

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON FEDERAL EDUCATION, PROFESSIONAL TRAINING, NATIONAL HERITAGE AND CULTURE ON THE HIGHER EDUCATION COMMISSION (AMENDMENT) BILL, 2021

I, Chairman of the Standing Committee on Federal Education, Professional Training, National Heritage and Culture have the honor to present this report on the Bill further to amend the Higher Education Commission Ordinance, 2002 (Ordinance No. IX of 2021) [The Higher Education Commission (Amendment) Bill, 2021] (Government Bill) referred to the Committee on 21st May, 2021.

2. The Committee comprises the following:-

1.	Mian Najeeb Ud Din Awaisi	Chairman
2.	Mr. Ali Nawaz Awan	Member
3.	Mr. Sadaqat Ali Khan	Member
4.	Ms. Javairia Zafar Aheer	Member
5.	Mr. Umar Aslam Khan	Member
6.	Mr. Muhammad Farooq Azam Malik	Member
7.	Ms. Nafeesa Inayatullah Khan Khattak	Member
8.	Ms. Andleeb Abbas	Member
9.	Ms. Ghazala Saifi	Member
10.	Ms. Asma Qadeer	Member
11.	Ms. Tashfeen Safdar	Member
12.	Mrs. Farukh Khan	Member
13.	Ms. Mehnaz Akber Aziz	Member
14.	Ch. Muhammad Hamid Hameed	Member
15.	Ms. Kiran Imran Dar	Member
16.	Ms. Musarrat Asif Khawaja	Member
17.	Mr. Abid Hussain Bhayo	Member
18.	Ms. Mussarat Rafiq Mahesar	Member
19.	Dr. Shazia Sobia Aslam Soomro	Member
20.	Mr. Asmatullah	Member
21.	Mr. Shafqat Mahmood, Minister for Federal Education, Professional Training, National Heritage and Culture	Ex-officio Member

3. The Committee considered the Bill as introduced in the National Assembly, placed at 'Annex-A' in its meeting held on 1st July, 2021 and recommends that the Bill placed at 'Annex-B' may be passed by the National Assembly. However, Dissent Note of Ms. Mehnaz Akber Aziz and Ch. Muhammad Hamid Hameed, MNAs is placed at 'Annex-C'.

Sd/-
(MIAN NAJEEB UD DIN AWAIISI)
Chairman

Sd/-
(TAHIR HUSSAIN)
Secretary
Islamabad, the 5th August, 2021

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

further to amend the Higher Education Commission Ordinance, 2002

WHEREAS, it is expedient further to amend the Higher Education Commission Ordinance, 2002 (Ordinance No. LIII of 2002);

AND WHEREAS, the Senate and the National Assembly are not in session and the President of the Islamic Republic of Pakistan is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:-

1. Short title and commencement.- (1) This Bill shall be called the Higher Education Commission (Amendment) Bill, 2021.

(2) It shall come into force at once.

2. Amendment of section 6, Ordinance No. LIII of 2002.-

(a) In the Higher Education Commission Ordinance, 2002 (Ordinance No. LIII of 2002), hereinafter called as the said Ordinance, in section 6, for sub-section (5), the following shall be substituted:-

“(5) The Chairperson shall hold office for a period of two years and members shall hold office for a period of four years. In no case the Chairperson and members shall be eligible for re-appointment for more than one similar term.”

- (b) after sub-section (5) amended as aforesaid, the following new sub-section shall be inserted, namely:-

“(5A) Notwithstanding anything in any order, notification, contract, agreement or any instrument containing the duration and terms of service, a Chairperson or a member who, on or after commencement of this Ordinance completes the term or tenure as provided in sub-section (5), shall on such commencement forthwith cease to be the Chairperson or member, as the case may be.”

Explanation:

Sub-section (5), as amended, shall have operation despite any vested right or right as a past and closed transaction in any appointment or terms thereof acquired or purported to have been acquired prior to the Higher Education Commission (Amendment) Ordinance, 2021 coming into force.

- 3. Amendment of section 11, Ordinance No. LIII of 2002.-** In the said Ordinance, in section 11, for sub-section (1), the following shall be substituted, namely:-

“(1) The Government shall appoint an Executive Director on the recommendation of the Ministry of Federal Education who shall unless earlier removed on any of the grounds specified in sub-section (6) of section 6, shall hold office for term of four years and shall be responsible for the various activities of the Commission.”

STATEMENT OF OBJECTS AND REASONS

In the new knowledge economies of 21st Century educational standards are shaping the destinies of nations. Particularly, in post-COVID era, the paradigm of Higher Education System and its delivery mode has undergone tremendous changes.

2. In order to align the Higher Education Commission with the fast-changing environment, the process and criteria of tenured appointments need to be reviewed so that the incumbents may keep pace with the changing eco-system of 21st Century skills.
3. The Bill is designed to achieve the afore-said objectives.

(SHAFQAT MAHMOOD)
Minister for Federal Education and
Professional Training

[AS REPORTED BY THE STANDING COMMITTEE]

A

BILL

further to amend the Higher Education Commission Ordinance, 2002

WHEREAS, it is expedient further to amend the Higher Education Commission Ordinance, 2002 (Ordinance No. LIII of 2002);

It is hereby enacted as follows:-

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