

Subject: RECRUITMENT POLICY — 2004

One of the major objectives of the Government is to provide maximum job opportunities to the unemployed youth. However, in the Government sector, posts have to be filled essentially in accordance with requirement, to achieve the objectives of good governance and efficient service delivery. Under the Recruitment Policy dated 05.05.2003, recruitment in all Government departments and autonomous institutions was initiated after a long period of ban on recruitment. The Administrative Departments were allowed to make recruitment against more than 26,000 posts out of over 100,000 vacant posts. The process of recruitment under Phase-I has been completed and against 26,000 posts, recruitments were made against around 23,000 posts.

2. The successful completion of recruitment under Phase-I confirms the Government's commitment to improving the standards of service delivery in all Government sectors by providing best available human resources through merit-based recruitments.

3. The Government now intends to launch Phase-II of recruitment. The Recruitment Policy has been reviewed keeping in view the changed scenario especially the shift of emphasis on contract appointments and the issues/problems confronted during Phase-I. A more comprehensive policy has accordingly been prepared, and is hereby issued in supersession of the Policy issued vide No.SOR.III-2-15/2003 dated 05.05.2003 and circular letter No.SOR.III-2-15/2003 dated 07.07.2003.

4. LEGAL POSITION

- i) Section 4 of the Punjab Civil Servants Act, 1974 provides that appointments to a civil service of the province or to a civil post in connection with the affairs of the province shall be made in the prescribed manner.
- ii) Rule 3 (1) of the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974 provides that appointment to posts shall be made by promotion, transfer or initial recruitment, as may be prescribed.
- iii) Rule 16 of the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974 provides that initial recruitment on regular basis to the posts in BS-16 and above and such other posts in BS-11 to BS-15, as are notified by the Government, shall be filled on the recommendations of the Punjab Public Service Commission.
- iv) Under Rule 17 of the rules *ibid*, the posts which do not fall within the purview of Punjab Public Service Commission, are to be filled by the appropriate committees/board.
- v) Rule 17 of the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974 requires that initial recruitment against all posts in BS-1 and

above shall be made on merit after advertisement of vacancies in newspapers.

- vi) Appointment to posts reserved for initial recruitment can be made either on regular or on contract basis.

5. RECRUITMENT ON REGULAR BASIS

Recruitment on regular basis is made under the provisions of the Punjab Civil Servants Act, 1974, Punjab Civil Servants (Appointment & Conditions of Service) Rules, 1974 and relevant Service Rules of the posts in the following manner:

- i) Initial recruitment on regular basis to all posts in BS-16 and above is made on the recommendations of the Punjab Public Service Commission.

- ii) (a) As per notification No.SOR-III(S&GAD)1-14/75 dated 24.07.04, initial recruitment on regular basis to all posts in BS-11 to 15 of the following departments/attached departments shall be made on the recommendations of the Punjab Public Service Commission:

1. Services & General Administration
2. Revenue
3. Finance
4. Police

- (b) Initial recruitment on regular basis to the following posts in the departments/attached departments mentioned against each shall also be made on the recommendations of the Punjab Public Service Commission:

*i)	Assistant Superintendent Jail	I.G. Prison
(ii)	Assistant Food Controller	Food Deptt.
(iii)	(a) Sub Engineer	Irrigation
	(b) Ziladar	-do-
(iv)	Sub Engineer	C&W
(v)	Sub Engineer	HUD&PHE
(vi)	(a) Inspector Cooperative Societies	Cooperatives
	(b) Sub-Inspector Cooperative Societies	-do-
(vii)	(a) Transport Sub-Inspector	Transport
	(b) Motor Vehicle Examiner	-do-
	(c) Stenographer	-do-

- iii) Initial recruitment on regular basis in BS-1 to 10 in all departments and against posts in BS-11 to 15, other than those listed at serial no. (ii) above, shall be made on merit by the relevant committees/boards as notified by the Government.

6. RECRUITMENT ON CONTRACT BASIS

The Government has generally shifted from regular mode of appointment to contract mode in view of the changing management practices and to achieve the goals of good governance in the public sector departments/organizations. The

* Amended vide notification No. SOR-III(S&GAD)2-41/2009 dated 28.08.2018.

Departments are, therefore, advised to adhere to the following guidelines while making appointments on contract basis:

- i) Under the provisions of Rule 4 of the Punjab Public Service Commission (Functions) Rules, 1978, contract appointments are excluded from the purview of the PPSC. However the Departments should generally prefer the channel of PPSC even for contractual appointment against posts, which otherwise fall within the purview of PPSC under para 5 (i) & (ii), by seeking relaxation of Rule 4 *ibid* from the Chief Minister.
- ii) The Service Rules applicable to various posts shall be applicable also in case of appointment on contract basis. If, however, the Service Rules for a post have not been framed, the departments are advised to get them framed in consultation with the Regulations Wing of S&GAD and with approval of the Chief Minister, before commencing the recruitment process.
- iii) Where Service Rules for posts to be filled on contract basis are not available or where the department intends to adopt qualifications, etc., different from those provided in the Service Rules, comprehensive criteria regarding proposed qualification, experience, age, appointing authority, etc., may be got approved from the Chief Minister after consultation with the Regulations Wing.
- iv) Generally, the period of initial contract appointment shall be between three to five years extendable as per provisions of the prevailing contract appointment policy.
- v) Terms and conditions of contract appointment shall be settled by the Administrative Department in consultation with the Finance Department in accordance with the provisions of prevailing contract appointment policy. However, in all contracts, it shall be clearly provided that the services of the contract employee are liable to be terminated on one month's notice, without assigning any reason.

7. DETERMINATION OF POSTS TO BE FILLED ON REGULAR OR CONTRACT BASIS

- i) A Contract Appointment Regulation Committee (CARC) has been notified vide No.SOR.IV (S&GAD)12-2/2004, dated 16.04.2004, in the Regulations Wing with representatives from Punjab Public Service Commission, Finance Department and the Department concerned, which is required to determine as to whether various categories of posts shall be filled on regular or contract basis.
- ii) If the departments intend to fill the posts on contract basis in the pay scale prescribed in the service rules, the case need not be referred to the Regulations Wing and only the terms and conditions of contract appointment may be got approved from the Finance Department.
- iii) If, however, the departments intend to fill the posts on regular basis or on contract basis with pay package different from the pay scale of the post or qualification, etc., different from those prescribed in the service rules, a comprehensive case must be

referred to the Regulations Wing for consideration by the Contract Appointment Regulation Committee, before commencing the recruitment process.

8. **MERIT BASED RECRUITMENT**

- a) All posts shall be advertised properly in at least two leading newspapers, as per rules.
- b) No relaxation of qualification, experience, physical criteria etc. as provided in the relevant service rules shall be allowed, except as prescribed under the rules.
- c) The relevant Selection Committees shall ensure that recruitments are made strictly on merit and in accordance with the rules, selection criteria and other provisions of this policy.

9. **ELIGIBILITY FOR APPOINTMENT**

- i) Article 27 of the Constitution of Islamic Republic of Pakistan provides that no citizen, otherwise qualified for appointment in the Service of Pakistan (which includes Federal as well as Provincial Service) shall be discriminated against in respect of any such appointment on the ground of race, religion, caste, sex, residence or place of birth.
- ii) Article 27 (2) of the Constitution provides that the Provincial Government may prescribe the condition of residence in the province prior to appointment against any post under the provincial Government or authority.
- iii) Rule 20 of the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974 requires that posts in connection with the affairs of the province shall be filled from persons domiciled in the province of Punjab, in accordance with merit.
- iv) From the above provisions of Constitution/law it is clear that all persons who are domiciled in Punjab are eligible for appointment on merit against any post in any department, attached department, autonomous body, district Government, etc., provided they are otherwise eligible i.e., they meet the criteria/requirements of qualification, experience, age limit, etc., as provided in the service rules for the post.
- v) The existing regular/confirmed Government servants are eligible for appointment on contract basis and the issues regarding their lien etc., to their permanent substantive posts shall be dealt with under the provisions of the prevailing Contract Appointment Policy.
- vi) Under Section 13(1) of the Punjab Civil Servants Act, 1974, a retired Government servant is not

eligible for appointment either on regular or on contract basis. Thus all categories of retired Government servants are not eligible for initial appointment against Government posts except under the provisions of Re-employment Policy. The various kinds of retirement are explained as under:-

- a) Retirement on attaining the age of superannuation i.e., 60 years under Section 12(1)(ii) of the Punjab Civil Servants Act, 1974.
 - b) Compulsory retirement under Section 12(1) of the Act ibid after completion of 20 years service.
 - c) Compulsory retirement under the provisions of Punjab Civil Servants (E&D) Rules or Punjab Removal from Service (Special Powers) Ordinance, 2000.
 - d) Retirement on grounds of invalidation under rule 3.3 of Punjab Civil Service Pension Rules.
 - e) Optional retirement after completion of prescribed qualifying service for pension, under Rule 3.5 of the Pension Rules.
- vii) Retired armed forces personnel are eligible for appointment on merit only at the time of making general recruitment through advertisement against civil posts, provided they are otherwise eligible for appointment, under the rules.

***10. SELECTION COMMITTEES FOR RECRUITMENT**

The following Selection Committees shall make recommendations for such posts at the Provincial/District level as do not fall within purview of the Punjab Public Service Commission:

- a) **DEPARTMENTAL SELECTION COMMITTEES AT PROVINCIAL LEVEL**
 - i) Appointing Authority Chairman
(Where Chief Minister is the Appointing Authority, Administrative Secretary concerned. will be the Chairman of the Committee).
 - ii) Two officers of the Department to be nominated by the Administrative Department with the approval of the Minister Incharge. Member
 - iii) One officer of S&GAD to be nominated by the Regulations Wing (only for posts in BS-16 and above). Member
 - iv) A woman officer to be nominated by the Member

*Para 10 substituted vide Notification No. SOR-IV(S&GAD)10-1/2003 dated 17.05.2012.
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Administrative Secretary.

Provided that where the department is of the view that the said committee is not relevant to its peculiar circumstances, it may with the approval of the Chief Minister constitute its own committee, routing the case through Regulations Wing, S&GAD.

****b) DEPARTMENTAL SELECTION COMMITTEES AT DIVISIONAL / DISTRICT LEVEL**

- i) Appointing Authority Chairman
- ii) One member, nominated by the Administrative Department with the approval of the Minister In-charge Member
- iii) A woman officer, nominated by the Commissioner or Deputy Commissioner concerned. Member
- iv) Officer In-charge of Establishment concerned. Member

#c) Omitted

@ 11. SELECTION CRITERIA FOR APPOINTMENT

The following criteria shall be observed for selection against posts in BS-1 to 4, BS-5 to 10 and 11 & above:

A) CRITERIA FOR POSTS IN BS-1 TO 4

Total Marks 100

(i) EDUCATIONAL QUALIFICATION

Maximum Marks 65

a) Where prescribed minimum qualification is literate

Literate	45
Primary	50
Middle	60
Matric	65

b) Where prescribed minimum qualification is Primary

Primary	50
Middle	60
Matric	65

c) Where prescribed minimum qualification is Middle

Middle	50
Matric	60
Intermediate	65

d) Where prescribed minimum qualification is Matric

Matric	50
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** Clause (b) of para 10 is substituted vide Notification No. SOR.IV(S&GAD)10-1/2003 dated 12.04.2017.

Para 10 omitted vide Notification No. SOR.IV(S&GAD)10-1/2003 dated 12.04.2017.

@ Substituted vide Notification No. SOR-IV(S&GAD)10-1/2003 dated 01.02.2016.

Intermediate	60
Bachelor	65

(ii) **EXPERIENCE IN THE RELEVANT FIELD**

Maximum Marks 10

(Over and above the experience prescribed in the service rules)

a)	One year	05
b)	Two years	07
c)	Three years	10

(iii) **EX-SERVICE MAN/HAFIZ-E-QURAN**

Marks 05

(iv) **INTERVIEW**

Maximum Marks 20

B) CRITERIA FOR POSTS IN BS-5 TO 10

Total Marks 100

(i) **EDUCATIONAL QUALIFICATION**

Maximum Marks 70

a) Where prescribed minimum qualification is Matric/equivalent

		A+ Grade	A Grade	B Grade	C Grade	D Grade	E Grade
1.	Matric	70	63	56	49	42	35

b) Where prescribed minimum qualification is Intermediate/equivalent

		A+ Grade	A Grade	B Grade	C Grade	D Grade	E Grade
1.	Intermediate 67%	47	42	38	33	28	23
2.	Matric 33%	23	21	18	16	14	12

c) Where prescribed minimum qualification is Bachelor Degree/equivalent

		1 st Div.	2 nd Div	3 rd Div
1	Bachelor 50%	35	31	21
2	Intermediate 33%	23	21	14
3	Matric 17%	12	11	07

(ii) **HIGHER QUALIFICATION**

Maximum Marks 10

Next above the qualification prescribed under the rules:

1)	One stage higher	05
2)	Two stages higher	07
3)	Three stages higher	10

(iii) **EXPERIENCE IN THE RELEVANT FIELD**

Maximum Marks 10

a)	One year	05
b)	Two years	07
c)	Three years	10

(iv) **EX-SERVICE MAN/HAFIZ-E-QURAN**

Marks 05

(v) **INTERVIEW**

Maximum Marks 05

C. CRITERIA FOR POSTS IN BS-11 & ABOVE

Total Marks 100

(i) **EDUCATIONAL QUALIFICATION**

Maximum Marks 70

a) Where prescribed minimum qualification is Matric/equivalent

		A+ Grade	A Grade	B Grade	C Grade	D Grade	E Grade
1	Matric	70	63	56	49	42	35

b) Where prescribed minimum qualification is Intermediate/equivalent

		A+ Grade	A Grade	B Grade	C Grade	D Grade	E Grade
1	Intermediate 67%	47	42	38	33	28	23
2	Matric 33%	23	21	18	16	14	12

c) Where prescribed minimum qualification is Bachelor Degree/equivalent

		1 st Div	2 nd Div	3 rd Div
1	Bachelor 50%	35	31	21
2	Intermediate 33%	23	21	14
3	Matric 17%	12	11	07

d) Where prescribed minimum qualification is Master's degree/equivalent

		1 st Div	2 nd Div	3 rd Div
1	Master's 50%	35	32	21
2	Bachelor 25%	17	16	11

3	Intermediate	17%	12	11	07
4	Matric	8%	06	05	03

(ii) **HIGHER QUALIFICATION IN THE RELEVANT FIELD**

Maximum Marks 10

Next above the qualification prescribed under the rules:

1)	One stage higher	05
2)	Two stages higher	07
3)	Three stages higher	10

(iii) **POSITION IN THE BOARD / UNIVERSITY IN THE PRESCRIBED QUALIFICATION**

Maximum marks 05

a)	1 st position	05
b)	2 nd position	03
c)	3 rd position	02

(iv) **EX-SERVICE MAN/HAFIZ-E-QURAN**

Marks 05

(v) **EXPERIENCE IN THE RELEVANT FIELD**

Marks 05

(vi) **INTERVIEW**

Maximum Marks 05

Note: Departments may change the selection criteria for specific specialized posts, if required, but the criteria must be clearly elaborated in order to ensure transparency in the selection process and should be got approved from the Chief Minister Punjab.

12. **QUOTAS IN RECRUITMENT**

The following quotas have already been provided under various notifications and shall continue:

- ♣ i) 3% quota for disabled persons, as prescribed vide No. SOR-IV (S&GAD) 7-2/2015 dated 08.04.2015.
- ii) 15% quota for women as prescribed vide Notification No.SOR-IV(S&GAD)15-1/2012 dated 21.05.2012

♣ 2% quota for disable persons is substituted as 3% quota vide letter No. SOR-IV (S&GAD) 7-2/2015 dated 08.04.2015.

• 5% quota for women is substituted as 15% quota vide Notification No.SOR-IV(S&GAD)15-1/2012 dated 21.05.2012

- iii) 20% quota of posts in BS-1 to 5 for the children of serving/retired Government employees in BS-1 to 5, as prescribed vide notification No. SOR-III.1-22/90 dated 01.09.1993.

** (iv) 5% quota for minorities.

Explanation: The posts reserved for quotas mentioned above are to be filled only at the time of making general recruitment through advertisement, under the Recruitment Policy.

13. **STEPS OF RECRUITMENT PROCESS**

- i) Administrative Secretary and the Appointing Authority shall periodically update the detail of available vacancies, especially prior to recruitment and ensure that recruitment is made against clear-cut vacancies, after accounting for vacancies occurring due to leave, deputation etc.
- ii) Before advertising the posts, it shall be ensured that there is no bar on recruitment and recruitments shall be made only against posts for which specific approval has been granted either under the Recruitment Policy or by the Chief Minister.
- iii) Appointing Authority shall advertise the posts in at least two national dailies indicating the qualification, etc. as prescribed in the Service Rules of the post.
- iv) At least 15 days time, from the date of advertisement, shall be given for submission of applications.
- v) After detailed scrutiny of the applications, the eligible candidates shall be issued call letters for test/interview, as the case may be.
- #v-a) The Appointing Authorities shall prepare a separate question paper for the non-Muslim candidates, as and when recruitment is made on the basis of written test. The questions shall be of general nature, and shall not be limited to the knowledge about any particular religion.
- *vi) The relevant Selection Committee shall conduct test/interview and recommend suitable candidates for appointment, strictly on the basis of merit/selection criteria, to the appointing authority. The merit list shall be signed by the Chairman as well as all the members of the Selection Committees.
- vii) The Appointing Authority, shall issue offer of appointments to the candidates recommended by the

** Added vide Notification No. SOR-III(S&GAD)1-35/93 dated 27.03.2010.

Added vide Notification No. SOR-IV(S&GAD)10-1/2003 dated 31.12.2011.

* Para 13(vi) substituted vide Notification No. SOR-IV(S&GAD)10-1/2003 dated 05.10.2011.

Selection Committee, clearly indicating the terms and conditions of such appointment.

- viii) The terms and conditions of contract appointment must be prepared as per provisions of Contract Appointment Policy and got approved from Finance Department before issuing offers of appointment.
- ix) Appointing Authority shall issue appointment/posting orders after the acceptance of offer and after ensuring that all the codal formalities have been fulfilled.
- x) All the candidates shall be required to produce National Identity Card, domicile certificate and transcripts of qualifications, in original, at the time of interview.
- xi) The Selection Committees shall ensure that the certificates/degrees of candidates are genuine and have been obtained from recognized institutions.

14. **RECRUITMENT IN AUTONOMOUS BODIES**

- i) The provisions of this Policy shall be applicable to recruitments in Autonomous Bodies. However, if the Selection Committees at para 10 above are not relevant to their peculiar requirements and circumstances, they may constitute their own Selection Committees with the approval of their governing body/competent authority.
- ii) If the departments feel that autonomous bodies should be allowed recruitment as per their requirements and should not be linked with the Recruitment Policy *per se*, e.g., public sector universities and autonomous health institutions, etc., the departments may obtain approval of the Chief Minister for allowing recruitments in the autonomous bodies/institutions as per their own requirements, on a summary to be routed through the Regulations Wing.
- iii) The provisions regarding merit-based recruitment, eligibility for appointment, criteria for selection, preference for contractual appointments shall be applicable to the autonomous institutions.
- iv) The Departments shall keep a record of all recruitments made in autonomous bodies/institutions attached with them and provide a consolidated information to the Regulations Wing so that the figures may be incorporated into the overall number of posts against which recruitments have been made in the Provincial Departments/Organizations.
- v) The Departments must always send consolidated information pertaining to all autonomous bodies and avoid furnishing the same in piecemeal manner.

15. **RECRUITMENT IN DEVELOPMENT PROJECTS**

- i) There is no restriction/ban on recruitment against posts duly approved in the development projects as per Finance Department's letter No. Exp (G) 11-9/99, dated 31.07.1999.

- ii) Recruitment against all project posts shall invariably be made on contract basis.
- iii) The instructions/guidelines and selection criteria, etc., given in this policy shall be equally applicable for recruitment against project posts.
- ♦iv) Recruitment against posts sanctioned in development projects shall be made in accordance with the Service Rules already prescribed. If no Service Rules for the post exist, then the departments shall determine the qualification, experience, age limit, appointing authority, etc., at their own level.
- v) The Departments must intimate the Regulations Wing about the recruitments to be made in the development projects prior to initiating the recruitment process so that the number of posts against which recruitment is made is incorporated in the overall number of posts against which recruitments have been made in the Provincial Departments/Organizations.

16. **▲RELAXATION IN UPPER AGE LIMIT FOR INITIAL RECRUITMENT IN BS-1 TO 17**

- i) 05 years relaxation in upper age limit shall be allowed, across the board, for all categories of posts in BS-1 to 17.
- ii) This relaxation would be valid upto 30.06.2005, for all kinds of recruitments. During this time, the application of Punjab Delegation of Powers (Relaxation of Age) Rules, 1961 shall be held in abeyance.
- iii) This concession in upper age limit shall however, not be granted in the case of Police Department, as already decided by the Cabinet in 1990.
- iv) In all cases, age relaxation shall be given across the board as per above provisions and shall appear as a part of the advertisement and shall not be allowed in individual cases. This will obviate the necessity of individuals approaching various authorities for getting age relaxation.

RELAXATION IN CASE OF CONTRACT APPOINTMENTS

- i) In case where the upper age limit for a post to be filled on contract basis has been enhanced by the department (as against the age limit prescribed in the service rules) no relaxation in the upper age limit shall be allowed.
- ii) In case where contract appointments are made in accordance with the existing service rules and the age limit prescribed thereunder, 5 years relaxation in upper age limit shall be granted across the board, as per policy given above at para 16 (a) to (d).

17. **RECRUITMENT COMPLAINTS REDRESSAL CELL**

♦Para 15(iv) substituted vide Notification No. SOR-IV(S&GAD)10-1/2003 dated 14.06.2006.

▲For further amendments see Delegation of Powers (Relaxation of Age) Rules, 1961, amended, vide Notification No. SORI(S&GAD) 9-36/81 dated 04.11.2006.

- i) All Departments shall constitute Recruitment Complaints Redressal Cells headed by an officer not below the rank of Additional Secretary (Deputy Secretary in case of Departments where post of Additional Secretary does not exist). All complaints regarding violation of any provision of the Recruitment Policy shall be dealt with by these cells.
- ii) On receipt of complaints, the Incharge of the Cell shall immediately inform the Secretary concerned and the Minister Incharge about the complaint, who shall decide as to whether the complaint is genuine and merits probe.
- iii) If the complaint is considered frivolous, the same may be filed. If it is found genuine, an inquiry may be ordered to ascertain as to whether or not the recruitment was made in a transparent manner on merit in accordance with the provisions of the Recruitment Policy. On receipt of the inquiry report, if no irregularity is found, the recruitment may be allowed to stand.
- iv) Where serious irregularities and violation of merit is found to have been committed, the department may scrap the recruitment process, after the approval of the Chief Minister, provided that appointment orders have not been issued.
- v) Where appointment orders on regular or contract basis have already been issued and later it is determined that such appointments were made in violation of merit/selection criteria, etc., further action may be taken in accordance with law and terms and conditions of contract.
- vi) Departments should take disciplinary action against the persons responsible for committing irregularities in recruitment process.

18. RECRUITMENTS TO BE MADE IN PHASE-II

- i) Under Phase-II of the recruitment process, 38, 219 posts shall be filled by the departments, including attached departments, subordinate offices/institutions, autonomous bodies, district offices, etc.
- ii) The department-wise breakup of the posts against which recruitment is to be made under Phase-II is given in Annexure-I.
- iii) The departments are required to convey detailed breakup of the posts to the Districts, Attached Departments/ Autonomous Bodies, etc., in order to enable them to make recruitments against posts, specifically allocated to them.
- iv) DCOs/EDOs and Heads of Attached Departments/ Autonomous Bodies must obtain the details of the posts allocated to them from the concerned administrative

departments before proceeding with the recruitment process.

- v) All departments are required to complete the recruitment process under Phase-II against posts allocated to them latest by 31.03.2005.
- vi) The Departments must provide the progress of recruitment process to the Regulations Wing on quarterly basis as under, on the proforma given at Annexure-II.

	For the quarter ending	To be provided by
a)	31.12.2004	15.01.2005
b)	31.03.2005	15.04.2005

19. This issues with the approval of the Chief Minister Punjab. All the Administrative Departments/Authorities are requested to ensure strict compliance of this policy, at all levels.

No. SOR.III.2-2/91
Dated the 22nd August, 1992

NOTIFICATION

Notwithstanding anything contained in any recruitment rules for any post and in exercise of the powers conferred on him by Section 23 of the Punjab Civil Servants Act, 1974 (*VIII of 1974*), the Governor of the Punjab is pleased to direct that the initial recruitment to posts in BS-11 to BS-15 of the following departments shall also henceforth be made on the recommendations of Punjab Public Service Commission:

1. Revenue Department.
2. Police Department.
3. Prisons Department.
4. Food Department.
5. Labour and Manpower Department.
6. Excise and Taxation Department.
7. Irrigation and Power Department.
8. Cooperatives Department.
9. Communication and Works Department.
10. Housing, P& EP Department.
11. Punjab Civil Secretariat; and
12. Engineering cells of all other departments.

No. SOR.III.2-2/91
Dated the 31st January, 1993

Subject: IRREGULARITIES IN RECRUITMENT ORDERS OF THE SUPREME COURT OF PAKISTAN

I am directed to invite your kind attention to the subject noted above and to enclose a copy of the judgment passed by the Supreme Court of Pakistan in respect of Human Rights Cases No. 104 and 104 (ii to iv) of 1992 dated 19.01.1993 for your kind information and necessary action (copy placed below).

FOR CHIEF SECRETARY, PUNJAB

IN THE SUPREME COURT OF PAKISTAN
(original jurisdiction)

Present:

Mr. Justice Muhammad Afzal Zullah, Chief Justice.

Mr. Justice Dr. Nasim Hasan Shah.

Mr. Justice Shafi-ur-Rehman.

HUMAN RIGHTS CASE NO. 104 OF 1992.
(irregularities in appointments)

Abdul Jabbar Memon. Applicant

HUMAN RIGHTS CASE NO. 104 (ii) OF 1992.

Mr. Latif Ullah Applicant

HUMAN RIGHTS CASE NO. 104 (iii) OF 1992.

Staff Excise & Taxation Applicant
Department.

HUMAN RIGHTS CASE NO. 104 OF 1992.

Mr. Rab Nawaz Raja. Applicant

ORDER

19.01.1993

PRESENT

Mr. Faqir Muhammad Khokhar, Deputy Attorney General.

Mr. Mumtaz Ali Mirza, Deputy Attorney General.

Raja M. Afsar, Advocate General, Balochistan.

Mr. Abdul Ghaffar Mangi, Addl. Advocate General, Sindh.

Mr. Khalid Ahmad, Assistant Advocate General, Punjab.

Mr. Anwar Kamal, Advocate Supreme Court of Pakistan, for PIA.

The matter has come up for consideration in the presence of the Deputy Attorneys General, Provincial Law Officers and Mr. Anwar Kamal, Advocate/counsel for PIA to seek appropriate instructions from their respective Governments/Departments and to ensure compliance with the order. The interim order is reproduced here under in extant.

HR. 104/92 etc.

“While inquiring into various complaints of violation of Fundamental/Human Rights, it has been found that the Federal Government, Provincial Governments, Statutory Bodies and the Public Authorities have been making recruitments, both adhoc and regular, to posts and of without publicly and properly advertising the vacancies and at times by converting adhoc appointments into regular appointments. This practice is Prima facie violative of Fundamental Right (Article 18 of the Constitution) guaranteeing to every citizen freedom of profession.

Subject to notice to all concerned, and subject to final orders after full hearing in the matter, it is ordered as after interim measure that the violation of this Fundamental/Human Right shall be discontinued forthwith.

Steps shall immediately be taken to rectify, so as to bring the practice in accord with the Constitutional requirement.

Sd/- Muhammad Afzal Zullah
Chief Justice
Sd/- Dr. Nasim Hassan Shah
Sd/- Shafur Rehman

Dated: Rawalpindi,
January, 19, 1993

No. SOR.III.2-2/91
Dated the 5th October, 1995

Subject: IRREGULARITIES IN RECRUITMENT ORDERS OF THE SUPREME COURT OF PAKISTAN

I am directed to invite your attention to this Department's circular letter of Even No. dated 31st January, 1993, forwarding a copy of Order of Supreme Court of Pakistan dated 19.01.1993, passed in Human Rights Cases No. 104 (*I to IV*) of 1992 for compliance. It has been observed that the decision is not being followed meticulously. It has, therefore, been decided to re-emphasize the implications of this decision, which are as under:

- ii) No recruitment should be made against any post which is not advertised properly.
- iii) No ahoc appointments should be converted into regular appointments without advertising the posts.
- iv) No recruitment should be made without observing rules and prescribed procedure.

2. Proposals are being sent by various Administrative Departments to the Regulations Wing, S&GAD for regularizing the adhoc appointments. Needless to say that such proposals militate against the spirit of Supreme Court's decision referred to above. Such proposals, if accepted, would tantamount to contempt of Court.

3. A serious view of this lapse has been taken by the Government and it has been decided that in future no such proposal shall be entertained. Strict disciplinary action shall be taken against the Civil Servants who violated the principle of law enunciated by the Supreme Court of Pakistan referred to above.

4. The contents of this letter may kindly be brought to the notice of all concerned.

No. SOR-IV (S&GAD)10-1/2003
Dated the 16th March 2005

Subject: REQUIREMENT OF ATTESTED/PHOTO COPIES OF SUPPORTING DOCUMENTS FROM EMPLOYMENT SEEKERS

I am directed to refer to the subject cited above and to inform that the Government has approved the following simplified system to be followed during recruitment process in general by all the departments unless it is necessary for better selection to call for more detailed documentation at the initial stage of the selection process:

- i) At the stage of calling the applications, only personal data on a plain paper may suffice to shortlist the candidates on the basis of suitability.
- ii) Those called for interview may be asked to bring along the original documents.
- iii) Those selected may be required to submit certified copies of the documents for record.

2. You are requested to bring the above instructions in to the notice of attached departments/subordinate offices/autonomous/semi-autonomous bodies/corporations under your administrative control for compliance.

No. SOR-IV(S&GAD)10-1/2003
Dated 14th June 2006

Subject: RECRUITMENT POLICY – 2004

Kindly refer to the subject cited above.

2. In pursuance of the approval accorded by the Chief Minister, para 15(iv) of the Recruitment Policy 2004 shall be substituted as under:

- “iv) Recruitment against posts sanctioned in development projects shall be made in accordance with the Service Rules already prescribed. If no Service Rules for the post exist, then the departments shall determine the qualification, experience, age limit, appointing authority etc., at their own level.”

No. SOR-IV(S&GAD)10-1/2003
Dated 20th March 2006

Subject: RECRUITMENT POLICY – 2004

Attention is invited to Para 15 of the Recruitment Policy – 2004 circulated vide letter of even No. dated 17.09.2004, which provides as under:

- i) There is no restriction/ban on recruitment against posts duly approved in the development projects as per Finance Department's letter No. Exp (G) 11-9/99, dated 31.07.1999.

- ii) Recruitment against all project posts shall invariably be made on contract basis.
- iii) The instructions/guidelines and selection criteria, etc., given in this policy shall be equally applicable for recruitment against project posts.
- iv) Recruitment against posts sanctioned in development projects shall be made in accordance with the Service Rules already prescribed for similar posts. If no Service Rules for the post exist, then the departments shall determine the qualification, experience, age limit, appointing authority etc., and get the same approved from the Chief Minister in consultation with the Regulations Wing.

2. The Chief Minister has been pleased to direct that since there is no restriction/ban on recruitment against posts duly approved in the development projects, the department/executing agencies should proceed with the recruitment process against project posts without making any reference to the Regulations Wing of S&GAD.

3. Therefore, all the departments are advised not to send references to the Regulations Wing seeking relaxation of ban for making such recruitment, and the implementation of the projects may be expedited.

4. However, the Departments shall intimate the Regulations Wing about the number of posts filled in immediately after recruitments made in the development projects so that the over-all figure of posts against which recruitment is made in the provincial departments/organizations is updated.

No. SOR-IV(S&GAD)10-1/2003

Dated 11th October 2006

Subject: RECRUITMENT POLICY – 2004

I am directed to refer to the subject cited above and to state that instances have come to the notice of the Government where certain officers attended as chairman or as a member, meetings of the Selection Committees while their blood relations were candidates for a post. Needless to say that such an act is not only prejudicial to the norms of transparency and casts aspersions on the conduct of the concerned officers, but also tantamount to nepotism, favoritism and willful abuse of office under rule 26 of the Punjab Government Servants (Conduct) Rules, 1966.

2. Therefore, in order to ensure merit and transparency, in case a relative of the chairman or a member of the Selection/Recruitment Committee is to appear for interview as a candidate, the said officer should not participate in the meeting of the Selection Committee and for alternative arrangements orders of the next higher authority may be sought.

3. You are requested to kindly bring the aforesaid instructions into the notice of all concerned for strict compliance.

No. SOR-IV (S&GAD)10-1/2003

Dated the 28th September 2006

Subject: RECRUITMENT POLICY – 2004

Kindly refer to this department's letter of even number dated 21.04.2006 on the subject cited above, whereby a representative of Punjab Public Service Commission was made a member of the Departmental Selection Committees at provincial level prescribed in Para 10(a) of the Recruitment Policy – 2004, for posts in BS-16 and above.

2. The Chief Minister has been pleased to exclude all the temporary posts created for development projects/programs from the purview of the circular letter referred to above. Instead the following policy shall be adhered to regarding the constitution of Selection Committees in respect of temporary projects posts:

- | | | |
|----|---|--|
| a) | For project posts from
BS-16 to BS-18 (or equivalent) | To be constituted by the
Administrative Secretary
concerned. |
| b) | For project pots in BS-19
and above (or equivalent) or
those with special package | Selection Committee to be
constituted in consultation
with P&D Department, with
the approval of Chief Minister. |

3. Further necessary action may be taken accordingly.

No. SOR-IV(S&GAD)10-2/2008
Dated the 6th February 2008

SUBJECT: RECRUITMENT POLICY – INDICATION OF SPECIFIC DATE IN
THE ADVERTISEMENTS FOR RECRUITMENT

I am directed to refer to the subject noted above and to state that it has been brought to the notice of Government that some of the Departments, instead of giving a clear last date up to which applications could be submitted, mention that applications would be received within certain number of days of the advertisement. This practice creates confusion because advertisements may appear on different dates in different newspapers.

2. In view of the above, it has been decided that, henceforth, in the advertisements for recruitment to various posts last date by which applications should be submitted be clearly specified. However, while determining the last date it may be kept in view that two weeks time is required for processing of advertisements for recruitment by the Directorate General of Public Relations, Punjab, Lahore. This may be brought to the notice of all concerned for strict compliance.

NO.SOR-III(S&GAD)2-74/2008
Dated Lahore the 5th November 2011

NOTIFICATION

In exercise of the powers conferred upon him by section 23 of the Punjab Civil Servants Act, 1974 (VIII of 1974) and in supersession of S&GAD's notification No. SOR-III-2-74/2008 dated 21.08.2009, the Governor of the Punjab is pleased to direct that

20% vacancies in the cadre of Junior Clerk, Patwari, Driver, Beldar, Naib Qasid, Mali, Farrash, Water Carrier and Chowkidar in all Government Departments shall stand reserved for the children of such Government servants in BS-1-5 and Junior Clerks (BS-7) and Patwaris (BS-9), who are either serving in the respective department/cadre or have retired. The eligibility criteria for selection to the reserved posts shall be as follows:

Nomenclature of post	Criteria for selection
Junior Clerk (BS-7)	All the posts of Junior Clerks falling in this quota shall be filled strictly on merit as per recruitment policy in vogue.
Patwari (BS-9)	All the posts of Patwaris falling in this quota shall be filled strictly on merit as per recruitment policy in vogue.
Driver (BS-4)	Only those candidates who possess valid driving license shall be eligible for the post of Driver. Respective Departmental Selection Committees shall conduct driving tests of all eligible candidates.
Beldar (BS-1)	The basic criteria for recruitment to the post of Beldar shall be— (a) Height 5.6” or above. (b) Chest 33” or above (c) Test of Kassi work (d) Racing test and (e) Swimming test
Naib Qasid/Mali/Farash/ Water Carrier/Chowkidar (BS-1)	The length of service of the parent whose son is a candidate shall be the sole criteria for determining inter se merit of the candidates.

Provided that:

- i) Only one child of a Government servant can avail the benefit of employment under the said reserved quota for the children of above mentioned categories of Government employees in BS-1-5 including Junior Clerks (BS-11)/Patwaris (BS-9). For this purpose, an affidavit shall be obtained from the concerned employee that none of his children has previously been appointed under the said quota;
- ii) The vacancies shall be filled through the respective Departmental Recruitment Committees at time of general recruitment;
- iii) The District cadre posts shall be filled from amongst the candidates having the domicile of the district concerned; and
- iv) If none is available for appointment against the reserved quota, the post shall be filled through direct recruitment on open merit.

No. SOR-IV(S&GAD)10-1/2003
Dated the 13th February, 2009

Subject: RECRUITMENT AGAINST POSTS IN BS-1 TO 5 – LIFTING OF BAN

In continuation of this Department’s letter of even number dated 03.02.2009 on the subject cited above, I am request that due publicity be given to the recruitment process.

2. It is also reiterated that recruitment may kindly be made in accordance with the provisions of Recruitment Policy and Contract Appointment Policy – 2004. Attention is also invited to Article 27 of the Constitution of Pakistan, which stands incorporated in para 9(i) of the Recruitment Policy – 2004, which reads as under:

“9(i) Article 27 of the Constitution of Islamic Republic of Pakistan provides that no citizen, otherwise qualified for appointment in the Service of Pakistan (which includes Federal as well as Provincial Service) shall be discriminated against in respect of any such appointment on the ground of race, religion, caste, sex, residence or place of birth.”

3. In view of the above, all appointing authorities are requested to ensure that while advertising the posts of Sanitary Workers, no specific category of persons be mentioned as eligible for such posts in order to avoid possible adverse effect on sensibilities.

No. SOR-IV(S&GAD)10-12/2011

Dated the 6th April 2012

Subject: EMPLOYMENT OF SHEMALES IN GOVERNMENT DEPARTMENTS

Kindly refer to the subject noted above.

2. The Supreme Court of Pakistan vide Order dated 01.02.2012 (copy enclosed) passed in Constitutional Petition No. 43 of 2009 filed by Dr. Muhammad Aslam Khaki has directed to ensure that:

“Shemales shall be accommodated against the Government jobs in accordance with rules and regulations.”

3. I am, therefore, directed to request you to instruct the Appointing Authorities under your control that while advertising the vacancies, it shall also be indicated that “Shemales can apply, if eligible, against vacancies to be filled through open merit.”

Subject: CONSTITUTION PETITION NO. 43 OF 2009

Dr. Muhammad Aslam Khaki & another Petitioners
Vs.
S.S.P. (Operations) Rawalpindi & others Respondents

I am directed to enclose herewith certified copy of the order dated 01.02.2012 passed in the above cited Constitution Petition.

2. I am further directed to invite your attention to the directions of the Court contained in the enclosed order (*below*) for information and further immediate necessary action on you part.

IN THE SUPREME COURT OF PAKISTAN
(Original Jurisdiction)

Present

Mr. Justice Iftikhar Muhammad Chaudhry, CJ
Mr. Justice Khilji Arif Hussain
Mr. Justice Tariq Parvez

CONSTITUTION PETITION NO. 43 OF 2009

Dr. Muhammad Aslam Khaki & another Vs. SSP Operations, RWP, etc.

For the petitioner :

Dr. M. Aslam Khaki, ASC
with Almas Bobi, President,
Shemale Association of
Pakistan & Shahana Abbas,
Sana Murslin, Asia, Taswur.

For the Federation:

Mr. Muhammad Alizai, DAG.

For Govt. of Balochistan:

Mr. Tahir Iqbal Khattak,
Addl. PG. (on behalf of
Balochistan) Mr. Saleem Awan, Secy,
SW.

For Govt. of KPK:

Syed Arshad Hussain Shah,
Addl. AG

For Govt. of Punjab:

Mr. Jawad Hassan, Addl. AG
Mian Abdul Qudoos, Dir. SW

For Govt. of Sindh:

Mr. Qasim Jat, ASC
(on behalf of AG Sindh)
Ms. Rehana Khatoon, Dy. Dir. SW
Mr. Saqib Jamal, LO

For NADRA:

Addl. AG

For ICT:

Dr. Muhammad Athar,
DHO, Ibid.

For Rwp. Police:

Mr. Waris Haider, SP
Pothohar Town.
Raja Tifoor, DSP, Taxila
Sardar Shakeel Ahmed, SHO.

Date of hearing:

01.02.2012

ORDER

Mr. Saleem Awan, Secretary, Social Welfare Department, Government of Balochistan has appeared and submits a report; perusal whereof indicates that in different parts/cities of Province of Balochistan, 121 Shemales have been identified; NADRA is cooperating in preparing their CNIC and thereafter the Electoral List Registration Officer shall approached for registering their names as voters in the list; jobs against the post for which they were appointed on merit, without interference of the department, whereas seven other shemales are in different occupations; he states that steps are being taken for transfer of their ancestral properties in their names but no one amongst them have identified such property; he further informs that Shemale Welfare Centre is under construction, where psychological counseling facility will be provided to them.

2. In above view of the matter, we direct the Social Welfare Department to itself trace out the whereabouts of the properties with reference to families etc. of the Shemales and transfer the same in their names; it shall also be ensured that shemales are accommodated against the Government jobs according to the rules and regulations and process of their registration as voter be completed expeditiously. A compliance report in this regard shall be submitted by the department to this Court before next date of hearing.

3. Learned Additional Advocate General KPK has appeared and states that 136 Shemales have been identified, out of whom 53 have been registered by NADRA with the cooperation of the Provincial Government and their names shall also be incorporated in the Electoral List as voters. According to him all the Educational Institutions have been instructed to provide them education. He states that two shemales have already been accommodated against the Government jobs and this effort shall continue in future as well. According to him process of transfer of immovable properties, if any, inherited by anyone of them is also under process.

4. Similarly, learned Additional Advocate General Punjab states that so far process of granting CNIC by NADRA to Shemales has been completed to the extent of 484 Shemales; in respect of remaining Shemales, there are certain technical problems, and the authorities are trying to overcome the same; he states that in the meantime, efforts are also being made to register their names in the Electoral List as voters.

The Government of Punjab is directed through the Advocate General to ensure that Shemale shall be accommodated the Government job in accordance with rules and regulations.

5. Learned ASC appearing on behalf of Government of Sindh has submitted report, which indicates that the directions of this Court are being complied with in letter and spirit.

6. Dr. Muhammad Athar, DHO, Islamabad has appeared and states that about 10/11 Shemales have been identified in area of Tarlai village and Muslim Colony, Bari Imam; however, according to him, for the time being they are not cooperating for registration of their names with the NADRA and enrolment of their names in the Electoral List.

7. The Deputy Manager (Legal), NADRA HQ has submitted report; operative para therefrom is reproduced herein below:

“2. It is submitted that instructions in this regard have already been issued to all Regional Offices letter No. NADRA/HQ Ops/Tech/14 dated 30.01.2012 for implementation of Court order in true letter and spirit.”

8. There is some dispute in respect of recording the parentage of the shemales on CNIC, as they are recognized by the name of their ‘Guru’ their claim is that the authorities be directed not to insist them to disclose their parentage. In this regard, the NADRA are directed to look into the matter and decide the issue strictly in accordance with rules and regulations and make all efforts to redress their grievance.

Similarly, it shall also be ensured that only ‘khawaja saras’ are being registered, after ascertaining that he/she is ‘shemale’ and anybody else, who is pretending to be ‘shemale’.

9. As far as the official respondents i.e. SP Pothohar Town, Rwp. and DSP, Taxila are concerned, they are not required to attend the Court in future, unless otherwise directed.

Adjourned to a date in office.

Mr. Justice Iftikhar Muhammad Chaudhry, CJ
Mr. Justice Khilji Arif Hussain
Mr. Justice Tariq Parvez

No. SOR-IV(S&GAD)15-1/2012

Dated the 21st May, 2012

Notification

In exercise of the powers conferred under section 23 of the Punjab Civil Servants Act, 1974 (*VIII of 1974*), and in supersession of Notification No.SOR-III (S&GAD)1-35/93, dated 17.04.2002, the Governor of the Punjab is pleased to direct that notwithstanding anything contained to the contrary in the method of recruitment prescribed in all the service or recruitment rules but subject to paras 2 and 3 of this

notification, 15% of the total number of posts shall be reserved for women, where posts are to be filled through recruitment without any reference to gender.

2. The reservation of vacancies referred to above shall not apply to the:
 - (a) vacancies reserved for recruitment on the basis of competitive examinations to be conducted by Punjab Public Service Commission;
 - (b) recruitment made by promotion or transfer in accordance with the relevant rules;
 - (c) short term vacancies likely to last for less than six months; and
 - (d) isolated posts in which vacancies occur occasionally.

3. In case the vacancies reserved for women cannot be filled on account of non-availability of qualified women applicants, the said vacancies shall be treated as non-reserved and filled on merit.

Subject: PROMULGATION OF THE PUNJAB DISABLED PERSONS (EMPLOYMENT & REHABILITATION) (AMENDMENT) ORDINANCE, 2015 (X OF 2015)

I am directed to refer to the subject noted above and to state that the Government of the Punjab, vide notification bearing No. Legis. 13-9/2015, dated 19.03.2015, has promulgated the Punjab Disabled Persons (Employment & Rehabilitation) Amendment) Ordinance, 2015 to make amendment in section 10 of the Disabled Person (Employment & Rehabilitation) Ordinance, 1981 (XL of 1981) which reads as under:

“Amendment in section 10 of Ordinance XL of 1981- in the Disabled Persons (Employment & Rehabilitation) Ordinance, 1981 (XL of 1981), in section 10, in subsection (1), for the words “two percent”, the words “three percent” shall be substituted.”

2. Further necessary action may be taken accordingly.

No.SORIV(S&GAD)10-8/2015

Dated the 20th November 2015

Subject: PROCEDURE FOR COUNTING OF WORDS FOR TYPING TEST.

Kindly refer to the subject noted above.

2. In order to streamline the procedure and to ensure transparency in conducting shorthand/typing tests in accordance with speed prescribed in the relevant service rules for the recruitment of Stenographers / Junior Clerks, the following guidelines are issued for the guidance of selection authorities:

Shorthand test

- (i) The required number of words per minute of the concerned department will be multiplied with five (5), that would be equal to total numbers of words, required for dictation.
- (ii) Calculate the total errors after dictated passage is received by the examiner.
- (iii) ½ mark is deducted for error in shorthand script and one mark is deducted for one error in transcribed script.
- (iv) the total of errors is counted and they should not exceed 5% i.e. if a candidate takes dictation of 400 words, his errors should not be more than 20.
- (v) $400-20=380$ $\frac{380 \times 100}{400}=95\%$
- (vi) 95% accuracy is required for successful candidates appearing in shorthand test.

Typing Test on Computer

- (i) Five strokes are equal to one word.
- (ii) The required number of words per minute, of the concerned department will be multiplied with five (5), that would be equal to total numbers of words, required for dictation, i.e. for speed of 40 words per minute total words to be typed: $40 \times 5 = 200$ words.

