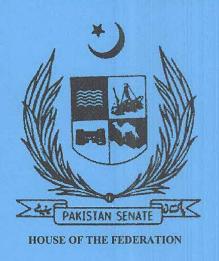
SENATE OF PAKISTAN HOUSE OF THE FEDERATION

Report No. of 6 of 2017



REPORT OF THE STANDING COMMITTEE ON SCIENCE AND
TECHNOLOGY "THE PAKISTAN COUNCIL FOR SCIENCE AND
TECHNOLOGY BILL, 2016"

PRESENTED BY
SENATOR OSMAN SAIFULLAH KHAN
CHAIRMAN

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON SCIENCE AND TECHNOLOGY ON "THE PAKISTAN COUNCIL FOR SCIENCE AND TECHNOLOGY BILL, 2016"

I, Senator Osman Saifullah Khan, Chairman Standing Committee on Science and Technology, have the honor to submit, on behalf of the Committee, this report on "Pakistan Council for Science and Technology Act, 2016" referred by the House in its sitting held on 10-01-2017, to the Standing Committee for consideration and report.

2. The composition of the Committee is as under:-

1.	Senator Osman Saifullah Khan	Chairman
2.	Senator Muhammad Azam Khan Swati	Member
3.	Senator Mir Nematullah Zehri	Member
4.	Senator Mir Israrullah Khan Zehri	Member
5.	Senator Haji Momin Khan Afridi	Member
6.	Senator Aitzaz Ahsan	Member
7.	Senator Professor Sajid Mir	Member
8.	Senator Lt. Gen. (R) Abdul Qayyum	Member
9.	Senator Sardar Fateh Muhammad Muhammad Hassani	Member
10	. Senator Muhammad Yousaf	Member
11	. Senator Saleem Mandiwala	Member
12	. Senator Mian Muhammad Ateeq Shaikh	Member
13	. Rana Tanveer Hussain Minister for Science and Technology	Ex-officio Member

3. The Committee considered the said Bill first in its meeting held on 1st February 2017 and then on 17th February, 2017, which was attended by the following:-

1. Senator Osman Saifullah Khan

Chairman

2. Senator Sardar Fateh Muhammad Muhammad Hassani

Member

3. Senator Saleem Mandviwala

Member

4. Senator Mian Muhammad Ateeg Shaikh

Member

5. Rana Tanveer Hussain
Minister for Science and Technology

Ex-officio Member

The Committee held threadbare discussion on Pakistan Council for Science and Technology Bill, 2016. It was emphasized that overlap between the functions of the Pakistan Science Foundation and the Pakistan Council of Science and Technology needed to be minimized. Given the meager budget allocated to Science and Technology in the country, the members emphasized the need for each of the above organizations to be effective, focused and accountable. The Chairman of the Committee stressed that in all bodies working under the MoST scientists must have primacy in decision making as far as matters of science were concerned. After lengthy discussion the Committee proposed the following amendments in the Bill:-

(i) In clause 4,

- a) for paragraph (g), the following shall be substituted namely:-
- "(g) evaluation of national research and development activities including output of individuals and institutions and to grant research productivity awards or incentives thereof;"
- b) for paragraph (h), the following shall be substituted namely:-
- "(h) promote collaboration among national and international organizations for capacity-building and other policy initiatives in the field of science and technology and to enter into memoranda of understanding, contracts etc., in accordance with the Rules of Business, 1973;"
- c) paragraph (j) shall be deleted and subsequent paragraphs shall be renumbered;
- (ii) In sub-clause (1) of clause 7, the composition of the Board of Governors shall be substituted with:

(a)	Minister for Science and Technology	President
(b)	Secretary, Science and Technology Division	Vice-President
. (c)	Secretary, Planning and Development Division or his nominee not below the rank of Additional Secretary	Member
(d)	Secretary, Finance Division or his nominee not below the rank of Additional Secretary	Member
(e)	Executive Director, Higher Education Commission	Member
(f)	Secretary of the Division controlling subject-matter of education and training or his nominee not below the rank of Additional Secretary	Member
(g)	President, Pakistan Academy of Sciences or his nominee	Member
(h)	Chairman, Pakistan Engineering Council	Member
(i)	Chairman, Pakistan Council of Scientific and Industrial Research	Member
(j)	Chairman, Pakistan Science Foundation	Member
(k)	Representatives of Provincial Governments not below the rank of Provincial Secretary	Members
(1)	Five eminent Scientists from academia, one each from four provinces and federal capital to be nominated by the Board	Members
(m);2	Two eminent industrialists to be nominated by the Federal Government	Members
(n)	President, Federation of Pakistan Chamber of Commerce and Industries, Islamabad	Members
(0)	dealing officer not below the rank of Joint Secretary of the Division controlling the subject-matter of science and technology	Member
(p)	Two Parliamentarians, one each from Senate and National Assembly, preferably with scientific knowledge and background	Members

(q) Chairperson, Pakistan Council for Science and Member Technology

(iii) In clause 10,

- a) in sub-clause (2), after the word "called" the words "and presided" shall be inserted, and the words "one meeting" shall be substituted with the words "two meetings"
- b) in sub-clause (3), the word "six" shall be substituted with the word "ten"
- c) sub-clause (4) shall be omitted.

(iv) In clause 13,

- a) in paragraph (a), after the word "research" the word "policies" shall be inserted,
- b) paragraph (d) shall be deleted and subsequent paragraphs shall be renumbered.
- After detailed deliberations, the Committee unanimously recommends that the Bill, as reported by the Committee, may be passed by the Senate. The Committee also gave approval for presentation of this report to the House.
- 6. The Bill as reported by the Committee is at Annex-A and the Bill as passed by the National Assembly is at Annex-B.

(HARIS REMMAN) Secretary Committee (SENATOR OSMAN SAIFULLAH KHAN)
Chairman Committee

Islamabad, the 24th February, 2017

[AS REPORTED BY THE COMMITTEE]

A

Bill

to provide for establishment of the Pakistan Council for Science and Technology

WHEREAS it is expedient to provide for the establishment of Pakistan Council for Science and Technology to advise the Government on national policies on science, technology and innovation for building up a strong and self-reliant science and technology system and its effective working directed towards achievement of national goals and in particular the welfare of the people, economic growth and security of Pakistan;

It is hereby enacted as follows:-

- 1. Short title, extent and commencement.— (1) This Act may be called the Pakistan Council for Science and Technology Act, 2016.
 - (2) It extends to the whole of Pakistan.
 - (3) It shall come into force at once.
- 2. **Definitions.—** In this Act, unless there is anything repugnant in the subject or context,-
 - (a) "Board" means the Board of Governors of the Council;
 - (b) "Chairperson" means head of the Council;
 - (c) "Council" means Pakistan Council for Science and Technology;
 - (d) "Executive Committee" means Executive Committee of the Board constituted under section 11;
 - (e) "expert committee" means an expert committee of the Council constituted under section 14;
 - (f) "member" means a member of the Board;
 - (g) "prescribed" means prescribed by regulations made under this Act;
 - (h) "President" means President of the Board;
 - (i) "regulations" means regulations made under this Act;
 - (j) "Resolution" means the Resolution notified vide Notification No. 3(5)/82-NSC, dated the 16th June, 1987 for constitution of the devised council dissolved under section 22; and
 - (k) "Vice-President" means Vice-President of the Board.

- 3. **Establishment of the Council.** (1) On commencement of this Act, there shall stand established a Council to be called as Pakistan Council for Science and Technology in accordance with the provisions of the Act.
- (2) The Council shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, sell and hold property, and shall by the said name sue and be sued through Chairperson.
- (3) The headquarters of the Council shall be at Islamabad and the Council may establish regional or sub-offices as required.

4. Functions of the Council.— The Council shall-

- (a) advise the Federal Government on all matters relating to the development of science and technology in Pakistan;
- (b) undertake policy research, organize study groups or task forces, formulate policy proposals, monitoring and evaluation of science, technology and innovation policy for achieving targets for the overall development of science and technology in the country;
- (c) identify priority areas for research and development keeping in view futuristic developments of science and technology;
- (d) constitute expert committees in various disciplines for preparation of reports on policies and issues of national importance in respect of science and technology;
- (e) collect, update statistics and maintain database on science and technology potentials of the country;
- (f) take measures for effective collaboration among academia, research and development organizations and industry for development of indigenous products or technologies;
- (g) evaluation of national research and development activities including output of individuals and institutions and to grant research productivity awards or incentives thereof;
- (h) promote collaboration among national and international organizations for capacity-building and other policy initiatives in the field of science and technology and to enter into memoranda of understanding, contracts etc., in accordance with the Rules of Business, 1973;
- (i) participate in national science and technology planning and development activities and providing advice on selection of projects;
- (j) act as Secretariat of the National Commission for Science and Technology (NCST); and
- (k) perform any other functions as may be assigned to it by the Federal Government.

- 5. Management.— The management of the Council shall comprise-
 - (a) Board of Governors;
 - (b) Executive Committee; and
 - (c) Chairperson.
- **6. Board of Governors.—** The general control and superintendence of the affairs of the Council shall vest in the Board.
- **7. Composition of the Board of Governors.—**(1) The Board of Governors shall consist of the following, namely:-

(a)	Minister for Science and Technology	President
(b)	Secretary, Science and Technology Division	Vice-President
(c)	Secretary, Planning and Development Division or his nominee not below the rank of Additional Secretary	Member
(d)	Secretary, Finance Division or his nominee not below the rank of Additional Secretary	Member
(e)	Executive Director, Higher Education Commission	Member
(f)	Secretary of the Division controlling subject-matter of education and training or his nominee not below the rank of Additional Secretary	Member
(g)	President, Pakistan Academy of Sciences or his nominee	Member
(h)	Chairman, Pakistan Engineering Council	Member
(i)	Chairman, Pakistan Council of Scientific and Industrial Research	Member
(j)	Chairman, Pakistan Science Foundation	Member
(k)	Representatives of Provincial Governments not below the rank of Provincial Secretary	Members
(1)	Five eminent Scientists from academia, one each from four provinces and federal capital to be nominated by the Board	Members
(m)	Two eminent industrialists to be nominated by the Federal Government	Members
(n)	President, Federation of Pakistan Chamber of Commerce and Industries, Islamabad	Members
(0)	dealing officer not below the rank of Joint Secretary of the Division controlling the subjectmatter of science and technology	Member

- (p) Two Parliamentarians, one each from Senate Members and National Assembly, preferably with scientific knowledge and background
- (q) Chairperson, Pakistan Council for Science and Member Technology
- (2) The Chairperson shall act as Secretary of the Board.
- (3) The Federal Government may, by notification in the official Gazette, increase or decrease the number of members of the Board.
 - (4) The Board may co-opt any other professional or expert.
- 8. Functions and powers of the Board. (1) The Board shall-
 - (a) review and approve annual, long-term plans, policies and programmes of the Council;
 - (b) approve the annual development and non-development budget of the Council;
 - (c) create or abolish posts of such officers and staff and engage such consultants or experts as it may consider necessary for efficient performance of the functions of the Council, on such terms and conditions as may be prescribed;
 - (d) make regulations for the efficient conduct of the affairs of the Council; and
 - (e) recommend to the Government to terminate the tenure of the Chairperson before its expiry in case of unsatisfactory performance.
- (2) The Board may, by general or special order in writing, direct that such of its powers shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercised, by the Executive Committee, Chairperson or an officer of the Council.
- **9.** Term of office of members.— (1) Save as hereinafter provided, a member, other than an *ex officio* member, shall hold office for a period of three years from the date of his nomination and shall be eligible for re-nomination for a further period not exceeding another term.
- (2) A person who becomes, or is nominated to be, a member by virtue of his holding an office or appointment shall cease to be a member when he ceases to hold that office or appointment.
- (3) A member, other than an *ex officio* member, may at any time resign his membership by writing under his hand addressed to the Federal Government.

- (4) A vacancy caused by resignation or any other reason shall be filled by nomination of a person qualified to fill such vacancy.
- (5) No act or proceeding of the Board shall be invalid merely on the ground of existence of a vacancy in constitution of the Board.
- **10. Meetings of the Board.—** (1) Save as hereinafter provided, the Board shall regulate the procedure for its meetings.
- (2) Meetings of the Board shall be called **and presided** by its President or in his absence by the Vice-President on such date, time and place as deemed fit provided that at least **two meetings** shall be held in a year.
- (3) At least **ten** members shall constitute the quorum for a meeting of the Board.
- 11. Executive Committee of the Board.—(1) Notwithstanding anything contained in this Act, the Executive Committee shall take decisions on behalf of the Board subject to ratification by the Board at its meeting immediately following the meeting of the Executive Committee unless otherwise authorized by the Board.
 - (2) The Executive Committee shall comprise the following members, namely:-

(a) Chairperson of the Council

Chairperson

(b) one member to be nominated by the Board

Member

(c) dealing officer not below the rank of Joint Secretary of the Division controlling subjectmatter of science and technology

Member

(d) Secretary of the Council

Member

- (3) The Secretary of the Council shall act as the Secretary of the Executive Committee.
- (4) Subject to the provisions of this Act and regulations made in this behalf and such general or special directions as may, from time to time, be given by the Board, the Executive Committee shall deal with any matter as authorized by the Board.
- 12. Chairperson of the Council.— The Chairperson shall be an eminent scientist or engineer holding a Ph.D. degree with sufficient relevant experience to be appointed by the Prime Minister on recommendations of the Federal Government for a term of three years extendable for another term on such terms and conditions as may be prescribed.
- **13.** Powers and functions of the Chairperson.— The Chairperson, who shall be the Chief Executive Officer of the Council, shall work under the general policy guidelines

of the Board and have such powers, functions and duties as may be conferred or vested in him by or under this Act, including-

- (a) formulation of research **policies**, plans and their submission to the Board for approval;
- (b) protection of all assets of the Council including intellectual property assets;
- (c) preparation of annual report of the Council for submission to the Federal Government;
- (d) for the purpose of ensuring efficient functioning of the Council and to facilitate its day-to-day functions, delegation to the Secretary or other officers of the Council, such of his powers or duties as he may consider necessary from time to time; and
- (e) appointment of such officers and employees subject to the provisions of relevant regulations, as may be necessary for efficient performance of functions of the Council on such terms and conditions as may be prescribed.
- **14. Expert committees.—** (1) The Council may constitute expert committees, in important scientific, technological and engineering disciplines to review current status and suggest policy measures for their future development.
- (2) The expert committees shall have such powers and perform such functions as may be assigned by the Council.
- **15. Fund of the Council.—** There shall be a Fund of the Council to be called the PCST Fund to which shall be credited-
 - (a) funds of the devised council being dissolved under section 22, which shall stand transferred to the Council;
 - (b) grants from the Governments;
 - (c) donations and endowments;
 - (d) funds generated through its own resources; and
 - (e) research grants.
- **16. Budget and accounts.—** (1) The Chairperson shall, in respect of each financial year, submit for the approval of the Board, a statement showing all the expenditures incurred during the year alongwith estimated receipts and expenditures for the next financial year.
- (2) The Council shall, by such date and in such form as may be prescribed, submit to the Federal Government for approval of its budget for each financial year showing the estimated receipts and expenditures and the sums which are likely to be required from the Federal Government during the financial year.
- (3) The accounts of the Council shall be maintained in such form and manner as determined by the Federal Government.
- (4) The accounts of the Council shall be audited by the Auditor-General of Pakistan.

- 17. Appointment of officers, staff, etc.— (1) The Council may, from time to time, appoint such officers and staff as it may consider necessary for the efficient performance of its functions, on such terms and conditions as may be prescribed.
- (2) The Council may engage experts or consultants on such terms and conditions as may be prescribed.
- **18. Submission of reports, etc.—** The Council shall submit to the Federal Government at such time and at such intervals, as the Federal Government may specify,-
 - (a) annual report on working of the Council;
 - (b) such periodical reports and summaries as may be required by the Federal Government;
 - (c) such periodical returns, accounts, statements and statistics as may be required by the Federal Government;
 - (d) information and comments asked for by the Federal Government on any specific point;
 - (e) copies of the documents required by the Federal Government; and
 - (f) original documents required by the Federal Government for examination or any other purpose.
- 19. Directives from the Federal Government.—The Federal Government may, from time to time, issue to the Council such directives and orders in writing, as it may consider necessary for carrying out the purpose of this Act and the Council shall be bound to follow and carry out such directives and orders.
- **20. Declaration of fidelity and secrecy.—** Every member, expert, officer or other employee of the Council shall make such declaration of fidelity and secrecy as may be prescribed.
- **21. Continuance of certain rules, etc.** All rules, regulations and bye-laws related to the Council and in force immediately before the commencement of this Act shall, *mutatis mutandis* and so far as they are not inconsistent with any of the provisions of this Act, apply and continue in force until repealed or amended or altered.
- **22. Repeal and Savings.—** (1) The Ministry of Science and Technology's Resolution notified vide No. 3(5)/82-NSC, dated the 16th June, 1987 is hereby repealed and the Pakistan Council of Science and Technology, hereinafter referred to as the devised council, reconstituted there under shall stand dissolved.
 - (2) Upon dissolution of the devised council under sub-section (1),-
 - (a) all assets, rights, powers, authorities, privileges and property, movable and immovable, cash and bank balance, reserve funds, investments and all other interests and rights in, liabilities and obligations of whatever kind of the devised council subsisting immediately before its dissolution shall stand transferred to and vest in the Council;

- (b) all officers and other employees of the devised council shall, notwithstanding anything contained in any law, agreement, deed, document or other instrument, stand transferred to the Council on the exercise of one-time irrevocable option to either remain a civil servant under the Civil Servants Act, 1973 (LXXI of 1973) and shall be entitled to all the privileges and facilities of the Federal Government such as pension, gratuity, housing, health, etc. or to become an employee of the Council, in accordance with their existing terms and condition of the service applicable to them and no officer or other employee whose services are so transferred shall be entitled to any compensation because of such transfer;
- (c) all debts and obligations incurred or contracts entered into or rights acquired and all matters and things engaged to be done by, with or for the devised council before its dissolution shall be deemed to have been incurred, entered into, acquired or engaged to be done by, with or for the Council;
- (d) all suits and other legal proceedings instituted by or against the devised council, before its dissolution, shall be deemed to be suits and proceedings by or against the Council and may be proceeded or otherwise dealt with accordingly; and
- (e) all actions done by the devised council before the commencement of this Act shall be deemed to be done under this Act.
- **23. Exemption from taxes.** Notwithstanding anything contained in the Income Tax Ordinance, 2001 (XLIX of 2001) or any other law for the time being in force relating to income tax, the Council shall not be liable to pay any such tax on its income, capital, profit, wealth, gifts or gains and any movable and immovable property.
- **24. Power to make regulations.—** The Board may, by notification in the official Gazette, make regulations, not inconsistent with the provisions of this Act, for carrying out the purposes of this Act.
- **25. Removal of difficulties.** If any difficulty arises in giving effect to any provision of this Act, the Federal Government may make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the purpose of removal of such difficulty:

Provided that such power shall not be exercised after expiry of two years from the commencement of this Act.

STATEMENTS OF OBJECTS AND REASONS

Pakistan Council for Science and Technology (PCST), an organization under the administrative control of Ministry of Science and Technology, was established through a Resolution. PCST is actively engaged in advising the Government on S & T issues, policies and plans and suggest measures for the promotion, development & application of S & T results in the country. Pakistan Council for Science and Technology (PCST) is mandated to advise the Government on the development of Science and Technology at the national level. The Council is involved in S & T policy making, planning implementation and in carrying out policy studies. The Organization is also involved in the promotion of R & D activities and encouragement of consultancy services for scientists and technologists. It will provide a forum for coordination of S & T activities with National and International agencies and identification of priority subjects with reference to their bearing on socio-economic development and National security. PCST is also the secretariat of National Commission of Science and Technology (NCST), headed by the Prime Minister (which takes the major decisions for the development of S & T)

(RANA TANVEER HUSSAIN)
Minister for Science and Technology

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

Bill

to provide for establishment of the Pakistan Council for Science and Technology

WHEREAS it is expedient to provide for the establishment of Pakistan Council for Science and Technology to advise the Government on national policies on science, technology and innovation for building up a strong and self-reliant science and technology system and its effective working directed towards achievement of national goals and in particular the welfare of the people, economic growth and security of Pakistan;

It is hereby enacted as follows:—

- 1. Short title, extent and commencement.— (1) This Act may be called the Pakistan Council for Science and Technology Act, 2016.
 - (2) It extends to the whole of Pakistan.
 - (3) It shall come into force at once.
- 2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,-
 - (a) "Board" means the Board of Governors of the Council;
 - (b) "Chairperson" means head of the Council;
 - (c) "Council" means Pakistan Council for Science and Technology;
 - (d) "Executive Committee" means Executive Committee of the Board constituted under section 11;
 - (e) "expert committee" means an expert committee of the Council constituted under section 14;
 - (f) "member" means a member of the Board;
 - (g) "prescribed" means prescribed by regulations made under this Act;
 - (h) "President" means President of the Board;
 - (i) "regulations" means regulations made under this Act;
 - (j) "Resolution" means the Resolution notified vide Notification No. 3(5)/82-NSC, dated the 16th June, 1987 for constitution of the devised council dissolved under section 22; and
 - (k) "Vice-President" means Vice-President of the Board.

- 3. Establishment of the Council.— (1) On commencement of this Act, there shall stand established a Council to be called as Pakistan Council for Science and Technology in accordance with the provisions of the Act.
- (2) The Council shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, sell and hold property, and shall by the said name sue and be sued through Chairperson.
- (3) The headquarters of the Council shall be at Islamabad and the Council may establish regional or sub-offices as required.
 - 4. Functions of the Council.— The Council shall-
 - (a) advise the Federal Government on all matters relating to the development of science and technology in Pakistan;
 - (b) undertake policy research, organize study groups or task forces, formulate policy proposals, monitoring and evaluation of science, technology and innovation policy for achieving targets for the overall development of science and technology in the country;
 - (c) identify priority areas for research and development keeping in view futuristic developments of science and technology;
 - (d) constitute expert committees in various disciplines for preparation of reports on policies and issues of national importance in respect of science and technology;
 - (e) collect, update statistics and maintain database on science and technology potentials of the country;
 - (f) take measures for effective collaboration among academia, research and development organizations and industry for development of indigenous products or technologies;
 - (g) promote quality research and development culture in the country, evaluation of national research and development activities including output of individuals and institutions and to grant awards or incentives thereof;
 - (h) promote collaboration among national and international organizations for promotion and capacity-building in science and technology and to enter into memoranda of understanding, contracts etc., in accordance with the Rules of Business, 1973;
 - (i) participate in national science and technology planning and development activities and providing advice on selection of projects;
 - (j) promote or implement Science and Technology Research projects of national importance;

- (k) act as Secretariat of the National Commission for Science and Technology (NCST); and
- (l) perform any other functions as may be assigned to it by the Federal Government.
- 5. Management.— The management of the Council shall comprise-
 - (a) Board of Governors;
 - (b) Executive Committee; and
 - (c) Chairperson.
- 6. Board of Governors.— The general control and superintendence of the affairs of the Council shall vest in the Board.
- 7. Composition of the Board of Governors.—(1) The Board of Governors shall consist of the following, namely:-

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(a)	Minister for Science and Technology	President
(b)	Secretary, Science and Technology Division	Vice-Presiden
(c)	Secretary, Planning and Development Division or his nominee not below the rank of Joint Secretary	Member
(d)	Secretary, Finance Division or his nominee not below the rank of Joint Secretary	Member
(e)	Executive Director, Higher Education Commission or his nominee not below the rank of Director General	Member
(f)	Secretary of the Division controlling subject-matter of education and training or his nominee not below the rank of Joint Secretary	Member
(g)	President, Pakistan Academy of Sciences or his nominee	Member
(h)	Chairman, Pakistan Engineering Council	Member
(i)	Chairman, Pakistan Council of Scientific and Industrial Research	Member
(j)	Chairman, Pakistan Science Foundation	Member
(k)	distinguished scientists or technologists, one each from each Province to be nominated by the respective Provincial Governments	Member
(1)	President, Federation of Pakistan Chamber of Commerce and Industries, Islamabad or his nominee	Members
(m)	dealing officer not below the rank of Joint Secretary of the Division controlling subject-matter of science and technology	Member
(n)	Chairperson, Pakistan Council for Science and Technology	Member

(2) The Chairperson shall act as Secretary of the Board.

- (3) The Federal Government may, by notification in the official Gazette, increase or decrease the number of members of the Board.
 - (4) The Board may co-opt any other professional or expert.
 - 8. Functions and powers of the Board. (1) The Board shall-
 - (a) review and approve annual, long-term plans, policies and programmes of the Council;
 - (b) approve the annual development and non-development budget of the Council;
 - (c) create or abolish posts of such officers and staff and engage such consultants or experts as it may consider necessary for efficient performance of the functions of the Council, on such terms and conditions as may be prescribed;
 - (d) make regulations for the efficient conduct of the affairs of the Council; and
 - (e) recommend to the Government to terminate the tenure of the Chairperson before its expiry in case of unsatisfactory performance.
- (2) The Board may, by general or special order in writing, direct that such of its powers shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercised, by the Executive Committee, Chairperson or an officer of the Council.
- 9. Term of office of members.— (1) Save as hereinafter provided, a member, other than an ex officio member, shall hold office for a period of three years from the date of his nomination and shall be eligible for re-nomination for a further period not exceeding another term.
- (2) A person who becomes, or is nominated to be, a member by virtue of his holding an office or appointment shall cease to be a member when he ceases to hold that office or appointment.
- (3) A member, other than an ex officio member, may at any time resign his membership by writing under his hand addressed to the Federal Government.
- (4) A vacancy caused by resignation or any other reason shall be filled by nomination of a person qualified to fill such vacancy.
- (5) No act or proceeding of the Board shall be invalid merely on the ground of existence of a vacancy in constitution of the Board.
- 10. Meetings of the Board.— (1) Save as hereinafter provided, the Board shall regulate the procedure for its meetings.

- (2) Meetings of the Board shall be called by its President or in his absence by the Vice-President on such date, time and place as deemed fit provided that at least one meeting shall be held in a year.
 - (3) At least 510 members shall constitute the quorum for a meeting of the Board.
- (4) Each meeting of the Board shall be presided by the President and in his absence by the Vice-President.
- 11. Executive Committee of the Board.—(1) Notwithstanding anything contained in this Act, the Executive Committee shall take decisions on behalf of the Board subject to ratification by the Board at its meeting immediately following the meeting of the Executive Committee unless otherwise authorized by the Board.
 - (2) The Executive Committee shall comprise the following members, namely:-

(a) Chairperson of the Council

Chairperson

(b) one member to be nominated by the Board

Member Member

(c) dealing officer not below the rank of Joint Secretary of the Division controlling subject-matter of science and technology

(d) Secretary of the Council

Member

- (3) The Secretary of the Council shall act as the Secretary of the Executive Committee.
- (4) Subject to the provisions of this Act and regulations made in this behalf and such general or special directions as may, from time to time, be given by the Board, the Executive Committee shall deal with any matter as authorized by the Board.
- 12. Chairperson of the Council.— The Chairperson shall be an eminent scientist or engineer holding a Ph.D. degree with sufficient relevant experience to be appointed by the Prime Minister on recommendations of the Federal Government for a term of three years extendable for another term on such terms and conditions as may be prescribed.
- 13. Powers and functions of the Chairperson.— The Chairperson, who shall be the Chief Executive Officer of the Council, shall work under the general policy guidelines of the Board and have such powers, functions and duties as may be conferred or vested in him by or under this Act, including-
 - (a) formulation of research plans and their submission to the Board for approval;
 - (b) protection of all assets of the Council including intellectual property assets;
 - (c) preparation of annual report of the Council for submission to the Federal Government;
 - (d) arranging conferences, workshops, seminars, training programmes etc., relevant to the science and technology developments;

- (e) for the purpose of ensuring efficient functioning of the Council and to facilitate its day-to-day functions, delegation to the Secretary or other officers of the Council, such of his powers or duties as he may consider necessary from time to time; and
- (f) appointment of such officers and employees subject to the provisions of relevant regulations, as may be necessary for efficient performance of functions of the Council on such terms and conditions as may be prescribed.
- 14. Expert committees.— (1) The Council may constitute expert committees, in important scientific, technological and engineering disciplines to review current status and suggest policy measures for their future development.
- (2) The expert committees shall have such powers and perform such functions as may be assigned by the Council.
- 15. Fund of the Council.— There shall be a Fund of the Council to be called the PCST Fund to which shall be credited-
 - (a) funds of the devised council being dissolved under section 22, which shall stand transferred to the Council;
 - (b) grants from the Governments;
 - (c) donations and endowments;
 - (d) funds generated through its own resources; and
 - (e) research grants.
- 16. Budget and accounts.— (1) The Chairperson shall, in respect of each financial year, submit for the approval of the Board, a statement showing all the expenditures incurred during the year alongwith estimated receipts and expenditures for the next financial year.
- (2) The Council shall, by such date and in such form as may be prescribed, submit to the Federal Government for approval of its budget for each financial year showing the estimated receipts and expenditures and the sums which are likely to be required from the Federal Government during the financial year.
- (3) The accounts of the Council shall be maintained in such form and manner as determined by the Federal Government.
- (4) The accounts of the Council shall be audited by the Auditor-General of Pakistan.
- 17. Appointment of officers, staff, etc.— (1) The Council may, from time to time, appoint such officers and staff as it may consider necessary for the efficient performance of its functions, on such terms and conditions as may be prescribed.
- (2) The Council may engage experts or consultants on such terms and conditions as may be prescribed.
- 18. Submission of reports, etc.— The Council shall submit to the Federal Government at such time and at such intervals, as the Federal Government may specify,-

- (a) annual report on working of the Council;
- (b) such periodical reports and summaries as may be required by the Federal Government;
- (c) such periodical returns, accounts, statements and statistics as may be required by the Federal Government;
- (d) information and comments asked for by the Federal Government on any specific point;
- (e) copies of the documents required by the Federal Government; and
- (f) original documents required by the Federal Government for examination or any other purpose.
- 19. Directives from the Federal Government.—The Federal Government may, from time to time, issue to the Council such directives and orders in writing, as it may consider necessary for carrying out the purpose of this Act and the Council shall be bound to follow and carry out such directives and orders.
- 20. Declaration of fidelity and secrecy.— Every member, expert, officer or other employee of the Council shall make such declaration of fidelity and secrecy as may be prescribed.
- 21. Continuance of certain rules, etc.— All rules, regulations and bye-laws related to the Council and in force immediately before the commencement of this Act shall, mutatis mutandis and so far as they are not inconsistent with any of the provisions of this Act, apply and continue in force until repealed or amended or altered.
- 22. Repeal and Savings.— (1) The Ministry of Science and Technology's Resolution notified vide No. 3(5)/82-NSC, dated the 16th June, 1987 is hereby repealed and the Pakistan Council of Science and Technology, hereinafter referred to as the devised council, reconstituted there under shall stand dissolved.
 - (2) Upon dissolution of the devised council under sub-section (1),-
 - (a) all assets, rights, powers, authorities, privileges and property, movable and immovable, cash and bank balance, reserve funds, investments and all other interests and rights in, liabilities and obligations of whatever kind of the devised council subsisting immediately before its dissolution shall stand transferred to and vest in the Council;
 - (b) all officers and other employees of the devised council shall, notwithstanding anything contained in any law, agreement, deed, document or other instrument, stand transferred to the Council on the exercise of one-time irrevocable option to either remain a civil servant under the Civil Servants Act, 1973 (LXXI of 1973) and shall be entitled to all the privileges and facilities of the Federal Government such as pension, gratuity, housing, health, etc. or to become an employee of the Council, in accordance with their existing terms and

condition of the service applicable to them and no officer or other employee whose services are so transferred shall be entitled to any compensation because of such transfer;

- (c) all debts and obligations incurred or contracts entered into or rights acquired and all matters and things engaged to be done by, with or for the devised council before its dissolution shall be deemed to have been incurred, entered into, acquired or engaged to be done by, with or for the Council;
- (d) all suits and other legal proceedings instituted by or against the devised council, before its dissolution, shall be deemed to be suits and proceedings by or against the Council and may be proceeded or otherwise dealt with accordingly; and
- (e) all actions done by the devised council before the commencement of this Act shall be deemed to be done under this Act.
- 23. Exemption from taxes.— Notwithstanding anything contained in the Income Tax Ordinance, 2001 (XLIX of 2001) or any other law for the time being in force relating to income tax, the Council shall not be liable to pay any such tax on its income, capital, profit, wealth, gifts or gains and any movable and immovable property.
- 24. Power to make regulations.— The Board may, by notification in the official Gazette, make regulations, not inconsistent with the provisions of this Act, for carrying out the purposes of this Act.
- 25. Removal of difficulties.— If any difficulty arises in giving effect to any provision of this Act, the Federal Government may make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the purpose of removal of such difficulty:

Provided that such power shall not be exercised after expiry of two years from the commencement of this Act.

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STATEMENTS OF OBJECTS AND REASONS

Pakistan Council for Science and Technology (PCST), an organization under the administrative control of Ministry of Science and Technology, was established through a Resolution. PCST is actively engaged in advising the Government on S & T issues, policies and plans and suggest measures for the promotion, development & application of S & T results in the country. Pakistan Council for Science and Technology (PCST) is mandated to advise the Government on the development of Science and Technology at the national level. The Council is involved in S&T Policy making, planning, implementation and in carrying out policy studies. The Organization is also involved in the promotion of R&D activities and encouragement of consultancy services for scientists and technologists. It will provide a forum for coordination of S&T activities with National and International agencies and identification of priority subjects with reference to their bearing on socio-economic development and National security. PCST is also the secretariat of National Commission of Science and Technology (NCST), headed by the Prime Minister (which takes the major decisions for the development of S&T)

Rana Tanveer Hussain
Minister for Science & Technology

SENATE SECRETARIAT

MINUTES OF THE MEETING OF SENATE STANDING COMMITTEE ON SCIENCE & TECHNOLOGY

Two consecutive meetings of the Senate Standing Committee on Science & Technology were held on 31st January and 1st February 2017 at 10:30 am in Committee Room No.4, Parliament House, Islamabad, under the Chairmanship of Senator Osman Saifullah Khan.

2. The following Members of the Committee also attended the meeting:-

1.	Senator Muhammad Azam Khan Swati	Member
2.	Senator Haji Momin Khan Afridi	Member
3.	Senator Professor Sajid Mir	Member
4.	Senator Sardar Fateh Muhammad Muhammad Hassani	Member
5.	Senator Mian Muhammad Ateeq Shaikh	Member
6.	Minister for Science and Technology	Ex-Officio Member

3. The Agenda of the meetings was as under:

31st January, 2017

- i. Briefing by Pakistan Standard Quality Control Authority (PSQCA) on the quality of bottled water and package milk.
- ii. Briefing on coordination, if any, among PSQCA, Pakistan Council of Research in Water Resources (PCRWR) and Capital Development Authority (CDA) to ensure that foolproof system is in place for quality control of water supplied to the residents of Islamabad.
- iii. Update on provision of Safe Drinking Water (PSDW) project of Pakistan Council of Research in Water Resources (PCRWR).
- iv. Any other item with permission of the Chair.

1st February, 2017

- i. Discussion on COMSATS University Islamabad Bill, 2017, as referred by the House on 10th January, 2017, for consideration and report.
- ii. Discussion on Pakistan Council of Science and Technology Bill, 2016, as referred by the House on 10th January, 2017, for consideration and report.
- iii. Discussion on Pakistan National Accreditation Council Bill, 2016, as referred by the House on 10th January, 2017, for consideration and report.
- iv. Briefing by the Ministry of Science and Technology on steps/policy measures being taken for the popularizing of Science in Pakistan.
- v. Any other item with permission of the Chair.
- 4. After recitation from the Holy Quran, the Chairman Standing Committee welcomed the Committee members and participants from the Ministry of Science and Technology (MoST).
- 5. The Committee was briefed that as per its mission, PSQCA regularly conducts conformity assessment through testing, inspection, certification and implementation of technical

regulations. In the last two years, the Authority has seen major uplift - from two zones, north and south, it has been segregated into three zones with addition of central zone and further division into five zones is under process on the directions of Minister for Science and Technology - with a view to equipping it with capacity to discharge its mandated responsibilities effectively. At present PSQCA is responsible for specifying standards and enforcing them for 108 mandatory items, including bottled drinking water, packaged milk, banaspati ghee and cooking oil. On a query, it was informed that packaged milk came under regulations of PSQCA only very recently on 30th September 2016. It was further informed that standards for all these products are at par with regional and international standards however enforcement is a challenging task due to lack of capacity and other constraints. Senator Mian Ateeq Shaikh pointed out that there have been numerous media reports as well as admissions in the Supreme Court that non-food ingredients like urea, shampoo etc. are mixed into packaged milk to make it thick and frothy. The Minister for Science and Technology pointed out that PSQCA also takes action wherever standards are violated however enforcement is responsibility of provinces as Pure Food Act is a provincial subject. At the same time he said whatever is humanly possible is being done, from administrative capacity building to increase in fines and punishments and other measures. He informed that since packaged milk has come under PSQCA very recently, progress on enforcement of its standards would be visible in near future however there has been strong action against other violators. In 2016, 100 factories/units producing substandard bottled drinking water were seized as compared to 19 such seizures in 2015. Similarly, 15 factories/units producing substandard ghee were seized in 2016 compared to zero such seizures in previous years. Senator Azam Khan Swati averred that no factory/unit can deviate from set standards without connivance of corrupt elements within the PSQCA. He held that no meaningful progress can be made to check adulterated production without first taking strongest possible action against corrupt PSQCA officials and setting example. He pointed out that during his tenure as Minister for Science and Technology, Rs.980 million were recovered and inquired where that money is now. Secretary MoST informed that disciplinary actions have been taken against a number of officers/ officials of PSQCA.

- 6. On a query by the Chairman Committee, it was informed that product testing is done from different labs for better results. The Chairman Committee directed that some random tests should also be done from abroad for cross checking. When informed about capacity issues of technically sound human resource and the delays being faced in creation of 72 new posts of scientists/ engineers to overcome this constraint, the Chairman Committee noted that directions will be passed to Establishment Division to process creation of these posts on priority because quality control of food items is a very serious and urgent issue of national significance. Senator Azam Khan Swati asked for providing detailed academic background of PSQCA's technical staff in next meeting. On Senator Mian Ateeq Shaikh's query about standards of packaged milk, tea whitener and powder milk, the Committee, after deliberation, decided that MoST will present these standards before the Committee in the month of March, and the Committee will then decide how to go about scrutinizing them.
- 7. On agenda item about systems in place for ensuring quality of drinking water supplied to the residents to Islamabad, the Committee was informed that in the last testing, 70% of the

samples collected from different parts of Islamabad were found unfit for drinking. The Chairman Committee expressed displeasure at PCRWR's approach of doing water testing after 3-4 years and directed that water tests should be done after every three months. The Committee was informed that out of 37 water filtration plants in Islamabad, only 28 were functional but water quality of those 28 was also objectionable. The Committee directed CDA to present test results from 28 water filtration plants as well as accreditation of CDA's own water testing lab in the next Committee meeting.

- 8. On the issue of PSDW Project contract employees, Secretary MoST informed that the summary moved for age relaxation of contract employees for their regular appointments has not been approved by the Prime Minister. The contract employees approached Islamabad High Court which has now remanded the case to Sub Committee of the Cabinet on Contract Employees. After deliberations, it was decided that that matter would be taken up with Chairperson of the Cabinet Sub Committee on Contract Employees.
- 9. In the meeting held on 1st February 2017, while briefing the Committee about the COMSATS University Islamabad Bill 2017, it was informed that the Bill would not only upgrade COMSATS from the status of an institute to a university, paving way for better recognition and more funding, but also bring a balanced governance mechanism in the form of a bicameral system i.e. the Senate and Syndicate of the university. During the discussion, however, it transpired that after vetting from HEC and other stakeholders, some changes other than legal aspects were made in the draft Bill during its vetting in the Law Division. Minister for Science and Technology noted that it had come to his knowledge just there therefore he would want to probe into the matter in the next 10 days or so. The Chairman Committee decided to defer consideration of the Bill until next meeting.
- 10. At the start of discussion on PCST Bill 2016, Chairman Committee noted that a clear distinction between the role, functions and mandate of PCST and Pakistan Science Foundation (PSF) was not provided and it appeared as if the two institutions are parallel and overlapping. After deliberation, the Committee decided that MoST will present a detailed comparison of the two institutions, thereby highlighting the need for PCST and PSF separately, in the next Committee meeting, after which the Bill would be taken into consideration.
- 11. The Committee then discussed Pakistan National Accreditation Council Bill, 2016. It was informed that it is an obligatory requirement under ISO 17011 that PNAC be an autonomous legal entity, hence the Bill. Moreover, Supreme Court in its verdict has also passed directions to do legislation for PNAC. After deliberation, the Committee recommended that the Bill may be adopted by the Senate as passed by the National Assembly.
- 12. On the agenda item about popularization of science in the country, a presentation was made to the Committee by Mr. Mosharraf Zaidi of Alif Ailaan. Appreciating the steps taken in recent times by MoST for popularization of science and the keen interest Chairman Committee had taken in the matter, he underscored the need for increasing development budget for Science and Technology. He emphasized that old, obsolete practices of managing science and technology

in the country needed to be replaced with innovative ways of doing things; science fairs and other science promoting activities should also be held in small cities and towns; and synergies should be worked out among different institutions of the government so that there is no overlapping rather clarity and coordination. Minister for Science and Technology informed that ever since he took charge as Minister, special efforts were made for enhancing budget allocation. As a result, MoST's Research and Development budget has jumped 4.5 times from Rs.61 million to Rs.265 million while PSF's budget has tripled from Rs.37 million to Rs.117 million. He further informed that as he also holds the portfolio of Defence Production, he caused a meeting between the senior management of Ministry of Science and Technology and Ministry of Defence Production and now the two ministries are undertaking a number of joint ventures, benefitting from expertise of each other in diverse fields and creating synergies. The Chairman Committee acknowledged the recent steps and pointed out that there is still vast room for improvement and a subject as critical as Science and Technology needed more focus, attention and thrust.

RECOMMENDATIONS / DIRECTIVES OF THE COMMITTEE

- i. MoST to present standards for packaged milk, tea whitener and powder milk before the Committee in the month of March. Detailed academic background of PSQCA's technical staff will also be presented before the Committee.
- ii. Establishment Division should process creation of 72 new posts of scientists/engineers in PSQCA on priority.
- iii. CDA to present test results from 28 water filtration plants as well as accreditation of CDA's own water testing lab.
- iv. The Pakistan National Accreditation Council Bill, 2016, be passed in its present form, and as already passed by the National Assembly

The meeting ended with a vote of thanks to and from the Chair.

(Haris Rehman)

DS/Secretary Committee

(Senator Osman Saifullah Khan) Chairman

Islamabad The 21st February 2017

SENATE SECRETARIAT

MINUTES OF THE MEETING OF SENATE STANDING COMMITTEE ON SCIENCE & TECHNOLOGY

A meeting of the Senate Standing Committee on Science & Technology was held on 17th February 2017 at 10:30 am in Committee Room No.1, Parliament House, Islamabad, under the Chairmanship of Senator Osman Saifullah Khan.

2. The following Members of the Committee also attended the meeting:-

1.	Senator Sardar Fateh Muhammad Muhammad Hassani	Member
2.	Senator Saleem Mandviwala	Member
3.	Senator Mian Muhammad Ateeq Shaikh	Member
4	Minister for Science and Technology	Ex-Officio Member

- 3. The Agenda of the meeting was as under:
 - i. Further Discussion on COMSATS University Islamabad Bill, 2017, as referred by the House on 10th January, 2017, for consideration and report.
 - ii. Further Discussion on Pakistan Council for Science and Technology Bill, 2016, as referred by the House on 10th January, 2017, for consideration and report.
 - iii. Any other item with permission of the Chair.
- 4. After recitation from the Holy Quran, the Chairman Standing Committee welcomed the Committee members and participants from the Ministry of Science and Technology (MoST).

Agenda Item No.1

5. The Committee expressed serious reservations on important substantive (rather than legal housekeeping) changes made in the COMSATS University Islamabad Bill, 2017, when it was sent by MoST to Ministry of Law and Justice for legal vetting. Minister for Science and Technology informed the Committee that when it came to his knowledge that some individuals from MoST and COMSATS Institute of Information Technology (CIIT) had allegedly visited Ministry of Law and Justice and proposed the changes during legal vetting, he personally took notice, held detailed meetings with Ministry and CIIT officials and had ordered a proper inquiry into the matter. After detailed discussion the Committee decided to constitute a Sub-Committee under Rule 183(1) of the Rules of Procedure and Conduct of Business in the Senate, 2012, to probe into the matter. The composition and ToRs of the Sub-Committee will be as under:-

Composition

Senator Sardar Fateh Muhammad Muhammad Hassani Convener
 Senator Muhammad Azam Khan Swati Member

3. Senator Mian Muhammad Ateeq Shaikh

Member

Terms of Reference (ToRs)

To probe into the matter of important/substantive changes, other than legal aspects, made in the COMSATS University Islamabad Bill, 2017, when it was sent by MoST to Ministry of Law and Justice for legal vetting.

6. After further discussion on COMSATS University Islamabad Bill, 2017, the Committee unanimously decided to defer the said Bill to next meeting, as it needed more deliberation.

Agenda Item No. 2

- 7. The Committee held threadbare discussion on Pakistan Council for Science and Technology Bill, 2016. It was emphasized that overlap between the functions of the Pakistan Science Foundation and the Pakistan Council of Science and Technology needed to be minimized. Given the meager budget allocated to Science and Technology in the country, the members emphasized the need for each of the above organizations to be effective, focused and accountable. The Chairman of the Committee stressed that in all bodies working under the MoST scientists must have primacy in decision making as far as matters of science were concerned. After lengthy discussion the Committee proposed the following amendments in the Bill:-
 - (i) In clause 4,
 - a) for paragraph (g), the following shall be substituted namely:-
 - "(g) evaluation of national research and development activities including output of individuals and institutions and to grant research productivity awards or incentives thereof;"
 - b) for paragraph (h), the following shall be substituted namely:-
 - "(h) promote collaboration among national and international organizations for capacity-building and other policy initiatives in the field of science and technology and to enter into memoranda of understanding, contracts etc., in accordance with the Rules of Business, 1973;"
 - c) paragraph (j) shall be deleted and subsequent paragraphs shall be renumbered;
 - (ii) In sub-clause (1) of clause 7, the composition of the Board of Governors shall be substituted with:

(a)	Minister for Science and Technology	President
(b)	Secretary, Science and Technology Division	Vice-President
(c)	Secretary, Planning and Development Division or his nominee not below the rank of Additional Secretary	Member
(d)	Secretary, Finance Division or his nominee not below the rank of Additional Secretary	Member
(e)	Executive Director, Higher Education Commission	Member
(f)	Secretary of the Division controlling subject-matter of education and training or his nominee not below the rank of Additional Secretary	Member
(g)	President, Pakistan Academy of Sciences or his nominee	Member
(h)	Chairman, Pakistan Engineering Council	Member
(i)	Chairman, Pakistan Council of Scientific and Industrial Research	Member
(j)	Chairman, Pakistan Science Foundation	Member
(k)	Representatives of Provincial Governments not below the rank of Provincial Secretary	Members
(1)	Five eminent Scientists from academia, one each from four provinces and federal capital to be nominated by the Board	Members
(m)	Two eminent industrialists to be nominated by the Federal Government	Members
(n)	President, Federation of Pakistan Chamber of Commerce and Industries, Islamabad	Members
(0)	dealing officer not below the rank of Joint Secretary of the Division controlling the subject-matter of science and technology	Member
(p)	Two Parliamentarians, one each from Senate and National Assembly, preferably with scientific knowledge and background	Members
(q)	Chairperson, Pakistan Council for Science and Technology	Member

- (iii) In clause 10,
 - a) in sub-clause (2), after the word "called" the words "and presided" shall be inserted, and the words "one meeting" shall be substituted with the words "two meetings."
 - b) in sub-clause (3), the word "six" shall be substituted with the word "ten"
 - c) sub-clause (4) shall be omitted.
- (iv) In clause 13,
 - a) in paragraph (a), after the word "research" the word "policies" shall be inserted,
 - b) paragraph (d) shall be deleted and subsequent paragraphs shall be renumbered.

RECOMMENDATIONS / DIRECTIVES OF THE COMMITTEE

- (i) The Committee recommended that the Pakistan Council for Science and Technology Bill, 2016, as reported by the Committee, may be passed by the Senate.
- 8. The meeting ended with a vote of thanks to and from the Chair.

(Haris Rehman)

DS/Secretary Committee

(Senator Osman Saifullah Khan)

Chairman

Islamabad
The 24th February 2017