

SENATE OF PAKISTAN



REPORT NO. 08 OF 2020

**REPORT OF THE SENATE STANDING COMMITTEE ON PARLIAMENTARY
AFFAIRS**

ON

PRIVATE MEMBER BILL TITLED

**"THE PAKISTAN INSTITUTE OF PARLIAMENTARY SERVICES (AMENDMENT)
BILL 2020, INTRODUCED BY SENATOR SASSUI PALIJO IN THE HOUSE ON 10TH
FEBRUARY, 2020 AND REFERRED TO THIS COMMITTEE FOR CONSIDERATION
AND REPORT "**

PRESENTED BY:

**SENATOR SASSUI PALIJO
CHAIRPERSON (COMMITTEE)**

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON PARLIAMENTARY AFFAIRS FOR CONSIDERATION OF PRIVATE MEMBERS BILL TITLED: "THE PAKISTAN INSTITUTE OF PARLIAMENTARY SERVICES (AMENDMENT) BILL 2020.

I, Senator Sassui Palijo, Chairperson of Standing Committee on Parliamentary Affairs have the honor to present on behalf of the Committee, Private Members Bill titled: "The Pakistan Institute of Parliamentary Services (Amendment) bill 2020, introduced by myself in the House on 10th February, 2020 and referred to the Standing Committee on Parliamentary Affairs for consideration and report.

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

1.	Senator Sassui Palijo	Chairperson
2.	Senator Abida Muhammad Azeem	Member
3.	Senator Anwar-ul-Haq Kakar	Member
4.	Senator Brig(R). Johan Kenneth Williams	Member
5.	Senator Dr. Muhammad Farogh Naseem	Member
6.	Senator Dr. Sikandar Mandhro	Member
7.	Senator Farooq Hamid Naek	Member
8.	Senator Gianchand	Member
9.	Senator Hilal ur Rehman	Member
10.	Senator Musadik Masood Malik	Member
11.	Senator Pervaiz Rasheed	Member
12.	Senator Taj Muhammad Afridi	Member
13.	Senator Walid Iqbal	Member
14.	Minister for Parliamentary Affairs	Ex-officio Member

3. The Committee took up the issue in its meeting held on 9th September, 2020 which was attended by the following members:-

1.	Senator Sassui Palijo	Chairperson
2.	Senator Pervaiz Rashid	Member
3.	Senator Gianchand	Member
4.	Senator Dr. Sikandar Mandhro	Member
5.	Senator Walid Iqbal	Member
6.	Senator Musadik Masood Malik	Member
7.	Senator Ghous Muhammad Khan Niazi	Mover

4. The Bill was referred to the Committee for consideration and report on 10th February, 2020 and the Committee held four meetings for thorough consideration of the Bill within the ambit of law and rules on 17th February, 22nd July, 24th August and 9th September, 2020 respectively.



5. During the course of the ^{meeting of} Standing Committee on 22nd July, 2020 Senators Musadik Masood Malik and Pervaiz Rashid pointed out that the Bill may be considered in the next meeting of the Committee in the presence of the Mover and senior representatives of the Ministry of Law and Justice and Establishment Division so that the legal, financial and administrative compatibilities of the existing PIPS Act 2008 and Civil Servant Act 1973 may be scrutinized and proper mechanism in the interest of the institution may be considered within the ambit of law. The Committee in its meeting held on 24th August, 2020, considered the Bill in the presence of the representatives of the Ministry of Law and Justice, Establishment Division and Pakistan Institute of Parliamentary Services (PIPS). The Secretary Law and Justice objected to the Statement of Object and Reasons of the Bill and informed that technically and from legal point of view, the Statement of Object and Reasons of the Bill does not create any link between the current status of the employees with the civil servants. Special Secretary Establishment Division stated that PIPS is governed by its own Act of 2008 passed by the Parliament and rules and regulations made there under and at the same time employees of the Institute cannot be governed by the Civil Servant Act 1973. Facilities and benefits on the analogy of the government servants shall open a flood gates for such demands from other employees of autonomous and corporate bodies. Senator Pervaiz Rashid and Dr. Sikandar Mandhro supported the point of view of Executive Director PIPS and stated that giving benefits to the employees of the Institute on the analogy of the government servants does not infringes the authority of the Federal Government employees. Minister for Parliamentary Affairs and Secretary Parliamentary Affairs endorsed the proposal of Secretary Ministry of Law and Justice for review of the Statement of Object and Reasons of the Bill so that it may not create any anomaly from legal point of view. The Committee endorsed the proposal of the Parliamentary Affairs and directed that the Statement of Object and Reasons of the Bill as referred by the House may be reviewed for onward consideration in the next meeting of the Committee.

6. On 9th September, 2020, the Committee during the course of its meeting discussed the revised Statement of Object and Reasons of the Bill in line with the previous proposal by the Ministry of Law. Executive Director PIPS briefed the Committee that amendment in Section 15 of the Bill is not going to change the status of the employees of PIPS but rather facilitate them to the extent of official accommodation and membership in various Federal Government schemes on the analogy of employees of Senate and National Assembly Secretariats.

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7. **Recommendations:** In view of the opinion of the Ministry of Law and Justice, Parliamentary Affairs and Establishment Division and Executive Director PIPS and through consideration by the Committee during the four meetings held on the same Bill, the Committee endorsed and passed unanimously the Pakistan Institute of Parliamentary Services (Amendment) Bill 2020 for onward reporting in the House. The Bill as reported by the Standing Committee is annexed.



Alamzeb Khan
Secretary Committee



Senator Sassui Palijo
Chairperson

Islamabad, the
11th September 2020.

AS REPORTED BY THE COMMITTEE

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further to amend the Pakistan Institute for Parliamentary Services Act, 2008;

WHEREAS it is expedient further to amend the Pakistan Institute for Parliamentary Services Act, 2008 (Act No. III of 2008) for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Pakistan Institute for Parliamentary Services (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment in Section 15 of the Act No. III of 2008.- In the said Act, in Section 15, the following shall be amended, namely,-

i. Title of the section 15 shall be substituted with the words "Appointments of employees and conditions of service";

ii. After sub-section (3), the following new sub-sections shall be inserted, namely,-

"(4) The terms and conditions of service of any person to whom this Act applies shall not be varied to his disadvantage.

(5) Subject to the provisions of this Act and rules made thereunder, the employees of the Institute shall be entitled to such perks, entitlements, memberships, facilities, including but not limited to housing and all other schemes of the Government, as admissible or enjoyed or available to the employees of the Senate and National Assembly Secretariats in the corresponding equivalent scales, notwithstanding any judgment or order of any court, tribunal or a quasi-judicial authority."

STATEMENT OF OBJECT AND REASONS

The Pakistan Institute for Parliamentary Services (PIPS) is the exclusive seat of parliamentary learning; providing legislative, research, capacity building and outreach services to the Members of Senate, National Assembly and four Provincial Assemblies as well as their functionaries. This Bill is intended to ensure provision of entitlements, facilities and perks to PIPS employees' as available to the employees of the Senate and National Assembly Secretariats. This Bill will not change the status of the employees of the Institute as amendment is only taking place for the purpose of perks and entitlements. It will immensely enhance their job satisfaction ultimately raising their level of performance.

This Amendment Bill, therefore, seeks to achieve the aforementioned objectives.

Member In-charge

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[TO BE INTRODUCED IN THE SENATE]

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further to amend the Pakistan Institute for Parliamentary Services Act, 2008

WHEREAS it is expedient further to amend the Pakistan Institute for Parliamentary Services Act, 2008 (III of 2008) for the purpose hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Pakistan Institute for Parliamentary Services (Amendment) Act, 2020.

(2) It shall come into force at once.

2. Amendment of section 2, Act III of 2008.- In the Pakistan Institute for Parliamentary Services Act, 2008 (III of 2008), hereinafter referred to as the said Act, in section 2, after clause (b), the following new clause shall be inserted, namely:-

"(ba) "employee" means a person appointed in the Institute, who shall have the status of a civil servant subject to such modifications as the Board may make, but does not include-

(i) a person who is on deputation to the Institute; and

(ii) a person who is employed on contract or work-charged basis or who is paid from contingencies;"

3. Amendment of section 15, Act III of 2008.- In the said Act, in section 15, -

(i) in the marginal note, for the words "Appointments of employees", the words "Appointments of employees and conditions of service", shall be substituted;

ii. after sub-section (3), the following new sub-sections shall be added, namely:-

"(4) The terms and conditions of service of any person to whom this Act applies shall not be varied to his disadvantage.

(5) Subject to this Act and Rules, the employees shall be entitled to such rights, perks, privileges, prerogatives, concessions, entitlements, memberships, facilities, including but not limited to medical, housing, education and all other schemes of the Federal Government for an employee, notwithstanding any judgment or order of any court, tribunal or a quasi-judicial authority, as provided by the law, rules, policies, instructions and guidelines for the time being in force and applicable, admissible or enjoyed or available to the civil servants in the corresponding equivalent scales."

STATEMENT OF OBJECT AND REASONS

The Pakistan Institute for Parliamentary Services (PIPS) is the exclusive seat of parliamentary learning; providing legislative, research, capacity building and outreach services to the Members of Senate, National Assembly and four Provincial Assemblies as well as their functionaries. PIPS provides technical assistance to Individual Members of Parliament MPs and parliamentary committees in addition to holding courses for civil society, youth, media persons and bureaucracy in federal and provincial tier on role and working of the Parliament. In this context, employees of the Pakistan Institute for Parliamentary Services (PIPS), essentially need to retrieve credible information and data from other Government departments to conduct their day to day technical assistance on matters of national importance. Therefore, PIPS employees' status need to be at par with civil servants so as to enable them timely completion of their requisite functions as per PIPS Act, 2008.

The Pakistan Institute for Parliamentary Services (PIPS) (Amendment) Bill, 2020, seeks to achieve the aforementioned objectives.

**SENATOR SASSUI PALIJO
MEMBER-IN-CHARGE**