

[AS PASSED BY THE SENATE)

A  
BILL

to amend the Senate Secretariat Services Act, 2017

**WHEREAS** it is expedient to amend the Senate Secretariat Services Act, 2017 (XXII of 2017) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.-** (1) This Act may be called the Senate Secretariat Services (Amendment) Act, 2021.

(2) It shall come into force at once.

**2. Amendment of Section 2, Act XXII of 2017.-** In the Senate Secretariat Services Act, 2017 (XXII of 2017), hereinafter referred to as the said Act, in Section 2, in sub-section (1),-

- (i) paragraph (a), shall be omitted; and
- (ii) for paragraph (f), the following shall be substituted, namely:-

*"(f) " Employee" means a person appointed in the Secretariat, who shall have the status of a civil servant, but does not include-*

- (i) a person who is on deputation to the Senate Secretariat; or*
- (ii) a person who is employed on contract;"*

**3. Amendment of Section 4, Act XXII of 2017.-** In the said Act, in Section 4, -

- (i) in sub-section (1),
  - (a) in paragraph (a), after the semi-colon the word "or" shall be added;
  - (b) paragraphs (b) and (d), shall be omitted; and
  - (c) in paragraph (c), for the semi-colon and the word ";or" occurring at the end, a full stop shall be substituted;
- (ii) after sub-section (1), amended as aforesaid, the following new sub-sections shall be inserted, namely:-

*"(1A) The direct recruitment to a post in BS-17 shall be made through the Federal Public Service Commission and to a post in BS-16 and below through the procedure as prescribed by the Rules.*

*(18) There shall be no direct recruitment to a post in BS-18 and above:*

*Provided that in such cases where no officer of the Senate Secretariat qualifies to hold the post for the time being and the circumstances render it necessary, appointment to a post in BS-18 and above may be made on contract with the approval of the Senate Finance Committee, through advertisement and recruitment process by the Secretariat, up-till a period of three years, which shall not be extended or regularized.*

*(1C) Notwithstanding the provisions of sub-section (1A), appointment on contract may be made in the interest of the Secretariat in BS-04 and below, as prescribed by the Rules:*

*Provided that staff allowed by the Senate Finance Committee in its meeting held on 17<sup>th</sup> February 2012 vide Item No.4(iii) may also be appointed on contract, irrespective of the grade:*

*Provided further that services of an employee appointed on contract in any grade shall not be regularized, extended beyond three years or transferred to any other post in the Secretariat.*

*(ID) There shall be no appointment on ad hoc basis.*

*(IE) The length of service for appointment by promotion shall not be condoned.*

*(IF) There shall be no placements based on seniority or length of service. ”*

- (iii) in sub-section (2), for the full stop occurring at the end a colon shall be substituted and thereafter following proviso shall be inserted, namely:-

*”Provided that highest post for Specialized Parliamentary Groups shall be Senior Director General (BPS-21). ”*

- (iv) sub-section (3) shall be omitted.

**4. Substitution of Section 5, Act XXII of 2017.-** In the said Act, for section 5, the following shall be substituted, namely:-

*“5. Appointments on Deputation.- (1) Appointment by deputation to a post shall be made in the interest of the Senate Secretariat.*

*(2) The competent Authority may appoint on deputation a person to a post in the General Parliamentary Group from an Occupational Group or Provincial Executive Services and to a post in the Specialized Parliamentary Group from any service of Pakistan.*

*(3) The terms and conditions of service of a person appointed to the Secretariat on deputation shall be such as may be prescribed by the Rules.*

*(4) Services of an employee appointed to a post on deputation shall not be absorbed in the Senate Secretariat/Services. ”*

**5. Amendment of Section 6, Act XXII of 2017.-** In the said Act, in Section 6,-

- (i) in sub-section (1), the words and commas “, *not being an ad hoc appointment,*” shall be omitted;
- (ii) in sub-section (2), the words “*or transfer*” shall be omitted; and
- (iii) in sub-section (4), in paragraph (c), the words “*or transfer*” and “*or transferred*” shall be omitted.

**6. Substitution of Section 9, Act XXII of 2017.-** In the said Act, for section 9, the following shall be substituted, namely:-

*“9. Posting and transfer.- (1) Every employee shall be liable to serve anywhere within Pakistan, or on deputation in the Federal or Provincial Government or abroad or in an international organization at the national/international level, in any equivalent or higher post subject to approval of the Competent Authority:*

*Provided that terms and conditions of any such posting shall not be less favourable to the employee posted under this section.*

*(2) An officer belonging to the General Parliamentary Group (Secretariat Service of the Senate Secretariat Services) serving on deputation in the Federal or Provincial Government or abroad shall be as if he is an officer of the Secretariat Group of the Federal Government. ”*

**7. Amendment of Section 10, Act XXII of 2017.-** In the said Act, in Section 10, in subsection (!),-

(i) in paragraph (a), for the existing proviso, the following shall be substituted, namely:-

*“Provided that, where such employee is appointed by promotion on probation, his services shall not be so terminated so long as he holds a lien against his former post but he shall be reverted to his former post. ”*

(ii) in paragraph (b), before the word “*employment*”, the word “*contract*” shall be inserted and for the semi colon and the word “;and”, occurring at the end a full stop shall be substituted;

(iii) paragraph (c) shall be omitted.

**8. Amendment of Section 11, Act XXII of 2017.-** In the said Act, in Section 11,-

(i) in sub-section (1), the words and comma “*ad hoc*,” shall be omitted; and

(ii) in sub-section (3), in the proviso, in paragraph (b). the words “*or working on ad hoc basis*” shall be omitted.

#### **STATEMENT OF OBJECT AND REASONS**

The Senate Secretariat Services Act, 2017 is a milestone with regard to provision of law for regulating the recruitment and the conditions of service of persons appointed to a Parliamentary Secretariat. During the span of almost three years, some practical difficulties with regard to operation of certain provisions of this law have been witnessed. Furthermore, Senator Muhammad Sadiq Sanjrani, Chairman Senate of Pakistan has desired to bring in more transparency in the process of appointment and other ancillary matters. For this reason, recruitments through the Federal Public Service Commissions are being proposed in this Bill. The Honourable Chairman has also desired to protect the interests of the employees of the Secretariat for which various amendments are being proposed to protect them from demotivation which includes ban on ad hoc appointment and non-absorption of deputationists. A provision is being proposed to enable the employees of the Secretariat to serve anywhere within Pakistan, or on deputation in the Federal Government or Provincial Government or abroad or in an international organization at the national/international level Parliamentary' Secretariats are backbone of the Parliamentary Chambers and the proposed amendments will help in further strengthening the Senate Secretariat.

2. The Bill seeks to achieve the abovementioned objectives.

**Senator Dr. Shahzad Waseem  
Leader of the House in Senate  
Member In-charge**

**Senator Raja Muhammad Zafar-ul-Haq  
Leader of the Opposition in Senate  
Member In-charge**