

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

further to amend the Civil Servants Act, 1973

WHEREAS it is expedient to amend the Civil Servants Act, 1973 (Act No. 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, 2011.

(2) It shall come into force at once.

2. Substitution of section 14, Act LXXI of 1973.- In the Civil Servants Act, 1973 (Act No. LXXI of 1973), hereinafter referred to as the said Act, for section 14, the following shall be substituted, namely:-

“(14) No employment after retirement.- (1) No retired civil servant shall be re-employed on any post subject to this Act in any case under the Federal Government or in any attached department, statutory body or other organization under the administrative control of the Federal Government.

(2) No person, who has been retired from any service paid from defence budget, shall be appointed against any post under this Act or under the Federal Government or in any attached department, statutory body or other organization under the administrative control of the Federal Government.

14A. Bar on employment of persons having dual nationality.- No civil servant, who has dual nationality or is not Pakistani national, nationality other than Pakistan, shall not be employed on any post under this Act or under the Federal Government or in any attached department, statutory body or other organization under the administrative control of the Federal Government.

14B. Bar on employment in management scale.- No civil servant, who has been retired from a service under this Act, shall be appointed in any case against a position in the management scales i.e. MP Scales under the Federal Government or in any attached department, statutory body or other organization under the administrative control of the Federal Government.”.

3. Insertion of section 16A, Act LXXI of 1973.- In the said Act, after section 16, the following new section shall be inserted, namely:-

16A. Declaration and Publication of statement of assets, etc.- (1) A civil servant appointed under this Act shall declare assets and liabilities, in the form of statement, annually as on the thirty-first day of December containing all details of assets and liabilities, moveable or immovable, jewellery, cash, securities or in other kind or form, etc.

(2) The statement of assets and liabilities under sub-section (1) shall be submitted to the administrative head on or before the fifteenth day of February of the year proceeding the year of statement.

(3) The administrative head of such a civil servant shall arrange the publication of statement received under sub-section (3) in the official Gazette within thirty days after the date fixed in sub-section (2).

(4) Each civil servant who shall not submit such statement within prescribed time shall be punished with any minor penalty as provided in the Civil Servants (Efficiency and Discipline) Rules, 1973.

STATEMENT OF OBJECTS AND REASONS

Population of the country is increasing day by day. Similarly, the literacy rate has been increased due to more awareness of people about education. But in the presence of increasing population and literacy rate, there are not more opportunities of employment have been created. Highly qualified youth is wandering taking their degrees in their hands for employment but unable to get employment but no the other had those government officials or servants who had not done anything new or revolutionary during their long tenure of civil or other service for the development and progress of the country are being re-employed after their superannuation to further increase the burden on economy without any utility. This situation is only frustrating in the youth of this national but now it is becoming routine matter that unemployed persons are committing suicides but the persons who exploited the resources of this country are still exploiting those resources and opportunities at any cost, with their influence or in collaboration with power circles or otherwise on different pretext without adding anything on credit of this nation after enjoying long tenures of service. In the same way, the persons who are removed, terminated, dismissed due to any reason are also being employed against civil service posts on contract or otherwise. Similarly, a large number of persons who are also retired from services paid from defence budget, are also being appointed or re-employed regularly or on contract basis against civil posts under the Civil Servants Act, 1973, although they are getting pensions after retirements in addition to other perks and privileges for which they are entitled from their previous services. There is also an increasing trend for appointment of retired civil servants in management scales i.e. MP Scales on hefty salaries either in Government departments, organizations, etc., or in the statutory bodies and getting more perks and privileges which they had never enjoyed during the civil service. Even some civil servants manage such high profile positions during their service and immediately join after their superannuation or retirement. They are getting such beg salaries which they had never got during their civil service. Civil servants are the custodians of national economy and security but there is also a tendency to appoint such persons who are having dual nationalities on civil posts bringing the national security at stake.

2. Now parliamentarians are submitting their declarations and statements of assets and liabilities which are published in the Gazette of Pakistan but civil servants are also possessing assets worth millions of rupees but no person has a right to know about their assets under any law while they are making all such assets from their earning while they are public or civil servants. Therefore, if there is no exception for declaration of assets and liabilities for parliamentarians then there is no reason to exempt the civil servants for such declaration and publications of details of their assets and liabilities.

3. The Bill seeks to ensure more opportunities of employments to youth of this nation and protecting them from disappointment and frustration due to unemployment and it will also introduce more transparency and accountability.

Sd/-

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