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SIND ORDINANCE NO. VII OF 1974

THE SINDH SERVICE TRIBUNALS (AMENDMENT) ORDINANCE, 1974

[18TH April ,1974]

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 Sind is pleased to make and promulgate the following Ordinance:-

1. **Short title and commencement.**

(1) This Ordinance may be called the Sind Service Tribunals (Amendment) Ordinance, 1974.

(2) It shall come into force at once.

2. **Amendment of section 3 of Sind Act XV of 1973.**

In the Sind Service Tribunals Act, 1973, hereinafter called the said Act, in section 3-

(i) In clause (b) of sub-section (3), for the words " a Class **I** Post", the words " a post in Grade 16 or an equivalent or a higher post" shall be substituted;

(ii) In sub-section (6), before the fullstop occurring at the end, the comma and the words ",if his remuneration is thereby increased" shall be added.

3. **Amendment of section 4 of Sind Act XV of 1973.**

In the said Act, in the proviso to section 4, for clause (b), the following shall be substituted:-

"(b) no appeal shall lie to a Tribunal against an order or a decision of a departmental authority determining the fitness or otherwise of a person, to be appointed to or hold a particular post or, to be promoted to a higher post or grade.".

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4. In the said Act, after section 6, the following shall be inserted as section 6-A:- **Insertion of section 6-A in Sind Act XV of 1973.**

"6-A. The provision of section 5 and 12 of the Limitation Act, 1908 (Act IX of 1908), shall apply to appeal under this Act.".

Limitations

5. In the said Act, the existing section 8 shall be numbered as sub-section (1) of that section, and after sub-section (1) so numbered, the following shall be added as sub-section (2):- **Amendment of section 8 of Sind Act XV of 1973.**

"(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for the following matters, namely:-

(a) requirements as to the number of members of the Tribunal necessary for hearings before or, order or decision by, a Tribunal; and

(b) filling of a casual vacancy in the office of the Chairman or a Member of the Tribunal.".