

**NATIONAL ASSEMBLY SECRETARIAT**  
**REPORT OF THE STANDING COMMITTEE ON INTERIOR ON THE**  
**ISLAMABAD CAPITAL TERRITORY DOMESTIC WORKERS BILL, 2020**

I, Chairman of the Standing Committee on Interior have the honor to present this report on the Bill to provide for the regulation of employment of domestic workers in Islamabad Capital Territory [Islamabad Capital Territory Domestic Workers Bill, 2019] (Private Member's Bill) referred to the Committee on 8<sup>th</sup> May, 2019.

2. The Committee comprises the following:

1) <b>Raja Khurram Shahzad Nawaz</b>	<b>Chairman</b>
2) Mr. Sher Akbar Khan	Member
3) Mehar Ghulam Muhammad Lali	Member
4) Mr. Raza Nasrullah	Member
5) Khawaja Sheraz Mehmood	Member
6) Mr. Rahat Aman Ullah Bhatti	Member
7) Malik Karamat Ali Khokhar	Member
8) Sardar Talib Hassan Nakai	Member
9) Ms. Nafeesa Inayatullah Khan Khattak	Member
10) Mr. Muhammad Akhtar Mengal	Member
11) Nawabzada Shazain Bugti	Member
12) Malik Sohail Khan	Member
13) Rana Shamim Ahmed Khan	Member
14) Mr. Mohammad Pervaiz Malik	Member
15) Mr. Nadeem Abbas	Member
16) Ms. Maryam Aurangzaib	Member
17) Syed Agha Rafiullah	Member
18) Nawab Muhammad Yousuf Talpur	Member
19) Mr. Abdul Qadir Patel	Member
20) Mr. Asmatullah	Member
21) Mr. Ijaz Ahmad Shah	Ex-officio Member
Minister for Interior	

3. The Committee considered the Bill as introduced in the National Assembly placed at **Annex-A**, in its meetings held on 29-7-2019, 30-8-2019, 19-9-2019, 13-11-2019, 11-12-2019 and 24-7-2020. The Committee made the following amendments therein:-

(1) **Preamble**  
The preamble shall be substituted with the following, namely:-

“**WHEREAS** Articles 3 and 11 of the Constitution aim to eliminate all forms of exploitation and prohibits slavery and forced labor;

Whereas Government of Pakistan has instituted a mechanism to determine and notify minimum wages for unskilled workers on periodical basis;

**WHEREAS** Government of Pakistan has enacted laws to prevent employment of children of age below sixteen years and declared access to free and compulsory education to all children of the age of five to sixteen years as mentioned in Article 25A of the Constitution;

**WHEREAS** Government of Pakistan has signed the Convention on the Rights of the Child and thus committed to protect rights of all Pakistani children and ensure provision of education, health, nutrition, sports, recreation, and all other rights to them;

**WHEREAS** rising number of incidents of exploitation, abuse, and violence against domestic workers created the need to regulate employment of domestic workers to ensure their safety and rights;

**AND WHEREAS** there is a need to regulate the terms of employment of domestic workers to ensure their basic needs are met including rest breaks, number of hours of sleep, medical care, minimum number of meals, working time, freedom from discrimination and sexual harassment and to protect the safety and dignity of domestic workers.”.

(2)

Clause 1

In clause 1, sub-clause (2), after the words, “extends to” the words, “whole of”, shall be inserted.

(3)

Clause 2

In clause 2.-

- i) After paragraph (a), new paragraph (b), shall be inserted, and the remaining paragraphs shall be re-marked accordingly:-  
“(b) “Administrator” means a person nominated by the Commissioner of the Islamabad Capital Territory;”.
- ii) In re-marked paragraph (c), for the expression, “this Act”, appearing at the end, the expression, “section 26” shall be substituted.
- iii) In re-marked paragraph (d), the expression, “under the domestic Workers Welfare Fund”, appearing at the end shall be omitted.
- iv) In re-marked paragraph (e), for the expression, “Minimum Wages for Unskilled Workers (Amendment) Act 2016” the expression, “(XXXIX of 1961)” shall be substituted.
- v) In re-marked paragraph (e), for the abbreviation, “ICT” the expression, “Islamabad Capital Territory” shall be substituted.
- vi) Re-marked paragraph (f) shall be omitted and the remaining clauses shall be re-marked accordingly.
- vii) For re-marked paragraph (f) the following shall be substituted, namely:-  
“(f) Dispute” means any dispute or conflict between employee and employer or between employer and domestic worker which is connected with the terms of employment of a domestic worker;”.
- viii) After re-marked paragraph (h), following new paragraph (i) shall be inserted, and the remaining paragraphs shall be re-marked accordingly.-  
“(i) “Employ” means to engage or permit to work;”.
- ix) In re-marked paragraph (j), in sub-para (i), after the expression, “for employment” occurring in third line, the expression “themselves or through an agent, working conditions, hours and care” shall be inserted.
- x) Re-marked paragraph (l) shall be omitted and the remaining paragraphs shall be re-marked accordingly.
- xi) In re-marked paragraph (m), after the expression, “Employees Social Security Ordinance, 1965” the expression “(X of 1965)” shall be inserted.

- xii) In re-marked paragraph (m), after the expression, "by the Government", the expression, "of Pakistan" shall be omitted.
- xiii) For re-marked paragraph (o) following shall be substituted, namely.-  
 "(o) "ICT" means Islamabad Capital Territory for the purpose of this Act;"
- xiv) For re-marked paragraph (p) following shall be substituted, namely.-  
 "(p) "Labour Court" means the labour court established by the Government;"
- xv) After re-marked paragraph (q), following new paragraph (r) shall be inserted, and the remaining paragraphs shall be re-marked accordingly.-  
 "(r) "Shift" means the designated number of working hours with a starting hour and an ending hour;"
- xvi) For re-marked paragraph (s) following shall be substituted, namely.-  
 "(s) "Wages" means all amounts paid for labor performed by employees of every description which would if the terms and conditions of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment, and includes fixed amount or conditional on time, task, commission basis or any method of calculation but does not include —
  - a) any contribution paid by the employer in respect of such person under any scheme of social insurance or to a pension fund or provident fund; and
  - b) gift or anything given in kind."

(4)

**Clause 3**

In clause 3, for the expression, "15 years", the expression, "sixteen years" shall be substituted.

(5)

**Clause 4**

1) In clause 4.-

- i) In sub-clause (b), for the word, "reason", appearing at the end, the expression, "specific employments that require a certain minimum level of strength or educational qualification or carry a risk of physical danger to a particular class of person;" shall be substituted.
- ii) For the sub-clause (c), following shall be substituted, namely.-  
 "(c) domestic worker shall be addressed and referred to as a domestic worker;"
- iii) For the sub-clause (d), following shall be substituted, namely.-  
 "(d) Domestic workers shall be entitled to receive overtime wages for labour performed in excess of their shift as per the provisions of section;"

(6)

**Clause 5**

In clause 5.-

- i) In sub-clause (1), for the word, "appointment", occurring in the line 2, the word, "employment" shall be substituted.
- ii) For the sub-clause (2), following shall be substituted, namely.-