# **Final Assignment**

# **HR in Public Sector**

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**Questions:**

1. **How much of a difference will it make in the performance of Civil servants after implementation of these reforms, if any?**
2. **In your opinion what are the positive and negative points in these reforms, please state? Suggest any changes you prefer in these reforms to make them more effective.**

**Ans.** Inorder to answer the above-mentioned questions first we need to see the History of Reforms followed by what these reforms entail? , why the need of having such reforms is felt? along with the advantages and disadvantages followed by recommendations and conclusions.

* 1. **Introduction:**
1. Reform’ essentially means a change towards a betterment of a problem riddled system. So, the best way of analyzing this would be to put together the reforms exercise with the model of change being applied, if any.
2. Civil Services hasn’t seen any major reforms in the last 70 years. Therefore in the Year 2018 under the umbrella of the reform`s initiative by the incumbent PTI Government, major work on the reforms of Civil Services was started.
3. The main objectives behind the Civil Services involved bringing a Merit-Based Recruitment, Promotion and Retirement process attracting the bright young talent, and technical expertise, void of any political pressures or interference.
	1. **Why the Need of Reforms was felt in the past?**
4. Decentralization and devolution of power and resources to the lower tiers of government.
5. Pakistan is constantly rated low on various comparative country ranking especially in public service management and governance.
6. Dysfunctional and inefficient government machinery is operating at various levels
7. Civil Servants consider themselves to be underpaid, overworked, demoralized and stressed individuals.
8. Need for Assessment and Evaluation of the Executive.
	1. **Last major Civil Services Reforms Local Government under Muhasharaf’s Regime:**
9. A three-tier local Governementstructure consisting of District, Tehsil and Union Council was established in all the four provinces.
10. Head of the District Government will be elected District Nazim, Head of Tehsil Government will be an elected Tehsil Nazim and Head of UnionCouncil will be an elected Union Council Nazim.
11. Divisional and subdivisional levels of administration were abolished.
12. The offices of Commissioner, Deputy Commissioner, and Assistant Commissioner were abolished.
	1. **Why the Need of Reforms was felt today?**
13. The current recruitment system does not take into account the aptitude, knowledge, and skill of the candidates.
14. Analytical and problem-solving skills are not tested through the examination.
15. Previous work experience and academic qualifications are given little to no weightage.
	1. **Objectives of Reforms**

The reforms are aimed towards achieving the following

1. A corruption-free governance by Administrative Officers.
2. Prevent and minimize political interference in bureaucracy.
3. Optimum utilization of Civil Servants combined with proper training on capacity building and motivation.
	1. **Effectiveness of Civil Services Reforms:**
4. The Civil Servants Rules, 2020, introduced by the Government are aimed at retiring superseded officials even before they reach the age of 60. The goal behind such reforms is to ensure merit, transparency, competence, and service delivery.
5. The government argues the rules will ensure better performance and a more efficient bureaucracy.
6. Following are the list of conditions that enable the competent authorities within the government to force retirement can occur:
* Civil Servants having three or more average performance evaluation reports.
* Civil Servants who have been twice recommended for supersession.
* Civil Servants who have been found guilty of corruption or have accepted a plea bargain with NAB or other investigating agencies.
1. However, there is a genuine concern that these rules may end up weakening the bureaucratic structure and making it vulnerable to political manipulation.
2. One of the key strengths of the bureaucratic structure is tenure/job protection which can’t be tampered with by the incumbent government of the day. Its protection like these that enable the bureaucracy to resist political pressures and uphold the rule of law. If this is made dependent on individuals within the Government, it may lead to pleasing the ruling political party then enforcing rules and regulations. The intention behind the reforms appears to be genuine but the execution appears to be flawed.
3. In a highly politicized environment like ours, it would be particularly unwise to give governments the power to make decisions about the career fates of bureaucrats. What is to stop the government of the day from making such decisions based on likes and dislikes? The committees and forums that have been given the responsibility to make such judgments as per the new rules also work under the political set-up and are therefore dependent on the leadership. Careers of thousands of bureaucrats should not be put in the hands of committees which is headed by the political leadership. It is therefore advisable for the current Government must review their decision and strengthen the bureaucracy instead of further weakening it.
4. These reforms are designed in such a manner where there is a top-down approach which appears to be centralized with little to no room for feedback or suggestions, any such approach is going to fail since there will be a lot of resistance to the stakeholders who are eventually going to enforce the laws, rules, and regulations.
5. Implementation of such reforms do little if anything in terms of its effectiveness in a broader perspective, the same notion has been echoed by senior bureaucrats in a letter to Prime Minister Imran Khan they pointed out that performance of federal task force on civil service reforms, present illegal arrangements covered under CSP rules, unilateral grabbing of provincial posts and administrative federalism.
	1. **Advantages and Disadvantages of the Civil Services Reform**
		1. **Positives:**
6. Promotions are to be made objective, transparent, and merit-based by giving the Central Selection Board a greater say with an increased weightage in %age from 15 to 30 percent which is good for compensating upright and honest officers.
7. Furthermore, no officer will be allowed to serve continuously for more than 10 years in a province or the federal secretariat and it will be mandatory that transfers will be made to another province or Islamabad on completion of that period for promotion to BS-21.
8. It will also be mandatory that civil servants will be required to make regular declarations, like other public officials and representatives, of their assets. And if proven to be living beyond their known means can, and must, be held responsible.
9. Selection will take into account the background, education, aptitude, and experience of the candidate concerned.
10. For those inefficient, staying stuck in the same grade without any prospects of promotion may impel them to opt-out on their own.
	* 1. **Negatives:**
11. Most of the reforms which the government has put forth have been a part of the Esta Code(The Civil Establishment Code of Conduct) in one form or the other.
12. Even though PTI Govt. which claims to be champion of Civil services reforms, have themselves time and time again violated merit, where in the past 18months, promotions of grades 21 and grade 22 officers were either made out of turn or rules were bypassed.
	1. Case in point is that of Police Officer Allah Dino Khawaja was delayed by more than 6 months when the officers who were far junior to him were promoted who happens to be the blue-eyed of the top authority.
	2. Furthermore, in the last promotion board presided by the Prime Minister himself promoted 11 officers of PAS (Pakistan administrative services) to Grade 22.
	3. Out of those 11, 4 officers were the ones, who had previously been superseded multiple times by the current Govt.
	4. Another officer promoted, had previously superseded his seniors for a record eight times.
	5. Furthermore, under the current regime in Punjab, the average tenure of provincial secretaries has not been even four months. The government transferred 10 education secretaries, four home secretaries, four food secretaries, three secretaries to the Punjab chief minister and four commissioners, and four deputy commissioners of Rawalpindi. The government needs to practice what they preach.
13. Beaurucrats have further, shown great mistrust to the rotation policy that the PTI Govt. has introduced, where the policy of a similar nature has been in effect since the days of reforms introduced by Pervez Musharraf, but has always been violated by the acquaintances and the blue-eyed of senior civil servants. Case in point is in 1997, several sons of sons chief secretaries joined civil services and all wanted to go to Punjab. Hence, the policy was put on hold to facilitate them.
14. Now increasing the weightage marks of promotion board from 15% to 30% have enhanced discretionary powers by the Promotion board which can be considered a good thing. However, in a country like ours where political victimization is the order of the day, if not used in a systematic responsible manner, it can be used to favor or disfavor officers who do serve the political elites or vice versa, respectively.
15. Its highly unlikely that with the introduction of new rules regarding PER ( Performance Evaluation Review) any good or any difference will come of it, as firstly it’s a time-consuming exercise with little to no regard towards the performance review of the concerned. Secondly, in case if somebody is found of any form of corruption or wrongdoing should be enough grounds to terminate or in worst dismiss them immediately rather than wait for them to be reviewed in 20 years.
16. The rule of mandatory review after 20 years of service which may lead to compulsory retirement, has also some major flaws :
	1. First, 20 years is a long time for a performance review to undertake instead performance review should have been done on an annual basis.
	2. Second, this rule can be used to discriminate and persecute against those bureaucrats, who do not serve the political echelons.
	3. Third, the option of compulsory retirements in case, if found incompetent, will open another Pandora Box of litigation and Civil Lawsuits.
	4. Fourth, such rules already exist as **section13 of 1973 Civil Servants Act clearly states***” that civil servants shall retire after 20 years of service, as may be directed by the competent authority and where no such direction is given, on reaching 60 years of service”.*

 Even though the rule already exists, however, there are no known cases where the option is exercised to date.

1. It has been officially stated time and time again that the reforms have the primary objective of transforming the civil service structure into a merit-based, depoliticized cadre of professionals. It has submitted declarations of assets mandatory for promotion. But the record shows that this condition already exists as every officer must submit such a statement every year that becomes part of his/her official file.
2. As per, **Pakistan Civil Servant Code of Conduct Rules** of **1964 Clause 12 -1** states that ”*Every Government servant shall, at the time of entering Government service, make a declaration to the Government, through the usual channel, of all immovable and movable properties”.*
3. ***Clause 12-2 ”****Every Government servant shall submit to the Government, through the usual channel, an annual return of assets in the month of December showing any increase or decrease of property as shown in the declaration under sub-rule or, as the case may be, the last annual return”*
4. **Clause 13.*****Disclosure of assets, immovable, movable and liquid ”****A Government servant shall, as and when he is so required by Government by a general or special order, furnish information as to his assets disclosing liquid assets and all other properties, immovable and movable, including shares, certificates, insurance policies, jewelry [and expenses during any period specified by such order in the form specified therein]****”***
	1. **Recommendations**
		1. **Recruitment**
5. Any Reform without a proper recruitment process is flawed and is bound to fail, the recruitment to be such that it should be based on merit, starting from the testing which should be made online and administered through 3rd party testing agency, testing designed should not only cater to the theoretical side of things rather it should also check candidates ability to lead, to motivate and to communicate. There should be a detailed psychometric analysis done that candidates an inept for challenges that may face in their professional line of work.
6. Reforms should be designed in such a manner that it caters to the need of all by introducing certain quotas for minorities, handicapped, candidates from backward or recently merged districts where educational opportunities are at the minimum.
7. Job Security has to be ensured and provided to all the civil servants to the extent that in case of any transfer out of turn, Govt has to provide proper justification in writing.
8. A special tribunal also needs to be created/established chaired by a Justice of High Court to look into the matter of such nature to ensure transparency, equality, and justice.
	* 1. **Training and Development and E-Solutions**
9. An important aspect of public officials and civil servants in dealing with the public on regular basis currently at the district level, where most of the interaction occurs, the attitude and behavior of civil servants are either very crude to downright abrasive. Civil Servants as part of their training needs to be groomed and trained in people’s skills, interpersonal communication.
10. There needs to be proper refresher courses regularly to ensure that civil servants are regularly polishing their skills and knowledge.
11. Another important aspect of career-building is development, a mechanism of developmental schedule needs to be established to ensure that civil services are inept with all the upcoming and latest technologies which will help them better management of their jobs.
12. Such training and development should be made mandatory and linked directly with promotion which should be aimed at rewarding those who perform well and demonstrate potential for shouldering higher responsibilities. Criteria of promotion should be designed in such a manner where weightage is given to ACR, Trainings attended, accomplishments, nature of job, the complexity of the job. Such training of all Civil Servants shall be reflected across all levels gazetted or non gazetted.
13. Another aspect is investing and deployment of e-solutions where all the complaints on district and tehsil levels are entered into a database with timelines to ensure timely and effective disposal. The same model which the KP Govt. has implemented in the shape and form of Prime Minister Citizen Portal can be adopted on the local Govt. level.
	* 1. **Performance Appraisal System (PAS), Salary and Compensation**
14. The current system as overstretched its usefulness therefore, a concept of ”pay for performance” should be introduced where salary, remuneration, and other fringe benefits shall be linked directly with Performance Appraisal System (PAS) which should be objective and reflective in nature.
15. PAS should be designed in a such a manner that it should provide a clear key performance indicators (KPIs), concise, achievable goals and targets which should be based on Management by Objectives( MBOs) with bi-annual reviews to ensure that ample opportunity is provided for the concerned to improving their performance and providing feedback to appraise where necessary in a two-way positive constructive process.
16. Furthermore, the system should have two-tier authorization starting from immediate supervisor to overall in-charge to reduce the element of bias for favoring and disfavouring anybody.
17. The idea behind such a progressive PAS will be to ensure transparency while at the same time making sure that everybody is on the same page with clear goals and objectives contributing towards overall organizational successes.
	* 1. **Eradicating Red Tapism and Employee HandBook**
18. A major source of displeasure amongst the citizens is caused by favoritism and nepotism in the way government exercises its power in enforcing rules and regulation where favoritism and nepotism has been given precedence over merit and rule of law.
19. Furthermore, the gazetted rules of the Government either very complex, ambiguous, outdated or contradictory to each other. As a result, they subject to manipulation and exploitation as per the prerogative of the high-ups.
20. ing in the manuals should be weeded out, updated and compiled in the form of a concise and accurate manual.
21. The Establishment Manual also known as Esta Code and the Finance Manuals needs to be updated on a priority basis.
22. In addition to this, any rule, statute, corrigendum, revisions that government releases must be uploaded on to Government Websites for providing easy access for masses to see.
	1. **Conclusion:**
23. Bureaucracy is often blamed for a lot that is wrong in this country - not without reason. A common complaint is that whilst politicians are the target of periodic anti-corruption campaigns, bureaucrats remain untouched - save for some recent instances and these reforms do nothing to address that. As either these reforms are already in existence and have never been implemented or are too little too late.
24. What Government needs to do is come up with reforms and rules which ensures that we assign the right officer to the right job without any political consideration and pressure, tenure protection of officers with internal accountability, along with a performance audit and a review of the compensation package with proper remuneration. So that they focus more on their job than any unfair means.
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