

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

further to amend the Service Tribunal Act, 1973

WHEREAS it is expedient further to amend the Service Tribunal Act, 1973 (LXX of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Service Tribunals (Amendment) Act, 2018.

(2) It shall come into force at once.

2. Amendment of section 3, Act LXX of 1973.- In the Service Tribunal Act, 1973 (LXX of 1973), in section 3, in sub-section (4), after the word "President", occurring for the first time, the expression "**in consultation with the Chief Justice of Pakistan,**" shall be inserted.

STATEMENT OF OBJECTS AND REASONS

1. The Supreme Court of Pakistan vide its judgment dated 25.03.2013 in constitution Petition No.53/2007 declared certain provisions of Service Tribunals Act 1973 as ultra vires and directed the Government to make suitable amendments in the Service Tribunals Act in the light of observations made in the judgment. The parliament accordingly passed Service Tribunals (Amendment) Act, 2014.
2. One of the observations made by the honorable Supreme Court in its judgment dated 25.03.2013 was that Chairman/Member of the Federal Service Tribunal should be appointed in consultation with the Chief Justice of Pakistan. However, appropriate provision to that effect could not be inserted in Service Tribunals (Amendment) Act, 2014. The honorable Court while considering Crl Org Petition No.22/2014 has directed the Government to take necessary action pursuant to the Court direction.
3. Federal Service Tribunal is a part of Federal Judicature and entrusted with judicial functions. It is therefore expedient that before making appointments of Chairman and Members of FST, Chief Justice of Pakistan is consulted as observed by the Supreme Court of Pakistan.
4. The Bill seeks to achieve above objectives.

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Parliamentary Affairs
Minister-Incharge