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GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

No.3/8/2000/R-2

Islamabad, the 22nd October, 2001.

OFFICE MEMORANDUM

Subject: RETIREMENT OF CIVIL SERVANTS UNDER SECTION 13(1)(I) OF THE CIVIL SERVANTS ACT, 1973

The undersigned is directed to state that amended Section 13(1)(i) of the Civil Servants Act, 1973 lays down that -

“(1) a civil servant shall retire from service.

(i) On such date after he has completed twenty years of service qualifying for pension and other retirement benefits as the competent authority may, in public interest, direct.”

2. However, queries have been received in the Establishment Division soliciting advice on the point as to whether, or not, a civil servant can seek voluntary retirement on completion of twenty years of service qualifying for pension and other retiring benefits under Section 13(1) (i) of the Civil Servants Act, 1973?

3. As such, it is clarified that there is no provision in the Civil Servants Act, 1973 under which a civil servant can seek voluntary retirement on completion of twenty years of service qualifying for pension and other retirement benefits. However, all Government servants have the right to seek retirement - if they so desire - on the completion of twenty five years service qualifying for pension and other retirement benefits (under CSR 465-B). This right is, however, subject to the provisions of the Essential Services maintenance Act and is not available to a civil servant against whom the departmental inquiry/proceedings are pending.

4. All the Ministries/Divisions are requested to bring the above clarification to the notice of Attached Departments and Subordinate Offices under their administrative control.


(SYED IFTIKHAR HUSSAIN NAQVI)
SECTION OFFICER

All Secretaries/Additional Secretaries
Incharge of Ministries/Divisions.

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GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

No.3/8/2000-R.2(Pt)

Islamabad, the 20th August, 2001.

OFFICE MEMORANDUM

SUBJECT:- GUIDELINES FOR REVIEW OF CASES OF CIVIL SERVANTS UNDER SECTION 13(I)(i) OF THE CIVIL SERVANTS ACT, 1973.

The undersigned is directed to state that Section 13(I)(i) of the Civil Servants Act, 1973 as amended vide Civil Servants (Amendment) Ordinance, 2001 promulgated on 4th August, 2001 provides, inter alia, that a civil servant shall retire from service on such date after he has completed twenty years service qualifying for pension or other retirement benefits as the competent authority, may, in the public interest, direct. Consequently the words and figure, of twenty five used in this Division O.M.No.3/8/2000-R.2, dated 27.7.2000 including its annexure stand substituted by the words and figure, of twenty.


2. Ministries/Divisions are requested to bring the above instructions to the notice of Attached Departments and Subordinate Offices under their administrative control.


(NASEER UDDIN)
Joint Secretary

**Secretaries/Additional Secretaries
Incharge of all Ministries/Divisions.**

Copy to:-

1. Auditor General of Pakistan, Islamabad.
2. Director General, Intelligence Bureau, Islamabad.
3. All Chief Secretaries of the Provinces.
4. The Secretary, F.P.S.C., Islamabad.
5. Military Accountant General, Rawalpindi.
6. Principal Information Officer, PID, Islamabad.
7. D.G., PPARC (M.S.Wing), Islamabad.


(NASEER UDDIN)
Joint Secretary

No. 3/8/2000-R.2.

Islamabad, the 27th July, 2000.

OFFICE MEMORANDUM

Subject: **GUIDELINES FOR REVIEW OF CASES OF CIVIL SERVANTS UNDER SECTION 13(1)(i) OF THE CIVIL SERVANTS ACT, 1973**

The undersigned is directed to state that Section 13 of the Civil Servants Act, 1973, as amended vide Civil Servants (Amendment) Ordinance, 2000 lays down as under :-

- "(1) A civil servant shall retire from service-
- (i) On such date after he has completed twenty- : : years of service for pension or other retirement benefits as the competent authority may, in public interest, direct; or
 - (ii) where no direction is given under clause (i), on the completion of the sixtieth year of his age.
- (2) No direction under clause (i) of sub-section (1) shall be made until the civil servant has been informed in writing of the grounds on which it is proposed to make the direction, and has been given a reasonable opportunity of showing cause against the said direction."

EXPLANATION: In this Section, "competent authority" means the appointing authority prescribed in rule 6 of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973."

2. The guidelines approved by the Chief Executive for review of cases under Section 13(1)(i) of the Civil Servants Act, 1973 are given in the succeeding paragraphs.

3. When it comes to the notice of the competent authority that a civil servant has, prima facie, ceased to be efficient and that action is warranted against him under Section 13(1)(i) of the Civil Servants Act, 1973, it shall cause the case to be referred to a Review Committee stating the facts of the case alongwith supporting documentary evidence, if any, service record of the person in the form attached as Annex-1, and such other record as may be considered relevant to a case for

the purpose of making a recommendation about his suitability for further retention in service.

4. The Review Committee for officers of BS-20 and above may comprise the following :-

- (i) Cabinet Secretary - Chairperson (By Name)
- (ii) Establishment Secretary - Member (ex-officio)
- (iii) Secretary of Ministry/
Division concerned. - Member (ex-officio)
- (iv) Head of Department/Office
(Incharge of the service,
group, cadre, etc.). - Member (Co-opted)
- (v) Addl. Secretary/Joint Secretary
Establishment Division. - Secretary

5. The Secretary of the concerned administrative Ministry/Division has been authorized to constitute Review Committees for officers of BS-19 and below subject to the proviso that each Review Committee should include a representative of Establishment Division as a Member of the Committee.

6. The Review Committees should examine the cases referred to them, and the Committees may recommend retirement in the following cases :-

- (a) Where two or more penalties under the Government Servants (Efficiency & Discipline) Rules, 1973, have been imposed on a civil servant.
- (b) Where overall grading of the ACRs is Average, and/or where adverse remarks in regard to acceptance of responsibility, integrity, reliability, output of work and behaviour with the public were recorded in the ACRs (duly conveyed to the concerned civil servant and his representation against it finalized, as per rules).
- (c) Where a civil servant is twice recommended for supersession by the Selection Board/DPC and the recommendation of the Selection Board/DPC is approved by the competent authority.

- (d) Particulars of adverse remarks in regard to acceptance of responsibility, integrity, reliability, out put of work and behavior with the public recorded in the ACRs (duly conveyed to the concerned civil servant and his representation against it finalized, as per rules).
- (e) Particulars of supersessions in which Selection Board/Departmental Promotion Committee twice recommended supersession of a civil servant and the recommendation of the Selection Board/DPC was approved by the competent authority.

Signature
Name
Designation of the
Officer authenticating
the information.