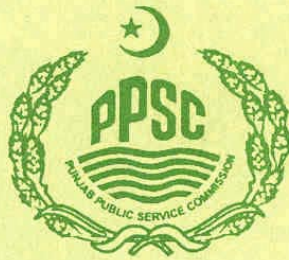


PUNJAB PUBLIC SERVICE COMMISSION



LAHORE

ORDINANCE, 1978.

(FUNCTIONS) RULES, 1978

**(TERMS & CONDITIONS OF SERVICE)
RULES 2012**

PUNJAB PUBLIC SERVICE COMMISSION



LAHORE

ORDINANCE, 1978

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PUNJAB PUBLIC SERVICE COMMISSION

ORDINANCE, 1978

**GOVERNMENT OF THE PUNJAB
LAW DEPARTMENT**

No. Legis: 3(II)/78
The 18th January, 1978

The following Ordinance promulgated by the Governor of the Punjab is hereby published for general information:

**THE PUNJAB PUBLIC SERVICE COMMISSION
ORDINANCE, 1978
PUNJAB ORDINANCE NO. II OF 1978**

**AN
ORDINANCE**

to repeal and, with certain modifications, re-enact the Punjab Public Service Commission Act, 1974.

Preamble.-

WHEREAS it is expedient to repeal and, with certain modifications, re-enact the Punjab Public Service Commission Act, 1974;

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

NOW, THEREFORE, in pursuance of the proclamation of the fifth day of July, 1977, read with the Laws (Continuance in force) Order, 1977 (CMLA Order No.1 of 1977), the Governor of the Punjab is pleased to make and promulgate the following Ordinance:

Short Title and Commencement.--

1. (1) This Ordinance may be called the Punjab Public Service Commission Ordinance, 1978.

(2) It shall come into force at once.

Definitions.--

2. In this Ordinance, unless there is anything repugnant in the subject or context:

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

(b) "Member" means a member of the Commission and includes the Chairman thereof; and

- (c) “Service of Pakistan” means the Service of Pakistan as defined in the Constitution of Islamic Republic of Pakistan.

***Composition of the Commission etc.--**

3. (1) There shall be a Commission consisting of a Chairman and such number of members as the Governor may determine.

(2) The Governor shall appoint the Chairman and the members of the Commission but no person who is sixty-five years of age or above and no serving Government servant shall be so appointed.

(3) The Government shall determine the terms and conditions of service of the members but the Government shall not, during the term of office of a member, vary salary, allowances and privileges to the disadvantage of the member.

(4) The Commission shall have--

(a) not less than one-half of the Members who have held office in the service of Pakistan in basic scale 21 or above;

(b) at least one Member each from--

(i) retired Judges of the superior judiciary;

(ii) retired officers not below the rank of Major General or equivalent of the Armed Forces;

** (iii) Women from public or private sector possessing such qualification and experience as the Government may, by rules, prescribe; and

(iv) retired professionals in basic scale 20 or above of the Government with not less than fifteen years experience in the field of engineering, agriculture, education, medicine or dentistry, forensics, environment, information technology, law or any other professional field.

(5) No proceedings or act of the Commission shall be invalid merely on the ground of existence of any vacancy or defect in the constitution of the Commission.

* Substituted vide Notification No. Legis-2(110)2011/543 dated 11.02.2012.

** Paragraph (iii) substituted vide Notification No.PAP-Legis-2(157)/2012/820 dated 14.01.2013.

◆ Term of Office.--

4. * (1) A member shall be appointed for a term of three years and shall not be eligible for reappointment but a member may be appointed as the Chairman for the residual period of the term; provided that the residual period of the member is not less than six months.

(2) Notwithstanding anything contained in sub-section (1), a member shall cease to hold office on completion of his term or on attaining the age of sixty-five years, which ever is earlier.

(3) A Member may resign his office by writing under his hand addressed to the Governor.

Oath of office.--

♣ 4-A. Before entering upon the office the Chairman and Members shall make oath in the form set out in the Schedule to this Ordinance before the Governor in case of Chairman and before the Chairman in case of a member.

Removal from Office.--

5. (1) A Member shall not be removed from office during the term of his office except in the manner hereinafter provided.

(2) If, the Governor is of the opinion that a member:

- (a) may have been guilty of misconduct; or
- (b) may be incapable of properly performing the duties of his office by reason for physical or mental incapacity;

the Governor shall appoint a Judge of the High Court to inquire into the matter.

(3) If, after inquiring into the matter the Judge reports to the Governor that he is of the opinion that the member has been guilty of misconduct or is incapable of performing the duties of his office, the Governor may remove the member from office.

Ineligibility for further employment—

▼6 omitted.

◆ substituted vide Notification No. Legis-2(110)/2011/543 dated 11.02.2012
 * Sub-section (1) of section 4, substituted vide Notification No.PAP-Legis-2(157)/2012/820 dated 14.01.2013.
 ♣ New clause added vide Notification No. Legis: 13-42/97(P-1) dated 22.11.2002.
 ▼ Omitted vide Notification No. Legis-2(110)/2011/543 dated 11.02.2012

Functions of Commission.-

- *7 The functions of the Commission shall be:
- (a) to conduct tests and examinations for recruitment to--
 - (i) such Provincial Services and posts connected with the affairs of the Province, as may be prescribed; and
 - (ii) such posts in or under a Corporation or other body or organization set up by Government under any law, as may be prescribed;
 - (b) to advise the Government on such matters as may be prescribed relating to the terms and conditions of service of persons who are Members of a Provincial Service or hold posts in connection with the affairs of the Province; and
 - (c) such other functions as may be prescribed.

Commission to be informed when its advice is not accepted.--

8. Where the Governor does not accept the advice of the Commission he shall inform the Commission accordingly.

Report of Commission.--

9. (1) The Commission shall, not later than 15th day of February in each year, prepare report as to the work done by it during the preceding year ending on the 31st day of December and submit the report to the Governor.
- (2) The report shall be accompanied by a statement setting out, so far as known to the Commission:
- (a) The cases, if any, in which the advice of the Commission was not accepted and the reasons therefore; and
 - (b) The matters, if any, on which the Commission ought to have been consulted but was not consulted and the reasons therefore.
- (3) The Governor shall cause a copy of the report to be laid before the Provincial Assembly.

Rules * and Regulations. --

10. (1) The Government may, by notification in the official gazette, make rules for carrying out the purpose of this Ordinance.

*(2) Subject to the provisions of this Ordinance and the rules the Commission may make regulations for carrying out the purposes of this ordinance and the rules.

Repeal.--

11. The Public Service Commission Act, 1974 (*1 of 1974*) is hereby repealed.

*The words "and Regulations" added vide Law Department Notification No. Legis: 3(32)/85 dated 27th February 1985.

♣SCHEDULE**(See section 4-A)**

I, _____ do solemnly swear that I will bear true faith and allegiance to Pakistan.

That, as a Chairman (or Member) of the Punjab Public Service Commission, I will discharge my duties, and perform any functions, honestly, to the best of my ability and faithfully in accordance with the Constitution of the Islamic Republic of Pakistan and the law, and always in the interest of the solidarity, integrity, well being and prosperity of Pakistan.

That, I will not allow my personal interest to influence my official conduct or my official decisions and that in the performance of my functions, whether in the selection of persons for recruitment or appointment or in any other way, I will act without fear or favour, affection or ill will.

May Allah Almighty help and guide me (A'meen).

**PUNJAB PUBLIC SERVICE
COMMISSION (FUNCTIONS)
RULES, 1978**

**GOVERNMENT OF THE PUNJAB
SERVICES, GENERAL ADMINISTRATION AND
INFORMATION DEPARTMENT**

**NOTIFICATION
THE 26th October, 1978**

No. SOR III- 1-49/73. In exercise of the powers conferred by Section 10 of the Punjab Public Service Commission Ordinance, 1978, the Governor of the Punjab is pleased to make the following rules:

1. (1) These rules may be called the **Punjab Public Service Commission (Functions) Rules, 1978.**

(2) They shall come into force at once.

2. In these rules, unless there is anything repugnant in the subject or context -

(1) **“Grade”** means the National Scale of Pay in which a post or group of posts is placed:

Provided that in the case of a post or group of posts which have not been placed in any National Scale of pay, Grade means the “National Scale of Pay”, corresponding to the “existing scale of pay”, in which a post or group of posts would have been placed; and

♦ (2) **“Test”** includes written examination, psychological test, appraisal of record, interview and viva voce.

3. (1) The Commission shall conduct tests and examinations # [and take all steps ancillary thereto] for recruitment to:

(i) the Provincial Services and Civil Posts connected with the affairs of the Province falling in Grade *[(16 to 22) except those specified in schedule-I];

(ii) such posts in or 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.2,750/- per mensem or above as may be referred to the Commission;

♦ Substituted vide Notification No. SO (CAB-I)/1-3/85 dated 24.06.1985.

Added vide Notification No. SO (CAB-I)/1-3/85 dated 24.06.1985.

* Substituted vide Notification No. SOR-III-1-49/73 dated 05-06-1979.

- (iii) any other posts which may be referred to the Commission for recruitment by the ~~*(Governor)~~ Chief Minister; and
- (iv) the posts to be filled on contract for a period not less than two years as may be referred to the Commission by Government Departments.

❖ “1(a) The Commission, on reference from a Government Department, shall conduct test, examination or any other ancillary steps to advise the Government on eligibility and suitability of a class of persons, holding posts in connection with the affairs of the Province, for purposes of their appointment on regular basis in accordance with the policy of the Government.

(2) The Government may associate the Commission in the framing of rules regulating appointments to Provincial Services or such posts connected with the affairs of the Province, as may be prescribed, in such manner as it may determine.

4. Notwithstanding anything contained in rule 3, the Commission shall not conduct test for recruitment to posts which are filled---

- ♣ i) for a period of #[one year] or less pending selection of a candidate on the basis of test conducted by the Commission;

Provided that the above period may be extended:

- (a) for a further period of six months with the approval of the Commission if a requisition for filling the post was sent to the Commission before filling of the post on ad-hoc basis and the Commission had failed to nominate a candidate; or
- (b) in any other case, by order of the ~~*(Governor)~~ Chief Minister; or
- ii) by transfer of an officer of the Armed Forces of Pakistan or an officer already holding a post on regular basis in equivalent grade under the Federal or a Provincial Government.

Explanation: for the purpose of ♣ clause (ii), “regular basis” means other than ad-hoc, contract or temporary basis for a specified period.

* The word “Governor” substituted with the word “Chief Minister” vide Notification No. SOR.IV(S&GAD) 15-4/85 dated 24th December 1985.

• Sub-clause (iv) of Rule 3, added vide Notification No. SO.CAB-I/I-16/2002 dated 07.05.2007.

❖ Added vide Notification No. SO(CAB-I)4-6/2004 dated 02nd April 2013

♣ Clause (i) deleted and (ii) & (iii) renumbered as (i) & (ii) also in the ‘Explanation’ clause (iii), substituted with “clause (ii)” vide Notification No.SO.CAB-I/I-16/2002 dated 07.05.2007.

Substituted vide Notification No SOR-Iil-1-29/81 dated 14th June 1982.

5. Notwithstanding anything contained in rule 3, the ♣ ~~Governor~~ Chief Minister may, in the Public interest, specify posts which may be filled, without reference to the Commission, by persons possessing such qualifications and experience and in such manner as he may determine.

♣ The word "Governor" substituted with the word "Chief Minister" vide Notification No. SOR.IV(S&GAD) 15-4/85 dated 24th December 1985.

SCHEDULE-I**(See Rule 3)**

Posts excluded from the purview of the Commission.

Sr. No.	Department	Name of Posts
*(1)	Services & General Administration Department.	Posts of Additional District and Session Judges and posts of District and Session Judges.
@ (2)	Governor's House.	Comptroller.
**(3)	Deleted.	

* This entry was numbered as "1" vide Notification No.SOR-III-1-29/81 dated 21.12.1981.

@ Added vide Notification No. SOR-III-1-29/81 dated 21-12-1981.

** Deleted vide Notification No. SORIV(S&GAD) 15-2/86 dated 25-12-1987.

**PUNJAB PUBLIC SERVICE COMMISSION
(TERMS AND CONDITIONS OF SERVICE)
RULES, 2012**

NOTIFICATION

In exercise of the powers conferred under section 10 of the Punjab Public Service Commission Ordinance 1978 (*II of 1978*), hereinafter referred to as the ordinance, Governor of the Punjab is pleased to make the following rules:

1. **Short title and commencement.** - (1) These rules may be cited as the Punjab Public Service Commission (Terms and Conditions of Service) Rules 2012.
 - (2) They shall come into force at once.
2. **Pay, allowances and other terms and conditions.** - In addition to the provisions of the Ordinance, the pay, allowances and other terms and conditions of service of the Chairman and members of the Commission shall be such as mentioned in the schedule appended to these rules.
3. **Qualification and experience for women and persons from private sector.** - For purposes of clause (iii) of Subsection (4) of section 3 of the Ordinance:
 - (a) Minimum qualification for women and persons from private sector shall be Master's degree (at least Second Division) from a recognized University in the field of economics, engineering, agricultural, finance, business administration, public administration, basic sciences, social sciences or information technology; and
 - (b) Minimum experience:
 - (i) for a person from private sector shall be twenty years at top management position in a private organization relating to industry, commerce, trade, finance, banking, information technology or academia; and
 - (ii) for women shall be twenty years experience at top management position in public sector or in private organization relating to industry, commerce, trade, finance, banking, information technology or academia.
4. **Seniority.**—(1) The inter se seniority of the members shall be determined in accordance with the dates of their entering upon office as members.
 - (2) In case two or more members enter on office the same day, their inter se seniority shall be determined on the basis of seniority in age.
5. **Leave.** - The Governor may grant leave to the Chairman or a member as follows:

- (a) on leave salary equivalent to full pay up to one eleventh of the period spent on duty as Chairman or member, subject to a maximum of four months at any one time;
- (b) on medical certificate on leave salary equivalent to half pay up to two elevenths of the period spent on duty as chairman or member, subject to a maximum of three months at any one time; and
- (c) extraordinary leave without salary.

6. **Post to be non-pensionable.** -- The appointment of the Chairman or member shall be non-pensionable, and he shall not contribute to benevolent fund, general provident fund or group insurance.

7. **Repeal.** - The Punjab Public Service Commission (Conditions of service) Rules, 1978 are hereby repealed.

SCHEDULE*
(See rule 02)
Salary, Allowances & Utilities

Sr. No	Items	Chairman	Member
1	Salary	Rs. 3,24,000/- P.M	Rs. 2,63,000/- P.M.
2	House Rent Allowance	Rs. 1,42,000/- P.M.	Rs.101,000/- P.M.
3	Utilities	Rs. 016,200/- P.M.	Rs.013,100/- P.M.

Facilities

Sr. No	Items	Chairman	Member
1.	One Chauffeur driven car maintained at the Government expense for official and private use	1600 CC capacity	1300CC capacity
2.	Petrol Limit	340 Liter P.M.	270 Liter P.M.
3.	TA/DA	As admissible to civil servants of highest grade.	As admissible to civil servants of highest grade.
4.	TA/DA on official duty abroad	As admissible to civil servants in Category-I	As admissible to civil servants in Category-I
5.	Medical facilities	Reimbursement of medical and hospitalization charges for self, spouse and children for treatment received at Government or Government recognized institutions in Pakistan.	Reimbursement of medical and hospitalization charges for self, spouse and children for treatment received at Government or Government recognized institutions in Pakistan.
