

SENATE SECRETARIAT

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

I Senator Rahila Magsi, Chairperson of the Standing Committee on Federal Education and Professional Training, have the honor to present report on the behalf of the Committee on the Bill titled **"The Area Study Centres (Amendment) Bill, 2017"** moved by Senator Syed Muzafar Hussain Shah on 18th December, 2017 in the House and referred to the Standing Committee for consideration and report.

2. The following is the composition of the Committee.

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| 1. | Senator Ms. Rahila Magsi | Chairperson |
| 2. | Senator Pervaiz Rashid | Member. |
| 3 | Senator Malik Najmul Hassan | Member |
| 4. | Senator KhusbakhtShujat | Member |
| 5. | Senator Hasil Khan Bizenjo | Member |
| 6. | Senator Gul Bashra | Member |
| 7. | Senator Mushahid Hussain Syed | Member |
| 8. | Senator Nuzhat Sadiq | Member |
| 9. | Senator Sehar Kamran | Member |
| 10. | Senator Nauman Wazir Khattak | Member |
| 11. | Senator Muhammad Azam Khan Swati | Member |
| 12. | Minister for Federal Education and Professional Training | Ex-Officio Member |

3. The Committee considered the Bill in its meeting held on 24th January, 2018 in Old PIPS Hall, Parliament Lodges, Islamabad. Senator Rahila Magsi presided the committee meeting. Meeting was attended by the following Members and Mover:-

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|------|-----------------------------------|-------------|
| i. | Senator Rahila Magsi | Chairperson |
| ii. | Senator Senator Nuzhat Sadiq | Member |
| iii. | Senator Sehar Kamran | Member |
| iv. | Senator Khushbakht Shujat | Member |
| v. | Senator Syed Muzafar Hussain Shah | Mover |

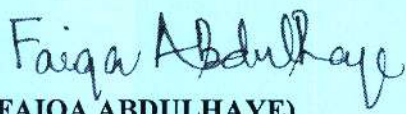
4. The Committee had detailed discussions and examined the input from the Ministry of Federal Education and Professional Training.

5. Senator Syed Muzaffar Hussain Shah suggested that bill may be sent to the House in order to get benefit of collective wisdom of house, it will reach on a better decision as Senate has equal representation of all federating units.

6. Member of the Committee Senator Khushbakht Shujaat and Senator Sehar Kamran evinced that this bill should sent to the House. Senator Nuzhat Sadiq gave her point of view that it would have been better if the bill was scrutinized in the presence of Minister and Secretary Law in Federal Education and Professional Training next Committee meeting. Chairperson considered the opinion of majority members and concluded that keeping in view the 18th Amendment in constitution, the bill may be sent to the House for comprehensive debate.

7. The bill may be considered disposed off from the Committee.

8. The Bill as introduced in the Senate is placed at Annexure A


(FAIQA ABDULHAYE)
Secretary Committee


(SENATOR RAHILA MAGSI)
Chairperson Committee

SENATE SECRETARIAT

MINUTES OF THE MEETING OF THE SENATE STANDING COMMITTEE ON FEDERAL EDUCATION AND PROFESSIONAL TRAINING HELD ON 24TH JANUARY, 2018

A meeting of the Senate Standing Committee on Federal Education and Professional Training was chaired by Senator Rahila Magsi on 24th January, 2018 at 11.30 a.m. in Old PIPS Hall, Parliament Lodges, Islamabad.

2. The agenda before the Committee was as under:-
 - i. Discussion on the Federal Universities (Amendment) Bill, 2017, moved by Senator Mian Muhammad Ateeq Shaikh.
 - ii. Deliberation on "the Area Study Centres (Amendment) Bill, 2017, moved by Senator Syed Muzzafar Hussain Shah in the Senate in its sitting held on 18th December, 2017.
 - iii. To follow-up on the implementation status of the recommendations made by the Standing Committee in its previous meeting dated 15-11-2017.
 - iv. Any other item with permission of the Chair.



3. The following Members of the Committee attended the meeting:-

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|------|-------------------------------------|-------------|
| i. | Senator Rahila Magsi | Chairperson |
| ii. | Senator KhushbakhtShujjat | Member |
| iii. | Senator Nuzhat Sadiq | Member |
| iv. | Senator Sehar Kamran | Member |
| v. | Senator Syed Muzzafar Hussain Shah, | Mover |

4. The meeting started with the recitation of Holy Quran under the Chairpersonship of Senator Rahila Magsi. Chairperson of the committee welcomed all the participants.

Agenda Item No.I

**Discussion on the Federal Universities (Amendment) Bill, 2017,
moved by Senator Mian Muhammad Ateeq Shaikh.**

5. Senate Standing Committee on Federal Education and Professional Training held 3 consecutive meetings on 15-11-2017, 12-12-2017 and 24-1-2018. The bill by Senator Mian Muhammad Attique Shaikh was placed on agenda item No.I (Notice attached) but he was unable to attend the meetings.

6. According to Standing Order, rule 2.23 issued by the Senate of Pakistan (March, 2017), where the mover whose legislative or non-legislative business is referred from the House to the Committee, fails to attend two consecutive Committee meetings in which his/her business is taken up on the agenda, the Committee may, take up and dispose off the matter in absence of the mover and a report in this context be laid in the House within the stipulated time

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period for which the matter was originally referred, if the mover absents himself from the third consecutive Committee meeting, despite telephonic intimations and Notices. The Committee, unanimously recommended that the Bill as introduced in the House may be passed by the Senate. The bill is considered disposed off.

Agenda Item No.II

Deliberation on "the Area Study Centers (Amendment) Bill, 2017, moved by Senator Syed Muzzafar Hussain Shah in the Senate in its sitting held on 18th December, 2017.

7. Senator Syed Muzaffar Hussain Shah informed the committee that Area Study Centers were established under 1975 Act, and they were to operate as independent institutions. However, by an Ordinance passed in 2002, Area Study Centers were placed under the jurisdiction of Federal Government which was not only the violation of the fundamental structure of 1975 Act but also of 18th Amendment in the constitution. According to 18th Amendment, Education Sector has been transferred to the provinces but Area Study Centers are still working under the Federal Government.

8. HEC narrated their point of view that Area Study Centers were established under the Parliament Act No.XLV of 1975. After that, Cabinet Division issued the Notification on dated 05 April 2011 (F/A). wherein, Cabinet Division informed vide clause 2 (31) that Area Study Centers, Centers of Excellence, Pakistan Study Centers and Sheikh Zayed Islamic Centers were transferred to the concerned Universities by virtue of 18th amendment of the Constitution on the decision of the implementation commission constituted under clause (9) of Article 270 AA of the Constitution and with the approval of the Cabinet.



9. "In consequence upon 18th Amendment in the Constitution the Ministry of Education stand devolved and all the function of the Centers of Excellence have been reallocated/assigned to the respective Universities vide Notification dated 05-04-2011 of the Cabinet Division, Government of Pakistan. The Act of Centre of Excellence by virtue of Clause 6 of Article 270-AA still hold the field and by virtue of Article 264 of the Constitution, the concerned Ministry subject to Notification dated 05-04-2011 of Cabinet Division will have an administrative control. Consequently the process of appointment of Director, Excellence shall be initiated by the Vice Chancellor of concerned university for appointment by the Federal Government in accordance with Act of Centre of Excellence." Prima facie, same stance is considered applicable for all Centers.

10. Referring to recent Private members bill F.24(83)/2017-Legis dated 16th November, 2017 (F/C), Since the matter was decided by constitutional amendment, hence the bill will not supersede the constitutional amendment. Hence, if required and amendment be moved to change its existing provision, therefore the proposed bill cannot be supported. However, legal opinion on the matter be sought since it is mainly a legal issue rather an academic matter. Representative of HEC showed the record of all funding given to Area Study Centers. HEC directly give funds to Area Study Center.

11. Senator Syed Muzaffar Hussain Shah insisted that bill may be sent to the House in order to get benefit of collective wisdom of house. He was of the view that they will reach on a better decision as Senate has equal representation of all federating units.



12. Members of the Committee Senator Khushbakht Shujaat and Senator Sehar Kamran proposed that this bill should be sent by the Standing Committee to Senate.

13. Member Committee Senator Nuzhat Sadiq suggested that it would have been better if the bill was scrutinized in the presence of Minister and Secretary Law and Justice before referring it to the Upper house. Considering the opinion of majority members, Chairperson concluded that keeping in view the 18th Amendment of the constitution, the bill may be sent to house for comprehensive debate.

14. Implementation on various recommendations made during previous session was discussed in detail. HEC authorities informed the committee, that in an effort to identify bogus educational institutions, names have been added on the website and provinces have been appraised about such institutions. Advertisement campaigns have been launched to identify such institutions.

15. Commenting on the issue, Member Committee Senator Sehar Kamran said that school and college students should be educated about this issue and a media campaign should be launched to raise awareness in this regard.

16. The standing Committee was informed by the HEC that out of 188 universities 177 have established quality assurance cell whereas 500 education programs have been suspended for not complying with quality standards set by HEC. Senator Sehar Kamran emphasized that education standards should be improved and necessary measures should be taken so that they are recognized internationally.



17. The chairperson endorsed the views and emphasized on improving education standards especially at secondary and higher secondary level. The committee was also informed that the national curriculum council has added content for students from grade 1 to 5. New books will be issued in the month of March.

18. Member Committee Senator Sehar Kamran said that moral Ethics and Social Behavior issues should be included in the curriculum. She informed of a bill she had formulated in this regard which will soon be presented in the Committee.

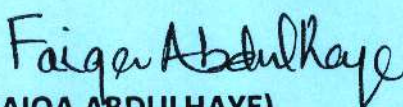
19. Degree verification and degree equivalence was discussed. The members felt that some time it takes three to four months in degree equivalence. HEC Website doesn't provide all information in one go, rather it follows a step by step approach. When we go to the European and American Embassies for visa they tell all the requirements clearly in the first meeting/interaction, HEC should also intimate all the requirements at the outset.

20. Representative from HEC told that they have advertised several times about fake and illegal institutions. All the Universities of the country take NOC from Higher Education Commission before starting M.Phil/Phd program. There are around 188 Universities in Pakistan. Almost 100 are registered within last 10 to 12 years. It shows improvement on the part of HEC, but more focus should be given on quality education.

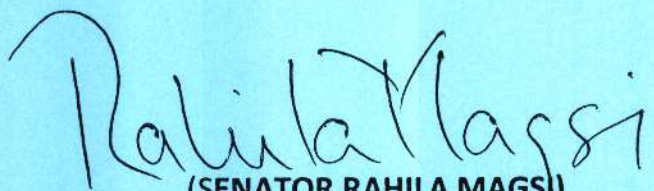
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Recommendation

1. Student counseling centers should be established throughout the country in all educational institution.
2. HEC should continuously advertise about fake and illegal institutions on its website, and Public Service Messages should be sent regularly.
3. Civic Education should be a compulsory part of syllabus it should start from Primary Level to the Higher School Level to make students better humans and good Pakistanis.
4. While conducting research specially M.Phil and Ph.D. program, topics relating to the internal problems of Pakistan should be selected.
5. Permanent Director of Area Study Center Quaid-e-Azam University Islamabad should be appointed.
6. Degree equivalence and degree verification progress should be further simplified and expedited. It should not take more than two months go get the equivalence certificate. All procedural requirements should be expedited.


(FAIQA ABDULHAYE)

Secretary Committee


(SENATOR RAHILA MAGSI)
Chairperson Committee



As
~~[TO BE INTRODUCED IN THE SENATE]~~

A

Bill

further to amend the Area Study Centres Act, 1975

WHEREAS it is expedient further to amend the Area Study Centres Act, 1975 (XLV of 1975) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Area Study Centres (Amendment) Act, 2017.

(2) It shall come into force at once.

2. Omission of Section 9A, Act XLV of 1975.- In the Area Study Centres Act, 1975 (XLV of 1975), section 9A shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Area Study Centres Act, 1975, was amended by the Centres Laws (Amendment) Ordinance, 2002, wherein the powers to transfer to Centres was given to the Federal Government, which is against the basic principle and aims and objects of the Act, 1975. Insertion of Section 9A in the Act of 1975 has altered the basic structure of the Act of 1975. The Parliament legislated for providing an autonomous Area Study Centres receiving direct funding from the Federal Government, giving powers to the Board of Governors. Whereas, the amendment through Ordinance No. LVIII of 2002 has affected the autonomous status of the Area Study Centres and taken away powers of the Board of Governors by giving the same to the Federal Government. Omission of section 9A will restore the Act of 1975 to its original form and address the anomaly created by its insertion.

The Bill has been designed to achieve the aforesaid objectives.

**SENATOR SYED MUZAFAR HUSSAIN SHAH
MEMBER-IN-CHARGE**