

SINDH ORDINANCE NO. VII OF 2001
THE SINDH CIVIL SERVANTS (ASSESSMENT OF SUITABILITY OF
APPOINTMENTS) ORDINANCE, 2001.

CONTENTS

Preamble

Section

1. Short title and commencement.
2. Definitions
3. Reference to Commission
4. Termination of service
5. Seniority
6. Bar of Jurisdiction and abatement of suits

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[20th January 2001]

An Ordinance to provide for assessment of suitability of the persons appointed to the specified posts without reference to the Commission and the persons appointed to the service by transfer who were not otherwise eligible for transfer under the Rules;

WHEREAS it is expedient in the public interest to provide for assessment of suitability of the persons appointed to the specified posts without reference to the Commission and the persons appointed to the service by transfer who were not otherwise eligible for transfer under the rules and to provide matters connected therewith in the manner hereinafter appearing;

Preamble.

AND WHEREAS the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action.

NOW, THEREFORE, in pursuance of the aforesaid Proclamation and the Provisional Constitution Order read with Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of Sindh is pleased to make and promulgate the following Ordinance:-

1. (1) This Ordinance may be called the Sindh Civil Servants (Assessment of Suitability of Appointments) Ordinance, 2001

Short title, and commencement.

(2) It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires

Definitions

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

(b) "Rules" means the West Pakistan Civil Service (Executive Branch) Rules, 1964, as applicable to Sindh;

(c) "Service" means the service as defined in the Rules;

(d) "specified post" means-

(i) A post in BPS-16 or above specified under rule 5 of the Sindh Public Service Commission Functions Rules and filed without reference to the Commission; or

(ii) A post in the Service filled by transfer, under rule 5(5) (c) of the Rules of the persons not holding the posts mentioned in that rule or regular basis.

3. Any person appointed to a specified post, during the period from 1985 to 1997, and is in employment in any capacity on the commencement of this Ordinance shall, notwithstanding anything contained in any law rules or any decree, order, injunction or judgment of a court, be required to appear before the Commission for interview and written test for the assessment of his suitability for the specified post and the person concerned shall comply with the directions.

Reference to Commission

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THE SINDH CIVIL SERVANTS (ASSESSMENT OF SUITABILITY OF APPOINTMENTS) ORDINANCE, 2001.

4. Where the person concerned fails to comply with the directions issued to him under section 3 or he is not found suitable for the specified post the service of such person shall stand terminated with immediate effect from the date he fails to comply with the directions, or as the case may be, from the date of the announcement of the results by the Commission

Termination of service

5. Where the person concerned is found suitable by the Commission for the specified post he shall continue in service, and shall retain the seniority enjoyed by him immediately before the commencement of this Ordinance.

Seniority

6. No. Court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to any directions issued or made or anything done or intended to be done under this Ordinance and all suits, appeals and applications pending in this behalf shall abate on the coming into force of this Ordinance.

Bar of Jurisdiction and abatement of suits