



House of the Federation

Senate secretariat

REPORT NO.21.OF 2023

**REPORT OF THE SENATE STANDING COMMITTEE ON
CABINET SECRETARIAT**

ON

**“THE FEDERAL PUBLIC SERVICE COMMISSION
(AMENDMENT) BILL, 2023” INTRODUCED BY SENATOR
AZAM NAZEER TARAR, MINISTER FOR LAW &
JUSTICE, IN THE SENATE SITTING HELD ON 6TH
AUGUST, 2023.**

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 Consideration of Bill titled "The Federal Public Service Commission (Amendment) Bill, 2023" introduced by Senator Azam Nazeer Tarar, Minister for Law & Justice, in the Senate Sitting held on 6th August, 2023. The House in its sitting held on 6th August, 2023 referred the matter to the Committee for Consideration and report.

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

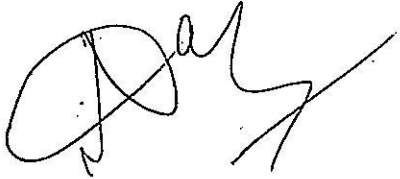
1. Senator Rana Maqbool Ahmad	Chairman
2. Senator Saifullah Sarwar Khan Nyazee	Member
3. Senator Kamil Ali Agha	Member
4. Senator Sarfaraz Ahmed Bugti	Member
5. Senator Khalida Ateeab	Member
6. Senator Syed Muzafar Hussian Shah	Member
7. Senator Moula BuxChandio	Member
8. Senator Mushtaq Ahmad Khan	Member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

3. The Committee considered the Bill in its meeting held on 7th August, 2023 at 10:30 am, in Committee Room No. 4 Parliament House, Islamabad. The meeting was attended by the following Members:-

1) Senator Rana Maqbool Ahmad	Chairman
2) Senator Sarfaraz Ahmed Bugti	Member
3) Senator Khalida Ateeab	Member
4) Senator Mushtaq Ahmad Khan	Member
5) Senator Engr. Rukhsana Zuberi	Member
6) Senator Saadia Abbasi	Member
7) Senator Muhammad Akram	Member
8) Senator Syed Waqar Mehdi	Member

4. The Secretary Federal Public Service Commission briefed the committee about the salient features of the proposed Amendments in the Bill. He apprised the committee that the role of the Commissions is of paramount importance which is expected to play a pivotal role promoting excellence and integrity in the civil service of the country. The proposed amendments in the Bill

are in accordance with the contemporary environment aimed at ensuring effective an optimal functioning of the Commission. After thorough discussion and deliberations, the committee passed the Bill with an amendment (Copy annexed as "A"). (Copy of the Bill as introduced in the Senate is annexed as "B").



(ALI NAWAZ)
Secretary Committee



(SENATOR RANA MAQBOOL AHMAD
Chairman Committee

[AS REPORTED BY THE COMMITTEE]

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 office 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

[TO BE INTRODUCED IN THE SENATE]

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(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 six months or till appointment of regular Chairman whichever is earlier:

Provided that the regular Chairman shall be appointed within the said period of six 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”.

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"(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

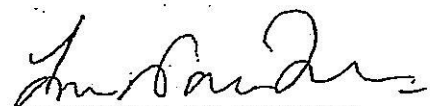
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