

C14

REPORT 03 OF 2022



House of the Federation

SENATE SECRETARIAT

REPORT OF THE
SENATE STANDING COMMITTEE ON CABINET SECRETARIAT

POINT OF PUBLIC IMPORTANCE REGARDING “DECISIONS
MADE BY THE CENTRAL SELECTION BOARD (CSB)” RAISED BY
SENATOR DILAWAR KHAN IN THE SENATE SITTING HELD ON
25TH JANUARY, 2022

PRESENTED BY

SENATOR RANA MAQBOOL AHMAD
CHAIRMAN
STANDING COMMITTEE ON CABINET SECRETARIAT

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON CABINET SECRETARIAT

I, Senator Rana Maqbool Ahmad, Chairman Senate Standing Committee on Cabinet Secretariat have the honor to present the report of the Committee on "Decisions made by the Central Selection Board in its meeting held in December, 2021" raised by Senator Dilawar Khan in the Senate sitting held on 25th January, 2022. The House in its sitting held on 25th January, 2022 referred the matter to the Committee for Consideration and report.

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

1. Senator Rana Maqbool Ahmad	Chairman
2. Senator Saifullah Sarwar Khan Nyazee	Member
3. Senator Kamil Ali Agha	Member
4. Senator Sarfaraz Ahmed Bugti	Member
5. Senator Khalida Ateeb	Member
6. Senator Syed Muzafar Hussian Shah	Member
7. Senator Moula Bux Chandio	Member
8. Senator Mushtaq Ahmad Khan	Member
9. Senator Engineer Rukhsana Zuberi	Member
10. Senator Saadia Abbasi	Member
11. Senator Naseebullah Bazai	Member
12. Senator Muhammad Talha Mahmood	Member
13. Minister-in-Charge Cabinet Division Ex-Officio Member	

3. The Committee considered the matter in its meeting held on 16th March, 2022 at 02:30 pm, in Committee Room No. 4 Parliament House, Islamabad. The meeting was attended by the following Members.

1. Senator Rana Maqbool Ahmad	Chairman
2. Senator Saifullah Sarwar Khan Nyazee	Member
3. Senator Kamil Ali Agha	Member
4. Senator Khalida Ateeb	Member
5. Senator Mushtaq Ahmad Khan	Member
6. Senator Engineer Rukhsana Zuberi	Member
7. Senator Saadia Abbasi	Member
8. Senator Muhammad Talha Mehmood	Member
9. Senator Zarqa Suharwardy Taimur	Special Invitee
10. Engineer Ali Muhammad Khan	Ex-Officio Member

4. The CSB of January 2021 and subsequently September 2021 acted in highly discriminatory, arbitrary and non-transparent manner by cherry picking the blue eyed for promotion and condemning others by deferring or superseding them. Almost all the superseded officers have been assigned the reason of 'peccable integrity' in violation of Schedule- IV. The ten parameters of the Objective Assessment Form in Schedule -IV of Promotion Rules 2019 contain the same attributes as PER "Performance evaluation report" and "Training Evaluation Report" (TER). It is highlighted that dossier was ignored and the CSB members did not fill the Objective Assessment Report. This was done to place meritorious officers in Category-C by violating merit and seniority. The CSB either deferred the officers under Rule-7 (d) or superseded them under Rules 8 of 2019 without any objective assessment as provided under Rule 4 of the promotion rules 2019.

5. The higher and superior judiciary has condemned and deprecated the exercise of powers and authority without being substantiated by tangible evidence in arbitrary and colourable manners in the following cases:

1. Irum Adnan vs Federation of Pakistan 2012 PLC (CS) 1355

2. Petition No 1931/2021

Yousaf Haider Sheikh vs Establishment Division through its Secretary.

3. Muhammad Zafeer Abbasi vs Government of Pakistan etc.2003PLC (CS) 503

4. Dr. Muhammad Arif vs others (I.C.A.N.I. 368 of 2015)

5. Dr. Muhammad Arif vs Federation (2017 SMCR 969)

6. Tariq Aziz Uddin (2010 SCMR 1301)

7. Muhammad Akbar Khan Hoti vs. Federation of Pakistan 2006 PLC (CS) 619

The focus of almost all the Verdicts by Honourable Supreme Court is that the Central Selection Board should carry out an objective assessment instead of subjective discretionary evaluation. Unfortunately, the verdict of the Honourable Supreme Court was not heeded to and instead the discretionary space was enhanced manifold making it totally subjective and hearsay assessment

overlooking the performance evaluation duly recorded by the report initiating officer, countersigning one, and the second counter signing officers with whom the officers reported upon worked. Discretionary/arbitrary assessment created chaos and stampede of subjectivity by the Board Members did really tell upon the principles of justice and equity. It scarcely looks sound if an officer earned average report 16 years before and subsequently good, very good or outstanding for the rest of the period is invoked into directory retirement in the name of eliminating the dead wood.

6. The Standing Committee's unanimous decision is to do away with the Objective Assessment Performa 30 marks, rationalise it to make it more pragmatic and objective, merit oriented and a balanced assessment of the officers. Therefore, the focus should be on the objectivity as desired by the Honourable Supreme Court to lessen discretion and adopt an objective analysis of the performance of an officer. Moreover, those officers who are twice superseded or on basis of average/good ACR fall under the domain of Directory Retirement Rules. This is an instrument of undue coercion retrospective application of penal provisions incorporated in the rules is violative of the constitution of Pakistan. The composition of the members of the Central Selection Board and High Powered Board must be re-constituted afresh to ensure oversight in Public interest. The Standing committee proposed Senator Saadia Abbasi and Senator Dr. Zarqa Suharwardy Taimur as members for Central Selection Board and High Powered Board to keep ensuring transparency, objectivity and oversight. Unless requisite remedial measures are undertaken through an oversight mechanism the repetitive violation of merit will continue unabated. At present there is absolutely no accountability mechanism to check CSB and HPB proceedings. Unless a system of checks and balance is put in place now the whole fabric of civil service will deteriorate. A merit based promotion system with accountability is need of the hour.

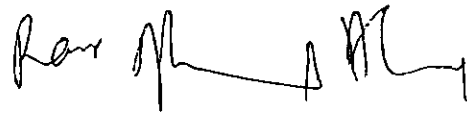
7. It has been asserted by Honourable Secretary Establishment that promotion is not a right whereas it has been held by the Honourable Supreme court that undue withholding of promotion is equal to awarding a major penalty to an officer. The matter of promotion, deferment or supersession of a civil servant that too of BPS-20, BPS-21 and BPS-22 is of enormous significance having a bearing on state structure and cannot be left to be dealt with an arbitrary, casual and capricious manner'. In view of the above discussion, the committee unanimously decided that a transparent, dossier based objective assessment proforma is to be prepared and rationalised for the

sake of reducing discretion and enhancing objectivity. In case of Grade 22, very cautious mechanism needs to be put in action and the personal choice and desire of any individual may not replace the collective wisdom. In order to ensure merit and transparency the mechanism/eligibility criteria must be devised ⁱⁿ ~~with~~ consultation with this Senate Standing Committee. The purpose of consultation is to ensure advancement in realm of virtue of objectivity, impartiality, equity and justice.

8. The Standing Committee on Cabinet Secretariat unanimously decided that the proceedings of the CSB January 2021 and September 2021 be scrapped and rendered null and void ab initio. The committee also deputed Senator Mushtaq Ahmad Khan, Senator Talha Mahmood and Senator Saadia Abbasi with whom Establishment Division may work to remove anomalies and discrepancies in functioning of Central Selection Board and High Powered Board and propose solid recommendations for merit based and transparent promotion system, before further activity by the CSB/HPB is carried out. The standing committee may preferably peruse the progress on fortnightly basis to finalise the matter within six weeks positively.



ALI NAWAZ
Secretary Committee



SENATOR RANA MAQBOOL AHMAD
Chairman Committee