

AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

Bill

to provide for protection of rights of civil servants and employees regularized on the recommendations of the Sub-Committee of the Cabinet

WHEREAS it is expedient to provide for protection of rights of civil servants and employees regularized on the recommendations of the Sub-Committee of the Cabinet and matters ancillary thereto and connected therewith;

It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Protection of Rights of Regularized Civil Servants and Employees Act, 2025.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

(a) "**Act**" means the Civil Servants Act, 1973 (Act No. LXXI of 1973);

(b) "**Sub-Committee of the Cabinet**" means the Sub-Committee of the Cabinet constituted by the Cabinet for making recommendations regarding regularization of contract, daily wages or employees of any other similar category;

(c) "**competent authority**" means any officer or a body authorized to exercise any power to do any act under the provisions of the Civil Servants Act, 1973 (Act No. LXXI of 1973);

(d) "**Ordinance**" means the Federal Public Service Commission Ordinance, 1977 (Ordinance No. XLV of 1977);

(e) "**post**" means any post held by any employee appointed on contract or daily wages basis or employee of any other similar category;

(f) "**regularized civil servant or employee**" mean the civil servants or employees in any Basic Pay Scale regularized on the recommendation of the Sub-Committee of the Cabinet; and

(g) "**vacancy**" means any vacancy against whom any employee was appointed on contract or daily wage basis or employees of any other similar category.

3. Protection of rights of regularized civil servants.— (1) Notwithstanding anything contained in the Act and the Ordinance or any contrary notification, instruction

or order issued by any authority or any contrary decision of any Tribunal, High Court or the Supreme Court regarding regularization of any contract, daily-wage or any other similar category of employees, irrespective of overage, recommended by the Sub-Committee of the Cabinet for their regularization shall be deemed to be regularized and regularly appointed civil servants or employee from their date of initial appointment against the post or vacancy so appointed and regularized on the commencement of this Act.

(2) The seniority of the civil servants or employee regularized under sub-section (1), for the purposes of promotion under the relevant rules, shall be reckoned from their dates of initial appointment on the post or vacancy against which they were appointed and regularized.

4. Removal of difficulties.— (1) If any difficulty arises in giving effect to the provisions of this Act, the relevant competent authority of the civil servant or employee on just and equitable ground, not inconsistent with the provisions of this Act as appear to it to be necessary, may make such orders for removal of the difficulty.

(2) No power under sub-section (1) shall be exercised after two years of the commencement of this Act.

5. Act to override other laws.— The provisions of this Act shall have effect notwithstanding anything contrary contained in the Civil Servants Act, 1973 (Act No. LXXI of 1973), or the Federal Public Service Commission Ordinance, 1977 (Ordinance No. XLV of 1977), and the rules made thereunder and in any other law or in any order or judgment of a court including the Supreme Court or tribunal or any other authority for time being force.

STATEMENT OF OBJECTS AND REASONS

The Federal Cabinet in the year 2008 had allowed for regularization of all daily wages, contract and other similarly placed employees in the Ministries, Divisions, Departments, Organization or Authorities, etc., initially appointed on daily wages, contract or other similar terms and conditions on short term basis and for such purpose constituted a Sub-Committee of the Federal Cabinet which had recommended for regularization of services of employees in BPS-1 and above appointed. It is against the interest of justice that employees or civil servants already regularized may be displaced or their service be dispensed with after a long time whereas there are numerous civil servants or employees whose cases had already been endorsed by different courts or tribunals from time to time.

2. Thousands of employees or civil servants will be affected whose services had already regularized since the year 2008 and now they have more than ten to fifteen years continuous services adding already rising unemployment in the country.

3. Bill seeks to achieve the above-said aims and objects.

SD/-
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