



# The Sindh Government Gazette

PUBLISHED BY AUTHORITY

KARACHI, SATURDAY, NOVEMBER 23, 1974

## PART IV

PROVINCIAL ASSEMBLY OF SIND

NOTIFICATION

Karachi, the 23rd November, 1974

No. PAS/Legis/Bill-24/74.—The Sind Service Tribunals (Second Amendment) Bill, 1974 having been passed by the Provincial Assembly of Sind on 11th November, 1974 and assented to by the Governor on 18th November, 1974 is hereby published as an Act of the Legislature of Sind:—

THE SIND SERVICE TRIBUNALS (SECOND AMENDMENT) ACT, 1974

SIND ACT NO. XXI OF 1974.

(First published after having received the assent of the Governor of Sind in the Gazette of Sind (Extra Ordinary), dated 23rd November, 1974).

AN

ACT

*to further amend the Sind Service Tribunals Act, 1973.*

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

It is hereby enacted as follows:—

1. This Act may be called the Sind Service Tribunals (Second Amendment) Act, 1974. Short title.

2. In the Sind Service Tribunals Act, 1973, hereinafter referred to as the said Act, in section 3, for sub-section (4), the following shall be substituted, and shall be deemed always to have been so substituted:— Amendment of section 3 of Sind Act, XV of 1973.

“(4) The Chairman and members of a Tribunal shall be appointed for a period of three years and on such terms and conditions as may be determined by Government; provided that Government may extend such term of office by such further period as it deems fit.”

Insertion of section 3-A in Sind Act XV of 1973.

3. In the said Act, after section 3, the following shall be inserted, and shall be deemed always to have been so inserted:—

“3-A. (1) If Government is of the opinion that the Chairman or a member of a Tribunal by reason of physical or mental incapacity is unable to perform his duties, or is guilty of mis-conduct, it shall appoint a committee consisting of three persons headed by a person not below the rank of the Chairman, to enquire into the matter.

Removal of Chairman or member.

(2) If, after holding the enquiry, the committee submits a report that the Chairman or a member is incapable of performing his duties or is guilty of mis-conduct, Government may, notwithstanding the provisions of sub-section (4) of section 3, remove such Chairman or member.

*Explanation.*—For the purpose of this sub-section, “misconduct” means a conduct prejudicial to the good order of service discipline or contrary to the West Pakistan Government Servants (Conduct) Rules, 1966 or un-becoming of an officer and a gentleman and includes any act on the part of the Chairman or a member, to bring or attempt to bring, political or other outside influence, directly or indirectly, to bear on the Government or any Government Officer, in respect of any matter relating to his retention as such Chairman or member, punishment, retirement or other conditions of his service, and includes—

- (i) conviction for an offence involving moral turpitude;
- (ii) active participation in sectarian, communal or political controversies;
- (iii) persistent disregard of the Rules of Business, relating to the conduct of affairs of the Tribunal;
- (iv) assuming a style of living beyond his legitimate means.

(3) For the purpose of an inquiry under this section, the committee shall have the powers vested in a civil court under the Code of Civil Procedure, 1908 (Act V of 1908), in respect of the following matters, namely:—

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

Repeal of Sind Ordinance XV of 1974.

4. The Sind Service Tribunals (Second Amendment) Ordinance, 1974, is hereby repealed.

By order of the Speaker,  
Provincial Assembly of Sind.

JAMALUDDIN ABRO,

Secretary,  
Provincial Assembly of Sind.