

[AS PASSED BY THE MAJLIS-E-SHOORA (PARLIAMENT)]

A

Bill

further to amend the Federal Public Service Commission Ordinance, 1977

WHEREAS, It is expedient further to amend the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), in the manner and for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act shall be called the Federal Public Service Commission (Amendment) Act, 2023.

(2) This Act shall come into force at once.

2. Amendment of section 3, Ordinance XLV of 1977.- In the Federal Public Service Commission Ordinance, 1977 (XLV of 1977), hereinafter called as the said Ordinance, in section 3,-

(A) after sub-section (3), the following new sub-section shall be inserted, namely:-

"(3A) At any time when office of the Chairman is vacant or the Chairman is unable to perform his functions due to any other cause, the President may appoint from amongst existing members an acting Chairman for a non-extendable period of **three** months or till appointment of regular Chairman whichever is earlier:

Provided that the regular Chairman shall be appointed within the said period of **three** months."; and

(B) in sub-section (4), for clause (a), the following shall be substituted, namely:-

"(a) not less than one-half of the members who shall be the persons having held office in the service of Pakistan in basic pay scale 21 or above and have not attained the age of sixty-five years:

Provided that no serving government servant shall be appointed as a member; and"

3. Amendments in section 4, Ordinance XLV of 1977. - In the said Ordinance, in section 4,-

(A) for sub-section (1), the following shall be substituted, namely:-

“(1) A member of the Commission shall hold of for a non-extendable term of four years from the date on which he enters upon office:

Provided that a member who is a retired Judge of the Supreme Court or a High Court shall hold office for a term of four years within five years from the date of his retirement.”; and

(B) for sub-section (IA), the following shall be substituted, namely:-

“(1A) Notwithstanding anything contained in a contract, agreement or an instrument containing terms and conditions of his service, a member who is holding office before commencement of the Federal Public Service Commission (Amendment) Act, 2023 (of 2023) shall continue to hold office for residual period of the term mentioned in sub-section (1).”.

4. **Omission of section 5, Ordinance XLV of 1977.-** In the said ordinance, section 5 shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Federal Public Service Commission is an important pillar of democratic government meant to build up a merit based impartial and qualified civil service, capable of coping with the challenges of 21st century. At a time of growing concerns about quality of civil service and governance, the Commission is expected to perform a key role in promoting excellence and integrity in the civil service and effective delivery of service to the public. The extraordinary challenges require an effective Federal Public Service Commission. The proposed amendments are proposed to provide strength to the Commission to act more effectively, thereby increasing its operational capacity.

2. FPSC Ordinance, 1977, is an old instrument. It may be seen that in order to make it responsive to the newly emerging requirements, it be modified as and when required. Therefore, in order to make the law more compliant to the contemporary environment and to ensure optimal functions of the Commission, appropriate amendments/substitutions have been proposed in Section 3, 4 (1), 4 (1A) and 5 of said Ordinance.

MINISTER-IN-CHARGE