

7. PUBLIC AND DISCIPLINED FORCES SERVICE COMMISSIONS

- 7.1 The Public and Disciplined Forces Service Commissions (PDFSC), established by the Constitution of Mauritius, is vested with the powers to: appoint persons to hold or act in any offices in the public service; exercise disciplinary control over persons holding or acting in such offices; and remove such persons from office. The Commission exercises its functions within the broad parameters set by the Public Service Commission (PSC) Regulations and is not subject to the direction or control of any other person or authority. Its mission is to ensure that the Republic of Mauritius has a professional and efficient Civil Service geared towards excellence.
- 7.2 Some of the objectives of the PDFSC include, among others, identifying and enlisting persons of specified educational attainments with the drive and skill for efficient performance; safeguarding the impartiality and integrity of appointments and promotions in the Civil Service and ensuring that these are based on merit; and taking disciplinary action with a view to maintain ethical standards and safeguard public confidence in the service. Its vision is therefore to be the benchmark for integrity, equity and efficiency in a dynamic public service.
- 7.3 As per the provision of Section 88 of the Constitution, the PDFSC consists of a Chairman, two Deputy Chairpersons, and four Commissioners. All of them are appointed by the President of the Republic after consultation with the Prime Minister and the Leader of Opposition.
- 7.4 The PDFSC encompasses two separate entities: the PSC which performs its functions in respect of officers of the Civil Service while the Disciplined Forces Service Commission (DFSC) caters for officers of the Mauritius Police Force, the Fire Services and Mauritius Prisons Department.
- 7.5 The Secretary, PDFSC is the Accounting and Responsible Officer of both Commissions. He is assisted, among others, by departmental grades of Assistant Secretary and Registrar, PDFSC as well as by officers belonging to Administrative cadre, Human Resources cadre, the General Services.
- 7.6 In the context of this Review, representations made by Management pertained mainly to: review certain aspects of General Conditions of Service; amend the scheme of service of the grade of Deputy Secretary; revise the invigilation fees payable for the conduct of examinations; and create additional levels. During consultation, Management was apprised that General Conditions of Service would be looked into holistically. In view of possible lateral repercussions, the Bureau requested Management to consider amendments in existing schemes of service only after consultation with all the stakeholders concerned. As some other issues raised were outside the scope of this Bureau, Management was advised to address them administratively.

7.7 Based on functional consideration, we are in this Report providing a new level to advise the PDFSC on all legal matters.

Legal Officer (New Grade)

7.8 At present, the services of a State Counsel from the Attorney General’s Office should be made available to the PDFSC on a full time basis to assist and advise on all legal matters.

7.9 Management reported that this arrangement is not functioning properly and in view of the increase in the number of cases which are being lodged before the Public Bodies Appeal Tribunal and other instances, the services of a Legal Officer are imperatively required by the PDFSC to assist in the proper drafting of submissions and to deal with any other legal matters. We are recommending accordingly.

Recommendation

7.10 We recommend the creation of the grade of Legal Officer. Appointment thereto should be made by selection from among Barristers-at-Law with at least three years standing at the Bar.

7.11 Incumbent would be required to, inter alia, draft statement of defence and file same before the Courts/Tribunals; represent the Commissions before the Tribunal during the course of Hearing/Arguments/Proforma; advise the Commissions on legal matters/facts of the case/ground of objections/affidavits and mise-en-demeure; arrange for the swearing of affidavits before the Chief Registrar of the Supreme Court; keep up to date reports of court judgements; and advise the Commissions on matters pertaining to their respective regulations.

7.12 We further recommend that the post of Legal Officer should be filled on contractual terms for a period to be determined by the PDFSC.

Secretary, Public and Disciplined Forces Service Commissions

7.13 As per existing provision, a Permanent Secretary should be assigned the duties of Secretary, PDFSC. **This provision is being maintained.**

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SALARY SCHEDULE

Salary Code	Salary Scale and Grade
02 000 106	Rs 122000 Secretary, Public and Disciplined Forces Service Commissions

Salary Code	Salary Scale and Grade
02 000 099	Rs 98000 Deputy Secretary, Public and Disciplined Forces Service Commissions
12 066 085	Rs 35275 x 925 – 37125 x 1225 – 40800 x 1525 – 49950 x 1625 – 62950 Legal Officer (New Grade)
08 069 089	Rs 38350 x 1225 – 40800 x 1525 – 49950 x 1625 – 62950 x 1850 – 68500 x 1950 – 70450 Assistant Secretary, Public and Disciplined Forces Service Commissions (Personal to holder in post as at 31.12.15)
08 069 085	Rs 38350 x 1225 – 40800 x 1525 – 49950 x 1625 – 62950 Assistant Secretary, Public and Disciplined Forces Service Commissions (Future Holder)
08 058 074	Rs 28625 x 775 – 32500 x 925 – 37125 x 1225 – 40800 x 1525 – 45375 Registrar, Public and Disciplined Forces Service Commissions
19 059 081	Rs 29400 x 775 – 32500 x 925 – 37125 x 1225 – 40800 x 1525 – 49950 x 1625 – 56450 Industrial/Occupational Psychologist
08 022 056	Rs 12750 x 260 – 14050 x 275 – 15150 x 300 – 15750 x 325 – 17700 x 375 – 19575 x 475 – 21950 x 625 – 23200 x 775 – 27075 Office Clerk
24 022 051	Rs 12750 x 260 – 14050 x 275 – 15150 x 300 – 15750 x 325 – 17700 x 375 – 19575 x 475 – 21950 x 625 – 23200 Driver
24 022 047	Rs 12750 x 260 – 14050 x 275 – 15150 x 300 – 15750 x 325 – 17700 x 375 – 19575 x 475 – 21000 Senior Gardener/Nursery Attendant

Salary Code	Salary Scale and Grade
24 019 045	Rs 11970 x 260 – 14050 x 275 – 15150 x 300 – 15750 x 325 – 17700 x 375 – 19575 x 475 –20050 Gardener/Nursery Attendant
24 018 044	Rs 11710 x 260 – 14050 x 275 – 15150 x 300 – 15750 x 325 – 17700 x 375 – 19575 Security Guard
24 015 041	Rs 10950 x 250 – 11450 x 260 – 14050 x 275 – 15150 x 300 – 15750 x 325 – 17700 x 375 – 18450 Handy Worker
24 015 040	Rs 10950 x 250 – 11450 x 260 – 14050 x 275 – 15150 x 300 – 15750 x 325 – 17700 x 375 – 18075 Gateman Sanitary Attendant
24 001 038	Rs 7800 x 200 – 8000 x 205 – 8820 x 230 –10200 x 250 – 11450 x 260 – 14050 x 275 – 15150 x 300 – 15750 x 325 – 17375 General Worker
