

*12. Retirement from service

- (1) Civil servant shall retire from service –
 - (i) on such date after he has completed twenty years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; or
 - (ii) where no direction is given under clause (i) on the completion of the sixtieth year of his age.
- (2) No direction under clause (i) of sub-section (1) shall be made until the Civil Servant has been informed in writing of the grounds on which it is proposed to make the direction and has been given a reasonable opportunity of showing cause against the said direction.

Explanation: In this section "competent authority" means the appointing authority prescribed in rule 6 of the Punjab Civil Servants (Appointment and Conditions of Service) Rules, 1974.

13. Employment after retirement

(1) A retired civil servant shall not be re-employed under the Government unless such re-employment is necessary in the public interest and is made, except where the appointing authority is the Governor, with the prior approval of the authority next above the appointing authority.

(2) Subject to the provisions of sub-section (1) of Section 3 of the Ex-Government Servants (Employment with the Foreign Governments) (Prohibition) Act, 1966, a civil servant may, during leave preparatory to retirement, or after retirement from Government service, seek any private employment:

Provided that, where employment is sought by a civil servant while on leave preparatory to retirement, he shall obtain the prior approval of the prescribed authority.

14. Conduct

The conduct of a civil servant shall be regulated by rules made by Government or a prescribed authority, whether generally or in respect of a specified group or class of civil servants.

15. Efficiency and discipline

A civil servant shall be liable to such disciplinary action and penalties and in accordance with such procedure as may be prescribed.

*Substituted by the Punjab Civil Servants (Amendment) Ordinance, 2001 vide Notification No. Legis.13-LVII/2000 dated 8th August 2001.

- (a) of taking any compensation pension and/or gratuity to which he may be entitled for the service, he has already rendered; or
- (b) of accepting another post or transfer to another establishment even on a lower pay, if offered and continuing to count his previous service for pension.

3.3 Invalid Pension (1) An invalid pension is awarded on his retirement from Government service, before reaching the age of superannuation to a Government servant who by bodily or mental infirmity is permanently incapacitated for further service on production of a medical certificate prescribed in sub-rule (3).

(2) A Government servant who wishes to retire on invalid pension, should apply to his Head of Office or Department/attached Department who should direct him to present himself before a Medical Board or an Invaliding Committee or a Medical Officer for obtaining a medical certificate of incapacity for further service in the following form :-

"Certified that I(we) have carefully examined A,B., son of C.D., a in the His age is by his own statement years. I(we) consider A.B., to be completely and permanently incapacitated for further service of any kind (or in the department to which he belongs) in consequence of (here state disease or cause).

Note - (1) If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made:

I am (we) are of opinion that A,B, is fit for further service of a less laborious character than that which he has been doing (or may after resting for months, be fit for further service of a less laborious character than that which has been doing).

Note- (2) A medical certificate from a Medical Board or an Invaliding Committee shall be required in the case of a gazetted Government servant.

Note- (3) A Government servant who has submitted a medical certificate of incapacity for further service should be invalidated for service on receipt of the medical certificate, or from the date of expiry of leave if already on leave, or has been granted leave as a special case.

[3.4 Superannuation pension-- A superannuation pension is granted to a Government servant who retires on attaining the age of 60 years]

3.5 Retiring Pension -A retiring pension is granted to a Government servant, who not being eligible for superannuation pension -

(i) Opts to retire after 25 years qualifying service or such less time as may for any special class of Government servant be prescribed; or

(i-a) is compulsorily retired, by the competent authority, after* [20] years qualifying service;

(ii) is compulsorily retired from service by the authority competent to remove him from service on grounds of inefficiency, misconduct or corruption** [.] ; or

@@ [(iii) ~~retired from Government service on or after 21st June, 1960, but before 31st March, 1966 on or after attaining the age of 55 years.~~]

@ [Note (1) Subject to the provisions of the Essential Services Maintenance Act, all Government servants shall have the right to retire on a retiring pension after completing 25 years


Substituted vide Notification No. F.D. (SR-III) 4-1/89 dated 1st March 1992.

* For the figure '25' the figure '10' was substituted vide Notification No. F.D. SR-III-4-42/88 dated 22nd March 1990.

** Semi-colon and the word "or" at the end of clause (ii) were replaced with a full stop vide Notification No. F.D. (SR-III) 4-1/89 dated 1st March 1992.

@@ Clause (iii) of Rule 3.5 deleted vide Notification No. F.D. (SR-III) 4-1/89 dated 1st March 1992.

@ Added vide Notification No. F.D. (SR-III) 4-1/89 dated 1st March 1992.



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PROVINCIAL ASSEMBLY OF THE PUNJAB
NOTIFICATION

October 29, 2021

No. FAP/Legis-2(119)/2021/2669. The Punjab Civil Servants (Amendment) Bill 2021, having been passed by the Provincial Assembly of the Punjab on October 27, 2021, and assented to by the Governor of the Punjab on October 28, 2021, is hereby published as an Act of the Provincial Assembly of the Punjab.

THE PUNJAB CIVIL SERVANTS (AMENDMENT) ACT 2021

ACT XXXV OF 2021

[First published, after having received the assent of the Governor of the Punjab, in the Gazette of the Punjab (Extraordinary) dated October 29, 2021.]

An
Act

further to amend the Punjab Civil Servants Act, 1974.

It is necessary further to amend the Punjab Civil Servants Act, 1974 (VIII of 1974) for the purpose of modifying provisions relating to retirement of civil servants.

Be it enacted by Provincial Assembly of the Punjab as follows:

1. **Short title and commencement.**— (1) This Act may be cited as the Punjab Civil Servants (Amendment) Act 2021.

(2) This Act shall come into force at once.

2. **Amendment of section 12 of Act VIII of 1974.**— In the Punjab Civil Servants Act, 1974 (VIII of 1974), in section 12, in subsection (1), for clause (ii), the following shall be substituted:

"(ii) where no direction is given under clause (i):

(a) on completion of the sixtieth year of his age; or

(b) voluntarily, on completion of twenty five years of service or on attaining fifty five years of age, whichever is later."

3. **Repeal.**— The Punjab Civil Servants (Amendment) Ordinance 2021 (XXII of 2021) is hereby repealed.

Muhammad Khan Bhatti
Secretary

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