- (vi) Inspector of Boilers.
- (vii) Industrial Development Officer.

In order to implement this decision. Mukhtiarkar and SHOs at present posted in their Home District should be shifted outside, gradually without causing significant dislocation of work. Other officers of Grade 16 mentioned above posted in their home districts at present should also be transferred as early as possible. If strict application of the above policy decision is likely to cause undue hardship to an officer, the case should be submitted to the Chief Secretary for granting exemption from the above ban on compassionate grounds.

No. SOIX-REG (S&GAD)-4/3/75,

Dated the 19th August, 1975.

RECRUITMENT POLICY IN PUBLIC SERVICES

I am directed to say that with a view to give fair representation in public services to persons residing in big cities as well as those residing in small towns and rural areas of the Province it would be advisable to keep the following guide-line in view while filling up vacancies reserved for direct recruitment :--

- (1) 40% of the vacancies from candidates residing in the cities of Karachi, Hyderabad and Sukkur;
- (2) the remaining 60% from candidates residing in other cities and rural areas of the Province.

2. While filling up the vacancies in the manner indicated above, the requirements of public service should be fully kept in view and in conforming with these guidelines, any lowering of the standard of selection should be avoided. No. SOI (S&GAD)23/1/71/75-77, dated the 16th January, 1971.

AFFIXING OF PHOTOGRAPH TO THE CHARACTER ROLLS

OF OFFICERS.

I am directed to state that the Government of Pakistan have decided that latest photographs of all Officers, should be affixed to their respective Character Rolls. They have also desired that copies of the latest photographs should also be supplied to the Establishment Division urgently, in any case not later than the 31st December, 1973. You are accordingly requested to ensure that the latest photographs are affixed immediately to the Character Rolls Dossiers of the Officers. Copies of the latest photographs of officers whose Character Roll Dossiers are maintained by the Government of Pakistan, should also be supplied to the Establishment Division, by the 31st December, 1973, positively.

2. The cost of photographs will be met by the officers themselves.
3. The photographs should be replaced after every ten years.

No. SO VIII-REG (S&GAD)-16/149/73, Dated the 6th December, 1973.

APPOINTMENT TO THE POSTS IN GRADE 3 TO 15 BORNE ON THE MINISTERIAL ESTABLISHMENT OF THE SINDH SECRETARIAT

I am directed to invite your attention to this Department circular of even number, dated the 13th April, 1974 pointing out that all appointment against the ministerial posts in the Secretariat, are the responsibility of Services and General Administration Department. In order to remove any possible ambiguity and make things more clear, definition of "Departments" has also been added to the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 by making a suitable amendment to the Rules under this Department notification of even number, dated 1st August, 1974. "Department" now means "an Administration Department of Secretariat, provided that Services and General Administration Department shall for the purpose of Secretariat employees, be deemed as Department".

Inspite of this it has been observed that there is a growing tendency among some of the Departments to issue appointment orders against the posts of Ministerial Establishment in the Sindh Secretariat and then approach Services and General Administration Department for regularization on the part of administrative departments create problematic situation.

I am therefore desired to request that no appointment against a ministerial post in the Secretariat should be made by the officer other than the Chief Secretary to Government of Sindh, Services and General Administration Department as appointments made by any other officer will be legally invalid and therefore, in operative. The persons thus appointed, would not

30

be able to draw their salary further more officers making unauthorised appointment will in future be held personally responsible and made liable to disciplinary action.

No. SOIX-REG (S&GAD)-2/D/1-74(II) Dated the 17th December, 1974.

APPOINTMENT OF LOCAL PEOPLE TO GRADES 1 TO 15

It has been observed that some of the officers competent to make appointments to posts in grade 1 to 15 are not filling in the posts from persons domiciled in the region or district concerned. This is most irregular and objectionable. It also amounts to violation of Government orders and instructions.

2. Attention in this connection is invited to rules 15 and 16 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 according to which post in grades 1 to 2 are to be filled in on local basis and those in grades 3 to 15 offices which serve only a particular region or district should be filled by appointment or persons domiciled in the region or district concerned.

3. Please ensure that recruitment to posts in grades 1 to 15 is made from amongst the local people belonging to that area district or region only.

No. SOIX-REG(S&GAD)2/D/1-74 (Pt.II) (Vol-II)

Dated 4-3-1976

APPOINTMENT TO POSTS ON PROVINCIAL REGIONAL OR DISTRICT BASIS

I am directed to state that according to the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974---

(a) Initial appointment to the undermentioned posts shall be made on Provincial basis in accordance with the merit and regional or district quota as determined by Government from time to time :--

(i) Posts in BPS 16 and above;

(ii) Posts in BPS 3 to 15 in offices which serve the whole province.

31

(b) Vacancies by initial appointment to BPS 3 to 15 in offices which serve only a particular region or district, shall be filled by persons domiciled in the region or district concerned.

(c) Posts in Grades 1 and 2 shall ordinarily be filled on local basis.

2. Government have prescribed the recruitment policy for giving fair representation in public services to persons residing in big cities as well as those residing in small towns and rural areas of the province by indicating the guide-lines mentioned in this department circular No. SOI(S&GAD)23/1/71, dated the 16th January, 1971.

3. The appointing authorities are expected to know which offices serve the whole province, a particular region or a district. Government, however, desire that in order that the rules and Government policy are properly implemented by the appointing authorities, lists should be prepared and circulated among all concerned indicating ---

- (a) The names of departments and offices which serve the whole province.
- (b) The names of the regional offices mentioning the area served by them.
- (c) The names of the offices which in the district which serve a particular district or a part of it.

4. The statutory corporations, autonomous and semi-autonomous bodies under the control of the Provincial Government are also expected to follow the recruitment policy framed by Government from time to time Lists of such offices should also be prepared on the lines indicated above and circulated for guidance of all concerned.

5. Copies of the lists of offices falling under the above mentioned three categories under your administrative control may kindly be forwarded to this department.

No. SOIX-REG(S&GAD)2/D/1-74 (Pt-II) (V-III)

Dated 4th November, 1976.

(APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1974.

I am directed to invite your attention to this Department Circular letter Nos. SOIX-REG(S&GAD)2/D/1-74(Pt.II) (Vol.III), dated the 4th March, 1976 and SOIX-REG(S&GAD)2/D/1-74(Pt.II) (Vol.III), dated the 4th November, 1976 (copies enclosed for ready reference) and to state that despite clear rules/instructions on the subject, some doubts still persist about the method of initial appointments to posts in BPS-1 to 15 in different Offices/Departments of Sindh Government, particularly those located in Karachi.

2. For facility of reference, Rules 14, 15 and 16 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 which regulate initial appointments to posts in BPS-1 to 15 are reproduced below :--

'14. Vacancies in the undermentioned posts shall be filled on Provincial basis in accordance with the merit and regional or district quota as determined by Govt. from time to time :

- (i) Posts in Scales 16 and above.
- (ii) Posts in Scales 3 to 15 in offices, which serve the whole province.

15. Posts in Scales 3 to 15 in offices, which serve only a particular region or district shall be filled by appointment of persons domiciled in the region or district concerned.

16. Posts in Scales 1 and 2 shall ordinarily be filled on local basis."

3. I am directed to give below a few examples showing how different vacancies occurring in the offices located in Karachi Division should be filled in accordance with the above Rules :--

VACANCIES IN BPS--1 TO 2 IN ANY OFFICE.

(1) These shall ordinarily be filled on local basis preferably by reporting vacancies to the local employment exchange. The Rules do not require that vacancies in these scales be advertised.

33

VACANCIES IN BPS--3 - 15 IN OFFICES WHICH SERVE ONLY A PARTICULAR AREA, DISTRICT OR REGION.

(2) If a post of Junior Clerk in BPS-5 which as per rules is required to be filled by initial recruitment falls vacant in the Office of, say, Deputy

Commissioner, Karachi South, which serves Karachi South District only those holding PRCs of KARACHI SOUTH District shall be eligible for appointment to that post. The same principle would be applicable to all such vacancies in other offices having similar Jurisdiction in Karachi.

(3) If a post of Assistant in BPS-11 which as per rule is required to be filled by initial appointment falls vacant in the office of the Commissioner Karachi whose Jurisdiction Covers the whole of Karachi Division, all those holding PRCs of any District of Karachi Division shall be eligible for the said post. The same principle would apply to such vacancies in all other offices having similar Jurisdiction in Karachi.

VACANCIES IN BPS 3 --- 15 IN OFFICES SERVING THE WHOLE PROVINCE

(4) If a vacancy in any BPS to be filled by initial recruitment occurs in any Department/Office of Sindh Government located at Karachi but its Jurisdiction extending to the entire Province, all those holding PRC of any part of the Province (including Karachi) would be eligible to apply. For such Province-wise recruitment the ratio of rural/urban quota shall be adhered to. In this connection, a copy of this Department Circular letter No. SOI(S&GAD)23/1/71/75-77, dated the 16-01-1971 which is self-explanatory, is also enclosed for ready reference.

4. The Administrative Secretaries and Heads of Offices located in Karachi are requested to follow the prescribed rules and procedures for initial appointments for posts in various scales.

No. SO.R-I(S&GAD)2-10/89

dated 15-06-1989.

APPOINTMENT AND PROMOTIONS ON REGULAR BASIS

I am directed to say that before introduction of the Service Laws, appointments of Class I and Class II Officers were made on the recommendation of the Public Service Commission, and vacancies of the Regional and the Heads of Attached Departments and equivalent posts filled in

through the selection boards. But all other appointments were made by the appointing authorities without any clearance from a statutory body, committee or board.

The position has now changed as every regular appointment or promotion now made is to be on the recommendations of a Statutory Selection Authority. Every appointment made otherwise than in the prescribed manner i.e. without getting clearance of the Selection Authority concerned, will be adhoc appointment and that service will not count towards seniority.

It is therefore necessary that every appointment or promotion order or notification should clearly point out that the appointment or promotion, as the case may be is regular or has been made on adhoc basis.

I am therefore to request you to impress the necessity of it on all appointing authorities under your control and direct them to issue orders on the above lines.

No. SOIX-REG(S&GAD)-2/D/1-74(Pt.II) (Vol-II)

Dated 20-4-1976.

35

AGE OF RETIREMENT

I am directed to state that according to the Ordinance promulgated by Notification No. S. legis. 1(9)76, dated 27th November, 1976, the words "fifty eight years" have been substituted by the words('sixty years' in clause (ii) of section 13 of the Sindh Civil Servants Act, 1973, with effect from 22nd day of November, 1976.

2. Thus, the position will now be that a civil servant, who had not attained the age of fifty eight years before 22nd November, 1976, shall now retire from service on completion of the sixty years of his age, unless he is retired earlier under clause (i) of section 13 of the Sindh Civil Servants Act, 1973, which empowers the Competent authority to direct retirement of a civil servant in public interest after he has completed twenty five years of qualifying service.

3. A question has arisen whether a Civil Servant who is on leave preparatory to retirement on 22nd November, 1976 should be recalled to duty, cated remarks will in future be ignored.

4. The case of a civil servant who is on leave preparatory to retirement on 22nd November, 1976 is covered in the category mentioned in para 2 above. If the exceptional powers are not exercised in his case, he has to be given posting orders and the intervening leave period would be treated leave as may be admissible under the normal rules. This may result in conversion of leave on full pay to half pay in some cases.

No. SOIX-REG(S&GAD)2/D/1-73,

Dated the 21st December, 1976.

RECRUITMENT POLICY

Attention is invited to the Prime Minister's announcement of 20th August, 1973, indicating abolition of classification of posts/services and their merger into a unified grading structure with equal opportunities for all so as to enable promotions to the higher posts throughout the range of public service for horizontal movement from one cadre to another. The intention was to do away

with the existing reservations of posts for the purposes of initial recruitment, promotion or transfer in favour of persons belonging to a particular service or cadre or holding a particular post so that no individual Government Servant should claim promotion or appointment to a particular post as a matter of right on the basis of provisions in the existing service/recruitment rules or instructions. Action in this connections is being taken to frame necessary rules. However, in order not to create a vacuum all the appointing authorities under your administrative control may be advised to continue to follow the existing quotes for promotion and direct/initial recruitment for various posts till further orders.

No. SOIX Reg. (S&GAD)2-D/1-73,

Dated 5th December, 1973.

**RECRUITMENT TO VARIOUS POSTS UNDER THE GOVERNMENT
OF SINDH VIS-A-VIS FUNCTION OF THE SINDH PUBLIC
SERVICE COMMISSION**

1. Section 6 of the Sindh Government Public Service Commission Act, 1973 empowers the Government to make rules for carrying out the purposes of the Act. The Sindh Public Service Commission (Function) Rules, 1974, have accordingly been issued. A copy of the rules with some spare copies is enclosed for use in your Department and subordinate offices under your administrative control.

2. A perusal of the rules would show that the functions of the Commission have been confined to recruitment for initial appointment to the posts in BPS-16 and above (Corresponding to what were previously known as Gazetted Class II and Class I posts) with certain exception as in the schedule thereto. The Commission will not be concerned with the referring cases of appointments to Class I posts (Now BPS-17 and above) by promotion shall, therefore, be discontinued. Appointments on contract for a specified period and for a period of six months or less pending selection of a candidate on the basis of test conducted by the Commission will also be outside the purview of the Commission. The powers to fill such posts will be exercised only with the approval of the Chief Minister.

3. As provided in sub-rule (2) of rule 3 of the Sindh Civil Servant (Appointment, Promotion and Transfer) Rules, 1974 the method of appointment qualifications and other

37

conditions shall be laid down by the Department, and in consultation with the Services and General Administration Department without clearance from the Public Service Commission.

4. The disciplinary case will also no longer be referred to the Commission. Such case shall be decided by the appropriate authority under the Sindh Civil Servant Act, 1973 and the Sindh Government Servants (Efficiency and Discipline) Rules, 1973.

5. While undertaking recruitment to various posts, the Commission used to associate departmental representatives to assist them in the assessment of candidates.

It has now been decided that a representative of the department concerned would, for the purposes of recruitment to posts under the department, be formally appointed as ex-officio member of the Commission.

A notification in this respect issued under sub-section (2) of section 3 of the Sindh Public Service Commission Act, 1973, is enclosed. It will be observed that for recruitment to posts in Grades 19 and above, the Secretary or Additional Secretary of the Department would be member ex-officer of the Commission, and for posts in Grade 16, 17 and 18 an officer of the Department of or above the rank of a Joint Secretary or a Head of an attached Department, as may be nominated by the Secretary of the Department, would be ex-officio member. The intention is to allow the Department concerned effective participation in the selection of candidates.

6. A part from the recruitment to the posts under Government the Sindh Public Service Commission Act, 1973, also provides for recruitment through the Commission to posts in or under a Corporation or other body or organization set up by Government under any law as may be prescribed. It has been provided in the Public Service Commission (Functions) Rules, 1974 that the Commission will undertake recruitment to the posts in or under a Corporation or other body carrying a scale of pay the maximum of which is Rs.2,200 per mensem or above. It is requested that instructions may be issued to all Corporations and other bodies covered by the Sindh Public Service Commission Act, which are under your administrative control, to report all such vacancies to the Commission through the department concerned for recruitment to these posts. A copy of the instructions issued to the Corporations in this respect may please be endorsed to the Service and General Administration Department (Section IX-Regulation) and the Sindh Public Service Commission.

7. As to the recruitment to the posts in Grades 1 to 15 and promotions and transfers to all Grades which have been excluded from the purview of the Commission, another set of rules called the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 has been issued. A copy of these rules with some spare copies is also enclosed. The following procedure may be adopted for filling various posts under these rules :---

39

(1) The posts to be filled by initial appointment whether on *ad-hoc* or regular bases should be advertised by the Department concerned; provided the posts in Grades 1 and 2 may be filled by reporting vacancies to the Local Employment Exchange.

(2) Proper Selection and Promotion Committees should be constituted to examine the cases of all eligible persons and make recommendations. The Composition of the Committees will be determined by the Department

concerned in consultation with the Services and General Administration Department.

(3) Minimum qualifications and experience should be prescribed for all posts and no relaxation in this respect be allowed in the case of ad-hoc appointments.

(4) The appointing authority, where it does not accept the recommendations of the Selection or Promotion Committee, should record reasons for non-acceptance and obtain order of the next higher authority.

8. The rules provide that, as in the past, the Department will forward proposals for promotion to the posts in Grade 19 and above to the Services and General Administration Department which will process such proposal in consultation with the Provincial Selection Board. As to the promotion to Grades upto and including 18 and direct recruitment to posts in Grades 1 to 15, the Department concerned will set up one or more Departmental Selection Committees and Departmental Promotion Committees, the composition

2. After amendment of Rule--4 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules 1974 the Composition of Committees needs to modified.

whereof will be determined by the Department in consultation with the Services and General Administration Department. It is requested that proposal for composition of Departmental Selection and Departmental Promotion Committees in respect of your Department and the offices under your administrative control may be furnished to the Services and General Administration Department urgently. Broadly, the composition of the Committees should be as follows :--

Scale	Composition of the Bodies	Remarks
1	2	3
(i) Departmental Promotion Committees for Grades 16, and 18.	Secretary or Additional Secretary, 17 a joint Secretary and a Senior Deputy 40 Secretary, for the posts in an Attached Department or the Subordinate Offices the Head of an Attached Department Head of office may be appointed as a member in place of Joint Secretary/ Deputy Secretary.	There should preferably be one Departmental Promotion Committee for posts in Grades 16, 17 and 18 for / an Administrative Departments and Subordinate offices under it.
(ii) Departmental Selection or Departmental Promotion Committees for Grades 11 to	An officer of Grade 20 and 21 Officers of Grade 19.	There may be separate

15.		committees for posts in Administrative Department and Attached Department and Subordinate Officers under it.
(iii) Departmental Selection or Departmental Promotion Committees for Grades 10 and below.	An officer of grade 19 and 20 Officers of Grade 18.	

9. The appointing authorities for various Grades are specified in rule 4 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974. The appointing authority for Grade 16 and above is the Chief Minister. All cases for appointment to these Grades, after they have been cleared by the respective Selection Board, or Selection or Promotion Committees, or on receipt of recommendation by the Sindh Public Service Commission, where recruitment is required to be made through the Commission, shall be forwarded to the Services and General Administration Department together with the relevant record for obtaining orders of the Chief Minister.

No. SO-IX-Reg(S&GAD)2/D/1-73(4), dated 28th March, 1974.

1. See pages 5----12.
2. This position has since been changed consequent upon amendment of rule 4 referred in para 9.

**RECRUITMENT TO VARIOUS POSTS UNDER THE GOVERNMENT
OF SINDH VIS-A-VIS FUNCTIONS OF THE SINDH PUBLIC SERVICE
COMMISSION**

I am directed to say that with this Department letter No.SOIX-REG(S&GAD)2/D/1-73(4), dated 28th March, 1974, copies of Sindh Civil Servants (Appointments, Promotion & Transfer) Rules, 1974, and Sindh Public Service Commission (Functions) Rules, 1974 were circulated among all. Rule 4 of the Sindh Civil Servants (Appointments, Promotion & Transfer) Rules, 1974, lays down that appointments to Grade 3 to 15 shall be made by the Secretary of the

41

Department or the Head of the Attached Department, if he is in Grade 20. This has, in a few cases, given rise to an impression that Secretaries of the Departments are now competent to appoint ministerial establishment working in the Secretariat Departments under their respective control.

This is, however, not the correct inter-pretation of the Rules. The word (Department' has not been defined in these Rules. The Sindh Government Rules of Business, 1973, are, therefore, to be referred to for having a correct picture.

According to clause (x) of rule 2 of the Rules of Business 'Department' means an administrative unit in the Secretariat for conduct of business in a specified sphere. Rule 3 of the

same Rules further lays down that business shall be distributed amongst several Departments in the manner indicated in Schedule II.

Since Schedule II allots to the Services and General Administration Department, all matters connected with the recruitment, training, pay allowances, promotion and powers of Section Officers and the ministerial establishment of the Provincial Secretariat, the Secretary incharge of the Services and General Administration Department, will be the 'Secretary of the Department in the words of rule 4 of the Sindh Civil Servants (Appointments, Promotion and Transfer) Rules. Hence all appointment in the Secretariat in Grade 3 to 15 so far ministerial establishment of the Secretariat is concerned, shall continue to be made by Chief Secretary, who is Secretary of the Services and General Administration Department.

No. SOIX-Reg(S&GAD)2/D/1-74(II), dated 13th April, 1974.

**RECRUITMENT TO VARIOUS POSTS UNDER THE GOVERNMENT
OF SINDH VIS-A-VIS FUNCTIONS OF THE SINDH PUBLIC SERVICE
COMMISSION**

It has been observed that some of the Departments are making appointments/promotions to posts in Grade 16 and 17 without getting orders of the Chief Minister. This is most irregular and objectionable. It not only amounts to deliberate violation of Government orders and instructions but makes the very appointments/promotions invalid inoperative.

-
1. This position has undergone a change after amendment of rule 4 referred to in the Para-I.

 2. Attention in this connection is invited to rule 4 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 according to which competent authority to make appointments to Grades 16 and above shall be Chief Minister.

 3. Para 9 of S&GAD Circular letter No.SO-IX-Reg.(S&GAD)2/D/1-73-(4), dated the 28th March, 1974, further clarifies that since the appointing authority for Grade 16 and above is the Chief Minister, Sindh all proposals for appointment to these Grades, after clearance from

42

the Selection/Promotion Board/Committee or the Sindh Public Service Commission, as the case may be, should be submitted to the Chief Minister through Services and General Administration Department.

 4. Item No. 21 of the Schedule IV to the Sindh Government Rules of Business, 1973, as recently amended, also provide, that cases of appointment, Promotions of, disciplinary action involving, major penalty against and sanction for prosecution of officers of Grades 16 and above and officers of equivalent status under statutory Bodies should be submitted to the Chief Minister through S&GAD.

5. I am, therefore, desired to request you to ensure that cases requiring approval and orders of the Chief Minister, Sindh are submitted to him in accordance with the prescribed procedure.

No. SOIX-REG:(S&GAD)-5/2-74,

Dated 24th July, 1974.

Note.---- This circular stands modified to the extent of amendment made in rule 4 referred to in Para 2.

RECRUITMENT POLICY REGARDING RURAL AND URBAN AREAS.

With a view to avoiding ambiguity in the matter domicile for initial recruitment to the posts advertised by the Sindh Public Service Commission and the Federal Public Service Commission, it has been decided that the Domicile Certificate/Permanent Residence Certificate should clearly indicate in the certificate that the place where the candidate is residing falls within the city of Karachi, Hyderabad and Sukkur or not.

2. The cities of Karachi, Hyderabad and Sukkur including all the areas which do not fall within the jurisdiction of the respective Peoples District Council. Cantonment Areas are to be counted as part of the city.

3. These instructions should be rigidly followed.

No. SOVIII-Reg:(S&GAD)1-8/71

Dated the 17th August, 1974.

RECRUITMENT TO VARIOUS POSTS BY ADVERTISEMENT

In accordance with the policy of the People's Government to find out "Talent" and to utilize it for people's good and welfare and also to give equal opportunities to all without discrimination, the Chief Minister has been pleased to decide that henceforth all posts in various grades should be filled in after these are properly advertised in the Press etc. This would also apply to ad-hoc appointments pending regular recruitment through the Public Service Commission. The advertisements should be carefully drafted indicating the requirements of the particular post viz. qualifications, age, experience etc so that on the one hand Government gets

the best available talent and on the other hand all eligible persons are provided equal opportunities to complete for the various jobs.

2. However, as we have a sufficient number of officials in the Surplus Pool, it may be enquired from the Services and General Administration Department, before issuing any advertisement whether they would be able to provide some suitable person for a certain post from the Surplus Staff and if some persons is available for that post, it need not be advertised.

No. E&A(S&GAD)34(1157)/74.

Dated the 19th August, 1974.

**RECRUITMENT TO VARIOUS POSTS UNDER THE GOVERNMENT
OF SINDH VIS-A-VIS FUNCTIONS OF THE SINDH PUBLIC
SERVICE COMMISSION.**

Attention is invited to Rule 3(ii) of the Sindh Public Service Commission (Function) Rules, 1974 according to which recruitment to posts under a corporation or other body or organization set up by Government under any law carrying a scale of pay the maximum of which is Rs.2,200/- P.M. or above is to be made through the Public Service Commission.

I am desired to request you to direct corporations functioning under you to report all such vacancies to the Commission for selecting suitable officers for these posts. A copy of such instructions when issued should invariable be endorsed to the undersigned and the Commission as requested vide this Department letter No. SOIX-REG(S&GAD)2/D/1-73(4), dated 28th March 1974. Any appointment which have been made in the corporation after the Notification of the Sindh Public Service Commission (Function) Rules should be go-regularized through the Commission.

No. SOIX : Reg(S&GAD)2/D/3/73,

Dated the 24th December, 1974.

RELAXATION OF RULES IN INDIVIDUAL CASES OF HARDSHIP

In continuation of this Department's circular No. SOVIII-REG (S&GAD) 8/24/72, dated the 8th September, 1972 on the subject noted above, it is pointed out that Services/Recruitment

43

Rules applicable to different posts in various departments are valid and operative in so far these are not inconsistent with the Sindh Civil Servants Act, 1973 and rule made there under namely the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, the Sindh Civil Servants (Change in Nomenclature and Abolition of Classes) Rules, 1974 etc. Hence relaxation of Recruitment Rules can also be made to the extent it is permissible under the new law.

2. Sub-rule (1) of Rule 12 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules provides that a candidate for initial appointment to a post must possess educational qualification and experience and must be within the age limit as laid down for the post. Sub-rule (2) of this rule however empowers various authorities to relax age to the extent shown therein.

3. In the circumstances it is advised that the age limit will in future be relaxed by the authorities shown in sub-rule (2) of Rule 12 and to the extent shown therein and by no body else.

No. SOVIII. REG(S&GAD)3/24/72,

Dated the 2nd August, 1975

**RECRUITMENT TO VARIOUS POSTS UNDER THE GOVERNMENT
OF SINDH VIS-A-VIS FUNCTIONS OF THE SINDH PUBLIC
SERVICE COMMISSION.**

It has been observed that some of the Departments are making transfer of officers of grade 18 and above without getting prior approval/orders of the Chief Minister. This is utterly irregular and objectionable. It amounts to deliberate violation of Government orders and instruction.

2. Attention in this connection is invited to sub-rule 2 of rule 9 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 according to which competent authority to make transfer to grade 18 and above shall be Chief Minister.

3. Schedule IV of the Sindh Government Rules of Business, 1973 also provides that cases of transfer of officers of grade 18 and above should be submitted to the Chief Minister through Services and General Administration Department.

4. The Chief Minister has desired that the Secretaries must ensure that cases requiring approval and orders of the Chief Minister, are submitted to him in accordance with the prescribed rules. Implementation of any orders without observing the requisite procedure, would be considered as a breach of discipline by the Secretary concerned.

No. SOIX-REG(S&GAD)2/C/12-74,

Dated the 3rd March, 1976

44

RE-EMPLOYMENT OF RETIRED CIVIL SERVANTS

Section 14(i) of the Sindh Civil Servants Act, 1973, provides that a retired Civil Servant shall not ordinarily be re-employed under 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.

2. In order to solve the problem of un-employment, it has been considered necessary to discourage re-employment of such Civil Servants as can be easily substituted and replaced. Government of Sindh has, therefore, decided not to re-employ any retired Civil Servant of Grade 1 to 15.

3. These orders may kindly be brought to the notice of all concerned. It may also be ensured that no recommendations or orders for re-employment of any retired Civil Servant of BPS 1 to 15 are made in future. Any violation of these orders is required to be reported to the Chief Minister through Services & General Administration Department, for disciplinary action.

No. SOIX-REG(S&GAD)2/C/12-74,

Dated the 11th March, 1976.

RETIREMENT AFTER COMPLETING 25 YEARS OF SERVICE

Section 13 of the Sindh Civil Servants Act lays down that a civil servant shall retire from service on such date after he has completed 25 years of service qualifying for pension or other retirement benefits as the competent authority may in the public interest direct. The competent authority has been further defined in the Act to mean the appointing authority or a person duly authorised by the appointing authority in that behalf, not being a person lower in rank than the civil servant concerned.

2. It has been observed that certain appointing authorities, are exercising these powers indiscriminately and ordering retirement of civil servants on completing 25 years of service without proper scrutiny of their confidential record and assessing their suitability to continue in service with the result that certain civil servants who were otherwise suitable to continue in service stand retired.

3. The aggrieved civil servant has no remedy against such orders, under section 23 of the Sindh Civil Servants Act 1973 no representation lies on matters relating of the determination of fitness of a person to hold a particular post.

4. The Act also does not give the higher authority who is otherwise the appellate authority any power to intervene and modify or set aside such an order. The orders, therefore, become final. Undoubtedly Government have inherent power to revise orders of a lower authority or review their own orders if the retirement is considered unjustified or unwarranted. But Government so not consider it feasible administratively to interfere in such matters.

45

However, in order to save such civil servants from undue hardship it has been decided that where an authority is satisfied that the civil servant concerned is fit enough to continue in service in the public interests, such a civil servant may be re-employed in accordance with the rules/instructions on the subject but in no case orders of retirement shall be rescinded or withdrawn.

No. SOVIII-REG(S&GAD)5/77-76

Dated 30th September, 1976.

RE-EMPLOYMENT OF RETIRED CIVIL SERVANTS

I am directed to refer to this Department policy circular No. SOIX-REG(S&GAD)2/C/12-74, dated the 11th March, 1976 in which decision of Government was conveyed not to re-employ any retired Civil Servant of Grades 1 to 15, in order to solve the problem of un-employment.

2. With regard to re-employment in posts carrying grades 16 and above, following principles should be observed :-

(i) Proposals for re-employment beyond the age of fifty-eight years should not be treated as routine references and in each case it should be fully established that the civil servants proposed to be re-employed are really irreplaceable.

(ii) There should be no promotion block involved as a result of re-employment. Re-employment of an officer even against an ex-cadre post sometimes affects the promotion prospect of younger officers. Great care should, therefore, be taken to examine various aspects of the case when making proposals for re-employment.

(iii) Before the date of superannuation of an officer, arrangements for a substitute should be planned in advance and, if considered necessary, an under-study may be supported by detailed reasons as to why replacement is not available and why an under-study could not be attached to the retiring officer.

(iv) The re-employment should be subject to termination of service on one month's notice on either side.

3. The above principle should be observed also in case of re-employment in statutory corporations, autonomous and semi-autonomous bodies under the control of Provincial Government.

4. For fixation of pay of re-employed officers, the principles laid down in Rules 9,5 of the West Pakistan Civil Servants Pension Rules are applicable.

46

5. "Policy regarding re-employment and re-employment of retired officers" is a subject allocated to Services and General Administration Department under the Sindh Government Rules of Business. When forwarding proposals for re-employment, information should be furnished in the attached proforma.

No. SOIX-REG(S&GAD)2/C/12-74, dated the 17th November, 1976.

1. The age of Superannuation has since been raised to sixty years from 22nd November 1976, vide amended Article 13 (ii) of the Sindh Civil Servants Act, 1973.

PROFORMA

FOR RE-EMPLOYMENT

1. Name.
2. Age (with date of birth).
3. Post previously held and Grade of the post.
4. Post in which to be re-employed.
5. Proposed period of re-employment.
6. Whether the post against which re-employment is a proposed is a cadre post or an ex-cadre post.
7. Whether the post is permanent or temporary.
8. What are the qualifications and normal methods of appointment for filling the post.
9. Whether any block in promotion is likely to occur as a result of re-employment.
10. Steps taken to find a substitute.
11. Detailed reasons in support of the proposal.

RE-EMPLOYMENT OF OFFICERS RETIRED ON COMPLETION OF 25 YEARS SERVICE QUALIFYING FOR PENSION OR AS A RESULT OF SHOW-CAUSE NOTICE.

I am directed to forward herewith a copy of Government of Pakistan cabinet Secretariat, Establishment Division's letter No.14/3/76-CV, dated 26th November, 1976 on the above subject, for information and necessary action.

No. SOIII(S&GAD)-5-9/76, dated 10th December, 1976.

No. 14/3/76-CV GOVT. OF PAKISTAN CABINET SECRETARIAT----(ESTB. DIV.)
RAWALPINDI DATED THE 26TH NOVEMBER 1976.

47

RE-EMPLOYMENT OF OFFICERS RETIRED ON COMPLETION OF 25 YEARS SERVICE QUALIFYING FOR PENSION OR AS A RESULT OF SHOW CAUSE NOTICE

A number of officers have recently been retired by the Federal Government and the Provincial Governments on completion of 25 years service qualifying for pension, or as a result of show-cause notice Enquiries have been received in Establishment Division, whether these officers may be permitted to seek re-employment.

2. The policy of the Federal Government is not to re-employ compulsorily retired officers in Government departments or in autonomous/statutory organizations under the administrative control of the Federal Government. So far as re-employment with purely private organizations and firms is concerned, this is, as a rule permitted after the Government is satisfied that the

retired officer when in service had no official dealings with the organization/firm. The Provincial Government may follow the same policy in regard to the Provincial Government officers who were, or may in future be compulsorily retired from service.

SUBMISSION OF CASES TO CHIEF SECRETARY

I am directed to draw your attention to this Department Notification No. SOIX-Reg : (S&GAD) 2/D/1-74--- Pt : II, Vol: II dated 28th June, 1975, incorporating certain amendments in the Sindh Civil Servants (Appointment, Promotions and Transfer) Rules, 1974. Previously the power to make appointments in Grade-16 was vested in the Chief Minister, through Services & General Administration Department. The amendments authorise Chief Secretary to make appointments in Grade-16. Appointments made in that grade by any other authority will not be legally valid.

2. In the circumstance no Summary need now be submitted to the Chief Minister in case of appointments, promotions etc., to grade-16, posts. But a Note/Summary is to be submitted to the Chief Secretary, after the Department has observed the prescribed procedure and completed all formalities. The Note should be signed by the Secretary. For obvious reasons, it would not carry the signatures of the Minister.

3. I am, therefore, desired to request you to ensure that all appointments to Grade-16 are made in accordance with these instructions.

No. SOIX(S&GAD)2/D/1-74-Pt. II-VOL, II, Karachi, the 5th July, 1974.

2. Powers of Chief Secretary have since been delegated to the Secretaries of the Departments concerned under Rule 21 vide Notification SO-IX-REG(S&GAD)-2/D/1-74 (Part II) Vol. II dated 10th February 1976.

48

SUBMISSION OF CASES TO CHIEF SECRETARY IN RESPECT OF APPOINTMENTS TO GRADE 16 POSTS

In continuation of this Department circular letter of even number dated 5th July, 1975, on the subject noted above, I am directed to clarify that the phrase "after the Department has observed the prescribed procedure and completed all formalities" appearing in para 2 of the letter is in the context of Sindh Civil Servants (Appointment, Promotion and Transfer) Rules. The intention is that the vacancies should be advertised and recommendation Committees obtained before its submission of the case to Chief Secretary.

No. SOIX(S&GAD)2/D/1-74-Pt. II Vol. II, Karachi, the 20th October, 1974.

THE SINDH CIVIL SERVANTS (CHANGE IN NOMENCLATURE OF SERVICES AND ABOLITION OF CLASSES) RULES, 1974

A copy (with some spare copies) of the above rules is enclosed for the information and record of your Department. A perusal of rule 6 will indicate that classification of posts/services has been done away with giving formal effect to the Prime Minister's announcement of 20th August, 1973, to this effect. However the practice of notifying appointments to Grade 16 and above (or their corresponding existing grades) in Government Gazette will continue to be followed.

Attentions is also invited to rule 8 of the above rules whereby all reservations of posts for the purposes of initial / direct recruitment, promotion or transfer in favour of persons belonging to a particular service or cadre or holding particular posts have been abolished. The intention of this rule is that no individual Government servant should claim promotion or appointment to a particular post as a matter of right on the basis of provision in the existing recruitment rules or instructions. However, in order not to create a vacuum the existing quotas for promotion and initial / direct recruitment for various posts may continue to be followed till further orders. In this connection attention is also invited to the instructions contained in this Department circular letter No.SOIX-REG(S&GAD)2/D/1-73, dated the 5th December, 1973.

No. SOIX-REG(S&GAD)2/D/1-73(2), Dated 28th March, 1974.

49

TRANSFER

It has been observed that frequent transfer of Government Officer are being made in various departments. This results in dislocation of work. The Chief Minister has, therefore, been pleased to order that Premature transfers should only be made if they are in the public interest or on disciplinary grounds. Transfers must not be made merely on the grounds that a particular station is convenient to the officer for family reasons.

No. SOVIII-REG (S&GAD)1/22-72, Dated 13th November, 1972.

Subject :-- **ADMISSIBILITY OF REPRESENTATION AGAINST SUPERSESSION IN MATTER OF PROMOTION ON GROUNDS OTHER THEN SUITABILITY FOR PROMOTION.**

A question has arisen whether a civil servant has a right to make representation against his supersession and promotion of his junior to a higher post.

2. The Provision relating to right of appeal or representation is contained in sub-section (2) of Section 23 of the Sindh Civil Servants Act, 1973. This is, however, subject to the proviso which is reproduced below :--

"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 higher post or grade".

3. The proviso clearly places a bar on making representation against one's supersession on the ground of his suitability for promotion. But the bar does not extend to representation made on other grounds. For instance, if a civil servant who processes the prescribed qualifications for promotion and also satisfies the requirements of seniority, is not considered for a promotion or his case is not placed before the Promotion Board/Committee, he can ventilate his grievance in this regard by making representation to the higher authority.

No. SOIX-REG (S&GAD) 2/B/1/78, Karachi, dated the 17th August 1978.

50

TERMS AND CONDITIONS OF A.D.C. EMPLOYEES ON THEIR ABSORPTION IN GOVERNMENT DEPARTMENTS

1. A question regarding determination of future status of the employees of the A.D.C. (defunct) other than the deputation's, rendered surplus and absorbed in various Departments/Offices under the Government of Sindh in pursuance of the West Pakistan Agriculture Development Corporation (Dissolution) order, 1972 (President's order No. 5 of 1972) has been engaging attention. After due consideration it has been decided that :--

(i) their services in the various departments may be declared as pensionable provided they opt for it and subject to the conditions that their previous service in the A.D.C. shall not count towards pension;

(ii) so far as the question of seniority is concerned the confirmed and the officiating staff of the A.D.C. shall be placed below the confirmed and officiating staff of the Government department/Office in which they have been absorbed.

2. Members of the staff of the Agriculture Development Corporation who were on deputation with the corporation, will automatically revert to their respective parent departments.

No. SOVIII-REG(S&GAD)16-53/73,

Dated 24th January, 1975.

TERMS AND CONDITIONS OF DEPUTATION

I am directed to say that despite instructions issued from time to time proposals to decide terms and conditions of deputation are sent to this Department after many years of transfer on deputation of an individual or some times they are not sent at all. As already emphasized in the past this results in non-realization of leave salary, pension contribution and other contribution on account of G.P. Fund, Benevolent Fund and Group Insurance.

2. Besides, it has also been observed that the autonomous/local bodies allow other benefits to which the deputationists are not entitled to according to their terms of deputation settled later on. This places both the landing and the borrowing organization in an awkward situation leading to complications.

3. It has, therefore, been decided as under, to meet such situations compliance of which may please be made in all circumstances :-

(i) Until such time the terms and conditions of deputation, are decided by this Department the individuals should be paid the same pay and allowances which they last draw in the parent Department in Government.

51

(ii) No fringe benefits or additional facility should be allowed unless the terms of deputation are finally settled.

(iii) A reference should be made to Finance Department to decide the terms of deputation before hand and if not possible the same should be sent immediately after one proceeds on deputation.

(iv) The deputationist should continue to make contributions to G.P. Fund, Benevolent Fund and Group Insurance.

(v) Leave salary and pension contribution should be paid on the usual rates till the actual rates are intimated by the Audit.

No. FD(SRIII)6/22-76,

Dated 23rd December, 1976

**TERMS AND CONDITIONS OF SERVICE OF GOVERNMENT
SERVANTS ON DEPUTATION.**

I am directed to refer to the subject noted above and to forward a copy of Cabinet Secretariat, Establishment Division, Government of Pakistan O.M. No. 1/4/86-R-I dated the 3rd April, 1986 for information and guidance.

SO VIII Reg(S&GAD) 11-4-81

Karachi, the 17th April, 1994

**TERMS AND CONDITIONS OF SERVICE OF GOVERNMENT
SERVANTS ON DEPUTATION.**

A case has recently come to the notice of the Establishment Division in which a BPS-5 employee of a Provincial Government on deputation to the Federal Government was promoted to a BPS-16 post and subsequently to a BPS-17 post while on deputation without consultation with the Provincial Government concerned. This has created an awkward situation for the Provincial Government in the matter of fixation of pay, grant of pension, etc. to the employee concerned on repatriation from deputation.

2. It may be recalled that a Government Servant on deputation continues to be under the rule-making control of the lending Government and is governed by the rules of the lending Government in matters of pay, leave, pension, etc. The lending Government accordingly have a right to determine, in consultation with the borrowing Government, the terms of his employment under the later and these terms should not be verified by the borrowing Government without consulting the lending Government.

3. In view of the position explained above it is brought to the notice of all the Ministries/Divisions etc. that no increase in pay or improvement in other service prospects should be allowed to any employee on deputation without consulting the lending Government or department and without the approval of the Establishment Division.

No. 1/4/86-R-I.

dated 3rd April, 1986.

Subject: -- **RELAXATION OF UPPER AGE LIMIT AT THE TIME OF
1ST ENTRY INTO GOVERNMENT SERVICE :**

Instances have been brought to the notice of Government where persons who had crossed the prescribed age limit were appointed in Government service without getting relaxation of age sanctioned by the Competent Authority. This fact in many a case is not disclosed to the audit till their retirement when their pension papers are sent for scrutiny. Whenever, the attention of the Administrative Departments is invited to this irregularity by the Audit, they usually allege that

due to exigency of service, age factor was not given proper weight-age at the time of their first entry into service.

2. Since all appointments to Government Service are to be made in accordance with the rules laying down the methods of recruitment, age limit, qualifications etc., no deviation is permissible without getting it relaxed by the competent authority. All Administrative Departments are therefore requested to review all appointments and complete the formality of granting relaxation of age wherever necessary in accordance with the provisions of Rule 12 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974. Similar action may also be taken in all such cases referred to by the Accountant General, Sindh.

No. SOIX-REG(S&GAD)II/54-80, Karachi, Dated the 30th December, 1980.

SUBJECT :--- **RELAXATION OF UPPER AGE LIMITS.**

It has been observed that some of the Selection Committees are clearing the direct appointments on suitability basis in favour of the candidates who are over age. Such cases are subsequently referred to the competent authority for relaxation of their upper age limit. This practice is not correct.

2. Attention in this connection is invited to sub-rule (i) of Rule 12 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 according to which a candidate for initial appointment to a post must possess educational qualifications and experience and must be within the age limit as laid down for the post. Sub-rule (2) of this rule however empowers various authorities to relax age to the extent shown therein.

52

3. In order to avoid any repetition in future in this regard, it has been decided that before holding interviews of the candidates, clearance of the competent authorities in respect of relaxation of upper age limit be obtained first.

No. SOVIII-REG(S&GAD)2-15/81, Karachi, the 21st March, 1981.

**SUBJECT: -- RESOLUTION NO. 31 PUT BY MR. RAFIQ AHMED MAHESAR,
MEMBER PROVINCIAL ASSEMBLY.**

I am directed to say that the Provincial Assembly of Sindh has passed the following Resolution on 20th February, 1990 :---

"31 : This Assembly resolves and is of the opinion that the age limit for first entry in Government Service be extended upto 28 years".

2. I am further directed to say that the Chief Minister, Sindh, has been pleased to order that the above Resolution be implemented.

3. I am accordingly directed to request that necessary notification extending the maximum age limit to 28 years for all posts under your administrative control, where the present maximum age limit is less than 28 years, be issued urgently under intimation to all concerned.

No. SOR-I(S&GAD)IX/24-84,

Karachi, the 21st January, 1990.

**SUBJECT :-- MINUTES OF THE MEETING HELD ON 24TH NOVEMBER,
1985 UNDER THE CHAIRMANSHIP OF THE CHIEF MINISTER,
SINDH.**

I am directed to invite your attention to the decision No. XII appended to the subject minutes circulated through this Department's letter No.SOVI(S&GAD)14/2/85, dated the 4th December, 1985 and to clarify that the point that has been emphasized is to give preferential treatment in the matter of educational qualification to a local where the appointment is restricted on district basis. This decision should not therefore be interpreted as a departure from the Government's recruitment policy laid down in rules 14, 15 and 16 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974.

No. SOR-I(S&GAD)9/40-85,

Dated the 16th February, 1986.

53

**SUBJECT: -- RECRUITMENT TO VARIOUS POSTS UNDER THE
GOVERNMENT OF SINDH.**

It has been brought to the notice of Government that appointments to various posts in Government Departments/Offices are being made attention of all the Appointing Authorities is therefore, invited to rules 18, 19 and 20 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 and to the contents of para 7(1) of this Department circular letter No. SOIX-REG (S&GAD) 2/D/1-73(4), dated the 28th March, 1974 (appearing at pages 159 - 162 of the booklet entitled "Administrative Reforms in Sindh" wherein it has been emphasized that the posts to be filled by initial appointment whether on adhoc or regular basis should be advertised by the Department concerned provided that the posts in (BPS-1) and 2 may be filled by reporting vacancies to the local Employment Exchanges.

3. In order therefore, to meet the requirements of the rules/standing instruction, it is once again stressed that the vacant as well as the newly created posts should invariably be filled as per standing order.

No. SOR-I(S&GAD)9/30-86,

Karachi, the 8th October, 1986.

SUBJECT :-- RULES POSITION REGARDING RELAXATION OF CONDITION OF EXPERIENCE FOR APPOINTMENT.

I am directed to invite your attention to this Department Circular letter No. S.O.VIII-REG(S&GAD)8-24/72, dated the 2nd August 1975 (copy enclosed for ready reference) and to say that Rule 12(1) of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 provides that a candidate for initial appointment must possess the educational qualifications and experience and be within the age-limit laid down for that appointment under Rules 3(2) *ibid*.

2. In needs to be pointed out that while Rule 12(2) *bid* allows relaxation of the prescribed age-limit, there is no provision in the rules for relaxing the condition of the minimum qualifications and experience. The need to highlight this fact has arisen because some misunderstanding persists in certain quarters that, like the condition of age-limit, atleast the condition of experience is also relaxable. This is not so.

3. Although, as pointed out above, the rules are quite clear on the point, it is requested that the fact that the condition of experience as prescribed in the relevant rules is not relaxable may please be got noted by all appointing authorities (including those in Autonomous/Semi-Autonomous Bodies) under your administrative control for their information guidance and strict compliance. The Administrative Secretaries may please ensure that no violation of rules takes

place as new appointments are being made by various appointing authorities in the wake of the lifting of the ban on appointments.

No. SOR-I(S&GAD)2/13-89,

Karachi, the 22nd May, 1989.

COPY OF S&GAD'S CIRCULAR LETTER NO. SOVIII-REG (S&GAD)8/24/72, DATED 2-8-1975 PRINTED AT PAGE 166 OF ADMINISTRATIVE REFORMS IN SINDH

RELAXATION OF RULES IN INDIVIDUAL CASES OF HARDSHIP.

In continuation of this Department's circular No. SOVIII-REG(S&GAD)8/24-72, dated the 8th September, 1972, on the subject noted above. It is pointed out that Service/Recruitment Rules applicable to different posts in various departments are valid and operative in so far these are not inconsistent with the Sindh Civil Servants Act, 1973 and rule made there under namely, the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, the Sindh Civil Servants (Change in Nomenclature and Abolition of Classes) Rules, 1974 etc. Hence relaxation of Recruitment Rules can also be made to the extent it is permissible under the new law.

2. Sub-rule (1) of Rule 12 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules provides that a candidate for initial appointment to a post must possess educational qualifications and experience and must be within the age limit as laid down for the post. Sub-rule(2) of this rule however empowers various authorities to relax age to the extent shown therein.

3. In the circumstances it is advised that the age limit will in future be relaxed by the authorities shown in sub-rule (2) of Rule 12 and to the extent shown therein and by no body else.

No. SOVIII-REG(S&GAD)3/24/72.

Karachi, the 2nd August, 1975.

**APPOINTMENT OF LOCAL PEOPLE TO POST IN BPS-1 TO 15 AS
REQUIRED UNDER THE SINDH CIVIL SERVANTS (APPOINTMENT, PROMOTION
AND TRANSFER) RULES, 1974.**

I am directed to invite your attention to this Department Circular letter Nos. SOIX-REG(S&GAD)2/D/1-74(Pt.II) (Vol.III), dated the 4th March, 1976 and SOIX-REG(S&GAD)2/D/1-74(II) (Vol.III), dated the 4th November, 1976 (copies enclosed for ready reference) and to state that despite clear rules/instructions on the subject, some doubts still persist about the method of initial appointments to posts in BPS-1 to 15 in different Offices/Departments of Sindh Government, particularly those located in Karachi.

2. For facility of reference, Rules 14, 15 and 16 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 which regulate initial appointments to posts in BPS-1 to 15 are reproduced below :--

"14. Vacancies in the undermentioned posts shall be filled on Provincial basis in accordance with the merit and regional or district quota as determined by Govt. from time to time: --

- (i) Posts in Scales 16 and above.
- (ii) Posts in Scales 3 to 15 offices which serve the whole Province.

15. Posts in Scales 3 to 15 in offices which serve only a particular region or district shall be filled by appointment of persons domiciled in the region or district concerned.

16. Posts in Scales 1 and 2 shall ordinarily be filled on local basis."

3. I am directed to give below a few examples showing how different vacancies occurring in the offices located in Karachi Division should be filled in accordance with the above Rules :--

VACANCIES IN BPS-1 TO 2 IN ANY OFFICE

- (1) These shall ordinarily be filled on local basis preferably by reporting vacancies to the local employment exchange. The Rules do not require that vacancies in these scales be advertised.

**VACANCIES IN BPS 3-15 IN OFFICES WHICH SERVE
ONLY A PARTICULAR AREA, DISTRICT OR REGION**

- (2) If a post of Junior Clerk in BPS-5 which as per rules is required to be filled by initial recruitment falls vacant in the Office of, say, Deputy Commissioner, Karachi South, which serves Karachi South District only those holding PRCs of KARACHI SOUTH District shall be eligible for appointment to that post. The same principle would be applicable to all such vacancies in other offices having similar jurisdiction in Karachi.
- (3) If a post of Assistant in BPS-11 which as per rule is required to be filled by initial appointment falls vacant in the office of the Commissioner Karachi whose jurisdiction covers the whole of Karachi Division, all those holding PRCs of any district of Karachi Division shall be eligible for the said post. The same principle would apply to such vacancies in all other offices having similar jurisdiction in Karachi.

56

**VACANCIES IN BPS-3 TO 15 IN OFFICES SERVING
THE WHOLE PROVINCE**

- (4) If a vacancy in any BPS to be filled by initial recruitment occurs in any Department / Office of Sindh Government located at Karachi but its jurisdiction extending to the entire Province, all those holding PRC of any part of the Province (including Karachi) would be eligible to apply. For such Province-wise recruitment the ratio of rural/urban quota shall be adhered to. In this connection, a copy of this Department Circular letter No. SOI(S&GAD)23/1/71/75-77, dated the 16th January, 1971 which is self-explanatory, is also enclosed for ready reference.

4. The Administrative Secretaries and Heads of Offices located in Karachi are requested to follow the prescribed rules and procedures for initial appointments for posts in various scales.

No. SOR-I(SGA&WD)2/10-89,

Karachi, dated the 15th June, 1989.

**SUBJECT :-- APPOINTMENT OF LOCAL PEOPLE TO GRADES 1 TO 15
POSTS THE SINDH CIVIL SERVANTS (APPOINTMENT,**

**PROMOTION & TRANSFER) RULES, 1974 INSTRUCTIONS
REGARDING.**

It has been observed that some of the officers competent to make appointments to posts in grades 1 to 15 are not filling in the posts from persons domiciled in the region or district concerned. This is most irregular and objectionable. It also amounts to violation of Government orders and instructions.

2. Attention in this connection is invited to rule 15 and 16 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 according to which posts in grades 1 and 2 are to be filled in on local basis and those in grades 3 to 15 in offices which serve only a particular region or district should be filled by appointment of persons domiciled in the region or district concerned.

3. Please ensure that recruitment to posts in grades 1 to 15 is made from amongst the local people belonging to that area district or region only.

No. SOIX-REG(S&GAD)2/D/1-74(Pt.II)Vol-III,

Dated 4th March, 1989.

57

**SUBJECT :-- INITIAL APPOINTMENT TO POSTS ON PROVINCIAL
REGIONAL OR DISTRICT BASIS.**

I am directed to state that according to the Sindh Civil Servants (Appointment, Promotion & Transfer) Rules, 1974 :--

- (a) Initial appointment to the undermentioned posts shall be made on provincial basis in accordance with the merit and regional or district quota as determined by Government from time to time.
 - (i) Posts in Grades 16 and above.
 - (ii) Posts in Grades 3 to 15 in offices which serve the whole Province.
- (b) Vacancies by initial appointment to grades 3 to 15 in offices which serve only a particular region or district, shall be filled by persons domiciled in the region or district concerned.
- (c) Posts in Grades 1 and 2 shall ordinarily be filled on local basis.

2. Government have prescribed the recruitment policy for giving fair representation in public services to persons residing in big cities as well as those residing in small towns and rural areas of the province by indicating the guide-lines mentioned in this department circular No. SOI(S&GAD)23/1-71, dated 16th January, 1971.

3. The appointing authorities are expected to know which offices serve the whole province, a particular region or a district. Government, however, desire that in order that the rules and Government policy are properly implemented by the appointing authorities, lists should be prepared and circulated among all concerned indicating :--

- (a) The names of departments and offices which serve the whole Province.
- (b) The names of the regional offices mentioning the area served by them.
- (c) The names of the offices within the district which serve a particular district or a part of it.

4. The statutory corporations, autonomous and semi-autonomous bodies under the control of the Provincial Government are also expected to follow the recruitment policy framed by Government from time to time. Lists of such offices should also be prepared on the lines indicated above and circulated for guidance of all concerned.

5. Copies of the lists of offices falling under the above mentioned three categories under your administrative control may kindly be forwarded to this department.

No. SOIX-Reg(S&GAD)2/D/1-74(Pt-II)Vol-III, Karachi, the 4-11-1976.

58

RECRUITMENT POLICY IN PUBLIC SERVICES

I am directed to say that with a view to give fair representation in public services to persons residing in big cities as well as those residing in small towns and rural areas of the Province it would be advisable to keep the following guide-line in view while filling up vacancies reserved for direct recruitment: --

- (1) 40% of the vacancies from candidates residing in the cities of Karachi, Hyderabad and Sukkur.
- (2) the remaining 60% from candidates residing in other cities and rural areas of the Province.

2. While filling up the vacancies in the manner indicated above, the requirements of public service should be fully kept in view and in conforming with these guidelines, any lowering of the standard of selection should be avoided.

No. SOI(S&GAD)23/1-71/75-77,

Karachi, the 16th January, 1971.

Subject :-- **EMPLOYMENT OF DISABLED PERSONS IN THE GOVERNMENT SERVICE.**

I am directed to draw your attention to the following steps which have been taken by the Government for the rehabilitation and welfare of disabled persons :--

(i) The disabled Persons (Employment and Rehabilitation) Ordinance, 1981, has been promulgated to safeguard the interests of all disabled persons (copies being supplied to you separately).

(ii) Rule 17 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, has been amended allowing the Medical Officer or the Medical Board/Director, Health Services to declare blind/handicapped persons medically fit for appointment subject to the conditions mentioned in this Department Notification No. SOIX-REG(S&GAD)IV/10-84, dated 8th August, 1984.

(iii) Section 5 of the Sindh Civil Servants Act, 1973, has been amended thereby making it legally incumbent upon all appointing authorities to appoint one percent of all appointments from amongst the disabled persons defined in the Ordinance mentioned at (i) above vide Sindh Law Department Notification No. S. Legis-1/40/84, dated the 6th November, 1984.

2. Experience has, however, shown that despite the legal provisions as pointed out above, adequate number of jobs are not being offered to the disabled persons with the result that the desired objectives of the above mentioned mandatory provisions of law are not being achieved. These objectives, interalia are that :--

(a) The disables and the handicapped persons should be offered a dignified and legal way of earning "Rizqe Halal" by the sweat of their brow.

(b) They should be enabled to play a positive role in the socio-economic life of the Province;

(c) In some families a disabled person might be the only breadwinner. By providing him/her with a suitable job, regular income for the whole family would be ensured;

(d) The number of beggars on the streets should be reduced.

This Department is convinced that if conscious and concerted efforts are made, it would surely be possible for all appointing authorities, particularly in the large employment generating Departments like Education, Local Government and others, to offer one percent of their posts to

disabled persons to the benefit of both the Department/ Office concerned and the disabled persons.

3. I am accordingly directed to request that all necessary steps may now kindly be taken for effective implementation of the above mentioned legal provisions so that their desired results could be achieved as early as possible. The Excise, Taxation and Social Welfare Department is being requested to extend all possible assistance to you in this regard.

4. Receipt of this communication may kindly be acknowledged.

No. SOIX-Reg(S&GAD)IV/10-84,

Karachi, the 22nd July, 1987.

60

Subject :--- **ISSUE OF PROMOTION, APPOINTMENT AND TRANSFER ORDERS BY OFFICERS (COMPETENT AUTHORITIES) WHO ARE THEMSELVES UNDER ORDERS OF TRANSFER.**

Instances have come to the notice where officers under orders of transfer have been issuing promotion, appointment and transfer orders of their sub-ordinate officers, before handing over the charge. Notwithstanding the competence of the officers for such promotions, appointments and transfers, the timing of these orders become questionable. Government has, therefore, viewed this situation with disapproval.

2. It has, therefore, been decided that, in future, officers themselves under orders of transfer will not issue orders of promotion, appointment and transfer of sub-ordinate officers or officials. The best course under such circumstances would be leave a note for the successor giving reasons for such contemplated orders, thereby allowing the successor to eventually pass such orders in case he chooses to do so. In this way the possibility of hasty and injudicious decisions would be avoided. This needs to be brought to the notice of all officers of your department including attached departments and autonomous bodies for strict compliance.

No. SOR-I(S&GAD)9/37-87,

Karachi, the 20th August, 1987.

Subject :--- **CHANGE OF DOMICILE AFTER ENTRY INTO GOVERNMENT SERVICE.**

I am directed to say that in accordance with the existing orders the domicile declared by a Government servant and accepted by Government at the time of entry into Government service is treated as final throughout his service of career and no subsequent change in his domicile is recognised for service purposes.

2. The Government of Pakistan had given option to employees of East Pakistan Domicile to serve in West Pakistan. The question whether the change of domicile of such employees, whose option has been accepted, be entertained in modification of the existing orders has been considered by the Federal Government in consultation with the Provincial Government.

3. The Government of Pakistan have now decided that :--

(a) The Civil servants of originally East Pakistan Domicile, who have already opted to serve West Pakistan, should be given one and the final choice to select their Province of Domicile.

(b) The domicile of persons to be repatriated from East Pakistan shall be governed by allocation of Province that they get on arrival in West Pakistan.

4. I am, therefore, desired to request that the above decisions may please be brought to the notice of all Government servants falling in the aforementioned categories. The option of those falling in category (a) of para 3 above may be obtained by 31st December, 1973. In the case of employees in Grade 1 to 15, option may be obtained in duplicate. One copy of the option form may be placed in the C.R. dossier of the Government servant and the second copy may be sent to the Audit office concerned. In the case of employees in Grade 16 to 22, option may be obtained in triplicate one copy to be sent to the Audit Office and one each for the C.R. dossier (original and duplicate) of the Government servant concerned.

SOVIII Reg : (S&GAD)-8-103/73,

dated 25th October, 1973.

SUBJECT: -- CHANGE OF DOMICILE AFTER INTO GOVERNMENT SERVICE

I am directed to refer to the subject noted above and to state that according to the instructions contained in this Department letter No. SOVIII-REG(S&GAD)8-103/73, dated the 25th October, 1973, the domicile declared by a Civil Servant and accepted at the time of entry into service is

treated as final throughout the service period and no sub-sequent change in domicile is to be recognized.

2. However, in view of the changes that have taken place in the administrative set up in this Province as in some other Provinces i.e. creation of new Districts, the place of residence of Civil Servants belonging to such areas have automatically fallen in the limits of the newly created districts. Keeping in view these changes, the Federal Government have decided vide their Office Memorandum No. 12/2/81-E-5 dated the 17th June, 1982 (copy attached) that affected Civil Servants should produce their domicile certificates duly issued by the District Magistrate concerned in accordance with the relevant rules, so that necessary changes be made in their record of service accordingly.

3. Sindh Government have also adopted the aforesaid policy for the convenience of all concerned. You are accordingly requested to take further action in the matter and also bring this policy to the notice of the affected Civil Servants.

SO-IX Reg : (S&GAD) 11/30-82.

Dated 6th November, 1982.

62

Subject :-- **CHANGE OF DOMICILE AFTER INTO GOVERNMENT SERVICE :-**

The undersigned is directed to say that a question has arisen whether a person who entered into Government service on the basis of a particular Province/Region of Pakistan can subsequently change his domicile during his Service due to the changes in the Administrative set up in the Province. As a citizen of Pakistan a Government servant can change his domicile according to the Law and the rules made thereunder. According to the existing instructions, the domicile of a Government servant as declared by him and accepted by Government at the time of entry into Government service should be treated as final throughout his service and no subsequent change in the domicile should be recognized for the purpose of terms and conditions of his service, including his allocation and liability to transfer.

2. However, in view of the fact that changes in the administrative set up in the Provinces have been made and the places of residence of Government servants have automatically fallen in the limits of the newly created districts, it has been decided that the affected Government servants should produce their domicile certificates duly issued by the District Magistrates concerned in accordance with the relevant rules, so that necessary changes may be made in their record of service.

61

3. All Ministers/Divisions/Provincial Governments are requested to direct the affected Government servants working under them to produce their domicile certificates as indicated in the preceding paragraph.

No. 12/1/81--E.5.

Dated Rawalpindi the 17th June, 1982.

Subject: -- **DOMICILE CERTIFICATE IN RESPECT OF MARRIED WOMEN FOR THE PURPOSE OF ENTRY INTO GOVERNMENT SERVICE :-**

I am directed to state that it has come to the notice of this Department that in some cases married women applicants for Government jobs are required to submit domicile certificates of their husbands. This is being done perhaps on the basis of the provision of paragraph 7 of Appendix "XLVIII" of the Sindh Civil Service Rules, Volume ---II.

2. This matter has been examined in consultation with the authorities concerned in the light of provision of rule 13 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 and Article 27 (1) of the Constitution. The conclusion arrived at is that for the purpose of entry into Government service married women candidates should be considered on the basis of their own domicile independently and their cases should not be tagged with the domicile of their husbands.

3. The above legal position is brought to your notice for necessary action whenever necessary.

No. SOIX-REG(S&GAD)IX/5-82,

dated 24th November, 1982.

63

Subject: -- **VERIFICATION DOMICILE CERTIFICATES PRODUCED BY CANDIDATES FOR APPOINTMENT AGAINST POSTS IN VARIOUS DEPARTMENTS/OFFICES IN SINDH.**

I am directed to state that it has come to notice that some of the domicile certificates produced by the prospective candidates for appointment against posts in various Departments/Offices in Sindh are forged.

2. In order to ensure that the genuineness of domicile certificate is beyond doubt, it has been decided that the domicile certificate produced by a prospective candidate should be referred to the authority who issued such certificate for verification before being finally accepted. No appointment order will be issued in the absence of such verification.

3. The receipt of this Circular letter may please be acknowledged and it may kindly be ensured that its contents are noted for strict compliance by all concerned under your administrative control.

No. SOR-I(S&GAD)9/22-88,

Dated 15th August, 1988.

Subject : **TERMS AND CONDITIONS OF A.D.C. EMPLOYEES ON THEIR
ABSORPTION IN GOVERNMENT DEPARTMENTS.**

1. A question regarding determination of future status of the employees of the A.D.C. (defunct) other than, the deputationists, rendered surplus and absorbed in various Departments/Offices under the Government of Sindh in pursuance of the West Pakistan Agriculture Development Corporation (Dissolution) order, 1972 (President's order No. 5 of 1972) has been engaging attention. After due consideration it has been decided that

(i) their services in the various departments may be declared as pensionable provided they opt for it and subject to the conditions that their previous service in the A.D.C. shall not count towards pension;

(ii) so far as the question of seniority is concerned the confirmed and the officiating staff of the A.D.C. shall be placed below the confirmed and officiating staff of the Government department/Office in which they have been absorbed.

2. Members of the staff of the Agriculture Development Corporation who were on deputation with the corporation, will automatically revert to their respective parent departments.

No. S.O.VIII-Reg (S&GAD) 16-53/73,

Dated 24th January, 1975.

64

**TERMS AND CONDITIONS OF AGRICULTURE DEVELOPMENT
CORPORATION EMPLOYEES ON THEIR ABSORPTION IN
GOVERNMENT DEPARTMENT.**

In continuation of Services and General Administration Department circular letter No: S.O.VIII-REG: (S&GAD) 16-53/73, dated the 24th January, 1975, it has been decided that the Government servants who were transferred with their posts to or sent on deputation to serve under the Agriculture Development Corporation shall on their absorption in Government service or, as the case may be, reversion to their respective cadres would count their previous service including service under the Corporation towards pension/gratuity. The seniority of such Government servants in the case of those transferred to the Corporation shall be counted from the date of their absorption as aforesaid while in the case of deputationists, from the date of their initial appointments.

2. The persons recruited by the Corporation and absorbed in Government service would count their service towards pension from the date of dissolution of the Corporation and towards pension from the date of dissolution of the Corporation and towards Seniority from the date of their absorption in Government Service.

S.O.VIII Reg(S&GAD) 16-53/73

dated 7th March, 1978.

Subject :--- **COUNTING OF SERVICE UNDER THE DEFUNCT ADC
TOWARDS PENSION.**

In continuation of Services and General Administration Department Circular letter No. SOVIII-Reg (S&GAD) 16-53/73, dated the 24th January, 1975, and circular of even number dated the 7th March, 1978 it has been decided that the period of service rendered by a person employed by the defunct A.D.C. and subsequently absorbed in Government Service shall be counted towards pension; provided that such person opts for pension within a period of three months from the date of issue of this circular letter and refund the amount paid by the ADC/Government on their behalf as contributory Provident Fund together with interest thereon.

No. SOVIII-Reg(S&GAD)16-53/73,

Dated the 14th April, 1981.

Subject: -- **COUNTING OF SERVICE UNDER THE DEFUNCT ADC
TOWARDS PENSION.**

I am directed to refer to this Department Circular letter of even number dated 14th April, 1981, on the above subject and to state that it has been decided in consultation with the Finance Department that :--

65

- (i) The amount refunded by the employees concerned shall be credited to the "Receipt Head" of the Department in which they are working at present and where the Department has no corresponding Receipt Head of Account, the amount will be credited to the "Receipt Head" 1390----Others----Other Recovery on account of amount paid by the defunct Agriculture Development Corporation or Government as share of Contributory Provident Fund and interest thereon;
- (ii) Before the said amount is refunded the employees concerned shall be required to produce the refund proforma containing details of their Account No., and contributions of the employee and ADC and or Government, and,
- (iii) The option in the case of Non-Gazetted employees shall be pasted on their Service Books while in the case of Gazetted Officers the options shall be sent to the Accountant General, Sindh.

No. SOVIII-Reg-(S&GAD)16-53/73,

Dated the 23rd August, 1982.

Subject :--- **PROCEDURE FOR CONSULTATION WITH REGULATIONS
WING OF THE SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT.**

Attention of all the Administrative Departments, as well the Services Wing of the Services and General Administration Department is invited to the following Government instructions, issued from time to time, on the above subject and they are requested to ensure that these are strictly followed :--

(i) "The administrative departments are competent to take decisions in accordance with the general orders relating to service matters and only those cases should be referred to the Services and General Administration Department, in which there is a doubt as to the implications of a service rule or the rights and privileges of Government servants. In such cases they should specify the rule and the difficulty experienced by them in its interpretation. It should not be merely stated that the Services and General Administration Department should see the notes and advise. While referring such cases to the Services and General Administration Department, the Administrative Departments should send self-contained notes".

(S&GA Department circular No.SOXII-1-147/58, dated the 29th October, 1958)

(ii) "Services and General Administration Department should be responsible for the Service Rules (other than Civil Services Rules relating to the various services and posts and the Finance Department should be responsible for the rules normally contained in the Sindh Civil Services Rules, which in most cases, either directly or indirectly, have financial implications. The Services and General Administration Department will, however, have to be consulted by Finance Department generally on all administrative matters covered by the Civil Services Rules."

(S&GA Department Memo No.SOXII-169/57, dated 31st October, 1959)

(iii) When the Services and General Administration Department is to be consulted in any case pertaining to service matters, the Administrative Department should not consult the Law Department first. Where the advice of one Department has been obtained and the case is referred to another Department in connection with the same or cognate point, the fact and contents of such advice should be brought to the notice of the second Department to whom the case is referred. This procedure should be strictly followed in order to avoid embarrassment both to Law Department and Services and General Administration Department.

(S&GA Department Memo No. SOXII-2-54/60, dated 26th July, 1960).

Subject :--- **EXPENDITIOUS DISPOSAL OF SERVICE MATTERS OF CIVIL SERVANTS IN SINDH INCOMPLETE REFERENCES TO REGULATIONS WING OF S.&G.A.D.---STREAMLING OF THE PROCEDURE.**

I am directed to invite your attention to the defunct West Pakistan S&GAD's Circular letter No. SOXII(1)-147/58, dated 29th October, 1958, a copy of which was also circulated among all Administrative Departments vide Para 1 (i) of this Department's U.O. of even No. dated 30th June, 1986, and to state that it has been noticed that inspite of the instructions contained therein, the references being received in Regulations Wing of this Department from most of the Administrative Department's are deficient in more than one respect. The main deficiencies noticed therein are :--

- (a) Sufficient care was not being exercised to check if A.D. was competent to take decision in accordance with the general orders/rules on the subject. In such cases, if the matter was scrutinized properly at the initial stage, it would be found that there was no need to refer it to this Wing at all. This would not only save everyone's time the civil servant concerned would also get a decision on his case much sooner than at present by avoiding delay due to unnecessary correspondence.
- (b) Where a reference to Regulations Wing was actually called for, experience has shown that A.D.S. merely forward copies of reference received from the subordinate offices (or their files) to Regulations Wing stating that Regulations Wing should see and advise. The specific deficiencies notice in this respect are :--
- (i) the points at issue are not brought out clearly;
 - (ii) the difficulty in interpretation of the relevant rules experienced by A.D. is not mentioned.
 - (iii) copies of the related document where necessary are not forwarded;
 - (iv) A.D's parawise comments on the civil servants representation under disposal are not given;
 - (v) A.D's recommendations in concrete terms for or against the proposed action are missing;
 - (v) Duplicate copy of the note if and when files are sent to Regulations Wing for advice as required vide Para 79 of the Manual of Secretariat Instructions 1984, are not furnished.

2. Needless to point out that in each Administrative Department/Office, Government has provided separate staff for dealing with the administrative control of that Department/ Office. It is their primary responsibility to ensure that these matters are given due attention and are solved Promptly at the appropriate level to avoid delays in such cases which subsequently lead to administrative and legal complication.

3. I am directed to request you, once again that, in the interest of better administration, all concerned under your administrative control may kindly be advised to strictly follow instructions contained in the Circular dated 29th October, 1958 quoted above. The Additional Secretary/Deputy Secretary incharge of administration in your Department could be made responsible to carry out periodic check to ensure that these instructions were being strictly followed and, where necessary, take proper remedial measures promptly particularly in respect of the deficiencies pin-pointed above.

No. SOR-I(S&GAD)II/33-83,

Dated 18th January, 1988.

Subject :-- **EXERCISE OF POWERS OF APPOINTING AUTHORITY.**

According to Rule 21 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, the Authority competent to exercise any power under these rules may, with the prior approval of the Chief Minister, delegate such power generally or for any specific purpose to an officer subordinate to such authority. A question has arisen whether the subordinate officer to whom the power of appointment is delegated under the aforesaid rule can exercise all powers vested in appointing authorities under the various service rules.

2. According to section 5 of the Sindh Civil Servants Act, 1973 Government or any person authorised by it has the power to make appointment. Consequently no third authority can be recognised as appointing authority. If the power of appointment delegated to some officer is redelegated with the approval of the Chief Minister to another lower grade officer under rule 21 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 then the "authority in between" ceases to be appointing authority and in that particular case Government becomes the delegatar and lower grade officer to whom the power of appointment has been delegated assumes the status of delegatee.

3. It, therefore, follows that when the power of appointment is delegated to a subordinate officer under Rule 21 of the aforesaid Rules, that subordinate officer will be able to exercise all powers vested in the appointing authority under the various service rules to the extent mentioned in such rules, and that the higher officer to whom the power had been delegated by Government earlier would cease to have the power vested in the appointing authority.

4. To illustrate the above position, the Chief Secretary was under rule 4 of the aforesaid rules the appointing authority in respect of Civil Servants in grade 16. The said powers were delegated later on to the Secretaries of the Departments concerned by Notification dated 10th February, 1976. As a consequence, the Chief Secretary ceased to be appointing authority for

civil servants in grade 16. The Chief Secretary is, however, in his capacity as Chief Advisor in administrative matters, empowered on behalf of Government to exercise the powers of appointing authority to the extent mentioned in clause (a) of rule 18 of the Sindh Government Rules of Business, 1973.

No. S.O.VII-REG(S&GAD)5-38/77,

dated 18th December, 1977.

Subject: --- **INSTRUCTIONS RELATING TO THE POSITION OF CHIEF SECRETARY AS APPOINTING AUTHORITY.**

On appointment of a full-time Secretary for S&GAD, a question has arisen as to who is the "Appointing Authority" in respect of those grades of the Ministerial Establishment of the Sindh Secretariat, the powers of appointment to which are delegated to the Secretary to Government in view of the fact that the Chief Secretary continues to deal with the matters pertaining to services allocated to S&GAD.

2. The question was examined in consultation with Law Department, whose advice is reproduced below :--

"The definition of 'Secretary' in rule 2 (xx) of Rules of Business 1973, includes 'Chief Secretary'. If both Chief Secretary and Secretary are posted in one Department (i.e. S&GAD), the question would arise who would be considered as to be incharge of the Department. Obviously the Chief Secretary being senior in rank would be the head of the Department. The posting of the Secretary who would have to act subject to the control of the Chief Secretary would not make any difference and the position of the 'Chief Secretary' as 'appointing authority' and hence 'Authority' would remain unaffected."

3. Accordingly, the Chief Secretary, being "Secretary to Government" incharge of S&GAD is "Appointing Authority" in respect of the civil servants of the grades concerned belonging to the Sindh Secretariat Ministerial Establishment working in all departments of the Secretariat, and the Secretary of the Department concerned, being the officer one rank below the appointing authority would be the "authorised officer" under the Sindh Civil Servants (Efficiency and Discipline) Rules, 1973 in respect of such staff working in that department.

4. It is requested that the above position may be kept in view when dealing with disciplinary cases of Secretariat staff.

No. S.O.VIII-REG :(S&GAD)9-25/77,

dated the 1st February, 1978.

MEDICAL EXAMINATION BEFORE APPOINTMENT IN SERVICE.

I am directed to invite attention to Rule 17 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, according to which no candidate shall be appointed unless

he is medically examined and found fit, and to state that it has been brought to the notice of Government that this provision is not being observed in some cases by appointing authorities.

2. It appears that some of the appointing authorities are under the impression that the requirement of medical certificate becomes obligatory only after a civil servant completes six months of service as mentioned in Rule 14 of the Sindh Civil Services Rules Vol. I. This rule stands superseded by Rule 17 of 1974 rules mentioned in para. I. The form of medical certificate and the rules for examination of candidates for medical fitness embodied in Appendix VII of the Sindh Civil Services Rules, Vol. II, however, continue to be in force.

3. I am accordingly directed to request you to ensure that all those civil servants, whether appointed on adhoc basis or otherwise are medically examined, if not already done, and in future the provision of rule is strictly observed before making appointment.

4. These instructions may be brought to the notice of all appointing authorities for compliance.

No. SOIX-REG :(S&GAD)2/D/1-74(Pt.-II)Vol.III, dated the 18th January, 1977.

MEDICAL EXAMINATION BEFORE APPOINTMENT IN SERVICE

In the light of Rule 17 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974, instructions were issued in this Department's circular letter No. SOIX-REG(S&GAD)2/D/1-74, (Pt.II) Vol.III, dated the 18th January, 1977 to the appointing authorities to ensure that :--

- (a) all those civil servants, whether appointed on ad-hoc basis or otherwise, are medically examined, if not already done; and
- (b) in future the provision of the rules, that no candidate is appointed unless he is medically examined and found fit, is observed.

2. In order to avoid inconvenience, following further instructions are issued in amplification of those mentioned above :--

- (i) Payment of salaries should be authorised upto 30th June, 1977 in case of appointments made without production of medical fitness certificate, if the appointments are otherwise in order, and thereafter medical fitness certificate should be attached to the subsequently pay bill of the civil servant concerned for making payment beyond 30th June, 1977; and
- (ii) in future cases of appointments, medical fitness certificate should be invariably attached to the first pay bill.

3. These instructions should please be brought to the notice of all appointing authorities for strict compliance.

No. SOIX-Reg: (S&GAD)2/D/1-74(Pt.II)Vol.III, dated 24th March, 1977.

71

Subject :-- **MEDICAL EXAMINATION BEFORE APPOINTMENT IN SERVICE.**

In this department circular letter No. SOIX-REG(S&GAD)2/D/1-74-(Pt.II)Vol.III, dated 18th January, 1977 attention was invited to Rule 17 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 according to which no candidate shall be appointed unless he is medically examined and found fit. In the subsequent circular letter, dated 24th March, 1977, further instructions were issued in amplification of earlier instructions that the medical certificates should be invariably attached to the first pay bill.

2. It has been brought to the notice of Government by the Accountant General, Sindh, that no medical fitness certificates have so far been produced departments concerned separately with a request that the responsibility for non-compliance of the rules should be fixed. In the meanwhile, the Accountant General, Sindh is being requested to authorise payment to the officers upto 31st December, 1977.

3. There may also be cases of officials holding posts in grades 1 to 15, where the Drawing and Disbursing officers might have failed to ensure compliance of the aforementioned instructions. In such cases also, payment should be authorised provisionally upto 31st December, 1977 and steps should be taken in the meanwhile, to get the officials medically examined if not already done. Action should there after be taken to fix responsibility for non-compliance of instruction if such cases persist even after the said date.

No. SOIX-REG(S&GAD)2/M/2-77, dated 13th November, 1977.

Subject :-- **MEDICAL EXAMINATION BEFORE APPOINTMENT IN SERVICE.**

I am directed to say that it has been brought to the notice of Government that inspite of instructions issued from time to time to get all freshly recruited persons medically examined before allowing them to assume duties, such instances are being repeated incessantly without paying any head to the aforesaid instructions. Rule 17 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, clearly lays down that no candidate shall be appointed to a post unless after such medical examination as Government may prescribe is found to in good mental

and bodily health and free from any physical defect likely to interfere with the discharge of his duties. As an appointment made in violation of this rule without getting the candidate medically examined is legally defective, the Accountant General, Sindh has rightly been objecting to the payment of salaries to all such candidates as were appointed without production of medical certificate. In order to obviate difficulties of such persons as were not being allowed salaries, general instructions were then issued authorising payment to all such servants upto 30th June, 1977. For the future, it was then stressed upon all that medical fitness certificate should invariably be attached to the first pay bill as required by Rule 17 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974.

2. The Accountant General, Sindh has again pointed out that in a case of a lecturer who joined her duties on 12-1-1978, her medical fitness certificate was furnished on 4-8-1980 i.e. after more than two years. The Accountant General, Sindh has further informed that it is not an isolated case but there is a good number of such cases in various departments where the administrative departments have allowed the candidates to assume their duties without producing their fitness certificates. This not only violates the rule but puts Government in an awkward position. If the pay of the appointee for the period between his date of taking over and the medical examination is stopped it will be tantamount to penalizing him for no fault of his. This will not therefore be just and proper.

3. However in order to over-came the situation that has arisen due to negligence on the part of the authorities concerned and in order to avoid any hardship to the affected person, it has been decided to allow payment of salaries in all such cases upto 31st January, 1981 and not beyond that.

4. While laying stress on fulfillment of the mandatory requirement of Rule 17 referred to above i.e. a candidate for appointment to any post should invariably be got medically examined before he gets an order of appointment and joins, whether on adhoc or regular basis, it has further been decided that in case of non-observance of this formality, the responsibility for payment of salary will be of the officer who fails to comply with the requirement of the rule.

No. SOIX-Reg (S&GAD)-2/D/1-74 (Pt-II)

Dated 8th February, 1981.

Subject :-- **MEDICAL EXAMINATION BEFORE APPOINTMENT IN SERVICE**

I am directed to refer to this Department Circular letter No. SOIX-REG(S&GAD)2/D/1-74 (Pt.II), dated 8-2-1981 on the subject noted above and to say that after considering all aspects of the matter, it has been decided that payment of salaries in all such cases may be allowed/regularized upto 24th April, 1990, and not beyond that :

2. Detailed instructions for strict observance of the mandatory provisions of the rules regarding production of medical fitness certificate by fresh appointees have already been issued separately to all A.Ds vide this Department Circular of even number dated 24-4-1990.

3. As a matter of further precaution it has been decided that :--

(a) in case of non-observance of the mandatory provision of rules in future, the responsibility should rest jointly with the officer allowing the new appointee to assume duty without first obtaining the medical fitness certificate from him and the officer who allows payment of salary to such person; and

(b) all appointing authorities may please obtain a certificate in the following form at the end of every month, from the concerned officer in their Department/Office :--

CERTIFICATE

Certified that no fresh appointee has been allowed to join duty in this Department/Office without production of medical fitness certificate during the current month."

No. SOR-I (S&GAD)-2/M/2-77,

Karachi dated 28th June, 1990.

Subject :-- **PARTICIPATION IN INTERNATIONAL CONFERENCE/
SYMPOSIA/MEEINGS ETC. INVITATIONS RECEIVED
DIRECTLY BY INDIVIDUALS/ORGANIZATIONS.**

I am directed to enclose copies of the marginally noted communications received from _____ received from the Federal Government on the subject mention-
1. The Cabinet Division | ed above and to state that the instructions contained therein
Government of Pakistan O M | have been adopted by the Government of Sindh for application
No. 8/148 Cord. I Dated 1-1-1978 | to the Provincial Government employees and those working
2. The Cabinet Secretary's letter | in the autonomous, semi-autonomous bodies under the
No.8/860/78-Cord-I | Administrative control of this Government.
Dated the 20-09-78. |
3. Special Secretary- Cabinet |
Division letter No.8/148/74 |
Cord. I-Dated the 22-10-1974 |
_____ |

2. I am therefore, directed to request that the cases of the invitations cited as the subject may kindly be referred to this Department for scrutiny and orders regarding their onward transmission to the Federal Government for consideration.

Subject :-- **PARTICIPATION IN INTERNATIONAL CONFERENCES ETC.**

In supersession of all previous orders on the above subject issued from time to time, the undersigned is directed to say that henceforth the following procedure shall be followed in

74

regard to proposals for participation in International Conferences/Seminars, Symposia, Workshops etc :--

(a) The delegations to International Conferences/Seminars/Workshops etc. shall be referred to the Cabinet Division for clearance irrespective of the fact whether such delegations are carrying a Government brief or not and regardless of whether the delegation is being financed from our own resources or from some Technical Assistance Programme.

(b) Proposals for participation in International Conferences / Seminars / Workshop etc. financed through Technical Assistance Programme shall be referred by the Economic Affairs Division to the Cabinet Division, after receiving nominations from the Ministries / Divisions / Provincial Governments concerned.

(c) The approval of the Secretary-General, Finance and Economic Co-ordination shall be obtained only in cases where foreign exchange is to be expended on the delegation from our own funds. Where foreign exchange involved on participation is to be met under some Technical Assistance Programme, the approval of the Cabinet Division shall be treated as final, after the case has been processed through the Economic Affairs Division.

(d) Invitations received direct by Pakistanis, officials and non-officials or private bodies from International Agencies/Organizations, where expenditure on travel, per diem etc. is being met by the foreign agency concerned, shall be considered by the Cabinet Division on merits, on the recommendation of the Administrative Ministry / Division concerned. In case of non-officials clearance of the DIB should invariably be obtained before referring the case to the Cabinet Division.

(e) All cases of participation in International Conferences etc. shall be cleared by the Cabinet Division on receipt from the Ministries / Divisions concerned and would not be referred to the Central Selection Board. However, the Cabinet Division would consult the Ministry of Foreign Affairs where "territorial implications" are involved or where it considers such consultation necessary.

(f) Cases of delegations led by a Grade-22 officer/the Secretary of a Ministry or a Division shall be submitted to the CMLA for approval as at present through the Secretary General Finance and Economic Coordination and Secretary General-in-Chief.

2. It is requested that strict compliance of the foregoing instructions may please be ensured. Any instruction issued by a Ministry/Division or the Provincial Governments which are not in conformity with the above decisions should please be treated as cancelled. Proposals

75

which do not conform to the revised procedure stated above will be returned to the sponsoring Ministries / Divisions unapproved.

EJAZ AHMAD NAIK
Cabinet Secretary

No. 8/148/74 Cord. 1,

Dated the 1st January, 1978

GOVERNMENT OF PAKISTAN
CABINET DIVISION
RAWALPINDI

Subject :-- **PARTICIPATION IN INTERNATIONAL CONFERENCES/
SYMPOSIA/MEETINGS ETC.---INVITATION RECEIVED
DIRECTLY BY INDIVIDUALS/ORGANIZATIONS.**

Please refer to Para 1(d) of this Division's O.M. No. 8/148/74-Cord-I, dated the 1st January, 1978, on the above subject, which interalia, lays down that invitation received direct by Pakistani officials and non-officials --- or private bodies from International Agencies/Organizations, where expenditure on travel, daily allowance etc., is being met --- by the foreign concerned, shall be considered by the Cabinet Division on merits on the recommendation of the Ministry/Division concerned.

2. Prior to the above instructions, in terms of this Division's O.M No. 8/148/74-Cord-I, dated 29th May, 1976, no individual or Organization was allowed to proceed abroad to attend any International Conference etc., if the invitation had been received by such individual or organization directly and not routed through proper Government channels.

3. I find that during the recent past there has been a noticeable increase in the number of proposals referred direct to the Cabinet Division clearance of individuals who had received direct invitations from foreign Agencies. The latest case was that of a Grade---16 Social Welfare Officer. He had been invited by name by the 3rd International Congress on Rehabilitation in psychiatry, Orebro, Sweden. This is an unhealthy tendency, and needs to be curbed.

4. I would, therefore, request you to issue necessary instructions to officers serving in your Ministry/Division, its Attached Departments and other offices etc., that invitation received by name by Government Officials from foreign agencies for participation in Conferences/Meetings Symposia etc., abroad would not be considered. Any exceptions to this procedure should not be referred to the Cabinet Division without the written approval of the

76

Secretary in-charge of the Division and the previous approval of the Minister concerned alongwith a copy of the invitation and full justification in the prescribed form duly signed by an officer of the status of at least Joint Secretary. In this connection I would also invite your attention to this Division's letter No. 8/148/74-Cord-I, dated the 22nd October, 1974 (copy enclosed).

No. 8/680/78-Cord-I,

dated 20th September, 1978

**CABINET DIVISION
Government of Pakistan
Rawalpindi.**

Kindly refer to the correspondence resting with the Cabinet Division O.M. 8/148/74/Cord-I, dated the 2nd October, 1974, regarding participation in the International Conferences/Seminars/Study Tours etc.

2. Proposals for such participation are still being received in the Cabinet, Division at a lower level with incomplete information which unnecessarily delays the disposal of the case. As under the rules such proposals are formulated at the level of Secretary / Additional Secretary in charge of the Ministry and considered in Cabinet, Finance and Foreign Affairs Divisions etc. also at the level of Secretary, it would be appreciated if these are referred to these, Divisions at the corresponding level after obtaining clearance of the Minister in charge which should be specifically mentioned. It is hoped that in this way such cases would receive proper attention at the appropriate level thereby eliminating un-necessary delays.

No. 8/148/74/Cord-I,

dated 22nd October, 1974.

Subject :-- **RESIGNATION.**

It has come to the notice of this department that invariably after tendering resignation, the incumbent of the post leaves the charge without waiting for acceptance of his resignation by the competent authority. Such omission on his part amounts to mis-conduct punishable under the Sindh Civil Servants (Efficiency & Discipline) Rules, 1973.

2. Section 11 of the Sindh Civil Servants Act, 1973 only binds the employer either to give 14 days notice or pay in lieu thereof but does not in any way confer any right on the employee to leave his post without formal acceptance of his resignation.

. It is, therefore, requested that the above legal position be brought home to all concerned serving under your Administrative control.

No. SOVIII-REG(S&GAD)5-8/80

Dated the 26th March , 1980.

Subject :-- **THE SINDH GOVERNMENT SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1974 ABSORPTION/ APPOINTMENT IN SERVICE OF A SURPLUS PERSON :**

I am directed to refer to rule 9-A of the Sindh Civil Servant (Appointment, Promotion & Transfer) Rules, 1974 which lays down the terms and conditions on which the surplus persons are to be absorbed. It is of course true that the rule does not expressly speak of any distinction between adhoc surplus staff and regular appointees. It, however, envisages the absorption of only regular appointees.

If adhoc appointees are rendered surplus, their absorption is neither legal nor moral responsibility of the Government Departments. Their services are liable to be dispensed with unless the Competent Authorities wish to continue them in any existing posts in which case their position would remain the same (i.e. adhoc appointees). The absorption under rule 9-A does not have the effect of regularization of otherwise adhoc appointments. This is further clear from the clause (iii) of the rule which shows that --- the seniority of the civil servant concerned will be reckoned from the date of appointment in the cadre. As provided in rule 10(1) of the Sindh Civil Servants (Promotion, Confirmation and Seniority) Rules, 1975, seniority is fixed from date of regular appointment. The Rule 9-A above being subject to latter rule 10(1) it obviously applies only to regular appointees.

The Law Department has been consulted in this regard and it confirms the above views. All concerned are, therefore, requested to ensure that the rule 9-A is not involved for the purpose of absorbing adhoc appointees rendered surplus.

No. SOIX-REG(S&GAD)XIII/61-80,

Dated the 14th December, 1980.

Subject :-- **DELAY ON PART OF PROVINCIAL DEPARTMENTS IN FORWARDING APPLICATIONS OF THEIR EMPLOYEES THROUGH PROPER CHANNEL.**

I am directed to refer to the subject mentioned above and to state that it has been pointed out by the Federal Government on the complaint of Federal Public Service Commission that for various posts advertised by the Commission, which are filled on the basis of interview only and for which experience in the required trade is a must, a number of Provincial Government employees also apply alongwith other competing persons from Public and Private Sectors.

78

While the Non-Government Servants have the opportunity of sending their applications directly to the Commission, the employees of Provincial Government have to route their applications through proper channel. This practice of routing applications through the proper channel is no doubt desirable but the Provincial Departments take long time in forwarding the applications, which results in un-necessary delays in finalizing the recruitment. For these reasons the Federal Government has emphasized that the Department of Provincial Government should ensure that timely decisions are taken on such applications of the employees of respective Departments and that the applications are sent in time to the Commission. Public Service Commission should alternatively be informed within a period of one month's time of the closing date for receipt of their applications if for any reasons Government Servant's application cannot be forwarded. Similar may be the situation being confronted by the Sindh Public Service Commission as well.

2. In order to obviate the chances of un-necessary delay in the type of cases referred to above, all the Administrative Departments are requested to ensure that a decision on whether applications submitted by their employees for onward transmission to the Federal Public Service Commission or Sindh Public Service Commission (as the case may be), through proper channel, are to be forwarded or not, is to be taken on top priority basis. In any case the Commission should be informed whether an application has or has not been with held within month's time of a closing date for receipt of applications. In this connection the attention of the Administrative Departments is also invited to the provisions of the West Pakistan Civil Services (Applications for Posts) Rules, 1957, which are very elaborate. A copy of Federal Government letter No. 8/54/79-F.I, dated the 5th August, 1980 is also enclosed for information and guidance.

No. SOIX-REG/(S&GAD)XV/7-80,

Karachi, the 7th September, 1980.

Subject :--- **DELAY ON PART OF PROVINCIAL GOVERNMENTS AND FEDERAL MINISTRIES/DIVISIONS IN FORWARDING APPLICATIONS OF THEIR EMPLOYEES THROUGH PROPER CHANNEL.**

I am directed to refer to the Establishment Division's O.M., No.25/4/52-SE(I), dated the 23rd July, 1953 and 8/4/60-EXIV, dated the 18th July, 1960 (reproduced at S. Nos. 33 and 34 of Chapter III of Estacode) and to say that it has been pointed out by the F.P.S.C., that for various posts advertised by the Commission, which are filled on the basis of interviews only and for which experience in the required trade is a must, mostly Federal and Provincial Government Servants or persons in Public and Private Sectors apply. While non-Government Servants submit their applications direct Federal and Provincial Government Servants are required to route their applications through proper Channel. The Commission has nothing against this procedure but objects to Departments particularly Provincial taking unduly long in exercising their right of forwarding the application or withholdings it. This affects the time taken by the Commission in finalising recruitment.

2. To cope with this delay on the part of Departments the Commission requires Government servants to submit the duplicate copy of the application form to the Commission direct within time and route the original application form through proper channel. The duplicate application is processed in the Commission's office during this period and even the candidate is called for interview if otherwise suitable, with the condition that he should bring the required Departmental permission by the time of interview at the latest. This takes some 3 to 4 months time but even then the candidates come without any permission and when the Commission refuses to consider such candidates at the time of interview the candidates often narrate tale of woe and the pains they have been taking in getting the required permission but with no results. The Commission does not question the authority of the Departments to withheld such applications but it is the indecision of the Departments which is disturbing to it. The Commission is left with no choice but either to ignore such candidates or to delay recruitment. Both of these courses are most undesirable, Departmental permission is a must, but it should not deprive a candidate of a post for which he may be most suitable and should not delay recruitment.

3. With a view to resolving this situation and affect some economy, the Commission proposes that candidates should be asked to fill in only one application form. For Federal and Provincial Government Servants small slip will be attached with each application form, which will be routed through proper channel. A specimen of that slip is enclosed.

4. The Commission would like some rule or order to be promulgated/issue to force Federal and Provincial Departments to send the permission or refusal to the Commission within a month's time of the closing date for receipt of applications, and if no such communication is received within that time the Commission would lie to be authorised to assume that Departmental permission has been granted, ad Federal and Provincial Departments would then have no right to refuse permission subsequently.

5. While it is not considered necessary to promulgate a rule or issue a directive on the lines suggested by the Commission, it is requested once again that Provincial Governments, Ministries/Divisions may kindly ensure that a decision on whether applications submitted by their employees for onward transmission to F.P.S.C, through proper channel are to be forwarded or not is taken on top priority basis. In any case the Commission should be informed of whether an application has or has not been withheld within a month's time of the closing date of receipt of applications.

No. 8/54/79-F.I

Rawalpindi, the 5th August, 1980.

**FEDERAL PUBLIC SERVICE COMMISSION
FOR USE OF GOVERNMENT SERVANTS**

Name of the post advertised by the Commission _____

No. and date of advertisement _____

Name of the candidate _____

Designation. _____

I have applied to the Federal Public Service Commission for the above post in their prescribed Form. Necessary Departmental Permission may kindly be forwarded to the Secretary, Federal Public Service Commission, Adil Chambers, Eftikhar Khan Road, Rawalpindi, at the earliest. Last date for receipt of applications by the Commission is _____.

Signature of candidates.

For use of the Department.

No. _____ Date _____.

81

Forwarded.

The candidate is employed in this Department since _____
He/she holds a Temporary/Permanent post under the Federal / Provincial Government.

Signature _____

Name _____

Designation _____

Department _____

Secretary,

**Federal Public Service Commission,
Adil Chambers, Eftikhar Khan Raod,
RAWALPINDI.**

Note.--- Departments must forward the permission immediately or inform the Commission at once if they decide to refuse the permission. If nothing is received within a month of the closing date it will be assume that the Department has no objection to the candidate's applying for the post.

Subject :-- **DELAY ON PART OF PROVINCIAL DEPARTMENTS IN
FORWARDING APPLICATIONS OF THEIR EMPLOYEES
THROUGH PROPER CHANNEL.**

In continuation of this Department letter of even No. dated the 7th September, 1980 on the subject noted above I am directed to point out that in the earlier communication expediency of forwarding on top-priority basis applications submitted by civil servants/employees in response to the advertisement issued by the Federal / Sindh Public Service Commission, was impressed upon all concerned. It was then further made clear that in case an application is to be withheld for any reason, the Commission should be informed within one month of the "closing date" of the applications.

2. It has however been observed that the above instructions are not being followed by various departments/agencies in letter and spirit. This not only wastes the efforts of the Commission but also prevents talented/suitable candidates from Selection/Nomination.

3. In order, to obviate clerical red tapism Government of Sindh has been pleased to adopt the decision made by the Federal Government in that connection, according to which if any department/agency fails to inform the Federal/Sindh Public Service Commission of their

82

intention to with-held an application within one month of the "closing date", the Commission will presume that permission has been granted and therefore, if a Departmental Candidate/Employee is selected / nominated, the parent department / agency of the candidate / employee shall be bound to relieve him, to enable him to join the new post for which he has been selected / nominated.

4. I am therefore desired to request that all agencies / offices / autonomous organization under your control should be asked to comply with these instructions strictly.

No. SOIX-Reg(S&GAD)XV/7-80,

Dated : 24th September, 1981.

Subject :-- **DELAY ON PART OF PROVINCIAL DEPARTMENTS IN
FORWARDING APPLICATIONS OF THEIR EMPLOYEES
THROUGH PROPER CHANNEL.**

I am directed to invite your attention to this Department's circular letter of even number dated 24th September, 1981 through which need for taking prompt action on the applications of in service candidates for examination conducted by the Federal / Provincial Public Service Commissions or the posts advertised by them was impressed upon all concerned. It was also stated in that letter that if the Departments failed either to forward the applications or to notify the Commission of their intention to withhold an application within one month of the "closing date" then the Commission will presume that the requisite permission has been granted and in that case the selected candidate will have to be relieved to join his new post.

2. It has now been brought to the notice of the Government that in certain cases departmental permission was refused to the inservice candidates but subsequently it was granted at a late stage which not only created problems for the candidates but also for the Commission in re-opening their cases. This practice of withholding applications initially and forwarding them at a late stage should also please be discontinued as the Commission will not accept such late permission.

3. These instructions are once again brought to your kind notice for information and compliance by the Administrative Departments and all agencies / offices / autonomous organization under their administrative control.

No. SOIX-Reg(S&GAD)XV/7-80,

21st November, 1985.

Subject :--- **SUBMISSION OF APPLICATIONS BY GOVERNMENT SERVANTS FOR VOLUNTARY RETIREMENT AFTER COMPLETING 25 YEARS QUALIFYING SERVICES FOR PENSION.**

I am directed to refer to the subject noted above and to state that a question has been raised whether a Government Servant who intends to retire after completing 25 years services qualifying for pension, can submit a written intimation of his intention to retire even before completing 25 years qualifying services.

2. The matter has been examined in consultation with the Finance Department and the Law Department and it has been decided that the right to retire from service to a Government Servant only occurs after he has completed 25 years services qualifying for pension. Such a Government Servant, can exercise the said option of voluntary retirement and submit a written intimation of his intention to retire only after the date of completion of his 25 years service qualifying for pension. The application for L.P.R. if due, shall also be submitted after that date.

3. If a Government Servant desire to leave service before completion of 25 years service qualifying for pension, he may do so by tendering resignation from service. In that case he will not be entitled to any pensionary benefits.

4. It has further been decided that a written intimation once submitted by a Government Servant, who intends to retire after completing 25 years services qualifying for pension shall be final and shall not allowed to be modified or withdraw except that if a Government Servant withdraw his application for premature retirement or modifies the date of retirement, before its acceptance by the Competent Authority, the application or the dated of retirement shall be deemed to have been withdrawn or modified, as the same may be.

5. The above position may please be brought to the notice of all concerned.

No. SOIX-Reg (S&GAD) 11/39-81,

Dated the 16th July, 1981.

Subject :-- **INSTITUTIONAL ARRANGEMENTS FOR MORE EFFECTIVE INSPECTION AND SUPERVISION OF THE WORKING OF SECRETARIAT AND ATTACHED DEPARTMENT / SUB-ORDINATE OFFICES :**

Presently there is much leniency and laxity in administrative matters. This has resulted in loose administration and delay in disposal of Government work. There is thus urgent need to arrest this undesirable tendency and to tone up administrative set up in order to ensure discipline and efficiency among all ranks. The following measures are prescribed to achieve this objective :--

- (a) Every civil servant who is required to supervise the work of others should be personally held responsible for smooth and expeditious disposal of Government work by his subordinates. He should, therefore, organise the work in his section/office in such a manner that he is able to exercise proper vigilance and control over his subordinates.
- (b) Workload should be rationally distributed among various members of section / office so that no one is allowed to have free time at the cost of others.
- (c) Wherever necessary, subordinates should be guided in disposal of Government work in accordance with the prescribed rules and regulations.
- (d) Time limit should be fixed for disposal of references according to their priorities. For instance, routine references may take a week at the most, but those, which have been assigned any urgency by superiors, should be dealt with accordingly. Failure to do so, without valid reasons, should render a subordinate to disciplinary action as per rules. Even when a reference cannot be attended to according to its assigned priority, reasons therefore must be reported to the superiors immediately and then every effort should be made to dispose of that reference as expeditiously as possible.
- (e) Every Department/Office should devise a proforma, if one is not already in use, in which every official/officer be required to submit his arrears report once a week, preferably on every Saturday. Head of the section/office should then examine this report carefully and dispose of, or arrange to be disposed off, delayed cases on priority basis. Failure to show any delayed case in the arrears report should be severely dealt with.

(f) Heads of offices/departments may also hold monthly meetings with their subordinates to discuss their genuine problems, if any, in disposal of work and should guide/assist them in solving these problems.

(g) The Inspecting Officers should, during their visit to an office, make it a point to check disposal of Government business and specifically bring out in their inspection notes any cases of delay that may come to their notice. It should then be the function of the head of that office to explain that delay, and in case his explanation is not considered satisfactory, he should be suitably dealt with as per disciplinary rules.

The Heads of Attached Departments/Regional Heads are requested to call for monthly arrear reports from their immediate subordinate officers under their span of control to see that cases in which delay has occurred are disposed of expeditiously and those officers are made answerable for such delays.

The Administrative Secretaries are also requested to make suitable arrangements within their Departments for submission and scrutiny of arrear reports of their Departments. They will also call for such reports in respect of the matters which have been referred by them to the Heads of Attached Departments/Regional Heads etc. directly under their administrative control. In other cases, they will please bring the instances of inordinate delay to the notice the Chief Secretary, Sindh.

No. S.O.IX-Reg(S&GAD) 11-/16-80,

30th March, 1982.

Subject :-- **GRANT OF ANNUAL INCREMENTS, MAINTENANCE OF SERVICE RECORD AND CHARACTER ROLLS IN RESPECT OF CIVIL SERVANTS.**

I am directed to refer to the subject noted above and to say that an impression persists that drawal of annual increment requires sanction of competent authority, notwithstanding the clarification issued by the Government of West Pakistan S&GAD vide its letter No. SR12-29/56, dated 8th September, 1956 (copy enclosed). The position under the relevant NSP Rules, read with rule 45 of SCSR, an increment shall be drawn as a matter of course unless withheld in the following circumstances :--

- (i) Conduct or work has not been good/satisfactory;
- (ii) efficiency bar in time scale it not allowed by competent authority;
- (iii) condition prescribed in the rules such as passing of departmental language examination;
- (iv) Withholding of increment as a result of efficiency and Disciplinary proceedings; and
- (v) non-completion of at least 6 months services at a stage in NSP.

2. In the case of non-gazetted civil servants audit has no record to verify the above circumstances and, therefore, a certificate of Drawing and Disbursing Officer in T.O. Form No. 9 has been prescribed in the Treasury Rules on the authority of which the Audit allows drawal of increment as per rule. The certificate in prescribed form should be submitted to the audit alongwith the months of December payable in January on the basis of information/orders available in his department/office. This is not a sanction requiring approval of the higher authority but a certificate by the department for drawal of increment. It is, therefore, again impressed upon all concerned that formal increment should be drawn and certificate furnished to the Audit as a matter of course.

3. It has also been brought to the notice of this Department that the Service record (i.e. personal file, Service Book, and ACR) of the official is not being maintained properly with the result that officials suffer unnecessarily at the time of drawal of increments or sanction of pension on the eve of retirement. Government viewed with the concern in the past about the non-maintenance of service record by the Department concerned and issued instruction from time to time. There is, however, no improvement in the situation. It is, therefore, stressed once against that these records are brought upto-date urgently and maintained properly. In case of failure, disciplinary action under E&D Rules may be taken against those officials who are responsible for its maintenance.

No. SOIX-REG(S&GAD)(IX)-4-82,

Karachi, dated the 6th June, 1982.

GRANT OF ANNUAL INCREMENT TO GOVERNMENT SERVANTS

I am directed to say that accordance to the rules of the various integrating units, the annual increments to Government servants are to be allowed as a matter of course unless withheld by competent authority. It is, therefore, not necessary to issue specific sanction in each granting increments to Government servants. Before allowing to draw annual increments in the normal course, all that is necessary to ensure is that :---

(i) the authority competent to withheld the increment of the Government servant has not issued an order withholding the increment, before the date on which it falls due, and

(ii) the drawal of increment by the Government servant concerned is not subject to any conditions prescribed in the rules applicable to him, e.g., passing of any departmental or language examinations, etc., by him.

2. The above instructions, however, do not apply to increment next above the efficiency bar, in which case the specific sanction of competent authority is necessary in each before the increment.

No. (S&GAD)SR-2-29/56,

dated the 8th September, 1956.

Subject :--- **DETERMINATION OF STATUS OF OFFICIALS WHO ARE GRANTED BPS-16 AND ABOVE.**

I am directed to state that after coming into force of the Sindh Civil Servants (Change in Nomenclature of Services and Abolition of Classes) Rules, 1973 from 28th March, 1974 appointments were made to "Grades" but with the introduction of Basic Pay Scale from 1st July, 1983 the appointments are to be made against "Posts" and not to "Grades" as required under the scheme of Basic Pay Scales. Normally holders of posts in BPS-16 and above continue to be self-drawing disbursing officers, while salaries of other in BPS-15 and below are drawn and disbursed through establishment bills.

2. However, through various orders, issued from time to time the following concessions have been introduced for grant of higher scales of pay without bringing any change in the responsibility, duty, status or authority of a civil servant in comparison to these of his colleagues in lower scale of pay, for instance :---

- (a) A certain percentage of posts have been placed in the Selection Grade such as those of the High schoolteachers, Physical Training Instructors, Librarians and Stenographers etc.
- (b) Grant of BPS-16 to Graduate Sub-Engineers.
- (c) Placing of 25% of the posts of Diploma Holder Sub-Engineers in BPS-16.
- (d) Grant of BPS-16 and above under the (Move-over) concession.

3. The question of their status has been examined in consultation with the Establishment Division of Government of Pakistan and the Finance Department of Government of Sindh. The grant of a higher scale of pay to the holders of a percentage of various posts does not involve any change in the duties, responsibilities, status and the authority of the incumbent and the posts in Selection Grade in each cadre are known by their original designations. Similarly even after redesignation of Selection Grade Stenographer (BPS-16) as Private Secretaries to the Secretaries, they continue to be covered under 25% of Selection Grade posts of Senior Scale Stenographers. With this position in view, such civil servants cannot be given separate and distinct status from their colleagues, who are in the same or lower pay scales. Like-wise, those who placed in a higher pay scale under "mover-over" concession, continue to be called by their own designations and no change occurs in their responsibilities, duties, authority and status.

4. In view of the position explained above it has been decided that all categories of employees holding posts in Pay Scales lower than BPS-16 will continue to enjoy their present status and their pay will continue to be drawn as higher to before on pay bills and their postings transfers etc. will not be notified in the official Gazette.

5. The above position may please be brought to the notice of all concerned, specially the Drawing and Disbursing officers.

No. SOIX-REG(S&GAD)VIII/13-84,

dated 8th July, 1986.

Subject :-- **CHECK ON DELAYS IN DISPOSAL OF CASES IN SINDH
SECRETARIAT.**

I am directed to state the instruction regarding the above subject are embodied in Paras 135-138 of the Manual of Secretariat Instructions (copies already supplied to all concerned separately). These instructions are comprehensive enough and if followed strictly delays in disposal of cases can be checked effectively.

2. However, it is observed that needful is not being done with the result that complaints regarding delays of disposal of cases in the Secretariat are multiplying.

3. It may be stated that , broadly, cases are categorised as "ordinary/routine", "urgent" and "immediate" in accordance with the degree of urgency attached to the matter. The time limits for the disposal of cases of these 3 categories should be :--

(a) one day for "immediate" / "priority";

(b) three days for "urgent" and

(c) seven days for "ordinary / routine".

4. All Administrative Secretaries are also requested to kindly ensure that cases in their respective Departments are disposed of in accordance with the above time limits.

5. The Administrative Secretaries are also requested to kindly ensure that distribution of work amongst the staff/officers in their respective Departments is equitable and proper. In this connection, their attention is also invited to Rule 19(g) of the Sindh Government Rules of Business, 1973, which provides that an Administrative Secretary shall specify cases or class of cases which may be disposed of by an officer sub-ordinate to him.

No. SOIX-REG(S&GAD)IX/32-84,

Karachi, dated the 28th July, 1987

Subject :-- **SETTING ASIDE PUNISHMENT AWARDED TO CIVIL
SERVANTS UNDER MARTIAL LAW REGULATION OR
MARTIAL LAW ORDERS.**

A question has arisen whether the punishment awarded to the civil servants under any Martial Law Regulation or Martial Law Order can be reviewed by the Provincial Government under section 24 of the Sindh Civil Servants Act, 1973. The point has been examined in

Consultation with the Law Department and the legal position as averred by that Department is that under Article 270-A (2) of the Constitution all orders made proceedings taken, acts done by any authority during the Martial Law period in exercise of the powers derived from any Martial Law Regulation or Martial Law Order are protected and are not amenable to review by any executive authority. However, as laid down by the Supreme Court in the case reported as PLD 1989 S.C 30, Article 270-A of the Constitution which otherwise, as stated above, gives protection to actions and proceedings relatable to Martial Law period does not take away the jurisdiction of the High Court to judicially review the actions taken under any Martial Law Regulation or Martial Law Order which are found to be coram-non-judices (for want of jurisdiction) or are malafide.

The contents of this circular may kindly be brought to the notice of all concerned under your administrative control for their information and guidance.

No. SOR-I(S&GAD)-2/8-90,

dated the 10th March, 1991.

Subject :--- **INFORMATION / ACTION UNDER OFFICIAL SECRETS ACT.**

I am directed to say that it has been observed by the Governor /MLA, Zone 'C' that the instructions on the above subject as embodied in Para 32 of the "Manual of Secretariat Instructions" are not being followed properly with the result that extensive leakage of Government information is taking place. Sometimes even photocopies of Government documents are found to be available with persons who are not authorised to have them.

2. For facility of reference Para 32 of the "Manual of secretariat Instructions" is reproduced below :---

"All papers received or dealt with in the Secretariat are of a confidential nature and their contents should not be divulged or talk about. This rule applies with greater force to documents specially classed as confidential or Secret and the strictest secrecy should be observed with regard to their contents. Breach of this rule is all offence punishable with imprisonment which may extend to two years on fine or both under section 5(4) of the Official Secrets Act, 1923 (XIII of 1923)".

3. I am accordingly directed by the MLA / Governor to reiterate that the Government instructions on the subject should be strictly followed in future. Any instance of leakage of Government information should be severely dealt with and the officers / officials concerned should be proceeded against as per rules.

4. In the same manner official information re-leased during meetings, conferences, discussion etc. is to be treated as confidential and in no case to be leaked out.

5. These instructions may please be brought to the notice of all concerned under your administrative control, for strict compliance.

No. S.O. Cood-III(S&GAD)(751)/84,

8th May, 1984.

Subject :-- **INFORMATION / ACTION UNDER OFFICIAL SECRETS ACT.**

I am directed to refer to this Department's Circular of even number dated 8th May, 1984 in which attention was drawn to the fact that leakage of government information was taking place and in some cases photocopies of government documents were found to be available with person not authorised to have them (copy enclosed).

2. Taking into account the serious consequence of such leakage of information, it has been decided that the instructions regarding observance of secrecy be once again reiterated to all concerned. All officials working under your control should be informed to observe the relevant instructions on the secrecy and confidentiality of government papers, documents and decisions. Any breach or violation will be seriously viewed.

No. SO-COOD-I(S&GAD)/73/84,

dated the 26th August, 1984.

SUBJECT: CONFIDENTIALITY OF OFFICIAL MATTERS.

It has been observed that contents of official files and discussions are sometimes disclosed to unconcerned people. Such a practice constitutes misconduct on part of public servants (paras 32 to 36 of Manual of Secretariat Instructions 1984 --- extract enclosed).

2. You are requested to advise all those working in your office/jurisdiction to maintain the confidentiality of official correspondence and meetings. Prompt cognizance of breach of these instructions should be taken under relevant provisions of the Efficiency and Discipline Rules.

No. SO-R-I(S&GAD)2/7--89,

dated 13th March, 1989.

EXTRACTS OF PARAS 32 TO 36 OF THE MANUAL OF SECRETARIAT INSTRUCTIONS 1984

32. All papers received or dealt with in the Secretariat are to be treated as confidential and their contents should not be divulged or talked about with un-concerned persons. This rule applies with greater force to documents specially classified as Confidential, Secret or Top Secret. Strict secrecy should be observed with regard to their contents. Breach of this rule is an offence punishable with imprisonment which may extend to two years or fine or both under section 5 of the Official Secrets Act, 1923.

33. In classifying documents as 'Confidential' 'Secret' or Top Secret and dealing with them, the instructions contained in the book-let "Security of Classified matters in Government Departments" should be followed. These instructions also regulate custody of such documents.

34. "Secret and Top Secret" documents should not be dealt with in the ordinary manner and should pass through as few hands as possible. These should either pass from hand to hand, by personal delivery or be sent in sealed covers.

35. Incoming covers which are marked 'Confidential', 'Secret' or 'Top Secret', should be sent unopened to the officers to whom they are addressed. When the officer happens to be on leave the cover may be opened by another officer.

36. When 'Secret' or Top Secret' papers are sent out of an office, they should be placed in double covers, the inner one being sealed and marked 'Secret' or 'Top Secret' and addressed to the officer concerned by his name. The outer cover should bear the official designation of the addressee only and should not bear seal or any other mark to indicate that its contents are 'Secret' or 'Top Secret'. When 'Top Secret' papers are dispatched by post, they should be registered and the outer cover also sealed.

DELEGATION OF POWERS OF TRANSFER

I am directed to invite attention to sub-rule (3) of Rule 9 of the Sindh civil Servants (Appointment, Promotion and Transfer) Rules, 1974, which requires that the transferring authorities in respect of post in grades 1 to 15 shall be notified by the Secretaries of the Departments concerned in consultation with the Services and General Administration Department.

2. The existing position is that until a notification is issued as aforesaid, the authorities empowered under the respective Delegation of Powers Rules can exercise powers of transfer to the extent shown in those rules. If the administrative departments are satisfied with the powers of transfer delegated under the old rules, a notification can be issued on the basis of those provisions after making such formal modifications as may be considered necessary in the light of administrative reforms---e.g. Old classification and gazetted / non-gazetted posts will have to be replaced by grades or designations of posts, as may be considered necessary. If, however, any substantial changes are considered essential, the reasons for deviations may be explained, when

forwarding proposals to Services and General Administration Department. One of the reasons necessitating change is the change of appointing authority mentioned in Rule of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules 1974. It is possible that some of the posts in certain departments may not have been included in the old Delegation of Powers Rules. In such cases, the proposals may be formulated on the basis of the corresponding rules for other departments.

3. I am directed to request you to forward your proposal under the provisions mentioned in para 1 above keeping in view the observations mentioned in para 2 above.

No. SOIX-Reg:(S&GAD)2/D/2-77,

Dated the 31st January, 1977.

REGULARISATION OF ADHOC APPOINTMENTS

I am directed to state that the question of regularising adhoc appointments from retrospective date has been receiving the attention of Government. The existing legal position is that after promulgation of the new service laws, adhoc appointments cannot be regularised with retrospective effect. To clarify this position, an express provision has been made in Rule 10 of the Sindh Civil Servants (Promotion, Confirmation and Seniority) Rules, 1975 that "no appointment made on adhoc basis shall be regularised retrospectively". Hence all orders issued after promulgation of the Sindh Civil Servants Ordinance in 1973 Converting the adhoc appointment into regular appointment with retrospective effect are invalid and inoperative. They must therefore be modified.

2. Some of the departments expressed the view that the application of the above mentioned provision involves hardship to adhoc appointees, who suffer in seniority due to the delay in making regular appointments, as the seniority under the rules is to be reckoned from the date of regular appointment. The matter was discussed in the meeting of the Secretaries, Committee held on 22nd December, 1975 and the question of invoking the special provision of section 24 of the Sindh Civil Servants Act, 1973 in cases of hardship was considered. It was generally agreed in the meeting that ---

(i) The practice of adhoc appointments and promotion is not desirable.

(ii) If the regularisation with retrospective effect is done at this stage it would become a precedent for future.

(iii) If section 24 is invoked there is no guarantee that this section would not be invoked again and again in future nullifying the norms of a good personnel policy.

3. The matter has since been examined further, and the following decision have been taken: --

(a) Rule 13 of "Seniority" Rules has been amended affording protection of seniority to a senior civil servant who is not promoted on his turn, although considered suitable, by providing that such a civil servant on subsequent promotion, subject to any order made by the competent authority in this behalf for the purpose of inter se seniority in the higher grade, be deemed to have been promoted in the same batch as his juniors. Formal orders should, therefore, be issued under this rule in cases of hardship to ensure that inter se seniority is protected from unmerited distortions.

(b) What is really needed, is systematic and through staff work at the time of regular appointments, so that seniorities in the lower grade are not distorted in the phasing of regularisation. This should be kept in mind.

(c) Efforts should be made to eliminate the factors which necessitate making adhoc appointments and prompt steps should be taken to make regular appointments to posts at present being held by adhoc appointees.

4. In view of the above decisions there is no longer any justification for retrospective regularisation or proforma promotions. This issue should now be treated as closed. The cases of hardship should be dealt with under seniority rules which have been revised to accomodate all genuine cases.

No. SOVII-Reg:(S&GAD)1-47/75,

dated 22nd January, 1977.

GRANT OF ARREARS OF PAY ON ACCOUNT OF PROFORMA PROMOTION.

I am directed to state that the question of giving arrears of pay to civil servants, who have been allowed proforma promotion, has been engaging the attention of Government for some time past.

2. While the authorities competent to make promotions to vacant posts could give proforma promotion to safeguard the seniority of civil servants in higher grade, they were not authorised to issue orders which have financial implication. Under the normal rules unless a civil servants performs duties of the post, he cannot be allowed to count the period of proforma promotion for purpose of increment and pay without the concurrence of Finance Department, as required under the Government Rules of Business. All such proforma promotions are therefore, invalid and will have to be reviewed.

3. In order to examine all such cases of proforma promotions, which have not been cleared by Finance Department, it has been decided to constitute a committee as under: --

1. Additional Secretary (Regulations)
Services and General Administration Department.

Convener

- | | | |
|----|---|--------|
| 2. | Deputy Secretary (Services/Regulations). | Member |
| 3. | Deputy Secretary of Department concerned. | Member |

4. All departments of Secretariat are requested to furnish information in respect of each proforma promotion, where arrears of pay have been claimed, in the form mentioned the Annexure.

5. It has been decided, as a policy, that no proforma promotions with any financial implications should be allowed. Whenever a civil servant is not promoted on his turn for any reason, other than his unfitness for promotion, the case should be dealt with under rule 13 of the Sindh Civil Servants (Promotion, Confirmation and Seniority) Rules, 1975 which has been designed to protect seniority of such persons in the higher grade on subsequent promotion.

No. SOVIII-Reg: (S&GAD)1-25/75, dated 4th February, 1977.

**INFORMATION RELATING TO PROFORMA PROMOTION
ANNEXURE TO SERVICES AND GENERAL ADMINISTRATION
DEPARTMENT CIRCULAR NO. SOVIII-REG: (S&GAD)1-25/75/
DATED 4TH FEBRUARY, 1977.**

- (1) Name of civil servant.
- (2) Present Post.
 - (i) Designation.
 - (ii) Department.
 - (iii) Grade.
 - (iv) Pay Scale.
- (3) Post in which proforma Promotion was made (copy of the order should be attached).
 - (i) Designation.
 - (ii) Department.
 - (iii) Grade.
 - (v) Pay Scale.
 - (v) Date of proforma promotion.
- (4) How has the date of proforma promotion been determined ?
- (5) Reason for grant of proforma promotion.

- (i) Re-fixation of Seniority.
 - (ii) Absence from the Department.
 - (iii) Incomplete Character Roll.
 - (iv) Expunging of adverse remarks.
 - (v) Clerical error or omission.
 - (vi) Other reasons.
- (6) Copies of original and corrected seniority lists should be attached.
 - (7) Whether F.D. or S&GAD consulted before proforma promotion was allowed.
 - (8) Total period of proforma promotion (give exact dates).
 - (9) Brief justification in support of the claim for arrears of pay.
 - (10) Total amount, if the claim for grant of arrears of pay and allowances is accepted (Details to be attached).
 - (11) The head of accounts from which the extra expenditure involved is proposed to be met.
 - (12) Availability of funds to be certified.

Secretary to Government Department.

96

**VERIFICATION OF CHARACTER AND ANTECEDENTS OF CANDIDATES
FOR EMPLOYMENT IN THE GOVERNMENT OF SINDH.**

I am directed to invited attention to the proviso to section 6 of the Sindh Civil Servants Act, 1973, according to which a directly appointed civil servants "shall not be deemed to have

completed his period of probation satisfactorily until his character and antecedent have been verified as satisfactory in the opinion of the appointing authority".

2. A copy of the Attestation Form based on the one adopted by the Government of West Pakistan is attached. All appointing authorities should be asked to get the character and antecedents of all persons recruited directly verified through police agencies if this has not already been done, as they cannot otherwise be confirmed in view of the aforesaid provision of law. It should be ensured that in future no appointment is made unless the character and antecedents are verified in the prescribed form.

3. Where a candidate has lived at more than one place during the past five years, reference for verification of character and antecedents should invariably be made to all the authorities in whose jurisdiction the candidate has lived for more than six months in the years period immediately preceding the inquiry.

4. The form has been made comprehensive and will not only enable the appropriate authorities to conduct a full and complete verification of the character and antecedents of the persons concerned but will also be useful as a record of the entrant into Government service. The completed forms should be maintained carefully after the conclusion of the verification proceeding and should invariably be kept in the Character Roll of the civil servant concerned.

5. It shall be the responsibility of the appointing authority to satisfy itself before making an appointment. However, if in any particular case the exigency of administration does not permit of the appointment of a candidate being delayed pending verification, he may be appointed provisionally on the production of a certificate of good character from a Grade 17 officer pending the result of inquiry with regard to his character and antecedents. While every case is to be decided on its own merits, the following principles should be observed in determining the person's suitability for appointment :---

(a) Persons who have at any time been convicted of offences involving moral turpitude or persons who have been dismissed by the Federal Government or any Provincial Government will be considered ineligible.

(b) while no person should be considered unfit for employment solely because of his political opinions, care must be taken NOT to employ any person who is likely to abuse the confidence placed in him. Ordinarily persons who are known to be engaged or sympathy with subversive activities including members of any party or organization the aim of which is to undermine constituted authority or to change the existing order of society by violent means or to subvert the Government, should be considered unfit for appointment under the Government Participation in such activities at any time and within three years of the date of enquiry should be considered as evidence that the person is actively engaged in such activities unless in the interval there is positive evidence of a change of attitude.

(c) If a report indicates that there is nothing known against the applicant himself but he is closely related to or associated with persons who have taken part in subversive activities or who belong to an undesirable party or

Organization, the case should be examined on its merits. If there is reason to believe that the applicant has himself become tainted with the views of his relatives or associates, he should be deemed ineligible for employment under Government.

6. It has further been decided that all appointing authorities shall be hold responsible for strict implementation of the instructions mentioned in this circular.

No. SOIX-Reg: (S&GAD)2/B/9-76,

dated the 31st March, 1977.

**VERIFICATION ROLL FOR CANDIDATES SELECTED FOR
APPOINTMENT UNDER THE GOVERNMENT OF SINDH.**

The name of the post in which the candidate is to be appointed

PART I

(To be filled in by the candidate)

1. Name in full (in Block letters) with alias, if any and Nationality.
2. Father's Name in full with designation of service, if any, and Nationality.
3. Home address in full (i.e. Village, Post Office, Police Station and District).
4. Local and other addresses during the last five years where the candidate has stayed for more than six months.

Address	From	To
---------	------	----

5. Present residential address.
6. Place of birth (stating Village, Tehsil/Taluka, District, etc.).
7. Date of birth (in case the candidate is a Matriculate, his Matric age should be noted).
8. Education qualifications showing places or education with years in schools and colleges from 15th year of the candidates :-

Name of School College etc	Date of entering	Date of leaving
-------------------------------	------------------	-----------------

9. Offices or firms, with full description and addresses where the candidate previously worked, and the reason for leaving :---

Offices/Firms	From	To	Reason for leaving
---------------	------	----	--------------------

If the candidate has previous service in the armed forces of Pakistan relevant entries relating to the length of service, nature of the duties performed and report regarding the character and or behaviour entered in the Discharge Certificate should be entered.

Note. --- The Department should satisfy itself that the Discharge Certificate of ex-service men is satisfactory.

10. Whether arrested, prosecuted or convicted in any case, political or otherwise, and restricted or extend; if so full particulars including dates should be furnished.

11. Full particulars of the near relations, if any, i.e., brothers, sisters, first uncles and first relations-in-law, who are in Government service in Pakistan or elsewhere, specifying the posts held and where posted.

Name of relations	Post held	Place of Duty
-------------------	-----------	---------------

99

12. A certificate of character from the head of the educational institution last attendant by the candidate to be attached.

13. Names with addresses of two references in Pakistan who can testify, to the candidate's character antecedents :--

Name	Address
------	---------

Date _____

(To be filled in by the Superintendent of Police, etc., concerned at the request of the Department).

Suitable :

_____ for the following reasons :---

Unsuitable

Place _____

Date _____

Superintendent of Police.

(After verification of character and antecedents of the candidate concerned by the Police, the Attestation Form should be passed on by the Superintendent of Police to the Superintendent, Special Branch, for vetting by them and return to the authorities concerned.

Countersigned _____

Superintendent of Police,
Special Branch, Karachi/Hyderabad.

TRANSFER OF CIVIL SERVANTS

Orders were issued vide circular No : 657-M/41, dated the 15th July, 1943, that a civil servant who is liable to transfer to another post in the same grade or cadre in which he is serving should not remain in charge of the same post for more than three years. Further, if such a civil servant was to continue for more than three years in the same post then orders of the Government should be obtained.

It appears that with the passage of time these orders have been lost sight of and civil servants have been continued in the same posts even for more than 4 years. All administrative Departments have been separately requested under this Department Circular letter No. SO (IC-

I) S&GAD/GENERAL-21/84 dated 26th August 1984 to furnish information in respect of such civil servants. Orders/Instructions about their transfers and posting will be issued shortly.

In future no civil servant who is liable to transfer should be continued in the same post for more than 3 years. If his continuance beyond this period is considered unavoidable in the exigencies of service then orders in writing of the next superior authority should be obtained on furnishing proper justification well in advance of the expiry of the three years term. Ordinarily such a need will arise in the case of only those who have been given special assignments on development or research projects. But even so, the maximum period on the same post should not exceed 5 years. Transfers should generally be made, unless absolutely necessary, at the close of

an academic year in the case of those civil servants whose children are residing with them at the places of their present posting.

These orders will, however, not apply in the case of low paid officials such as Naib Qasids, Drivers, Daroghas, Kotars, Forest Guards the Nike who may be transferred, as a corrective measure, when necessary.

No. SOIX-Reg (S&GAD)11-34/84,

Karachi the 1st October, 1984.

CIRCULAR

In supercession of all previous orders on the subject Government are pleased to direct that a Government servant who is liable to transfer to another post in the same grade or cadre in which he is serving should not be allowed to remain incharge of the same post for more than 3 years. If the Head of Department considers that there are special circumstances, which justify an extension of the period, he should obtain the approval of Government. Executive Engineers may with the approval of the S.Es. retain Daroghas, abgars, Signallers and Telephone Operators in the same post for more than 3 years.

2. These orders do not apply to Forest Guards and Inferior Government servants such as Naik, Peon, Kotars etc.

Circular No. 657-M/41,

dated 15th July, 1943.

CONFIRMATION OF VERBAL ORDERS

I am directed to forward herewith a copy Establishment Secretary's D.O. letter No. 104-23-88/Min-I, dated 12th September, 1988 on the subject noted above, addressed among others to all Provincial Chief Secretaries, for your information, guidance and strict compliance by all concerned.

No. SOR-I(S&GAD)9-28/88,

Karachi, dated the 3rd November, 1988.

CABINET DIVISION GOVERNMENT OF PAKISTAN

CONFIRMATION OF VERBAL ORDERS

It has been decided by the Government that henceforth any verbal orders given by a functionary of the Government should as a matter of routine be reduced in writing and submitted for confirmation by the issuing authority.

2. It may further be noted that when time permits the confirmation will invariably be taken before initiating action. However, in an exigency where action is required to be taken immediately or it is not possible to obtain written confirmation of orders at that time or before initiating action, the functionary complying with verbal orders of higher authority would take appropriate action as required on receipt of such verbal orders, and thereafter obtain the requisite confirmation while submitting the report of the action taken by him at first available opportunity.

3. You are requested to bring these instructions to the notice of all officers and staff of your Ministry/Division Attached Department etc, and the Heads of all Autonomous Bodies (including statutory corporations and other organizations) under the control of your Ministry / Division, for due compliance.

4. These instructions are applicable to all levels of Government hierarchy.

D.O. No. 104/23/88/Min-1

dated the 12th September, 1988.

**GRANT OF L.P.R. TO GOVERNMENT SERVANTS
RETIRED UNDER SECTION 13 (1) OF THE SINDH
CIVIL SERVANTS ACT 1973 AFTER COMPLETION OF
25 YEARS OF SERVICE.**

It has been decided that Government servants who are retired under Section 13(i) of the Sindh Civil Servants Act, 1973 after completion of 25 years of service should be allowed 3 months L.P.R. subject to title, provided they apply for such a leave within the time limit stipulated in the retirement order.

No. S.O.III(S&GAD)-13-21/73,

Karachi dated the 17th May, 1974.

102

**GRANT OF LPR TO CIVIL SERVANTS RETIRED UNDER
SECTION 13 (i) OF THE SINDH CIVIL SERVANTS ACT, 1973
ON COMPLETION OF 25 YEARS QUALIFYING SERVICE.**

I am directed to refer to this Department's circular letter No. S.O.III(S&GAD)-13-21/73, dated the 17-5-1974, wherein it was decided that Government Servants, who are retired under section 13 (i) of the Sindh Civil Servants Act, 1973 after completion of 25 years of qualifying service are to be allowed only three months L.P.R. subject to title.

2. The matter has been re-considered in consultation with the Finance Department and with the approval of Martial Law Administrator Zone 'C' it has now been decided to allow in all such cases with immediate effect, L.P.R. of 365 days on full pay or in combination of full pay and half pay as per the rules, if available to the credit of the retired Civil Servant concerned, provided the leave is applied for within the time limit stipulated in the retirement orders which should normally be 15 days from the date of receipt of the order.

No. SOIX-REG(S&GAD)II/16-79, dated Karachi the 15th November, 1982.

COUNTING OF ADHOC SERVICE FOR THE PURPOSE OF PROMOTION.

I am directed to say that under the existing rules adhoc service does not known for the purpose of seniority. The point as to whether adhoc service rendered in a post followed by regular appointment to that post may be allowed to be computed towards length of service prescribed for promotion to a higher post, has been considered in consultation with the Establishment Division, Government of Pakistan and the Finance Department, Sindh.

2. The Government of Sindh have now decided that with immediate effect, the service rendered on adhoc basis in a post under the Provincial Government, followed by regular appointment to a post in the same basic pay scale, shall be counted towards length of service prescribed for promotion to a higher post provided there is no break between adhoc and regular appointments to the post concerned.

3. I am directed to request that the above decision may kindly be brought to the notice of all concerned.

No. SOR-I(S&GAD)II/62-82(Pt.I), Karachi, the 23rd December, 1990.

103

PROMOTION OF A CIVIL SERVANT WHILE ON LEAVE.

I am directed to say that an issue has arisen whether a civil servant who remained on extraordinary leave for five years or more and became due for promotion during the period of such leave would be entitled to promotion on re-sumption of duty from the date his Junior was promoted. In this connection attention is invited to rule 13(ii) of the Sindh Civil Servants (Promotion, Confirmation and Seniority) Rules, 1975 which quite clear on the issue. The above clause inter-alia provides that the civil servant who is not promoted on his turn on the ground

that he is on leave shall, on subsequent promotion, for the purpose of inter-se-seniority in the higher post be deemed to have been promoted in the same batch on which his Juniors were promoted. The word 'leave' is wide enough and includes extra-ordinary leave also. However, such civil servant shall be entitled to draw the pay of the higher posts from the date he assumes the charge of such higher post.

No. S.O.R-II(S&GAD) 5-27/86,

Karachi, the 14th January, 1987.

**REQUEST FROM GOVERNMENT SERVANTS
REGARDING CHANGE OF NAMES.**

I am directed to forward herewith a copy of the Establishment Division's letter No. 29/12/84-E-5, dated 7th August, 1985 on the subject noted above for your information / guidance.

No. SOI(S&GAD)-6/24/85,

Karachi, the 18th September, 1985.

**REQUEST FROM GOVERNMENT SERVANTS
REGARDING CHANGE OF NAMES.**

I am directed to say that in certain notifications, it has been observed that the Provincial Governments Publish the names of District Management Group officers which differ with the correct names of the officer, certain additions / deletion made in the name of the officers.

2. Attention of the Provincial Governments is invited to the existing instructions regarding change of names by the Government servant where in it has been decided that the Government Servant desiring to change his name should be required to publish the following advertisement in at least 3 different local newspapers and if he is a resident of another Province, in one of the leading newspapers of the Province as well :---

NOTICE

I _____ of the name of the group do hereby give notice of the change of my name to.

Signed _____

After this has been done and satisfactory proof furnished, change may be recognized by the Federal Government. In the case of Gazetted Officer, a notification should also be published in the official gazette and necessary alteration should be made in the Gradation List and intimation be sent to the Accountant General concerned for making alteration in his record.

No. 9/12/84---E-5,

dated 7th August, 1985.

ADVICE OF PUBLIC SERVICE COMMISSION REGARDING

**FRAMING OF RECRUITMENT RULES UNDER SECTION 7(ii)
OF THE SINDH PUBLIC SERVICE COMMISSION ORDINANCE, 1978.**

I am directed to request you to pass on a copy of the Notification laying down "Method of Recruitment" etc. in respect of various posts under control of the Department to the Sindh Public Service Commission, Hyderabad, for their information, under intimation to this Department.

No. SOIX-REG(S&GAD)1/23-78,

Karachi, the 5th June, 1979.

PRESCRIBING OF METHOD OF RECRUITMENT.

I am directed to refer to the correspondence ending with this Department circular letter No. SOIX-REG(S&GAD)1/D/1-73(4), dated the 28th March, 1974 and in according to contents of para 3 thereof, the Administrative Departments were required to lay down the Method of appointment, qualification and other conditions under sub-rule (2) of rule 3 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 in consultation with this Department only. However after coming into force of the Sindh Public Service Commission Ordinance 1978, the Commission is also required to be consulted in the matter of qualification and Method of Recruitment as provided in Section 7(ii) *ibid.* in the case of posts belonging to Grade-16 and above.

2. It has been observed that a lot of time is wasted by first getting the approval of this Department and then of the Public Service Commission. Again if there is some addition in the Commission's advice the matter is referred back to this Department. In order to avoid delay in future it has been decided that all the Administrative Departments should make reference of this kind only once and the same may be made to the Commission through this Department, whatever be the recommendations of the Commission should also routed though this Department.

No. SOIX-REG-(S&GAD)4/34-77(Pt.II),

Karachi, the 16th February, 1980.

**ADVICE OR SINDH PUBLIC SERVICE COMMISSION ON
MATTERS RELATING TO RECRUITMENT RULES.**

I am directed to refer to the subject mentioned above and to state that each Administrative Department is required to lay down the method of appointment and the qualification and other conditions applicable to a post Grade-16 and above) under sub-rule (2) of Rule-3 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 in consultation with Services and General Administration Department and with the advice of the Sindh Public Service Commission as required by Section 7(ii) of the Sindh Public Service Commission Ordinance, 1978.

2. In accordance to the existing procedure and practice the Administrative Departments in the first instance approach this Department with their proposal, whereafter it is sent to the Sindh Public Service Commission for concurrence and if finally agreed to, is notified by the Administrative Department concerned. In some cases difference of opinion crops up which ultimately results in undue long correspondence between this Department, the Commission and the Administrative Department concerned and consequently considerable delay occur.

3. In order to obviate delays in exchange of consultations to settle preliminary issues, it has been decided to constitute a Permanent Committee consisting of the following to examine and process the matters concerning "Method of Recruitment" for various posts of all Departments whereafter the proposals be concurred to by the Sindh Public Service Commission and finally by the Government in Services and General Administration Department and thereafter the Administrative Department concerned should notify it :---

The Committee shall consist of the ----

- | | | |
|---|------|------------|
| 1. Senior Member of the Commission | | Chairman. |
| 2. Additional Secretary (Regulation) S&GAD | | Member. |
| 3. Deputy Secretary (SR) Finance Department. | | Member. |
| 4. Representative of Department concerned (not below the rank of Deputy Secretary). | | Member. |
| 5. Secretary, Sindh Public Service Commission | | Secretary. |

The above Committee shall determine its own Rules of Business/Working procedure.

All the Administrative Departments are accordingly advised to refer all their proposals in respect of prescribing of "Method of Recruitment" to the Secretary of the Committee, who is also Secretary of the Sindh Public Service Commission, complete in all respect, invariably with a copy to Services and General Administration Department. It may also please be ensured that no post is left out without prescribing its method of recruitment, if it has been done earlier.

No. SOIX-REG(S&GAD)1/23-78,

Karachi, the 10th September, 1980

**ADVICE OF SINDH PUBLIC SERVICE COMMISSION ON MATTERS
RELATING TO RECRUITMENT RULES.**

I am directed to refer to this Department circular letter of even Number dated the 10th September, 1980 on the subject noted above and to state that in para 3(1) for the wordings 'Senior Member of the Commission' may be read as "Member of the Commission nominated by the Chairman of Sindh Public Service Commission".

No. SOIX-Reg.(S&GAD)1/23-78, Karachi, dated the 3rd November, 1980.

**ADVICE OF SINDH PUBLIC SERVICE COMMISSION ON
MATTERS RELATING TO RECRUITMENT RULES.**

In continuation of this Department's letter of even Nos. dated the 10th September 1980 and 3rd November 1980 on the subject noted above. I am directed to say that it has been decided that in the case of difference of opinion amongst the members of the Committee (constituted under this Department letter of even No. dated the 10th September, 1980) on any point, the matter will be referred for decision to the High Powered Committee consisting of the following :---

- | | | | |
|----|--|-----|------------|
| 1. | Chief Secretary | --- | Chairman. |
| 2. | Chairman, Sindh Public Service Commission | --- | Member. |
| 3. | Secretary, S&GA Department. | --- | Member. |
| 4. | Secretary, Finance Department. | --- | Member. |
| 5. | Secretary, Law Department. | --- | Member. |
| 6. | Additional Secretary (Reg.) S. & G. A. Department. | --- | Secretary. |

No. SOIX-REG(S&GAD)1/23-78, Karachi, dated the 1st December, 1980.

**ADVICE OF SINDH PUBLIC SERVICE COMMISSION ON
MATTERS RELATING TO RECRUITMENT RULES.**

I am directed to refer to this Department Circular Letter No. SOIX-REG-(S&GAD)1/23-78, dated the 10th September, 1980 on the subject noted above and to forward a copy of working procedure of the Recruitment Rules Committee together with a copy of specimen proforma for information and necessary action.

1. In these instructions unless there is anything repugnant to the subject or context :
 - (i) "Administrative Department" means a Department of the Secretariat;
 - (ii) "Agenda" means the list of business for consideration in meeting;
 - (iii) "Chairman" means the Chairman of the Committee;

- (iv) "Committee" means the Recruitment Rules Committee;
- (v) "Meeting" means a meeting of the Committee;
- (vi) "Member" means a member of the Committee;
- (vii) "Proposal" means a proposal made by the Administrative Department regarding the method recruitment to a post under its Administrative control;

and

- (viii) "Secretary" means the Secretary of the Committee.

2. (1) On receipt of a proposal the Secretary will examine the proposal if it is complete in all respects and necessary information / documents have been supplied by the Administrative Department.

(2) If on such examination the Secretary finds that the proposal is not complete he shall convey the deficiency to and require the Administrative Department to make good the deficiency.

(3) If the Secretary is satisfied that the proposal is complete he will obtain the orders of the Chairman for placing the proposal before the Committee and inclusion thereof in the agenda of the next meeting.

3. The member representing the Finance Department may forward his comments on a proposal in writing to the Secretary.

4. If the representative of Finance Department can not attend a particular meeting due to un-avoidable circumstances he should inform the Secretary of the Committee in proper time and forward his written comments on the proposals of the Administrative Department to the Secretary of the Committee so as to reach him before the date of meeting. In case no such

Comments are received by the Secretary before the meeting; it will be presumed that the member concerned has no comments to offer.

5. (1) If a Member is unable to attend a particular meeting he should inform the Secretary in writing well before the date of meeting.

(2) The representative of the Administrative Department must however attend the meeting of the Committee in all circumstances. In case of serious illness or any other cause which makes his attendance impossible the Administrative Department should nominate some other responsible Officer of equal status duly authorised to attend the meeting of the Committee to represent the Administrative Department.

6. When there is adequate work to be considered by the Committee the Secretary will obtain the orders of the Chairman to convene a meeting.

7. (1) After the Chairman has approved the proposal the secretary shall cause to be issued a notice of the meeting to the Members alongwith the agenda thereof.

(2) the Notice shall specify the date, time and place of the meeting and be seven clear days before the meeting.

8. A proposal will be discussed in the meeting and the recommendations of the Committee finalized on the basis of consensus among the members including the Chairman and if any member has a difference of opinion his viewpoint will be recorded in the minutes of the meeting. Chairman shall be entitled to a casting vote in case of a tie.

9. If during the course of discussions it is considered necessary that any further information or documents are necessary for proper examination of the proposal the meeting may be postponed and the Administrative Department may be required to supply the same.

10. As soon as possible after a meeting is held the Secretary shall prepare the minutes of the meeting and put up the same to the Chairman for approval.

11. A copy of the minutes of the meeting duly approved by the Chairman will be forwarded by the Secretary to all members and if no objection is received with seven days of their receipt the minutes shall be deemed to have been confirmed.

12. (1) If any objection is received with respect to the minutes within the said period and the same has been accepted by the Chairman the minutes will be modified accordingly and the minutes so modified will be deemed to be the confirmed minutes.

(2) If the objection is not accepted by the Chairman the matter will be placed before the Committee in its next meeting for decision which shall be final.

(3) A copy of the confirmed minutes will be forwarded by the Secretary to all the Members.

No. SO IX-Reg(S&GAD)1/23-78(Part-I),

dated the 16th March, 1981

PROFORMA FOR SUBMISSION OF THE PROPOSAL OF DRAFT ANNEXTURE
RECRUITMENT RULES TO RECRUITMENT RULES COMMITTEE REFERRED TO IN
RULES-I.

S. No.	Name of the Post and Grade	Method of Appointment	Qualifications	Experience	Age limit	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

**METHOD OF RECRUITMENT FOR OFFICIALS WORKING IN
CELLS OF VARIOUS DEPARTMENTS.**

As a policy Planning Cells were established in various nation-developing Departments for Planning Development Schemes, monitoring their implementation, watching their progress and co-ordinating with Planning and Development Department. A question has now arisen whether officers holding these posts should be from within the Department or they should be Economists directly recruited for these posts having no further opening or prospectus of promotion. I am therefore desired to request you to intimate as to what arrangements exist in your Department in this respect and whether method of recruitment and qualifications etc., have been laid down for these posts in consultation with this Department. If not, I am further desired to request you to send your proposal with express suggestion whether these posts should be cadre posts or excadre posts reserved for economists.

**ADVICE OF SINDH PUBLIC SERVICE COMMISSION ON
MATTERS RELATING TO RECRUITMENT RULES :--**

I am directed to refer to your letter No : SPC(2)/Reg:/82/157, dated the 15th July, 1982 on the subject noted above and to furnish replies to the questions raised therein as under :--

Q---1. All points of difference whether major or minor, may be resolved in the High Powered Committee.

Q---2. The Recruitment Rules Committee cannot remain for obvious reasons, static and the Administrative Department may not be prevented from suggesting any changes in the approved Rules for which sufficient and cogent reasons have been advanced. It is a different matter that the Committee may or may not agree with the Department. However, it should be the duty of the representative of Administrative Department to do his homework and come fully prepared in the Recruitment Rules Committee meeting. It should also be his duty to obtain proper brief from his superior officers before his participation in the meeting.

Q---3. The Secretary of the Administrative Department concerned should alone be the Competent authority to request for reconsideration of any issue in the High Power Committee.

Q---4. Members of the Recruitment Rules Committee are supplied minutes of the proceedings in draft. If they feel that their point of view has not been correctly reflected they can request for amendment but when they feel that they do not agree with the majority decision, then they should obtain orders of the Secretary of Administrative Department who will take action as stated above, if considered necessary. Intention to take up any issue in the High Powered Committee must, however, be notified before approval by the Sindh Public Service Commission of the recruitment rules as cleared by the recruitment Rules Committee. Having indicated their intention they should submit a self contained Working Paper for the High Powered Committee for consideration of their point of view.

Q---5. The High Powered Committee will not consider any disputed issue after the Commission has accorded its approval to the recruitment rules.

Q---6. The Recruitment Rules Committee of which one of the Members of the Commission is its Chairman, is infact a Committee of convenience and ultimately it is the Commission to accord its approval to the draft

recruitment rules before the same are promulgated under Section 7 (ii) of the Sindh Public Service Commission Ordinance, 1978.

No. SOX(S&GAD) Regulation 1-23/78, dated the 21st September, 1982.

METHOD OF RECRUITMENT ---- PRESCRIBING OF THE:

I am directed to refer to the subject noted above and to state that after promulgation of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1973 the old Recruitment Rules are no more in force except the part relating to the "method of recruitment", which has been kept alive, not being inconsistent with the existing rules referred to above, till such time as it is changed in consultation with the Commission and this Department in the case of Grade-16 and above posts and in the case of Grade-15 below in consultation with this Department. The legal position in this context was clarified to all concerned vide this Department circular letter No. SOIX-REG(S&GAD)2/D/1-73(4), dated the 28th March, 1974 (appearing at pages 150-162 of the booklet entitled "Administrative Reforms in Sindh".

2. However, it has been observed that majority of the Administrative Departments have not yet processed the case of "method of recruitment" keeping in view the requirement of sub-rule (2) of rule 3 of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 and the progress in this regard is very slow. Inaction in that direction creates administrative difficulties. In order, therefore, to comply with the mandatory requirements of the existing rule, it is once again requested that necessary proposals for the modified "method of recruitment" may please be processed on priority basis and referred to the Commission and this Department as the case may be, by the end of February, 1983 positively and a compliance report sent to this Department by the 15th March, 1983.

3. While processing the proposals for "method of recruitment" with the Commission or this Department it may please be ensured that the eligibility or otherwise of women for post(s) be specifically mentioned in the proposed "method of recruitment". If women are to be made ineligible for any post(s) then cogent reasons be stated in writing for consideration and approval of the authorities concerned. In case eligibility or otherwise of women is not brought out in the method of recruitment" specifically, it will be presumed that they are also eligible to apply and be considered for the post(s).

No. SOIX-REG(S&GAD)IX/22-82, dated the 6th December, 1982.

PRESCRIBING OF METHODS OF RECRUITMENT FOR VARIOUS POST AS REQUIRED UNDER RULE 3(2) OF THE SINDH CIVIL SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER) RULES, 1974.

I am directed to state that, after the promulgation in 1974 of the Sindh Servants (Appointment, Promotion and Transfer) Rules all A.Ds were required to lay down the methods

of appointments, qualifications and other conditions in respect of all post under their administrative control vide Rule 3(2) *ibid*.

2. Although this Department as well as Finance Department have been repeatedly reminding the A.Ds of this mandatory requirement (vide retails of Circular letters given in the margin) it has been observed that there are still a large number of posts for which the needful has not yet been done. In respect of these posts, the concerned Departments are still following the old rules framed by the defunct West Pakistan Government about two decades ago resulting understandably, in confusion and other administrative difficulties. For obvious reasons, this unsatisfactory state of affairs needs to be rectified without any avoidable delay.
- | | |
|--|--|
| 1. SOIX-Reg (S&GAD)2/D/1/73(4) dt 28.3.1974 | |
| 2. SOIX-Reg (S&GAD)4/34-77(P-II) dt. 16-2-1980. | |
| 3. SOIX-Reg (S&GAD)1/23-78. dt. 10-9-1980. | |
| 4. SOIX-Reg (S&GAD)1/23-78(P-I) dt. 16-3-1981. | |
| 5. Finance Deptt. No. FD (SR-IV)4-16/78/81 Part III dt. 8-12-1986. | |

3. I am accordingly directed to request you, once again, that it may please be ensured that the methods of appointment/recruitment rules etc. in respect of all remaining posts (including those in the Autonomous / Semi Autonomous Bodies) under your administrative Control may please be got framed and notified after obtaining the approval of the competent authority concerned as identified in the marginally noted circulars. In case of any difficulty, the Regulations Wing of this Department can be contacted for Assistance / personal discussions to speed up the process.

4. I am also directed to request that two updated copies of all methods of appointments/rules so far notified by your Department may please be forwarded to this Department alongwith a list of the posts for which the needful has yet to be done.

No. S.O.R-I (S&GAD)4-1-87,

Karachi, dated the 19th October, 1987.

**PRESCRIBING OF METHODS OF RECRUITMENT FOR VARIOUS
POSTS AS REQUIRED UNDER RULE 3(2) OF THE SINDH CIVIL
SERVANTS (APPOINTMENT, PROMOTION AND TRANSFER)
RULES, 1974.**

Please refer to the correspondence resting with this Department's letter of even number, dated 19th October, 1987 on the subject noted above,. In this regard your attention is invited to Para 42 of the "Annual Report of the Sindh Public Service Commission for 1987", which is reproduced below :--

"After the promulgation of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 all the A.Ds. were required to lay down the methods of appointment, qualifications and other conditions in respect of all the posts under their administrative control. As provided under Section 7(ii) of the Sindh Public Service Commission Ordinance, 1978 the concurrence of the Commission is obligatory in respect of the posts in BPS-16 and above before such Rules are notified. Although certain departments have taken a lead in doing the needful but some of the Departments are still either with no recruitment rules or following the old recruitment rules, which have become obsolete with the passage of time. This state of affairs has been creating lot of difficulties and confusion at the time of scrutinizing the requisition for such posts where the rules have not been notified after the promulgation of the Sindh Civil Servants (Appointment, Promotion and Transfer) Rules, 1974. As a result, most of the posts could not be filled in. Government of Sindh in the Services and General Administration Department have issued reminders from time to time to speed up the framing of the recruitment rules but the response has not been found encouraging".

2. It is evident from the above that even after the issue of this Department Circular dated 19th October, 1987 quoted above, little or no progress has been made by some of the A.Ds towards completion of this basically important task. The Commission have, therefore, rightly expressed their disappointment in this regard.

3. I am accordingly to request you kindly to give due priority to this matter and expedite framing of the methods of appointment/recruitment rules in respect of all the remaining posts (including those in the Autonomous / Semi-Autonomous Bodies) under your administrative Control latest within the next three months. It would be appreciated if a certificate to that effect is furnished to this Department in the following form by 1st January, 1989 :--

"Certified that the methods of appointment/recruitment rules for all posts (including those in the following Autonomous Bodies) under the administrative control of this Department have been duly notified and that no post has been left out: --

- 1.
- 2.
- 3.

4. The names of the Departments, which fail to report compliance by 1st January 1989 will be submitted to the Chief Secretary for such action as he may deem fit.

No. SOR-I(S&GAD)4/1-87,

dated the 9th October, 1988.

**PRESCRIBING OF METHOD OF RECRUITMENT OF
POST IN BPS-15 AND BELOW**

I am directed to invite your attention to this Department Circular letter No. SOIX-REG (S&GAD)1/23-78, dated 10-9-1980 in which, inter alia, the constitution of a Permanent Committee to examine and process matters concerning methods of recruitment to various posts in BPS-16 and above was conveyed to you and to state that it has been decided to constitute a similar Committee for posts in BPS-15 and below in all Departments of Government of Sindh.

2. The Committee shall consist of the ---
 1. Additional Secretary (Reg:), S & GAD Chairman
 2. Deputy Secretary (SR), Finance Department. Member
 3. Deputy Secretary of Administrative concerned. Member
 4. Rep: of Attached / Regional / Head Deptt : Office concerned to be nominated by the Administrative Department Concerned. Co-opted Member
 5. Section Officer (Reg.I), S & GAD. Member / Secretary.
3. The above Committee shall determine its own rules of business/working procedure.
4. All administrative Departments are accordingly advised to refer all their proposals in respect of prescribing of Methods of Recruitment to various posts in BPS-15 and below to the Member/Secretary of the above Committee, complete in all respects, with a copy to Deputy Secretary (SR), Finance Department.
5. All Administrative Departments are requested to please ensure that no post is left out without its method of recruitment having been prescribed. In this connection attention is also solicited to this Department Circular letter No. SOR-I (S&GAD)4/-87, dated the 19-10-1987.

No. SO Reg. I (S&GAD) 51-187,

dated the 13th July, 1989.

**PRESCRIBING OF METHOD OF RECRUITMENT TO
POSTS IN BPS-15 AND BELOW---- APPOINTMENT OF
RECRUITMENT RULES COMMITTEE FOR :--**

In continuation of this Department Circular letter of even No. dated 13-7-1988 on the subject noted above, I am directed to request that the following information / documents may please be

invariably furnished alongwith the proposals to all permanent members of the Recruitment Rules Committee constituted thereunder :-

- (i) It may please clearly intimated whether the post(s) for which methods of recruitment were being proposed was a cadre post, or a specialist / ex-cadre post.
- (ii) A copy of the Organization Chart of the Department/Directorate may please be enclosed.
- (iii) A comprehensive note giving the duties and responsibilities of the Officials to be appointed to the posts concerned may please be enclosed.
- (iv) A copy of the approved methods of recruitment, if any, for equivalent / similar posts with similar nature of duties in the same Department / Directorate and / or any other sister Department should be enclosed.
- (v) In case it is proposed to amend the existing methods of recruitment, a copy of existing methods with draft amendments in a tabular form, explaining the reasons necessitating the amendments, may also be forwarded in the prescribed proforma (specimen attached).

2. I am further directed to request that while framing method of recruitment for posts in BPS-15 and below the following guidance may please be kept in view: ---

- (a) Recruitment rules/methods of recruitment for various posts/cadre need to be framed with greater care to serve on the on hand as an instrument career Planning/development for the officials concerned and no the other be tailored to meet the job-requirements, particularly in technical cadres; and
- (b) Prescribing of methods of recruitment for isolated posts or very small cadres comprising, say, 3 to 4 posts only, be avoided because such insolated posts or tiny cadres do not offer adequate prospects of promotion to the incumbents. In such cases it would be advisable to fill such posts by having officials on deputation from Departments which have large cadre(s) in the related fields.

No. SORI(S&GAD)5/1-87,

dated 26th October, 1988.

**PROFORMA FOR SUBMISSION OF THE PROPOSAL OF DRAFT
RECRUITMENT RULES TO RECRUITMENT RULES COMMITTEE**

EXISTING PROVISION OF THE RULES.

PROPOSED PROVISION OF THE RULES

S. No.	Name of the Post and BPS	Method of Appointment	Qualifications	Age limit		Method of	Qualification	Age Limit	
				Min.	Max			Min.	Max
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)		

**RELATIVE WORTH OF M.A DEGREE IN THIRD DIVISION AND
B.A. DEGREE IN SECOND DIVISION.**

I am directed to say that for some posts under Government, the minimum qualification which a candidate is required to possess is a Bachelor's Degree not below second class. A question has arisen whether a candidate who did his B.A. in third class but has improved his qualification by doing M.A. in third class can be considered eligible for such posts. Government are of the view that Master's Degree in third division is definitely a higher academic attainment than Bachelor's Degree in the second division as it cannot be attained without two years successful study after passing the B.A. examination. It has, therefore, been decided that holders of Master's Degree in third division should be considered eligible for the posts for which minimum qualification is a B.A. Degree not below second division.

No. SOR-II(S&GAD)-2-158/67,

Lahore dated the 2nd February, 1970.

