



House of the Federation

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON CABINET SECRETARIAT

ON

**THE CIVIL SERVANTS (AMENDMENT) BILL, 2023” INTRODUCED BY
SENATOR SHAHADAT AWAN IN THE SENATE SITTING HELD ON 6TH
NOVEMBER, 2023.**

PRESENTED BY

SENATOR SAADIA ABBASI

Chairperson

Senate Standing Committee on Cabinet Secretariat

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON CABINET SECRETARIAT

I, Senator Saadia Abbasi, Chairperson Senate Standing Committee on Cabinet Secretariat have the honor to present the report of the Committee on "The civil Servants (Amendment) Bill, 2023" introduced by Senator Shahadat Awan, in the Senate sitting held on 6th November, 2023. The House in its sitting held on 6th November, 2023 referred the matter to the Committee for Consideration and report.

2. The Committee comprises of the following honorable Members:-

1. Senator Saadia Abbasi	Chairperson
2. Senator Engr. Rukhsana Zuberi	Member
3. Senator Muhammad Akram	Member
4. Senator Sarfaraz Ahmed Bugti	Member
5. Senator Moula Bux Chandio	Member
6. Senator Azam Nazeer Tarar	Member
7. Senator Syed Waqar Mehdi	Member
8. Senator Mushtaq Ahmad Khan	Member
9. Senator Saifullah Sarwar Khan Nyazee	Member
10. Senator Syed Muzaffar Hussian Shah	Member
11. Senator Naseebullah Bazai	Member
12. Senator Khalida Ateeab	Member
13. Senator Muhammad Talha Mahmood	Member
14. Senator Kamil Ali Agha	Member
15. Minister-in-Charge Cabinet Division	Ex-Officio Member

3. The Committee considered the Bill in its meeting held on 14th December, 2023 at 11:30 am, in Committee Room No. 1 Parliament House, Islamabad. The meeting was attended by the following Members.

1. Senator Saadia Abbasi	Chairperson
2. Senator Muhammad Akram	Member
3. Senator Moula Bux Chandio	Member
4. Senator Saifullah Sarwar Khan Nyazee	Member
5. Senator Khalida Ateeab	Member
6. Senator Kamil Ali Agha	Member
7. Senator Shahadat Awan	Mover
8. Mr. Murtaza Solangi	Ex-Officio Member

4. Honourable Senator Shahadat Awan, Mover of the Bill apprised the committee about the objects and reasons of the Bill he presented in the House. He stated that there were instance where a civil servant has been recommended for promotion by the selection authority but promotion could not be actualized due to death or superannuation of the civil servant before notification of his promotion or assumption of charge of the higher post. He said the amendment introduced by him is aimed at proposing to insert the enabling provision in the law to achieve the aforesaid objectives. The Secretary Establishment responded that the Civil Servants Act, 1973 is

primary legislation under which Civil Servants (Appointment Promotion & Transfer) Rules, 1973 have been formulated. Promotions are dealt under Civil Servants Act through the bill already exists in the Civil Servants (Appointment, Promotion & Transfer) Rules, 1973. He said incorporating it in the Civil Servants Act, 1973 will be superfluous and not required. However, after detailed deliberation and discussion, the Chairperson decided to put the Bill to vote, whereupon the Bill was unanimously passed by the Committee as introduced in the House. The Committee approved presentation of report in the House.



(ALI NAWAZ)
Secretary Committee



(SENATOR SAADIA ABBASI)
Chairperson

AS

[TO BE INTRODUCED IN THE SENATE]

A
Bill

further to amend the Civil Servants Act, 1973

WHEREAS it is expedient further to amend the Civil Servants Act, 1973 (LXXI 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 Civil Servants (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment of section 9, Act LXXI of 1973.- In the Civil Servants Act, 1973 (LXXI of 1973), in section 9, after sub-section (3), the following new sub-section (4) shall be inserted, namely:-

"(4) Notwithstanding anything contained in this section, if a civil servant dies or superannuates after the Central Selection Board or, as the case may be, the Departmental Promotion Committee has recommended his promotion to a higher post, the Competent Authority shall approve promotion of such a civil servant with effect from the date on which the recommendation was made."

STATEMENT OF OBJECTS AND REASONS

There are instances where a civil servant has been recommended for promotion by the selection authority but promotion could not be actualized due to death or superannuation of the civil servant before notification of his promotion or assumption of charge of the higher post. Therefore, the Establishment Division vide No. S.R.O. 733(1)/2005, dated 22-7-2005 extended the benefit of promotion to such civil servants in terms of Rule 7-A of the Civil Servants (Appointment, Promotion and Transfer) Rules, 1973. However, there is no such provision in the Civil Servants Act, 1973. This amendment in the Act, 1973 proposes to insert the enabling provision in the law to achieve the aforesaid objectives.

**SENATOR SHAHADAT AWAN
MEMBER-IN-CHARGE**