

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON CABINET SECRETARIAT ON THE CIVIL SERVANTS (AMENDMENT) BILL, 2013 (ORDINANCE No. 5 OF 2013)

I, the Chairman of the Standing Committee on Cabinet Secretariat, have the honour to present, this Report on the Bill further to amend the Civil Servants Act, 1973 (LXXI of 1973) [the Civil Servants (Amendments) Bill, 2013] referred to the Committee on 21-08-2013.

2. The Committee comprises the following members: -

1. Rana Muhammad Hayat Khan	Chairman
2. Dr. Tariq Fazal Chaudhary	Member
3. Malik Ibrar Ahmed	Member
4. Syed Javed Ali Shah	Member
5. Sardar Muhammad Irfan Dogar	Member
6. Ms. Parveen Masood Bhatti	Member
7. Ms. Nighat Parveen Mir	Member
8. Ms. Shahnaz Saleem	Member
9. Mrs. Seema Mohiuddin Jameeli	Member
10. Ms. Farhana Qamar	Member
11. Ms. Marriyum Aurangzeb	Member
12. Mr. Abdul Rehman Khan Kanju	Member
13. Dr. Mahreen Razzaq Bhutto	Member
14. Pir Shafqat Hussain Jillani	Member
15. Mr. Roshan Din Junejo	Member
16. Mr. Sajid Nawaz	Member
17. Ms. Nafeesa Inayatullah Khan Khattak	Member
18. Syed Ali Raza Abidi	Member
19. Mr. Muhammad Rehan Hashmi	Member
20. Minister In-charge of Cabinet Secretariat	Member

3. The Committee in its meeting held on 26th November, 2014 considered the Bill in detail and recommended that the Bill as introduced in the National Assembly (Anexx-A) may be passed by the National Assembly.

Sd/-

(RANA MUHAMMAD HAYAT KHAN)

Chairman

Standing Committee on Cabinet Secretariat

Sd/-

(MOHAMMAD RIAZ)

Secretary

Islamabad, the 22nd December, 2014

A

Bill

further to amend the Civil Servants Act (LXXI of 1973)

WHEREAS it is expedient further to amend the Civil Servant Act, 1973 (LXXI of 1973), for the purpose hereinafter appearing;

1. **Short title and commencement.**- This Act may be called the Civil Servants (Amendment) Act, 2013.

(2) It shall come into force at once.

2. **Amendment of section 3, Act LXXI of 1973,**-- in the Civil Servants Act, 1973 (LXXI of 1973), in section 3, after sub-section (2) the following new sub-sections shall be added, namely;--

“(3) The Federal Government may transfer a civil servant of a devolved Ministry or Division, working in an Attached Department or Subordinate Office situated in a Province, to the Province concerned, in consequence of the devolution of functions pursuant to the Constitution (Eighteenth Amendment) Act, 2010 (X of 2010) and thereby he shall become the civil servant of the respective Province, on the same terms and conditions of service as were applicable to him before such transfer.

(4) The Federal Government may transfer a civil servant working in a Ministry, Division, Attached Department or Subordinate Office located in the Islamabad Capital Territory to any other Ministry, Division, Attached department or Subordinate office, in consequence of the abolition of such Ministry, Division, Attached Department or Subordinate Office pursuant to the Constitution (Eighteenth Amendment) Act, 2010 (X of 2010) and thereby he shall become the civil servant of the respective Ministry, Division, Department or Office to which he is so transferred, on the same terms and conditions of service as were applicable to him before such transfer.

(5) The seniority of the civil servants transferred by virtue of sub-sections (3) and (4) shall be determined by the concerned Province, Ministry or Division, as the case may be, in accordance with the rules.

(6) The cases of civil servants of a Ministry, Division, Attached Department or Subordinate Office devolved in pursuant to the Constitution (Eighteenth Amendment) Act, 2010 (X of 2010) and working in FATA, Gilgit Baltistan and AJK shall be dealt with in the manner as may be provided by an Order made by the President in this behalf.”

3. **Removal of difficulties,-** If any difficulty arises in giving effect to any provision of the Civil Servants (Amendment) Act, 2014, the Federal Government may make such Order, not inconsistent with the provisions of the said Act, as may appear to it to be necessary for the purpose of removing the difficulty:

Provided that no such power shall be exercised after expiry of one year from the coming into force of the aforesaid Act.

4. **Omission of section 12A, Act LXXI of 1973,--** in the said Act, section 12A shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to provide legal cover to the process of absorption / adjustment of Civil servants belonging to the devolved Ministries/ Divisions / Departments /Offices /Organizations by an Act of Parliament.

SHAIKH AFTAB AHMED

Minister of State for Parliamentary Affairs

Member-in-Charge