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PART-IV

PROVINCIAL ASSEMBLY OF SINDH

NOTIFICATION

Karachi the 22nd May, 1989.

No. PAS/Legis-B-8/89.—The Sindh Civil Servants (Regularization of adhoc Appointments) Bill, 1989 having been passed by the Provincial Assembly of Sindh on 12th April, 1989 and assented to by the Governor of Sindh on 4th May, 1989 is hereby published as an Act of the Legislature of Sindh.

THE SINDH CIVIL SERVANTS (REGULARIZATION OF ADHOC APPOINTMENTS) ACT, 1989

SINDH ACT NO. VII OF 1989

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 22nd May, 1989.)

AN

ACT

to provide for regularization of the services of certain civil servants appointed on adhoc basis.

WHEREAS it is expedient in the public interest to provide for regularization of the services of certain civil servants appointed on adhoc basis in the manner hereinafter appearing; Preamble

It is hereby enacted as follows:—

Short title
and commen-
cement

1. (1) This Act may be called the Sindh Civil Servants (Regularization of adhoc Appointments) Act 1989.

(2) It shall come into force at once.

Definitions.

2. (1) In this Act, unless the context otherwise requires—

(a) "Act" means the Sindh Civil Servants Act, 1973;

(b) "Commission" means the Sindh Public Service Commission;

(c) "Government" means the Government of Sindh; and

(d) "post" means a post sanctioned by Government connected with the affairs of the Province.

(2) The expressions "adhoc appointment" and "civil servant" shall have the same meanings as respectively assigned to them in the Act.

Regularization
of
services of
certain civil
servants.

3. (1) Notwithstanding anything contained in the Act or rules there under, or in any decree, order or Judgement of a court, but subject to the other provisions of this Act, a civil servant holding adhoc appointment against a post on or before the 12th day of October, 1988 and continuing as such till the commencement of this Act, shall, on orders made in that behalf, be deemed to have been validly appointed to that post on regular basis with effect from the date of commencement of this Act.

(2) The orders under sub-section (1) shall not be made unless antecedents of such civil servants with regard to his academic qualifications, experience, age and place of domicile are scrutinized and cleared by a Special Committee appointed by Government.

(3) The Special Committee under sub-section (2) shall be headed by the Secretary incharge of the Department concerned and amongst others shall consist of a representative each from that Department and the Services and General Administration Department.

Procedure
for
termination
of services
where such
termination
is necessary

4. Where the Commission, has recommended any person for appointment to a post in a cadre or service before the commencement of this Act such person shall be accommodated, if necessary, by terminating the services of the junior most adhoc civil servant in that cadre or service:

Provided that where the dates of appointment of two or more adhoc civil servants are the same, the services of the person younger in age shall be terminated.

5. (1) The civil servants whose services are regularized under this Act shall rank junior—

- (a) to the civil servants belonging to the same service or cadre, who are in service or cadre on regular basis on the commencement of this Act;
- (b) to such persons, if any, who in pursuance of the recommendations of the Commission made before the commencement of this Act, are appointed to the respective service or cadre, irrespective of their actual dates of appointment.

(2) The interse seniority of the civil servants whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous appointment in such service or cadre;

Provided that where the dates of their continuous appointment are the same, the older in age shall rank senior to the younger in age.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

ZAKIR HUSSAIN K. MIRZA
Secretary,
Provincial Assembly of Sindh.

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