



THE SERVICE TRIBUNALS ACT, 1973



CONTENTS

SECTIONS:

1. Short title, commencement and application.
2. Definitions.
3. Tribunals.
- 3 A. Benchers of the tribunal.
4. Appeals to tribunals.
- 4A. Review.
5. Powers of tribunals.
- 5A. Financial powers of a Tribunal.
6. Abatement of suits and other proceedings.
7. Limitation.
8. Rules.
9. Repeal.

THE SERVICE TRIBUNALS ACT, 1973.

¹ACT NO. LXX OF 1973

[26th September, 1973]

An Act to provide for the establishment of Service Tribunals to exercise jurisdiction in respect of matters relating to the terms and conditions of service of civil servants.

WHEREAS it is expedient to provide for the establishment of Administrative Tribunals, to be called Service Tribunals, to exercise exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:—

1. Short title, commencement and application. —(1) This Act may be called the Service Tribunals Act, 1973.

(2) It shall come into force at once.

(3) It applies to all civil servants wherever they may be.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

²[(a) "civil servant" means a person who is, or has been, a civil servant within the meaning of the Civil Servants Act, 1973 ([LXXI of 1973](#)) ³[and shall include a person declared to be a Civil Servant under section 2A; and]]"

(b) "Tribunal" means a Service Tribunal established under section 3.

4* * * * * *

*

3. Tribunals. —⁵["(1) The President may, by notification in the official Gazette, establish one or more Service Tribunals as hereinafter provided and, where there are established more than one Tribunal, the President shall specify in the notification the territorial limits within which, or the class or classes or cases in respect of which, each such Tribunal shall exercise jurisdiction under this Act.";]

(2) A Tribunal shall have exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, including disciplinary matters.

¹ For Statement of Objects and Reasons, see Gaz. of P., 1973, Ext., Pt. III p. 1479.

² Subs. by the Service Tribunals (Amdt.) Act, 1974 (31 of 1974). s. 2, for the original cl. (a).

³ Added by the Service Tribunals (Amdt.) Act, 1997 (17 of 1997), s. 2.";

⁴ Omitted by Act II of 2010 s. 2.

⁵ Subs. by Act IV of 2014, s. 2.

¹[(3) A Tribunal shall consist of—

- (a) a Chairman, being a person who has been, or is qualified to be judge of a High Court;
- (b) such number of members not less than three, each of whom is of has been-
 - (i) a District Judge; or
 - (ii) a person who for a period of less than two years has held a post in BS-21 or above or equivalent under the Federal Government or a Provincial Government with adequate quasi-judicial or legal experience, preference being given to a person having background of dealing with service matters; or
 - (iii) an Advocate qualified for appointment as Judge of a High Court."]

¹[(4) The Chairman and members of a Tribunal shall be appointed by the President for non-extendable term of three years on such other terms and conditions as the President may determine.

Provided that where a serving District Judge or a civil servant is appointed as a member he shall hold office for a term of three years or till the date of superannuations, whichever is earlier."]

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the President.

(6) The Chairman or a member of a Tribunal shall not hold any other office of profit in the service of Pakistan if his remuneration is thereby increased.

¹[(7) At any time when—

- (i) the Chairman of a Tribunal is absent or is unable to perform the functions of his office due to any cause; or
- (ii) office of the Chairman is vacant, the most senior of the other member of a Tribunal shall act as Chairman till the Chairman resume his office or the regular Chairman is appointed, as the case may be.]

²**[3A. Benches of the Tribunal.** —(1) The powers and functions of a Tribunal may be exercised or performed by Benches consisting of not less than two members of the Tribunal, including the Chairman, constituted by the Chairman.

(2) If the members of a Bench differ in opinion as to the decision to be given on any point,—

¹Subs. by Act IV of 2014, s.2.

²Section 3A ins. by Ord. 9 of 1978, s. 3.