

WORKING PAPER ON **THE SECURITY OF TENURE**

Introduction

One of the most important problems facing bureaucracy is the frequent transfer of civil servants. This undermines service delivery because managers are often not able to stay in place enough to institute or sustain reforms. The Commission in its consultations with the stakeholders at the federal, provincial and district governments level has received an overwhelming support for ensuring Security of tenure. It was pointed out that important initiatives of the Government and the policies, programs and projects could not be implemented within the stipulated time or within the projected cost envelope because of the lack of continuity in the tenures of key civil servants. Instances were brought to the notice of the Commission where Provincial Secretaries were transferred after an average stint of 6 months. Short tenures also make it very difficult to hold officers accountable for their performance.

2. An essential ingredient to empower civil servants and hold them accountable for results is a guarantee of stable tenure. Among other things this would definitely enhance the productivity of a civil servant as the security of tenure would enable an officer to deliver in a more professional manner. Empowered civil servant can be transformed into an effective instrument for innovation in service delivery.

Existing Policy guidelines for posting/transfer

3. The Commission is of the view that as short tenure undermines service delivery and if there is one single action that can make a positive difference to the quality of governance in the country, then it is to effectively enforce the policy related to security of tenure given in the Estacode, which is:

“The normal tenure of an officer on the same post should be three (03) years. Posting of an officer on the same post beyond the normal tenure will require concurrence of the competent authority, in each case”.

4 It is recommended that the Prime Minister/Chief Minister at the federal/provincial level should decide regarding posting of Secretaries/Heads of Departments and autonomous bodies/ District Coordination officers/ District Police officers at the federal/provincial/district level on the basis of consideration of a panel of three officers proposed by the Establishment Division or S&GA Department as the case may be. Once the officer has been selected through this process he/she should not be transferred until the completion of the tenure i.e. 3 (three) years.

5. Only in cases where a disciplinary action is initiated against the officer for corruption, negligence of duties, insubordination, misconduct or failure to meet the performance targets assigned to him/ her etc and evidence has been established, the Prime Minister/ Chief Minister can decide that the officer should be moved out of the office before completing the posting tenure. The Minister Incharge or the Secretary can also move the Prime Minister/ Chief Minister for the transfer before completion of the tenure by reducing in writing the reasons for such an action.

6. In view of the position explained above the Commission recommends the approval of the proposal, as it will greatly help in restoring the confidence of civil servants as stability of tenure is a crucial factor for the success of any reforms agenda.

**COMMENTS FURNISHED BY THE PROVINCIAL GOVERNMENTS
ON THE WORKING PAPERS FOR THE 1ST MEETING OF THE
SECRETARY'S COMMITTEE.**

S.No.	Commission's Working Papers	Comments of Govt. of Sindh	Comments of Govt. of Balochistan
1.	<p><u>Security of Tenure.</u> One of the most important problems facing bureaucracy is the frequent transfer of civil servants. This undermines service delivery because managers are often not able to stay in place enough to institute or sustain reforms.</p> <p>Important initiatives of the Government and the policies, programs and projects could not be implemented within the stipulated time or within the projected cost envelope because of the lack of continuity in the tenures of key civil servants. Short tenures also make it very difficult to hold officers accountable for their performance.</p> <p>Accordance to existing policy normal tenure of an officer on the same post is three years. Posting of an officer on the same post beyond normal tenure require concurrence of the competent authority.</p> <p><u>Recommendations</u> It is recommended that the Prime Minister/Chief Minister at the federal/provincial level should decide regarding posting of Secretaries/Heads of Departments and autonomous bodies/ District Coordination officers/ District Police officers at the federal/provincial/district level on the basis of consideration of a panel of three officers proposed by the Establishment Division or S&GA Department as the case may be. Once the officer has been selected through this process he/she should not be transferred until the completion of the tenure i.e. 3 (three) years.</p> <p>Only in cases where a disciplinary action is initiated against the officer for corruption, negligence of duties,</p>	<p>Proposal has been endorsed by the Govt. of Sindh with the suggestion that a mechanism should be developed to make decisions in case of poor performance/ serious complaint of mal-administration and corruption.</p>	<p>Normal tenure of posting of a government servant on a post up to at least three years has been supported by the Government of Balochistan with the suggestion that reduction in the tenure if, desired, may be made only after assigning special reasons. In any case the same should not be reduced lesser than the half of the prescribed tenure. The provision in this regard may be incorporated in the Rules of Business, if required.</p>

	<p>insubordination, misconduct or failure to meet the performance targets assigned to him/ her etc and evidence has been established, the Prime Minister/ Chief Minister can decide that the officer should be moved out of the office before completing the posting tenure. The Minister Incharge or the Secretary can also move the Prime Minister/ Chief Minister for the transfer before completion of the tenure by reducing in writing the reasons for such an action.</p>		
2.	<p><u>PLACEMENT POLICY FOR CIVIL SERVANTS</u></p> <p>The most significant objective of a placement policy is efficient utilization of the available human resource, career planning of the potential senior civil servants by providing variety of professional exposure. A well thought out and implemented placement policy leads to strengthening of government organizations and also facilitates in improving governance. This would simultaneously create a mass of professional management and upgrade the training institutions in the country. Presently there is hardly any effective placement policy followed by the federal or the provincial governments. In August 2005, Establishment Division proposed a 'Placement Policy' which was duly approved by the Prime Minister. For a variety of reasons including political interference and reluctance of the officers themselves the policy has not been effectively implemented. As a result individual officers pursue their individualistic agendas in seeking and using training facilities. Until and unless this trend is reversed and greater coordination is achieved between the Establishment Division and Economic Affairs Division the present practice will continue resulting in sub optimal to minimal impact of foreign training in career planning and placement of civil servants.</p>	<p>Proposal has been endorsed by the Govt. of Sindh subject to the condition that consent of the Provincial Governments should be obtained before transferring any officer from or to the province.</p>	<p>i. The Government of Balochistan supports the Commission's recommendation that Placement Policy as approved by the Prime Minister should be implemented by the Federal, Provincial and District Governments and exception to this policy may not be allowed.</p> <p>ii. Qualification, experience and expertise may invariably be the criteria for placing a person on a specific assignment.</p>

	<p><u>Recommendations</u> The Commission recommends that the Placement Policy as approved by the Prime Minister should be implemented by the Federal Ministries, Provincial and District Governments, exception to this policy may not be allowed. Commission may be allowed to monitor the implementation of this policy and report progress and particularly non compliance to the Steering Committee in its quarterly meetings for an improvement in governance.</p>		
3.	<p>EMPOWERMENT OF SECRETARIES' COMMITTEES AND STRENGTHENING THE POST OF CABINET SECRETARY.</p> <p>There is a widespread impression that Federal Government business suffers from a fragmented approach. Consultation inter-se-among Ministries/Divisions is patchy, unsystematic and not as smooth or frequent as it should be. Effective coordination is lacking and conflict resolution mechanism among the ministries is not satisfactory. Inter-ministerial matters, therefore, linger on causing delays. Even relatively mundane inter-Ministerial disputes/differences have to be resolved at the highest levels. In the provinces, this role is being performed by the Chief Secretary.</p> <p><u>Recommendations</u> To improve the quality of overall decision making and relieve the highest decision makers from the drudgery of mundane affairs of the state it is proposed to strengthen the office of the Cabinet Secretary and also make effective use of the Secretaries' Committee.</p> <p>The role of the two important Divisions i.e. Cabinet Division and Establishment Division which constitute Cabinet Secretariat has dwindled with the passage of time and they are unable to perform their assigned functions efficiently and effectively. There is a need to restore an avenue for the Secretaries of the Government to get their operational difficulties resolved to improve coordination among various ministries and to develop a low cost dispute and conflict resolution mechanism. This, in turn, would have a positive impact on the overall</p>	Proposal has been endorsed by the Govt. of Sindh with the suggestion that Cabinet Secretary may be re-designated as Secretary General (BS-23).	The proposal of extensive use of Secretaries Committee is supported. Specific powers may be delegated to these Committees to strengthen the leadership qualities. The decisions by the Committee will reflect collective wisdom and would be in the large national interest.

	<p>performance of the government. The Commission is of the view that the problem faced by the Federal Government due to inadequate coordination among the various Ministries at the operational level in day to day matters can be resolved by bringing about two important structural changes.</p> <p>The first change is to strengthen the office of the Cabinet Secretary by making him first among equals and vesting him with the same powers as enjoyed by the Chief Secretary at the Provincial level.</p> <p>To make this office effective the senior most Secretary of the Government should be made the Cabinet Secretary for a fixed tenure. The Secretaries can turn to him for advice, counseling and guidance while the Prime Minister may seek his advice on matters of important consequences.</p> <p>The second change is to tap on the collective wisdom and experience of the Federal and Provincial Secretaries by making extensive use of the Secretaries Committee. The present tendency of over centralization of decision making can be curbed by delegating some specified powers of inter-ministerial coordination and dispute resolution to these committees. This will strengthen the leadership qualities of the secretaries as they will work as a collective team and force them to take decisions not on the basis of narrow considerations of protecting their turf but in the larger national interests. This will also free up the time of the PM and CMs who will be able to devote quality time to more contentious and difficult issues that cannot be resolved at the secretaries level and to exercise strategic oversight. It is also believed that the inordinate delays that occur in the decision making will also be reduced through this process.</p>		
4.	<p>EVOLVING AN EFFECTIVE MONITORING AND EVALUATION (M&E) MECHANISM.</p> <p>‘Devolution of Power Plan’, apart from decentralization of administrative and financial power, at the grass-root level, signifies a major shift in the focus of infrastructure as well as socio-economic development of a given local area. Whereas, under the Punjab Local</p>	<p>Proposal has been endorsed by the Government of Sindh.</p>	<p>Government of Balochistan has suggested that for an effective monitoring mechanism, the appointment of the District Monitoring Officers may be made from the Civil Services and in this regard Punjab model may be</p>

<p>Government Ordinance, 2001, monitoring committees elected by the respective councils of the Local Governments are assigned the function of monitoring of development schemes of local governments no system exists to monitor the implementation of schemes launched and funded by the Federal/ Provincial Governments at the local level. The quantum of resources made available through these programs is quite significant and an effective monitoring system can minimize leakages, expedite implementation and hold the executing agencies accountable for results.</p> <p>The jurisdiction of District Government and Provincial Government being co-terminus, there is an impelling need to develop a monitoring mechanism aimed at over-viewing the implementation of development schemes and evaluating the outcomes of all the investments being made by the Federal/Provincial Governments as well as donor agencies in the areas of Local Governments. Towards that end, a permanent institutional arrangement is required to be developed which should have the requisite elements and capacity to meet the requirements of Good Governance, efficient service delivery and trickle-down effect. Such a monitoring system has been put in place by the Govt. of Punjab and has begun to show some tangible results.</p> <p><u>Recommendations</u> The proposed system of Monitoring and Evaluation should consist of the following essential ingredients:-</p> <p><u>TARGET SETTING</u> The concerned department should define the objectives of the program and set targets, to be achieved within a stipulated time, by the field formations.</p> <p><u>BENCH MARKING</u> For developing the base-line data, formal surveys can be used to collect standardized information from the stakeholders/targeted population. The surveys help the policy makers/implementers to observe changes and achieve the desired objectives.</p> <p><u>PERFORMANCE INDICATORS</u> The indicators can help the implementers to track progress, identify fault-lines and take remedial measures to improve</p>		<p>replicated in all the provinces.</p>
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service-delivery.

PARTICIPATORY APPROACH

Involvement of stakeholders helps identify the ground realities, public perception about a particular program enables the decision-makers to formulate policies responsive to the felt needs of the people.

CASH FLOWS TRACKING SYSTEM

A tracking system to ensure timely release of allocated amount, is necessary for uninterrupted development activities and to make the project cost effective.

IMPACT EVALUATION

Impact assessment and evaluation enables the policy-makers to observe as to what extent the activities, undertaken through a program/project, have helped the targeted group or area, and how far desired results have been achieved.

Administrative departments do not have the requisite institutional capacity to monitor and evaluate new development portfolios and it would not be cost effective to create parallel monitoring and evaluation arrangements by each department separately. It is proposed that a Monitoring and Evaluation Unit should be set up at each district/ sub-regional level as the case may be. The M&E Unit should report to the P&D Department of the Provincial Governments for the Provincial funded projects and to the Planning Commission for the Federal funded projects.