

[AS PASSED BY THE NATIONAL ASSEMBLY]

A
Bill

further to amend the National Assembly Secretariat Employees Act, 2018

WHEREAS it is expedient further to amend the National Assembly Secretariat Employees Act, 2018 (Act No. VII of 2018) for the purposes hereinafter appearing;

It is hereby enacted as follows: -

1. **Short title and commencement.** - (1) This Act shall be called the National Assembly Secretariat Employees (Amendment) Act, 2024.

(2) It shall come into force at once.

2. **Amendment of section 2, Act VII of 2018.**- In the National Assembly Secretariat Employees Act, 2018 (VII of 2018), hereinafter referred to as the said Act, in section 2, in sub-section (1) for paragraph (p), the following shall be substituted, namely:-

“(p) **“prescribed”** means prescribed under this Act and rules made thereunder, or as the case may be, prescribed under the Civil Servants Act, 1973 (Act No. LXXI of 1973) and rules made thereunder including regulations, policies, instructions, guidelines, clarifications and orders for the time being applicable to the civil servants.”

3. **Substitution of section 4, Act VII of 2018.**- In the said Act, for section 4, the following shall be substituted, namely:-

“4. Strength and Composition of the Secretariat.- (1) The total strength of the Secretariat, consisting all types of posts, including but not limited to permanent and temporary posts, shall not exceed four hundred percent of the total membership of the National Assembly prescribed in Article 51 of the Constitution of the Islamic Republic of Pakistan:

Provided that the existing strength of the Secretariat shall be reduced to the strength prescribed in sub-section (1) within a period of eighteen months from the date of commencement of the National Assembly Secretariat Employees (Amendment) Act, 2024.

(2) Subject to sub-section (1), creation, up-gradation, re-designation or abolition of any post shall be approved by the Finance Committee and shall be notified in the official Gazette.

(3) Appointment to a post created or up-graded under sub-section (2) shall be made in the manner prescribed in section 6 of this Act."

4. **Substitution of section 5, Act VII of 2018.**- In the said Act, for section 5, the following shall be substituted, namely:-

"5. Terms and conditions of service.- Subject to this Act and rules made thereunder, the terms and conditions of service prescribed under the Civil Servants Act, 1973 and rules made thereunder including regulations, policies, instructions, guidelines, clarifications and orders for the time being applicable to the civil servants shall be applicable and deemed to be and always to have been applicable to the employees of the Secretariat in the corresponding posts or BPS.

Explanation: The following references in the Civil Servants Act, 1973 and rules made thereunder including regulations, policies, instructions, guidelines, clarifications and orders shall be construed as under:-

- (a) "Civil Servants" or "Government Servants" or "Government employees" as "employees of the National Assembly Secretariat";
- (b) "Ministry" or "Division" of Federal Government as "National Assembly Secretariat";
- (c) "President" or "Prime Minister" as "Speaker"; and
- (d) "Secretary" as "Secretary of National Assembly Secretariat".

5. **Substitution of section 6, Act VII of 2018.**- In the said Act, for section 6, the following shall be substituted, namely:-

"6. Appointments.- (1) Appointments in the Secretariat shall be made in the prescribed manner by the appointing authority through one of the following methods, namely;—

- (a) by promotion of a person employed in the Secretariat on the basis of recommendations by the Departmental Promotion Committee; or

(b) by initial appointment in the following manner:

- (i) in BPS-15 and below on the basis of recommendations by the Departmental Selection Committee through an open advertisement and selection process in accordance with section 5 of this Act; and
- (ii) in BPS-16 and above on the basis of recommendations by the Federal Public Service Commission:

Provided that in case a post is not advertised by the Commission within a period of six months of receipt of a requisition from the Secretariat, the appointing authority may withdraw such requisition and make appointments against posts in BPS 16 and above on the basis of recommendations by the Departmental Selection Committee through an open advertisement and selection process in accordance with section 5 of this Act.

(2) The Secretariat shall observe the same quota of vacancies as the Federal Government by maintaining a roster of each category of the quota from commencement of the National Assembly Secretariat Employees (Amendment) Act, 2024."

6. **Substitution of section 7 of the said Act VII of 2018.-** In the said Act, for section 7, the following shall be substituted namely:-

"7. Appointments on deputation. – (1) The appointing authority may appoint on deputation a person from the Federation or any Province or Authority through circulation of the post amongst civil servants if no employee eligible for appointment is available in the Secretariat. For this purpose, the Departmental Selection Committee shall circulate the post in the Secretariat and place on record with reasons that no eligible employee is available for appointment on the post in the Secretariat.

(2) Upon receipt of applications the Departmental Selection Committee, after interviewing the candidates, shall recommend the eligible and the most suitable candidate in the best interest of the Secretariat.

(3) Appointment on deputation may be made for a period of three years extendable for two years only.

(4) A deputationist shall neither be retained after a period of five years nor appointed by transfer or absorbed in the Secretariat.

(5) A person appointed on deputation in BPS-20 and below shall only be entitled to draw deputation allowance in addition to pay and allowances he was drawing as per the Last Pay Certificate issued by his parent department only:

Provided that sub-section (5) shall apply from commencement of the National Assembly Secretariat Employees (Amendment) Act, 2024."

7. **Omission of sections 8, 9, 10, 12 to 24 (both inclusive) 26, 28 and 29 of the said Act VII of 2018.**- In the said Act, sections 8, 9, 10, 12 to 24 (both inclusive), 26 and 29 shall be omitted.

8. **Addition of new section 31 of the said Act VII of 2018.**- In the said Act, after section 30, the following new section 31, shall be added, namely:-

"31. Act to override other laws.- The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force."

Statement of Objects and Reasons

This Bill aims to achieve the following objectives:

- (1) Harmonization with the terms and conditions of service for National Assembly Secretariat's employees with those prescribed under the Civil Servants Act, 1973 ensuring consistency and uniformity with civil servants.
- (2) Optimization of organizational structure through maintaining total strength of the National Assembly Secretariat at 400% of the Assembly's membership to ensure efficient and proportional resources allocation. Such proposal will also enhance stringent financial oversight for creation, abolishment or re-designation of posts in the Secretariat.
- (3) Enhancement of transparency in recruitment through streamlining recruitment procedures on recommendations of the Federal Public Service Commission and Departmental Promotion/Selection Committees with provisions for addressing delays on the part of selection authority.

- (4) Restructuring appointment on deputation through open competition amongst the civil servants.
 - (5) Simplification of legislation while removing redundant and repetitive provisions to create a more accessible and relevant legal framework.
 - (6) Insertion of an overriding clause ensuring the Act's supersession over any conflicting laws reinforcing its uninterrupted applicability.
 - (7) Ensuring accountability and financial discipline mandating supermajority (two-thirds) for approval from the Finance Committee for financial decisions related to creation of posts and making rules.
2. Overall, the Bill seeks to enhance the efficiency, transparency and independence of the National Assembly Secretariat ensuring its functionality aligned with contemporary administrative standards adopted for the civil servants.

SD/-
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Member, National Assembly