GOVERNMENT OF SINDH
SERVICES AND GENERAL ADMINISTRATION

DEPARTMENT KARACHI, DATED THE 24TH NOVEMBER,

1994

N O T I F I C A T I O N

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 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 anything repugnant in the subject or context--

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

(aa) Struk-down[1]

(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

[2][3. The Service shall comprise of the following posts:-

---

[1] After clause (a), clause (aa) was inserted, stating "'Commission" means "Sindh Public Service Commission"' through notification No. SORI (SGA&CD) 2-3\93, dated 04-12-2008. This clause was thereafter struck down in light of the judgments in *PLD 2010 Karachi 63* and *Rasheed A. Rizvi* case (PLD 2012 SC 649).

[2] Substituted by Notification No. SROI (S&GAD) 2-3/93 (Pt. II), dt: 13.10.2001

District and Sessions Judge;

i. Additional District and Sessions Judge;
ii. Senior Civil Judges and Assistant Sessions Judge;
iii. Civil Judges and Judicial Magistrates; and
iv. 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[3].

[Proviso omitted][4].

[5][(2) Appointment to a post in the upper grade of Service, i.e. post of Senior Civil Judge and assistant session judge, shall be made by promotion from amongst the members of the lower grade of Service having not less than three years experience as civil judge and judicial magistrate on the recommendations of the Provincial Selection Board.

(3) Appointment to a post of Additional District and Sessions Judge shall be made by promotion in a manner that not less than two third vacancies shall be filled from amongst the Senior Civil Judges & Assistant Sessions Judges having not less than three years service as such, on the recommendation of the Provincial Selection Board and not more than one third of the vacancies shall be filled in by initial appointment on the recommendation of the Provincial Selection Board.

(4) Appointment to a post of District and Sessions Judge shall be made from amongst the senior most Additional District and Sessions Judges having not less than three years service as such on the recommendations of the Provincial Selection Board:

Provided that if no suitable member of the service is available for promotion the vacancy shall be filled in through initial appointment 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

---

[3] Substituted by Notification No. SOR1 (SGA&CD) 2-3/93, dt: 04.12.2008. In S.5 after in sub rule (1) the words "through Commission on the requisition of the High Court of Sindh" quashed vide Judgment by the Supreme Court of Pakistan Published in (2012 PLD (SC) 649p.), dt:9/5/2012

[4] Substituted by Notification No. SROI (S&GAD) 2-3/93 (Pt. II), dt: 13.10.2001

[5] Substituted by Notification No. SOR1 (S&GAD) 2-3/93(Pt.II), dt: 03.6.2006

[thirty two][6] 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

[7][(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

---

[6] Subs. by Notification No. SORI (SGA&CD) 2-3/93, Dated: 5/6/2015
[7] Substituted by Notification No. SOR-1(S&GAD)/2-3/93 (Pt II), dt: 13.12.1995

on behalf of the State in a Court;

[8][(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. [9][Senior Civil Judge and Assistant Sessions 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 [10][or he has, for a period of not less than six years, held a judicial office with clean record of service.]

[11][(e) In case of initial appointment as District and Sessions Judge, he, apart from possessing the qualifications mentioned in clause (a) is also a practicing Advocate of the High Court and the Courts subordinate thereto with a minimum practice of ten years or he has held a Judicial office for not less than ten years with clean record of service.]

(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

---

[8] Added by Notification No. SOR-1(S&GAD) 2/3-93, dt: 29.10.1995
[9] Substituted by Notification No. SOR-1(S&GAD)/2-3/93 (Pt II), dt: 13.10.2001
[10] Added via Notification No. SOR-I(S&GAD)2-3/93 (Pt-II), dated 03-06-2006; thereafter omitted through Notification No. SOR-I(S&GAD)2-3/93 (Pt-III), dated 26-07-2016**; and subsequently re-added via Notification No. SOR-I(S&GAD)2-3/1993 (5-23), dated 02-05-2025**
[11] Added by Notification No. SOR1 (S&GAD)2-3/93 (Pt II), dt: 03.6.2006

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 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 passes 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 office 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:-** Members 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, member of the Service shall be governed by such rules as have been or may 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.

CHIEF SECRETARY TO GOVT. OF SINDH