

From The Provincial Police Officer,  
Punjab.

To 1. All the Regional Police Officers in Punjab  
2. The Commandant, P.C, Farooqabad  
3. The Commandant P.C, Sihala  
4. The Capital City Police officer, Lahore.

Diary No. 4960  
Dated 31-12-2019  
Punjab Police Computer Bureau,  
CPO, Punjab, Lahore.

No. 10102-13 Ad-I

Dated 31/12/2019

Subject: SENIORITY OF SENIOR CLERKS

Memorandum

Please refer to the subject cited above.

It has been noticed during scrutiny of seniority list of Senior Clerks received from Regions/Units that most of the Senior Clerks have been assigned seniority from **date of promotion** without observing inter se seniority as junior clerk contrary to the policy and instructions issued by Govt. of the Punjab S&GAD's letter No. SOR-II(S&GAD)2-25/93, dated 15.01.1995 (copy enclosed), which clearly provide that;

*"seniority of a civil servant being a **vested right**, cannot be relegated to a lower position to him in terms of Explanation III below sub rule (I)(b) of Rule 8 of the Punjab Civil Servants (Appointment-Conditions of Service) Rules, 1974. It means that a civil servant who is deferred for promotion and is subsequently promoted would regain his original seniority automatically; in the light of the decision of the Supreme Court of Pakistan referred to above in such cases proforma promotion would not be necessary for restoration of original seniority. However, the cases of proforma promotion for financial benefits would continue to be processed as laid down in this department's Circular letter No. SOR-II(S&GAD) 2-52/73, dated 16.10.1973".*

It is requested that seniority lists of senior clerks may be maintained in the light of promotion policy and above instructions of S&GAD, Govt. of the Punjab in true letter & spirit.

(MUHAMMAD ANWAR KHETRAN) PSP  
AIG/Administration & Security  
for Provincial Police Officer  
Punjab

The Addl. Director, Computer Bureau with the request that the same may be uploaded on website of Punjab Police.

CC:  
31/12  
Co-I

Dated Lahore the January 15, 1995

To

All Administrative Secretaries,  
Government of the Punjab,  
L a h o r e.

Subject: RESTORATION OF SENIORITY AND GRANT OF PROFORMA PROMOTION.

Sir,

I am directed to refer to the subject noted above and to say that instances have come to the notice that the Provincial Selection Board/Departmental Promotion Committee for promotion due to the reason that their Character Rolls are incomplete or service record is not available. Subsequently, on the availability of their record, they are promoted with immediate effect.

According to the provisions of Section 7(2) of the Punjab Civil Servants Act, 1974, the seniority is assigned from the date of regular appointment. In the light of Explanation III below Rule 8 (I) (b) of the Punjab Civil Servants (Appointment & Conditions of Service) Rules, 1974, the question of loss of seniority only arises if the senior is superseded and the junior is promoted in preference to the senior.

2. The Supreme Court of Pakistan in Civil Appeals Nos. 452 to 457 of 1986 of Government of the Punjab Vs Rao Shamsher Ali Khan and others has clarified that interse seniority in such cases is determined under section 7(4) of the Punjab Civil Servant Act, 1974 which lays down that seniority of a civil servant in relation to other civil servants belonging to the same service or cadre shall be determined in a manner as may be prescribed. This manner of determination of seniority has been prescribed as per provisions of Rule 8 of Punjab Civil Servants (Appointment & Conditions of Service) Rules, 1974, referred to above.

3. Therefore, it has been decided to clarify for the information of all concerned that seniority of a civil servant, being a vested right, cannot be relegated to a lower position unless he is superseded and his junior is promoted in preference to him in terms of Explanation III below sub rule (I) (b) of Rule 8 of the Punjab Civil Servants (Appointment & Conditions of Service) Rules, 1974. It means that a civil servant who is deferred for promotion and is subsequently promoted would regain his original

seniority automatically. In the light of the decision of the Supreme Court of Pakistan referred to above in such cases proforma promotion would not be necessary for restoration of original seniority. However, the cases of proforma promotion for financial benefits would continue to be processed as laid down in this Department's Circular letter No.SORII(S&GAD)2-52/73 dated 16th October, 1973.

You are requested kindly to bring the contents of this letter to the notice of all concerned for information.

*Inam ul Haq*  
INAM UL HAQ  
DEPUTY SECRETARY (REGULATIONS)

Endst No. & date even.

A copy is forwarder for information to :-

1. All Additional Secretaries/Deputy Secretaries/ Under Secretaries/Section Officers in S&GAD.
2. The P.Sc to G.S./A.C.S./Secretary (Services, S&GAD.
3. The Director Archieves, S&GAD.
4. The Incharge Computer Cell, O&M Wing, S&GAD.
5. The Director Staff Training Institute, 85-Shah Jamal, Lahore.

*M. A. I.*  
15/11/85  
UNDER SECRETARY (REG. II)