

SENATE OF PAKISTAN



REPORT NO----

**REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION AND
PROFESSIONAL TRAINING**

ON

**"THE SMART INSTITUTE OF SCIENCE AND TECHNOLOGY (AMENDMENT)
BILL 2023"**

PRESENTED BY

SENATOR IRFAN-UL-HAQUE SIDDIQUI

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION AND PROFESSIONAL TRAINING ON PRIVATE MEMBERS BILL TITLED "THE SMART INSTITUTE OF SCIENCE AND TECHNOLOGY (AMENDMENT) BILL 2023" MOVED BY SENATORS DILAWAR KHAN AND NASEEBULLAH BAZAI IN THE SITTING OF THE SENATE HELD ON 20TH NOVEMBER, 2023 AND REFERRED TO THE COMMITTEE FOR CONSIDERATION AND REPORT.

I, Senator Irfan-ul-Haque Siddiqui, the Chairman of the Senate Standing Committee on Federal Education and Professional Training have the honour to present, on behalf of Committee, this report on "The Smart Institute of Science and Technology (Amendment) Bill 2023" moved by Senators Dilawar Khan and Naseebullah Bazai in the sitting of the Senate held on 20th November, 2023 and referred to the Committee for consideration and report.

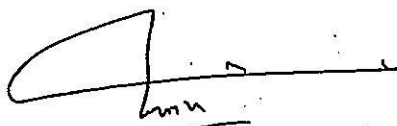
2. The Composition of the Standing Committee is given as under:-

1.	Senator Irfan-ul-Haque Siddiqui	Chairman
2.	Senator Prof. Dr. Mehr Taj Roghani	Member
3.	Senator Ejaz Ahmad Chaudhary	Member
4.	Senator Fawzia Arshad	Member
5.	Senator Jam Mahtab Hussain Dahar	Member
6.	Senator Engr. Rukhsana Zuberi	Member
7.	Senator Mushtaq Ahmad	Member
8.	Senator Molvi Faiz Muhammad	Member
9.	Senator Ahmed Khan	Member
10.	Senator Khalida Sikandar Mandhro	Member
11.	Minister for Federal Education and Professional Training	Ex-Officio Member

3. The Committee held its meeting on the Bill on 22nd December 2023 but deferred it due to the absence of the Mover. The Committee held its second meeting on 14th February 2024 for further and final consideration of the Bill. The following Members attended the meeting:

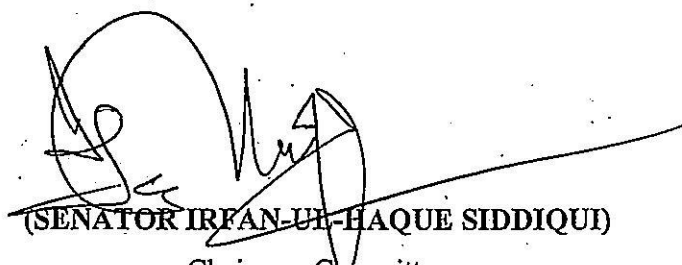
(i)	Senator Irfan-ul-Haq Siddiqui	Chairman
(ii)	Senator Fawzia Arshad	Member
(iii)	Senator Falak Naaz	Member
(vi)	Senator Engr. Rukhsana Zuberi	Member
(v)	Senator Mushtaq Ahmad	Member
(vi)	Senator Mehr Taj Roghani	Member
(vii)	Senator Naseebullah Bazai	Mover

4. The Higher Education Commission pointed out that the proposed amendment in Section-1 is not being supported owing to the advice of the Law and Justice Division in the wake of 18th Constitutional Amendment that the Federal Government can not legislate the Charter/Act of any "University" located in provinces for which the legislation will be done by the Provincial Government. It is mandatory for acquiring a Federal Charter that the University shall have its land and physical infrastructure within the territorial jurisdiction of Islamabad. Furthermore, the HEC in its working paper stated that if sponsoring body intends to get a Federal Charter for an "Institute" having land and infrastructure located in the territorial jurisdiction of the Province of Punjab, then Parliament/Federal Government can legislate its Bill as per entry at Sr. No. 16 of Federal Legislative List Part-I which states "*Federal agencies and institutes for the following purposes that is to say, for research, for professional or technical training or for the promotion of special studies*". In the Bill, the HEC supports amendment in Section 4[1-a] subject to acquiring NOC by the institution prior to commencement of its academic operations. The Chairman HEC stated that in 2022, the Institute was chartered, however, it has not approached the HEC for NOC for carrying out academic operations. Senator Naseebullah Bazai, the Mover, stated that the pre-requisites will be complied on lateral stage, therefore, the Committee may recommend the Bill. The Chairman of the Committee and Senators Mushtaq Ahmad and Engr. Rukhsana Zuberi stated that feasibility report/pre-requisites should be submitted by the institute to HEC before further amendments in the Act and start of academic operations by the existing institute. The Committee recommends that the Bill may not be passed in its present form. The Bill as introduced in the House is placed at Annexure-A.



(ALAMZEB KHAN)

Secretary Committee



(SENATOR IRFAN-UL-HAQUE SIDDIQUI)

Chairman Committee

Dated:-16-2-2024

As
[TO BE INTRODUCED IN THE SENATE]

A

Bill

further to amend the Smart Institute of Sciences & Technology Act, 2022

WHEREAS, it is expedient further to amend the Smart Institute of Sciences & Technology Act, 2022, for the purposes hereinafter appearing;

1. **Short title and commencement.** (1) This Act may be called the Smart Institute of Sciences & Technology (Amendment) Act, 2023.

2. **Amendment of Section 3(1):-** In the Smart Institute of Sciences & Technology Act, 2022, in section 3, the words "Smart Institute of Sciences & Technology" may be replaced with "Smart University"

3. **Amendment of Section 4(1)(a):-** In the Smart Institute of Sciences & Technology Act, 2022, in section 4:-

(i) In the said Bill at para 4 (1) (a) after the word Pharmaceutical Sciences, the following words may be inserted:-

"Applied health sciences, Medical and dentistry sciences, Rehabilitation sciences, Public Health, Artificial Intelligence, Environmental sciences, Paramedical sciences, Behavioral sciences and Space & aeronautical sciences"

(ii) In the said Bill the word "Institute" may be replaced with "University"

STATEMENT OF OBJECT AND REASONS

The Smart Institute of Sciences & Technology has been proposed to be established under the enactment passed in 2022. However, in wake of the emergence of new technology and development in the fields of Science, this Bill aims at transformation of the status of the Institute into University.

**SENATOR DILAWAR KHAN
AND
SENATOR NASEEBULLAH BAZAI
Members-in-Charge**