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PART II

Statutory Notifications (S. R. O.)

GOVERNMENT OF PAKISTAN

CABINET SECRETARIAT

(Establishment Division)

NOTIFICATION

Islamabad, the 15th April, 2020

S.R.O. 320(I)/2020.—In exercise of the powers conferred by sub-section (1) of section 25 of the Civil Servants Act, 1973 (LXXI of 1973) read with Notification No. S.R.O. 120(I)/98 dated the 27th February 1998, the Prime Minister is pleased to make the following rules, namely:—

1. **Short title and commencement.**—(1) These rules shall be called the Civil Servants (Directory Retirement from Service) Rules, 2020.

(2) These rules shall come into force at once.

2. **Definitions.**—(1) In these rules, unless there is anything repugnant in the subject or context,—

(a) “Act” means the Civil Servants Act, 1973 (LXXI of 1973);

(961)

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- (b) "competent authority" means the appointing authority in terms of Rule 6 of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973;
- (c) "conduct unbecoming" means the conduct on the part of a civil servant that is contrary to public interests or which harms his standing or the standing of the civil service in the eyes of the public or is contrary to any prescribed law/ rules/ procedures/ instructions and includes inefficiency on his part necessitating his directory retirement under these rules;
- (d) "directory retirement" means retirement under clause (i) of sub-section (1) of section 13 of the Act read with sub-section (2) thereof;
- (e) "retirement board" means a Board constituted under these rules for review of cases for the purpose of directory retirement in respect of civil servants in BPS-20 and above; and
- (f) "retirement committee" means a committee constituted under these rules for review of cases for the purpose of directory retirement in respect of civil servants in BPS-19 and below.

(2) All other words and expressions used but not defined in these rules shall, unless the context otherwise requires, have the same meanings as assigned thereto in the Act and rules made thereunder.

3. **Composition of retirement board.**—There shall be a retirement board to recommend to the competent authority directory retirement from service in respect of civil servants in BPS-20 and above and shall consist of—

(a)	Chairman, Federal Public Service Commission	<i>Chairperson</i>
(b)	Secretary, Cabinet Division	<i>Member</i>
(c)	Secretary, Establishment Division	<i>Member</i>
(d)	Secretary, Finance Division	<i>Member</i>
(e)	Secretary, Law and Justice Division	<i>Member</i>
(f)	Secretary or head of the Division concerned, service group or cadre administrator	<i>Member</i>
(g)	Additional Secretary-II, Establishment Division	<i>Secretary</i>

4. **Composition of retirement committees.**—(1) There shall be various retirement committees in each Division or Department or office to recommend to the competent authority directory retirement from service in respect of civil servants in BPS-19 and below.

(2). The retirement committee for civil servants in BPS-17 to 19 shall consist of—

(a)	Additional Secretary or in his absence Senior Joint Secretary or Joint Secretary of the Division concerned	<i>Chairperson</i>
(b)	Representative of Establishment Division not below BPS-20	<i>Member</i>
(c)	Representative of Finance Division not below BPS-20	<i>Member</i>
(d)	Representative of Law and Justice Division not below BPS-20	<i>Member</i>
(e)	Head of the Department or office concerned, other than a Division	<i>Member</i>
(f)	Deputy Secretary of the Division concerned	<i>Secretary</i>

(3) The retirement committee for civil servants in BPS-16 and below shall consist of—

(a)	Senior Joint Secretary or Joint Secretary of the Division concerned	<i>Chairperson</i>
(b)	Representative of Establishment Division not below BPS-19	<i>Member</i>
(c)	Representative of Finance Division not below BPS-19	<i>Member</i>
(d)	Representative of Law and Justice Division not below BPS-19	<i>Member</i>
(e)	Head of the Department or office concerned, other than a Division	<i>Member</i>
(f)	Deputy Secretary of the Division concerned	<i>Secretary</i>

5. **Grounds for retirement.**—(1) No civil servant shall be recommended for directory retirement under these rules, unless any one or more of the following conditions is/are fulfilled in his/her case—

- (a) has earned average performance evaluation reports (PERs) or adverse remarks have been recorded in three or more PERs from three different officers, for a period not less than six months and have attained-finality after appeal thereagainst if any;
- (b) has been twice recommended for supersession by the Central Selection Board (CSB), Departmental Selection Board (DSB) or Departmental Promotion Committee (DPC), as the case may be, or twice not recommended for promotion by the High Powered

Selection Board and such recommendations have been approved by the appointing authority and the matter has attained finality;

- (c) has been found guilty of corruption or has entered into plea bargain or voluntary return with National Accountability Bureau or any other investigating agency;
- (d) has been on more than one occasion placed in category 'C' by the CSB, DSB or, as the case may be, DPC under the Civil Servants Promotion (BPS-18 to BPS-21) Rules, 2019; or
- (e) has conduct unbecoming.

6. Procedure for directory retirement.—(1) Each Division, Department or office shall maintain a list of civil servants who have completed service specified in clause (i) of sub-section (1) of section 13 of the Act along with complete service record.

(2) A review of the performance of all civil servants by the respective retirement board and retirement committees shall be conducted upon completion of service specified in sub-rule (1).

(3) Subsequent to the mandatory review upon completion of service under sub-rule (1) and prior to retirement at the age of superannuation or exercising the option of premature retirement, cases of civil servants shall be referred by the Secretary or Cadre Administrator concerned to the relevant retirement board or retirement committees, as the case may be, if it is determined that grounds for directory retirement as specified in rule 5 have become applicable.

(4) While referring cases to the retirement board or retirement committees either for mandatory review after service specified in sub-rule (1) or any subsequent review, the Secretary or Cadre Administrator concerned shall ensure provision of relevant record, including complete facts, supporting documentary evidence, if any, duly authenticated service record, as well as such other record as may be considered relevant.

(5) The retirement board or retirement committees shall examine the referred cases and may recommend to the competent authority, giving specific reasons, directory retirement of a civil servant.

(6) If the competent authority, after examining the recommendations of the retirement board or retirement committees and other record placed before it, agrees with the recommendations for directory retirement of a civil servant, he shall issue a show cause notice to the civil servant concerned informing him of

the grounds on which it is proposed to make the direction for directory retirement and shall provide him the opportunity of personal hearing if so requested by the civil servant concerned:

provided that in cases where the Prime Minister is the competent authority, he may designate a BS-22 officer for granting personal hearing to the civil servant(s) on his behalf.

(7) On receipt of reply of the civil servant and after giving him the opportunity of personal hearing, if any, where the competent authority is satisfied that further retention in service of the civil servant is not in the public interest, the competent authority shall pass order for directory retirement.

7. **Retiring pension.**—A civil servant against whom an order for directory retirement is passed by the competent authority shall be eligible for pension or other retirement benefits as the competent authority may, in public interest, direct.

8. **Right of appeal or review.**—A civil servant against whom an order for directory retirement is passed by the competent authority shall have the right of appeal or, as the case may be, review in accordance with the Civil Servants (Appeal) Rules, 1977.

[F. No. 4/1/2019-CP-II]

MUHAMMAD SALIM KHATTAK,
Deputy Secretary (CP-IV)

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