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SENATE OF PAKISTAN



FIRST QUARTELY REPORT OF 2023 OF **THE SENATE COMMITTEE ON** **DELEGATED LEGISLATION**

Presented By:

Senator Mian Raza Rabbani, Chairman

FIRST QUARTERLY REPORT OF 2023 OF
THE COMMITTEE ON DELEGATED LEGISLATION
(JANUARY – MARCH, 2023)

I, Chairman of the Senate Committee on Delegated Legislation, have to present second quarterly report of the Committee on Delegated Legislation under Rule 172E(3) of the Rules of Procedure and Conduct of Business in the Senate, 2012, for the period from January to March, 2023.

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

1. Senator Mian Raza Rabbani	Chairman
2. Senator Azam Nazeer Tarar	Member
3. Senator Muhammad Azam Khan Swati	Member
4. Senator Syed Yousuf Raza Gillani	Member
5. Senator Molvi Faiz Muhammad	Member
6. Senator Samina Mumtaz Zehri	Member
7. Senator Rubina Khalid	Member
8. Senator Keshoo Bai	Member
9. Senator Dr. Muhammad Forogh Naseem	Member
10. Senator Kauda Babar	Member
11. Senator Syed Ali Zafar	Member
12. Senator Prof. Dr. Mehr Taj Roghani	Member
13. Senator Shaheen Khalid Butt	Member

3. During this quarter, a meeting of the Committee was held on 11th January, 2023 with the following in attendance:

1. Senator Mian Raza Rabbani	Chairman
2. Senator Prof. Dr. Mehr Taj Roghani	Member
3. Senator Rubina Khalid	Member
4. Senator Keshoo Bai	Member
5. Senator Molvi Faiz Muhammad	Member
6. Senator Shaheen Khalid Butt	Member

The second meeting of the quarter was held on 3rd March, 2023, with the following attendance:

1. Senator Mian Raza Rabbani	Chairman
2. Senator Prof. Dr. Mehr Taj Roghani	Member
3. Senator Rubina Khalid	Member
4. Senator Keshoo Bai	Member




4. The Committee discussed the report drafted after analysing the subordinate legislation of following attached departments / autonomous bodies of Ministry of Federal Education & Professional Training:

- i. The Islamabad Capital Territory Private Educational Institutions (Registration and Regulation) Act, 2013
- ii. The Federal Board on Intermediate and Secondary Education Act, 1975
- iii. The National Vocational and Technical Training Commission Act, 2011
- iv. The Pakistan Institute of Fashion & Design Act, 2011.

5. The report in respect of each Act was thoroughly discussed by the Committee with the representatives of Ministry of Federal Education and its respective departments in presence of Secretary, Law & Justice. Chairman Committee informed that the Rules framed under the Islamabad Capital Territory Private Educational Institutions (Registration and Regulation) Act, 2013 i.e. Private Educational Institutions (Registration and Fee Determination) Rules 2016 were challenged by the private educational institutions in the Islamabad High Court. The Court found the aforementioned Rules to be ultra-vires to the parent Act and has therefore directed the Ministry of Federal Education & Professional Training to remove the inconsistencies between the Rules and the parent Act. In this connection, the Chairman inquired whether the Ministry has incorporated any amendment in consequence to the direction of the Court. In response to the query, the Private Educational Institutions Regulatory Authority (PEIRA) representative stated that after due deliberation / consultation with all the concerned stakeholders, the proposed amendments to the Rules have been submitted to the Ministry of Federal Education in September 2022, which would forward the same to Law Ministry for vetting. The Committee directed that the proposed amendments should be forwarded to Ministry of Law within one week and a copy of the same be provided to the Committee. Furthermore, it was directed that the proposed amendments should be vetted and returned to the Ministry of Federal Education within one week.

6. Chairman Committee inquired about the status of the Federal Board of Intermediate and Secondary Education Employees Service Regulations, 1989, which were not repealed by the Federal Board of Intermediate and Secondary Education Employees Service Regulations, 2005. Furthermore, the Chairman directed the FBISE representative to provide the Committee with the copy of permission from the Federal Government that the Ministry requires to frame Rules under the parent Act. Moreover, the Committee members were informed that Ministry of Federal Education & Professional Training has shared the various rules of Federal Board of



Intermediate and Secondary Education (FBISE); however, the FBISE ACT, 1975 has not been shared in its entirety with the forum.

7. Same was the case with NAVTTC Act, 2011 wherein amending Acts have been shared while the parent Act was missing. Therefore it was decided that the Ministry be requested to share the parent Act as well. Secretary Ministry of Law & Justice explained that the amendment in the Act was made to establish National Vocational & Technical Training Commission (NAVTTC) institute whereas National Training Bureau (NTB) was already in existence. The idea was to merge the two in one entity however it could not be materialized therefore the two are working as separate entities under two separate laws. Chairman Committee directed the Ministry of Federal Education & Professional Training to provide both the laws along with the rules / regulations framed under those Acts.

8. The National Vocational and Technical Training Commission Act, 2011, and the National Vocational and Technical Training Commission Employees (Service) Regulations, 2018, were also examined during the meeting. The committee pointed out that the provisos of some rules were in contradiction with the regulations of 2018. The DG NAVTTC ensured that a report would be provided within ten days for circulation to the members.

9. This quarterly report of the Committee is presented for the perusal of the House, in terms of rule 172E (3) of the Rules of Procedure and Conduct of Business in the Senate, 2012.



(HAFSA FAROOQ)
Secretary Committee



(SENATOR MIAN RAZA RABBANI)
Chairman Committee