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PART II

Statutory Notifications (S.R.O.)

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 16th March, 2018

DIRECTIVE NO. 1

[see section 28 of the National Assembly Secretariat Employees Act, 2018]

S.R.O. 427(I)/2018.—In exercise of the powers conferred by section 28 of the National Assembly Secretariat Employees Act, 2018 (hereinafter referred to as "the Act"), the Speaker, National Assembly of Pakistan is pleased to make following directions relating to the detailed working of the Secretariat.

2. Under the Act, the Honourable Speaker has powers to.—

- (1) make appointments being Appointing Authority under section 2 (1) (b);
- (2) modify monthly pay including technical pay, special pay, personal pay and other emoluments declared as such by the Government for civil servants under section 2(1)(m);

(855)

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- (3) prescribe rules and directions from time to time under section 2(1)(p);
- (4) authorize a person to perform functions as Acting Secretary under section 2(1)(s);
- (5) up-grade or re-designate or create or abolish any post under section 4(2);
- (6) up-grade or create a post in BS-16 & below on permanent basis under section 4(2);
- (7) up-grade or create a post in BS-17 & above for a period of 6 months under section 4(2);
- (8) issue direction to delegate his powers to the Secretary under section 4(3);
- (9) make modifications, variations or exceptions in all terms and condition of service of an employee in the Secretariat including pay, allowances, advances, retirement, deputation, pension, gratuity, provident fund, benevolent fund, group insurance, financial or family assistance packages including in service death, leave or all other rights, perks, privileges, prerogatives, concessions, entitlements, memberships, facilities, including medical, housing, education and all other scheme of the Government, of an employee, notwithstanding any judgment or order of any court, tribunal or a quasi-judicial authority, shall be as governed by the law, rules, policies, instructions or guidelines for the time being in force and applicable, admissible or enjoyed or available to the civil servants in the corresponding posts or BPS in anticipation of the concurrence of the Finance Committee under section 5(3);
- (10) appoint, promote, transfer a person in the Secretariat under section 6 & 11;
- (11) appoint a person on deputation from within or outside the Secretariat and prescribe terms & conditions of service of a deputationist under section 7;
- (12) place a person on probation or curtail or terminate his period of probation under section 8;

- (13) confirm an employee appointed or promoted against a permanent post after completion of probation and prescribe period of confirmation under section 9;
- (14) approve seniority list of employees under section 10;
- (15) bifurcate posts into the categories of selection or non-selection posts under section 11(2);
- (16) transfer an employee against an equivalent or higher post under section 12;
- (17) terminate service of a person appointed on contract or ad-hoc basis under section 13;
- (18) revert an ad-hoc or temporary employee to a lower post under section 14;
- (20) pass direction for retirement of a person after completing 20 years service in the public interest under section 15(1)(a);
- (20) regulate conduct of the employees through rules, directions or instructions under section 18;
- (21) prescribe procedure for disciplinary action and penalties against the employees under section 19; and
- (22) decide appeal or representations of the employees preferred against imposition of penalty or submitted in respect of terms and conditions of service, respectively under section 20.

Special Powers and Privileges of the Honourable Speaker:

- (1) **Saving:** the powers of the Speaker cannot be limited or abridged by the provisions of the Act or rules under section 21;
- (2) **Removal of difficulties:** any difficulty in giving effect to any provision of the Act may be removed by the Speaker as he may consider necessary. (section 24);
- (3) **Interpretation:** the words given by the Speaker interpreting any question relating to the provisions of the Act are to be treated as final under section 26;

- (4) **Rules:** the Speaker may make rules under the Act with concurrence of the Finance Committee or in anticipation of concurrence of the Finance Committee under section 27 read with section 5;
- (5) **Directions:** the Speaker may issue direction for all matters not specifically prescribed in the Act or rules under section 28;
- (6) **Relaxation of Rules:** the Speaker may relax or dispense with any rule causing undue hardship under section 29; and
- (7) **Protection:** the rules, orders, instructions, proceedings, appointments, absorptions, regularizations, etc. made by the Speaker are protected under the Act under section 30 (2).

3. Since the methods of appointment already notified *i.e.* the SRO-2015 are still in field and remain as such in future under section 30(1) of the Act. In the light of above-mentioned section 5 of the Act, all rules, instructions and policies, etc. of the Federal Government, codified in **ESTACODE** by the Establishment Division are applicable to the employees of this Secretariat.

4. Honourable Speaker, in exercise of powers conferred by the section 28 of the Act has been pleased to designate "authorized officer", "authority" and "appellate authority" as mentioned in tables below for the purposes of the Government Servants (Efficiency & Discipline) Rules, 1973 as well as the Civil Servants (Appeal) Rules, 1977:

- (a) **Efficiency and Discipline.**—(1) Subject to the Act, "the Government Servants (Efficiency & Discipline) Rules, 1973" as amended from time to time, along with instructions made thereunder shall be applicable to the employees of the Secretariat under section 19 of the Act.

(2) Notwithstanding anything contained in the said Rules, the "authorized Officer" and "authority" for the purpose of action against an employee in the Secretariat shall be the *persona designata* mentioned in column (3) and (4) of the table below:

S #	BPS of the employee	Authorized Officer	Authority
(1)	(2)	(3)	(4)
1	Posts in Basic Scale 1-4	Deputy Secretary	Joint Secretary*
2	Posts in Basic Scale 5-15	Joint Secretary	Additional Secretary
3	Posts in Basic Scale 16	Additional Secretary	Secretary
4	Posts in Basic Scale 17 and above	Secretary	Speaker

- (b) **Right of Appeal and Representation.**—(1) Subject to the Act, the "Civil Servants (Appeal) Rules, 1977" as amended from time to time,

along-with instructions made thereunder shall be applicable to the employees of the Secretariat under section 20 of the Act.

(2) Notwithstanding anything contained in the said Rules, the appellate authorities shall be the persona designata mentioned in column (3) of the table below:

S #	BPS of the employee	Appellate Authority
(1)	(2)	(3)
1	Posts in Basic Scale 1-4	Additional Secretary
2	Posts in Basic Scale 5-15	Secretary
3	Posts in Basic Scale 16	Speaker
4	Posts in Basic Scale 17 and above	Finance Committee

- (b) **Competent Authority for all other purposes.**—The Speaker shall exercise all powers vested in the “President” or “Prime Minister”, in the laws, rules, policies, instructions and guidelines for the time being in force, applicable, admissible or enjoyed or available to the civil servants, in relation to the terms and conditions of service of the employees of the Secretariat as adopted under section 5(3) of the Act.

5. The Secretary, National Assembly Secretariat shall be empowered to exercise the authority equivalent to the Secretary of a ministry/division of the Federal Government.

[No. F. 5(1)/2007-Estt-I.]

TAHIR HUSSAIN,
Secretary.