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SINDH ORDINANCE NO.II OF 1991

THE SINDH SERVICE TRIBUNALS (AMENDMENT) ORDINANCE, 1991

[30th January, 1991]

An Ordinance to amend the Sind Service Tribunals Act, 1973.

Preamble.

WHEREAS it is expedient to amend the Sind Service Tribunals Act, 1973, in the manner hereinafter appearing;

AND WHEREAS The Provincial Assembly is not in session and the Governor of Sind is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Sindh is pleased to make and promulgate the following Ordinance :-

Short title and commence-ment

1. (1) This Ordinance may be called the Sindh Service Tribunals (Amendment) Ordinance, 1991.

(2) It shall come into force at once.

Amendment of section 2 of Sind Act XV of 1973.

2. In the Sind Service Tribunals Act, 1973, hereinafter referred to as the said Act, in section 2, in clause (c), before the fullstop at the end, the words and figure "or section 3-B" shall be added.

Insertion of section 3-B, 3-C, 3-D of Sind Act XV OF 1973.

3. In the said Act, after section 3-A, the following new sections shall be inserted:-

Tribunal for members of the subordinate judiciary.

"3-B. Notwithstanding anything contained in section 3, the Chief Justice of the High Court may establish a Tribunal consisting of three Judges of the High Court, the most senior of whom shall be the Chairman and the other two Judges shall act as members of the Tribunal and the Tribunal so established shall have exclusive jurisdiction in respect of matters relating to the terms and conditions of service of members of the subordinate judiciary, including the disciplinary matters.".

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"3-C. Nothing contained in section 3-A shall apply to the Tribunal established under section 3-B.".

Section 3-A not to apply to the Tribunal under section 3-B.

"3-D. All matters relating to the terms and conditions of service of members of the subordinate judiciary pending before the Tribunal referred to in section 3 immediately before the commencement of the Sindh Service Tribunals (Amendment) Ordinance, 1991, shall stand transferred to the Tribunal established under section 3-B.".

Transfer of pending cases.

4. In the said Act, in section 8, in sub-section (1), the fullstop at the end shall be replaced by colon and thereafter the following proviso shall be added:-

Amendment of section 8 of Sind Act XV of 1973.

"Provided that the rules in respect of the Tribunal established under section 3-B shall be made in consultation with the High Court.".