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GOVERNMENT OF PAKISTAN
CABINET SECRETARIAT
ESTABLISHMENT DIVISION

No. 3/40/2007-R-2

Islamabad, the 12th November, 2007

OFFICE MEMORANDUM

Subject: COUNTING OF SERVICE RENDERED AGAINST HIGHER POST UNDER SECTION 10 OF THE CIVIL SERVANTS ACT, 1973

The undersigned is directed to state that Section 10 of the Civil Servants Act, 1973 reads as under:-

"10. Posting and transfer.- Every civil servant shall be liable to serve anywhere within or outside Pakistan, in any equivalent or higher post under the Federal Government, or any Provincial Government, or local authority, or a corporation or body set up or established by any such Government;

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:

Provided further that, where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve."

2. A point was raised how the service rendered by a civil servant posted against a higher post under Section 10 of the Civil Servants Act, 1973 would be counted for the purpose of promotion to higher post of the said civil servant.

3. The matter has been given careful consideration in the Establishment Division. It has been observed that according to Section 5 of the Civil Servants Act, 1973 all appointments are required to be made in the prescribed manner i.e. on the recommendations of appropriate Departmental Promotion / Selection Committee(s) or Board(s), as the case may be and with the approval of the designated appointing authorities followed by a notification promoting such civil servant to higher grade.

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4. Section 10 of the Civil Servants Act, 1973 is a liability provision i.e. a civil servant is liable to serve in an equivalent or higher post. Promotion to a higher post and holding temporary charge of a post are two different aspects. Legally, a person is not in a higher grade until his promotion to the higher post is duly notified and charge of the higher post is formally assumed by him.

5. It has therefore been decided that the service rendered by a civil servant against higher post under Section 10 of the Civil Servants Act, 1973 cannot be treated at par with the service rendered by regularly promoted officers in the higher scale for the purpose of promotion to the next higher grade.

6. The decision may be brought to the notice of all concerned.

A. S. Shaikh
(Anjum Bashir Shaikh) 11/11/07
Section Officer

ALL SECRETARIES /ADDITIONAL SECRETARIES INCHARGE
MINISTRIES/DIVISIONS.

Copy to:-

- (1) C O S to the President, President's Secretariat (Public), Islamabad.
- (2) The Prime Minister's Secretariat (Public)
- (3) Auditor General of Pakistan, Islamabad.
- (4) Controller General of Accounts, Islamabad.
- (5) Director General, I.B Islamabad.
- (6) Secretary, F.P.S.C., Islamabad.
- (7) All Chief Secretaries of the Provinces.
- (8) Secretary, National Reconstruction Bureau, Ibd.
- (9) Secretary , NAB, Islamabad.
- (10) Military Accountant General, Rawalpindi.
- (11) Miss. Saeed-ul-Nisa Abbasi, D.G, PPARC (Working Women Hostel Building's Annexee, St. 35, G-7/1, MS (Wing), Establishment Division, Islamabad.
- (12) All Joint Secretaries of the Establishment Division, Islamabad.
- (13) Deputy Secretary (Computer), Establishment Division with the request to arrange for its placement on the official website of the Establishment Division, Islamabad.