

**GOVERNMENT OF SINDH  
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT**

**KARACHI, DATED THE 24<sup>TH</sup> NOVEMBER, 1994**

**NOTIFICATION**

No.SOR-I(\$&GAD)2/3-93:- In exercise of the powers conferred by section 26 of the Sindh Civil Servants Act, 1973, the Government of Sindh are pleased to make the following rules regulating recruitment to the Sindh Judicial Service and prescribing conditions of service for the persons appointed thereto, namely:

**PART-I, GENERAL**

1. **Short title and Commencement:-** (1) These rules may be called the Sindh Judicial Service Rules, 1994.

(2) They shall come into force at once.

2. **Definitions:-** In these rules, unless there is any thing repugnant in the subject or context--

- (a) "Chief Justice" means the Chief Justice of the High Court of Sindh;
- (b) "Government" means the Government of Sindh;
- (c) "High Court" means the High Court of Sindh;
- (d) "initial appointment" means appointment made otherwise than by promotion or transfer;
- (e) "Provincial Selection Board" means the Administrative Committee of the High Court or a committee of not less than three High Court Judges specially constituted for the purposes of these rules by the Full Court;
- (f) "recognised University" means any University established by or under a Law in Pakistan or any other University which may be declared by Government to be a recognized University for the purpose of these rules; and
- (g) "Service" means the Sindh Judicial Service.

## **PART-II, RECRUITMENT**

3. **Constitution of Service:-** The Service shall comprise of the posts of District Judges, Additional District Judges, Senior Civil Judges, Civil Judges and Judicial Magistrates and such other posts as may be determined by Government from time to time.

4. **Appointing Authority:-** Appointments to the Service shall be made by the Government in accordance with these rules.

5. **Method of Recruitment:-** (1) Appointments to a post in the lower grade of the Service, i.e. post of Civil Judges and Judicial Magistrate, shall be made by initial appointment on the recommendations of the Provincial Selection Board.

Provided that appointment of Judicial Magistrate may be made by transfer from amongst the Executive Magistrates, who possess degree of law and have exercised powers of first class Magistrate for not less than two years.

(2) Appointment to a post in the upper grade of Service, i.e. post of Senior Civil Judge, shall be made by promotion from amongst member of the lower grade of Service on the recommendations of the Provincial Selection Board:

Provided that if no suitable member of lower grade of Service is available for promotion, the appointment shall be made by initial appointment.

(3) Appointment to a post of Additional District and Sessions Judge shall be made by promotion in a manner that not less than two thirds vacancies shall be filled in from amongst the Senior Civil Judges on the recommendations of the Provincial Selection Board and not more than one third of the vacancies shall be filled in the initial appointment.

(4) Appointment to a post of District and Sessions Judge shall be made by promotion from amongst the senior-most Additional District and Sessions Judges on the recommendations of the Provincial Selection Board.

6. **Selection Grade:-** (1) Not less than fifteen percent of the posts of District and Sessions Judges shall be placed in Selection Grade.

(2) Appointment to the Selection Grade shall be made by the High Court, on the recommendations of the Provincial Selection Board, from amongst the senior-most District and Sessions Judges.

7. **Age:-** (1) No person shall be appointed to the Service by initial appointment if,

- (i) in case of appointment to a post in the lower grade of Service, he is less than twenty-one years and more than thirty years of age.
- (ii) in case of appointment to a post in the upper grade of Service, he is less than thirty years and more than forty years of age:

Provided that –

- (i) in the case of a Civil Servant who has served in connection with the affairs of the Federation or the Province of Sindh for a period of not less than three years, the upper age limit shall be thirty five years;
- (ii) in the case of a Barrister or an Advocate of the High Court and the Courts subordinate thereto, or a Pleader, the period during which he practiced at the bar, subject to a maximum period of three years, shall, for the purpose of upper age limit under this rule, be excluded from his age.
- (iii) in the case of a person whose services under Government have been terminated for want of vacancy, the period of Service already rendered by him shall, for the purpose of upper age limit under this rule, be excluded from his age.

(2) For the purpose of this rule, age shall be reckoned as on the last date fixed for submission of applications for appointment.

8. **Qualifications:-** (1) No person shall be appointed to a post in the service by initial appointment unless, -

- (a) in the case of appointment to a post in the lower grade of Service, he possesses a degree in Law from a recognized University entitling him to practice the profession of law or is a Barrister of England or Ireland or is a Member of the Faculty of Advocates of Scotland; and
- (b) he is practicing the profession of law or is a member of the staff of the Supreme Court, High Court of Sindh or Courts subordinate to the High Court of Sindh.

Provided that the Civil Judges and Judicial Magistrates appointed on the recommendations of the High Court before the coming into force of these rules shall be deemed to have been appointed under these rules.

**Explanation: -** The expression "practicing the profession of law" shall include any period of service of the State by a person as-

- (a) Legal Assistant or Section Officer in the Law Department of Government of Sindh, only;
  - (b) Assistant Attorney;
  - (c) Assistant Solicitor; and
  - (d) Full time prosecutor, authorised to conduct prosecution on behalf of the State in a Court.
  - (e) Civil servants, other than those mentioned above, who have served in connection with the affairs of the Province or Federation for a period of not less than three years.
- (c) in case of appointment to a post in the upper grade of Service, i.e. Senior Civil Judge, he, apart from possessing the qualifications in clause (a), is also a practicing Advocate of High Court and the Courts Subordinate thereto with minimum practice of four years;
- (d) in case of appointment to a post of Additional District and Sessions Judge, he apart from possessing the qualification in clause (a), is also a practicing Advocate of High Court and the Courts Subordinate thereto with minimum practice of six years.
- (2) No person shall be initially appointed to the Service unless:-
- (a) he produces a certificate of character from the Principal Academic Officer of the academic institution last attended, and also certificates of character from two other respectable persons, not being his relatives, who are well acquainted with his character and antecedents; and
  - (b) he is declared to be physically fit by a Medical Board appointed by Government.

### **PART-III, CONDITION OF SERVICE**

9. **Probation:-** (1) A person appointed to the service against a substantive vacancy shall remain on probation for a period of two years.

**Explanation --** Officiating service and service spent on deputation to a corresponding or a higher post may be allowed to count towards the period of probation.

(2) If the work or conduct of a member of the Service during the period of probation has been unsatisfactory, the High Court may, notwithstanding that the period of probation has not expired dispense with his service.

(3) On completion of the period of probation of a member of the service, the High Court may, subject to the provisions of sub-rule.

(4) Confirm him in his appointment, or if his work or conduct has, in the opinion of the High Court not been satisfactory--

(a) dispense with his services; or

(b) extend the period of the probation by a period not exceeding two years in all, and during or on the expiry of such period pass such orders as it could have passed during or on the expiry of the initial probation may period.

**Explanation-I:** If no orders have been made by the day following the completion of the initial probationary period, the period of probation shall be deemed to have been extended.

**Explanation-II:** If no orders have been made by the day on which the maximum period of probation expires, the probationer shall be deemed to have been confirmed in his appointment from the date on which the period of probation was last extended or may be deemed to have been so extended.

(4) No person shall be confirmed in the service unless he successfully completes such training and possess such departmental examinations as may be prescribed by the High Court from time to time.

(5) If a member of the Service fails to complete successfully any training or pass any departmental examinations prescribed under sub-rule(4), within such period or in such number of attempts as may be prescribed by the High Court, the High Court may dispense with his services.

10. **Seniority:-** The seniority inter se of the members of the service in the various grades thereof shall be determined--

- (a) in the case of members appointed by initial appointment in accordance with the order of merit assigned by the High Court; provided that persons selected for the Service in an earlier selection shall rank senior to the persons selected in a later selection;
- (b) in the case of members appointed by promotion, with reference to the dates of their continuous appointment therein; provided that if the date of continuous appointment in the case of two or more members is the same, the elder officer, if not junior to the younger officer or officers in the next below grade, shall rank senior to the younger officer or officers.
- (c) In the case of Executive Magistrates on their transfer to the service, from the date of their entry into the service; provided that their inter-se-seniority will be with reference to the dates of their continuous appointment in their original cadre.

**Explanation-I:** If a junior officer in a lower grade is promoted temporarily in the public interest, even though continuing later permanently in the higher grade, it would not adversely affect the interest of his senior officer in the fixation of his seniority in the higher grade.

**Explanation-II:** If a junior officer in a lower grade is promoted to a higher grade by superseding a senior officer and subsequently that officer is also promoted, the officer promoted first shall rank senior to the officer promoted subsequently.

11. **Liability to transfer and serve:-** Member of the service shall be liable to--

- (a) transfer anywhere in Sindh;
- (b) serve in any department of Government or any local authority or statutory body set up or established by Government; and
- (c) serve anywhere in Pakistan under the Federal Government.

12. **General rules:-** In all matters not expressly provided for in these rules, members of the Service shall be governed by such rules as have been or any hereafter be prescribed by Government and made applicable to them.

13. **Relaxation:-** Any of these rules may, for reasons to be recorded in writing, be relaxed in individual cases, if Government, on the recommendation of the High Court, is satisfied that a strict application of the rules would cause undue hardship to the individual concerned.

14. **Delegation:-** Government may, by notification in the official Gazette, delegate all or any of its powers under these rules to any officer.

15. **Repeal:-** The West Pakistan Civil Service (Judicial Branch) Rules, 1962, are hereby repealed.

**SAIYED AHMED SIDDIQUI  
CHIEF SECRETARY TO GOVT. OF SINDH**

**GOVERNMENT OF SINDH  
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT**

**NOTIFICATION**

No.SOR-III-2-17/83(P) Dated Lahore, the 31.03.1994

In exercise of the powers conferred by section 23 of the Punjab Civil Servants Act, 1974, the Governor of the Punjab is pleased to make the following rules regulations recruitment of the Punjab Judicial Service and prescribing conditions of service for the persons appointed thereto: -

**PART-I, GENERAL**

1. **Short title and Commencement:-** (1) These rules may be called the Punjab Judicial Service Rules, 1994.

(2) They shall come into force at once.

(3) They shall apply to all the members of the service.

2. **Definitions:-** In these rules, unless there is any thing repugnant in the subject or context--

(a) "Chief Justice" means the Chief Justice of the High Court of Lahore;

(b) "Government" means the Government of Punjab;

(c) "High Court" means the Lahore High Court, Lahore;

(d) "initial appointment" means appointment made otherwise than by promotion or transfer from another service/department/post;

(e) "Provincial Judicial Selection Board" means the Administrative Committee of the High Court or a Board comprising such number of Judges of the High Court as may be nominated by the Administration Committee;

(f) "Departmental Promotion Committee" means a Committee of two Judges of the High Court nominated by the Administration Committee;

- (g) "recognised University" means any University established by or under a Law in Pakistan or any other University which may be declared by Government to be a recognized University for the purpose of these rules; and
- (h) "Service" means the Punjab Judicial Service.
- (i) "Commission" means Punjab Public Service Commission.

## **PART-II, RECRUITMENT**

3. **Constitution of Service:-** The Service shall comprise the post of: -
  - (a) District and Sessions Judges;
  - (b) Additional District and Sessions Judges;
  - (c) Civil Judges-cum-Judicial Magistrates;
4. **Appointing Authority:-** Appointments to the service shall be made by the High Court.
5. **Method of Recruitment:-** (1) Appointments to a post of Civil Judge-cum-Judicial Magistrate, shall be made by initial recruitment on the recommendation of the Commission based on the result of a competitive examination conducted by it in the subjects specified in the Appendix to these rules:

Provided that the Government may, within six months from the date of notification of these rules, nominate any person, who possesses a degree in Law and has exercised powers of Magistrate 1<sup>st</sup> Class for a period of not less than two years, for appointment by transfer as Civil Judge-cum-Judicial Magistrate and such person shall be on deputation till his absorption in the service:

Provided further that if no order of absorption is passed within a period of one year, such persons shall be deemed to have been absorbed in the service from the date of his transfer:

Provided further that the terms and conditions of such person shall not be varied to his disadvantage till his absorption in the service or thereafter.

(2) Appointment to a post of Senior Civil Judge-cum-Judicial Magistrate shall be made on seniority-cum-fitness basis from amongst the Civil Judges-cum-Judicial Magistrates on the recommendation of Departmental Promotion Committee.

(3) Appointment to a post of Additional District and Session Judge shall be made to the extent of:

- (a) sixty percent by promotion from amongst the Civil Judges-cum-Judicial Magistrates with ten years service as Judicial Officer by selection on merit with due regard to seniority on the recommendation of the Provincial Judicial Selection Board; and
- (b) forty percent by initial recruitment from members of the Bar with ten years standing as Advocate.

(4) Appointment to a post of District and Sessions Judge shall be made by promotion from amongst the Additional District and Sessions Judges by selection on merit with due regard to seniority on the recommendation of the Provincial Judicial Selection Board.

6. **Age:-** (1) No person shall be appointed to the Service: -

- (1) in case of initial recruitment as Civil Judge-cum-Judicial Magistrate if he is less than twenty-five years and more than thirty years of age.

Provided that.....

- a) in the case of a Government Servant who has served in connection with the affairs of the Federation or the Province of Punjab for a period of not less than three years, the upper age limit shall be thirty-five years.
- b) in the case of a Barrister or an Advocate of the High Court and the Courts subordinate thereto or a Pleader, the period during which he practiced at the Bar, subject to a maximum period of three years, shall for the purpose of upper age limit under this rule, be excluded from his age.
- c) in the case of a person whose service under Government has been terminated for want of vacancy, the period of service already rendered by him shall for the purpose of upper age limit under this rule, be excluded from his age.

(2) For the purpose of this rule, age shall be reckoned as on the last date fixed for submission of applications for appointment.

7. **Qualifications:-** (1) No person shall be appointed to a post in the service by initial appointment unless: -

- (a) In case of appointment to a post of Civil Judge-cum-Judicial Magistrate;
  - (i) he possesses a degree in Law from a recognized University entitling him to practice the profession of law or is a Barrister of England or Ireland or is a Member of the Faculty of Advocates of Scotland; and
  - (ii) he has practiced the profession of law for not less than two years.

**Explanation: -** For the purpose of this clause, the expression “practiced the profession of law” shall include any period of government service by a person as:

- (a) District Attorney and Deputy District Attorney;
  - (b) Full time prosecutor authorized to conduct prosecution on behalf of the Government.
- (b) in case of appointment to a post of Additional District and Sessions Judge, he, apart from possessing the qualifications in sub-clause (i) of clause (a) is also a practicing Advocate of High Court and the Courts Subordinate thereto with minimum practice of ten years and is not less than thirty five years and not more than forty five years of age.
- (c) No person shall be initially appointed to the service unless. .
- (a) he produces a certificate of character from the Principal Academic Officer of the academic institution last attended, and also certificates of character from two other respectable persons, not being his relatives, who are well acquainted with his character and antecedents; and
  - (b) he is declared to be physically fit by a Medical Board of Medical Officers, appointed by the High Court.

### **PART-III, CONDITION OF SERVICE**

8. **Probation:-** (1) A person appointed to a post in a grade against a substantive vacancy shall remain on probation for a period of two years, if appointed by initial recruitment, and for a period of one year, if appointed otherwise; provided that the appointing authority may extend the period of probation by a further period not exceeding two years in all.

**Explanation:** Officiating service and service spent on deputation to corresponding or a higher post may be allowed to count towards the period of probation.

(2) No person shall be confirmed in a post unless he has successfully completed such training and passed such Departmental examination as may be prescribed.

(3) If no orders have been made by the day following the completion of the initial probationary period, the period of probation shall be deemed to have been extended.

(4) Subject to the provisions of sub-rule (2) above, if no orders have been made by the day on which the maximum period of probation expires, the probationer shall be deemed to have been confirmed in his appointment from the date on which the period of probation was last extended or may be deemed to have been so extended.

(5) A probationer, who has satisfactorily completed his period of probation against a substantive vacancy, shall be confirmed with effect from the date of his continuous appointment in such a vacancy:

Provided that where the period of his probation has been extended under the provisions of sub-rule (1) of this rule, the date of confirmation shall, subject to the other provisions of this rule, be the date on which the period of a probation was last extended.

9. **Seniority:-** The inter se seniority of the members of the service in the various grades thereof shall be determined:-

(a) in the case of members appointed by initial appointment, in accordance with the order of merit assigned by the Selection Authority: Provided that persons selected for the Service in an earlier selection shall rank senior to the persons selected in a later selection;

- (b) in the case of members appointed by promotion, with reference to the dates of their continuous appointment therein; Provided that if the date of continuous appointment in the same, the older officer, if not junior to the younger officer or officers in the next below grade, shall rank senior to the younger officer or officers.
- (c) In the case of members joining the service on transfer from the Executive, with reference to the date of their continuous appointment in the original cadre.

**Explanation-I:** If a junior officer in a lower grade is promoted temporarily in the public interest, even though continuing later permanently in the higher grade, it would not adversely affect the interest of his senior officer in the fixation of his seniority in the higher grade.

**Explanation-II:** If a junior officer in a lower grade is promoted to a higher grade by superseding a senior officer and subsequently that officer is also promoted, the officer promoted first shall rank senior to the officer promoted subsequently.

10. **Liability to transfer and serve:-** Member of the service shall be liable to:-

- (a) transfer anywhere in the Punjab;
- (b) serve in any department of the Government or any local authority or statutory body set up or established by the Government; and
- (c) serve anywhere in Pakistan under the Federal Government.

11. **General rules:-** In all matters not expressly provided for in these rules, members of the Service shall be governed by such rules as have been or any hereafter be prescribed by Government and made applicable to them.

12. The Chief Minister may, on the recommendation of the High Court, for reasons to be recorded in writing, relax any of the rules in any individual case of hardship, to the extent prescribed by him.

13. **Repeal:-** The West Pakistan Civil Service (Judicial Branch) Rules, 1962 except the syllabus attached thereto and those framed through notification No.CI-14-2/76 dated 28<sup>th</sup> September, 197 are hereby repealed.

**BY THE ORDER OF THE GOVERNOR OF THE PUNJAB**

**NAZIR AHMED CHAUDHRY  
ADDL. CHIEF SECRETARY**

**GOVERNMENT OF SINDH  
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT**

**NOTIFICATION**

No.SOR-I(S&GAD)2/3-93:- In exercise of the powers conferred by section 26 of the Sindh Civil Servants Act, 1973, the Government of Sindh are pleased to make the following amendment in the Sindh Judicial Service Rules, 1994: -

**AMENDMENT**

In rule 8, sub-rule (1), in the Explanation, after clause (d), the following new clause shall be added: -

- “(c) civil servants, other than those mentioned above, who have served in connection with the affairs of the Province or Federation for a period of not less than three years.”.

**SAIYED AHMED SIDDIQUI  
CHIEF SECRETARY TO GOVT. OF SINDH**

**GOVERNMENT OF SINDH  
SERVICES AND GENERAL ADMINISTRATION DEPARTMENT**

**NOTIFICATION**

No.SOR-I(S&GAD)2/3-93:- In exercise of the powers conferred by section 26 of the Sindh Civil Servants Act, 1973, the Government of Sindh are pleased to make the following amendment in the Sindh Judicial Service Rules, 1994: -

**AMENDMENT**

In rule 8, sub-rule (1), in the Explanation, after clause (b), the following new clause shall be added: -

- “(b) he is practicing the profession of law or is a member of the staff of the Supreme Court, High Court of Sindh or Courts subordinate to the High Court of Sindh.”.

**SAIYED AHMED SIDDIQUI  
CHIEF SECRETARY TO GOVT. OF SINDH**