

[AS PASSED BY THE NATIONAL ASSEMBLY]

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, 2015

(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 of Division, working in an Attached Department or Subordinate Office situated in a Province, to the Province cocerned, 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 Subordinante 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 civl servants of a Ministry, Division, Attached Department or Subordinate Office devolved in pursuant to the Constittuion (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