



TRANSPARENCY INTERNATIONAL-PAKISTAN

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26th July 2013

Mr. Ishaq Dar,
Federal Minister of Finance,
Government of Pakistan,
Islamabad

Sub: Illegal remunerations drawn by Civil Servants as nominated members in the Board of Directors of Public sector Enterprises, and Listed companies- Finance Division SRO (1)/2013 dated 20th November 2013, limiting Rs 600,000 fee for Govt Servant PSEs Directors

Dear Sir,

Transparency International Pakistan appreciates and congratulate on the measures taken by you for rationalizing the fee of the government servants nominated by the government on Boards of various Public Sector Enterprises (PSEs) and Corporate Entities.

This has been implemented by the Finance Division through issuing of the notification, SRO (1)/2013 dated 20th November 2013 that such government servants nominated by the government will only be permitted to retain an amount of Rs.600,000/- per annum received by him or her as fee on account of their participation in Board meetings. Any amount received over and above this amount from PSE's or corporate bodies would have to be refunded and deposited in the National Treasury.

This action of the present government, by issuing Supplementary Rules in the Civil Servant Act 1973, and amending Rule 12, and that this notification shall take effect immediately (i.e. 20-11-2013), confirms the complaint sent by TIP that all fee taken by each and every govt. servant as board members till 20th November 2013, was illegal.

Transparency International Pakistan therefore request the Minister to please order for recovery of money drawn by all those govt. servant as board member of various PSEs, Trusts, Authorities, who have illegally availed the payments as directors, which was in violation of service rules. .

A similar refund of undue payments made to parliamentarians has been ordered by the Supreme Court of Pakistan, quoted in the Judgment announced on 28-10-20-13, in the Civil Appeal No.669-L of 2013

Syed Mehmood Akhtar Naqvi's case (PLD 2012 SC 1089). Relevant portion therefrom is reproduced hereinbelow:-

"81.

(d) All the Members of the Parliament/Provincial Assemblies noted above had made false declarations before the Election Commission while filing their nomination papers and as such appear to be guilty of corrupt practice in terms of Section 78 of Representation of Peoples Act, 1976, therefore, the Election Commission is directed to institute legal proceedings against them under section 82 of the Act read with sections 193, 196, 197, 198 and 199 PPC in accordance with law.



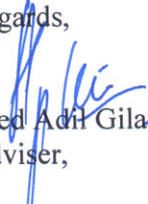
(e) The members of Parliament/ Provincial Assemblies noted hereinabove, being disqualified persons are directed to refund all monetary benefits drawn by them for the period during which they occupied the public office and had drawn their emoluments etc. from the public exchequer including monthly remunerations, TA/DA, facilities of accommodation along with other perks which shall be calculated in terms of money by the Secretaries of the Senate, National Assembly and Provincial Assemblies accordingly.

(f) The amount, so recovered from all of them by respective Secretaries shall be deposited in the public exchequer within a period of two weeks and compliance report shall be sent to the Registrar.

Transparency International Pakistan requests the Minister to order that all Civil Servants who were representing government in any boards of Public Sector Enterprises or Public Sector Listed Companies, deposit all fee drawn in the exchequers account except the TA/TA as allowed under the Civil Servant Act 1973.

TI Pakistan is striving to have transparency in procedures and Rule of Law in Pakistan, which is the only way to eliminate corruption and have good governance in country.

Regards,


Syed Adil Gilani
Adviser,

Copies forwarded for information and appropriate action under the mandate vested, to,

1. Secretary to the Prime Minister, for information of the Prime Minister, Islamabad.
2. Minister of Interior, Islamabad
3. Chairman, NAB, Islamabad.
4. Registrar, Supreme Court Pakistan, Islamabad