



House of the Federation

## SENATE OF PAKISTAN

### REPORT OF THE STANDING COMMITTEE ON CABINET SECRETARIAT

ON

**“The Civil Servants (Amendment) Bill, 2024”**

***Presented by:***

**SENATOR RANA MAHMOOD-UL-HASSAN  
CHAIRMAN  
STANDING COMMITTEE ON CABINET SECRETARIAT**

## SENATE SECRETARIAT

Subject: REPORT OF THE SENATE STANDING COMMITTEE ON CABINET SECRETARIAT.

1. I, Chairman of the Senate Standing Committee on Cabinet Secretariat, have the honour to present this report on "The Civil Servants (Amendment) Bill, 2024", introduced by Senator Dr. Afnan Ullah Khan, in the Senate sitting held on 9<sup>th</sup> September, 2024. The Bill, upon introduction, was referred to the Standing Committee on Cabinet Secretariat for consideration and report.

2. The composition of the Standing Committee is as follows:-

1.	Senator Rana Mahmood-ul-Hassan	Chairman
2.	Senator Farooq Hamid Naek	Member
3.	Senator Saleem Mandviwalla	Member
4.	Senator Ejaz Ahmad Chaudhary	Member
5.	Senator Saifullah Sarwar Khan Nyazee	Member
6.	Senator Saadia Abbasi	Member
7.	Senator Aimal Wali Khan	Member
8.	Senator Mohammad Abdul Qadir	Member
9.	Senator Atta-Ur-Rehman	Member
10.	Senator Amir Waliuddin Chishti	Member
11.	Minister In-charge Cabinet Secretariat	Ex-officio Member

3. The Standing Committee on Cabinet Secretariat considered the Bill in its meetings held on 18<sup>th</sup> October 2024, 10<sup>th</sup> January 2025 and 12<sup>th</sup> February, 2025 under the Chairmanship of Senator Rana Mahmood-ul-Hassan. The following Members were present on 12<sup>th</sup> February, 2025 at the time of consideration and voting on the Bill:-

1.	Senator Rana Mahmood-ul-Hassan	Chairman
2.	Senator Saifullah Sarwar Khan Nyazee	Member
3.	Senator Saadia Abbasi	Member
4.	Senator Aimal Wali Khan	Member
5.	Senator Dr. Afnan Ullah Khan	Mover

4. Senator Dr. Afnan Ullah Khan, Mover of the Bill informed the Committee that this amendment in Section 5 of the Civil Servants Act, 1973, addresses the issue of civil servants with dual nationalities, arguing that it undermines the safeguarding of national interest therefore they shall not be entitled for appointment.

5. The Establishment Division expressed its view that the proposed bill is in conflict with Article 25 of the Constitution which safeguards against discrimination in services. Moreover, the Committee was also informed that the proposed amendment also has implications on the subject of nationality/ dual nationality which is dealt by the Ministry of Interior through Pakistan Citizenship Act, 1951. It was also apprised that this proposed amendment shall only be applicable to employees of the Federal Ministries / Divisions. The representative from Ministry of Law and Justice endorsed the views of the Establishment Division.

6. The Committee was also informed that the matter was discussed in the meeting of the Secretaries Committee held on 31<sup>st</sup> October, 2024 wherein another Committee has been constituted to formulate recommendations on the question of prohibiting government servants from holding dual nationality under the chairmanship of Secretary, Establishment Division. The Establishment Division expressed its view that the

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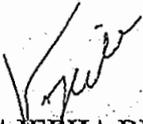
proposed amendment Bill may be passed once the final outcome of the Secretaries' Committee deliberations is reported.

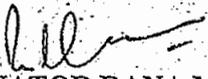
7. During the course of deliberations, the Committee was also informed that the Supreme Court of Pakistan in its judgement dated 24<sup>th</sup> September, 2018 observed that the acquisition of dual nationality by government servants looks as means of dispatching ill-gotten gains procured during service however it was informed that out of 284,048 declarations of nationality by civil servants only 2,365 (0.83%) officers and their spouses hold dual nationalities.

8. In its meeting held on 12<sup>th</sup> February, 2025, the Committee again deliberated upon the matter. The Committee was informed that the Establishment Division was collecting data regarding the number of dual nationals in Ministries/ Divisions and other bodies under its jurisdiction. The Committee was apprised that out of 53 entities only 10 had submitted their responses and replies from 43 entities awaited therefore the Committee may wait for the responses before putting the bill to vote.

9. The Chairman Committee took sense of the Committee wherein Senators Saifullah Sarwar Khan Nyazee and Aimal Wali Khan expressed their views that the Committee does not need any more statistics and it should put the bill to vote as prohibition for holding dual nationality should not be limited to parliamentarians only.

10. The Chairman Committee put the bill to vote wherein two members namely Senators Saifullah Sarwar Khan Nyazee and Aimal Wali Khan voted in favor of the bill and Senator Saadia Abbasi voted against it with a note of dissent. Senator Saadia Abbasi in her note of dissent stated that the Committee should have waited for the decision of the Hon'ble Prime Minister of Pakistan on the report of the Secretaries' Committee as that decision would be the final policy decision on the matter. She also supported the point of view of the Ministry of Law and Justice which was that the instant bill is in conflict with Section 14 of the Pakistan Citizenship Act, 1951 as well as Article 25 of the Constitution. Accordingly the Committee recommended that the 'Civil Servants (Amendment) Bill, 2024' as introduced in the Senate by Senator Dr. Afnan Ullah Khan in its sitting held on 9<sup>th</sup> September, 2024 may be passed by the Senate. (Copy of Bill introduced in the Senate is annexed).

  
(WAJEEHA RIAZ)  
S.O/ Secretary Committee

  
(SENATOR RANA MEHMOOD-UL HASSAN)  
Chairman Standing Committee on Cabinet Secretariat

*He*  
[TO BE INTRODUCED IN THE SENATE]

A  
BILL

*further to amend the Civil Servants Act, 1973*

**WHEREAS** it is expedient further to amend the Civil Servants Act, 1973 (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, 2024.

(2) It shall come into force at once.

2. **Amendment of section 5, Act LXXI of 1973.**- In the Civil Servants Act, 1973 (LXXI of 1973), in section 5, for full stop "." occurring at the end, a colon ":" shall be substituted and thereafter, the following proviso shall be inserted, namely:-

**"Provided that any person holding dual nationality or citizenship of any foreign country shall not be entitled to an appointment as a civil servant."**

**STATEMENT OF OBJECTS AND REASONS**

The term bureaucrat is used to describe all such persons who carry out day-to-day administration of affairs of state. The civil servants take oath of faithfulness and loyalty to the state of Pakistan. However, dual nationality holder civil servants also owe their allegiance to the country, to which they are national, besides Pakistan. It is therefore necessary to put a bar on appointment of any person with dual nationality as civil servants in the civil services of Pakistan.

2. This bill is aimed to achieve the above-said objective.

**SENATOR DR. AFNAN ULLAH KHAN  
MEMBER IN CHARGE**

[سیٹیٹ میں پیش کر کے لئے]

سول سروس ایکٹ، ۱۹۷۳ء میں مزید ترمیم کرنے کا

ایک  
بل

ہر گاہ قرین مصلحت ہے کہ بعد ازیں ظاہر ہونے والے مقاصد کے لئے سول سروس ایکٹ، ۱۹۷۳ء (۱) بابت (۱۹۷۳) میں مزید ترمیم کی جائے؛

اسے بذریعہ حسب ذیل وضع کیا جاتا ہے:-

۱۔ مختصر عنوان اور آغاز نفاذ:- (۱) ایکٹ ہذا سول سروس (ترمیمی) ایکٹ، ۲۰۲۳ء کے نام سے موسوم ہوگا۔  
(۲) یہ فی الفور نافذ العمل ہوگا۔

۲۔ ایکٹ ۱۹۷۳ء بابت ۱۹۷۳ء کی دفعہ ۵ کی ترمیم:- سول سروس ایکٹ، ۱۹۷۳ء (۱) بابت ۱۹۷۳ء کی دفعہ ۵ میں، آخر میں آنے والے وقف کامل کو ”۔“ علامت تو صحیح ”۔“ سے بدل دیا جائے گا اور اس کے بعد درج ذیل جملہ شرطیہ شامل کیا جائے گا۔

”مگر شرط یہ ہے کہ کسی غیر ملک یا کسی غیر ملکی دہری قومیت یا شہریت کا حامل شخص بطور سول سروس تقرری کے لئے اہل نہیں ہوگا۔“

### بیان اغراض ووجوہ

اصطلاح بیوروکریٹ ایسے تمام افراد کے لئے استعمال کی جاتی ہے جو ریاست کے روزمرہ انتظامی امور کی انجام دہی کے لئے کام کرتے ہیں۔ سول ملازمین ریاست پاکستان سے وفاداری کا حلف اٹھاتے ہیں۔ تاہم، دہری شہریت کے حامل سول ملازمین کسی دیگر ملک کے بھی وفادار ہوتے ہیں جس کے وہ پاکستان کے علاوہ شہری ہوتے ہیں۔ لہذا، پاکستان کی سول ملازمت میں دہری شہریت کے حامل سول ملازمین کی تقرری پر پابندی لگانا لازم ہے۔

۲۔ بل ہذا سے مذکورہ بالا کا حصول مقصود ہے۔

سیٹیر ڈاکٹر افنان اللہ خان

رکن انچارج