

**Government of Pakistan
Institutional Reforms Cell**

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AGENDA FOR 37th IC MEETING
TO BE HELD ON 8-7-2020

The agenda of today's meeting is as follow:

1. Progress report by MS Wing on implementation status of decisions of this Committee
2. Proposal of merger of CWHR with PCSIR by Ministry of S&T
3. Request for change in status of NIRC from AB to ED by Ministry of OP&HRD
4. Concerns of Secretary Industries on the reorganization of the Industries Divisions and finalization of status of PHSADC, NFC and SEC
5. Shifting of record to Cabinet Division for Cabinet Committee on Institutional Reforms

Agenda Item 2

Proposal of merger of CWHR with PCSIR by Ministry of S&T

Government of Pakistan
Ministry of Science and Technology

F. No. 4(07)/DEA-CWHR (pt)

Islamabad, 16th June, 2020

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for the agenda of IC meet
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22/6

OFFICE MEMORANDUM

Subject: MERGER OF COUNCIL FOR WORKS AND HOUSING RESEARCH (CWHR) WITH PAKISTAN COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH (PCSIR) ISLAMABAD

Pakistan Council for Works and Housing Research (CWHR) was established under resolution No SRO-440(K) dated, 17-06-1964 as an autonomous organization, under the aegis of the Ministry of Agriculture and Works (Rehabilitation and Works Division) Government of Pakistan. **(F/A)**

2. In 1972, CWHR was transferred to the Ministry of Science and Technology. Later-on, another organization of this Ministry, National Building Research Institute (NBRI) which was established at Karachi in 1985 **(F/B)** was merged with CWHR, as per the decision taken by the Government in the Cabinet meeting held on 27.01.1997 and was notified on 27-02-1997. **(F/C)**

3. CWHR was reconstituted in 1998 vide resolution dated 08-10-1998, to facilitate its unhindered and efficient functioning. **(F/D)**

4. In the light of the judgment of the Supreme Court in Civil Appeal No. 154 of 1988, the Establishment Division vide their O.M. No. 4/91-R.T/R-3 dated 06th September 2000, advised all Ministries/Divisions to determine, in consultation with Management Services Wing of Cabinet Division, whether those organizations should be run as Government Departments (i.e. Attached Department or Subordinate Office) or as autonomous bodies **(F/E)**.

5. Later on, the matter was taken up with Management Services Wing (Establishment Division) who in 2004 advised that the subject organization including five organizations under Most: PCRWR, NIO, PCST, PCRET & CWHR may be declared as an autonomous body and that the necessary legislation may be enacted for changing its legal status to that of a body corporate by initiating necessary legislation. **(F/F)**

6. Furthermore, PCST, an organization under MoST, was entrusted with a comprehensive review of CWHR in 2005. PCST, after 2 years of study suggested that CWHR be accorded a legal status as an autonomous body through an Act of Parliament. Accordingly, the draft Bill was submitted by CWHR

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MoST in 2009 and resubmitted again in 2010, with certain amendments as proposed, as desired by MoST.

7. In 2013, Summary for in-principle approval of the Cabinet regarding the draft Bill of CWHR was submitted to Secretary, MoST for approval of its onward submission to the Cabinet. In April 2013, Secretary MoST directed CWHR to study the models and practices being followed by the neighboring countries. The same were reviewed by CWHR and the draft Bill of CWHR was updated accordingly.

8. In January 2014, it was decided at the Secretary level not to process the CWHR Bill further, until the re-structuring of MoST organizations is completed. Since then, the same is pending with MoST.

9. In 2014, therefore, a consultant was hired to furnish feasibility report regarding the present status and viability of the organization. Mr. Shabir Ahmed, the consultant conducted a detailed study and furnished his report with the recommendation that the organization (CWHR) has no further scope for improvement; therefore, the most viable option remains to dissolve it and hand it over to PCSIR. **(F/G)**

10. However, a meeting / visit of the Senate Standing Committee on Science & Technology, was held on 21st March 2019, at Council of Works & Housing Research. As per the recommendation / directive of the said committee, the draft Bill of CWHR was needed be expedited. **(F/H)**

11. Accordingly, Summary of the draft CWHR Bill for in-principle approval of the Cabinet Committee for the disposal of Legislative Cases (CCLC) was prepared, which is pending with MoST and has not been perused since the Prime Minister's Task Force on Austerity and Government Restructuring considered/proposed shifting CWHR to Ministry of Housing & Works.

12. Now, it has been proposed that CWHR may be merged with PCSIR as functions of CWHR correlate with that of PCSIR

Functions of CWHR:

- *to guide and foster Research activities in Civil Engineering Works with special focus on affordable housing, including construction of model structures and demonstration units.*
- *to collaborate with Regional, National and International institutes or organizations and eminent individuals and groups*

Agenda Item 3

NIRC was notified as AB on 14th April, 2020 by the Cabinet Division on recommendation of the Committee.

The Division had agreed to its categorization as AB in the 16th meeting of the Committee and now wants to revise it.

Most Commissions are ABs but there are two exceptions:

1. National Commission for Child Welfare and Development in M/o of HR
2. Chairman Federal Flood Commission M/o Water Resources

Most Immediate

GOVERNMENT OF PAKISTAN
MINISTRY OF OVERSEAS PAKISTANIS &
HUMAN RESOURCE DEVELOPMENT

F. No.1(17)/2020-NIRC

Islamabad, the 16th May, 2020

OFFICE MEMORANDUM

Subject:- RE-ORGANIZATION OF NATIONAL INDUSTRIAL RELATIONS COMMISSION (NIRC)

The undersigned is directed to refer to Cabinet Division's Memorandum No.4-11/2019-Min-I dated 14th April, 2020 on the subject noted above wherein one of the attached department of this Ministry namely National Industrial Relations Commission (NIRC) has been declared as autonomous body.

2. It may please be noted that National Industrial Relations Commission (NIRC) is a quasi-judicial tribunal constituted by the federal government under Section 53 of Industrial Relations Act, 2012 to inter-alia discharge the following functions:-

- i. to adjudicate industrial dispute
- ii. to register trade unions and industry-wise trade unions
- iii. to determine the collective bargaining agents.
- iv. to deal with unfair labour practices; and
- v. to advise the Government in respect of education of workers and to deal with individual grievance cases.

3. In discharge of the above activities, NIRC is manned by 10 full time Members including the Chairman appointed on the recommendations of Chief Justice of 04 High Courts and with the approval of the Federal Cabinet.

4. This Commission is wholly dependent upon the annual budget given by the Federal Government. The Commission do not have its own revenue generation capacity neither the statute under which this Commission has been constituted allows the Commission for generation of funds.

Agenda Item 4:

Concerns of Secretary Industries on the reorganization of the Industries Divisions and finalization of status of PHSADC, NFC and SEC

Secretary Industries vide letter no.1(1)/2020-Secy-MOIP dated 19 June, 2020 has inquired about the justifications/working behind the decisions of the Committee specifically the cost-benefit analysis, benefits in service delivery and legal ramifications. He has also raised concerns on the pending necessary changes in the ROB including the definitions of Executive Department etc. and also on the categorization of entities as Privatization Candidates and Proposed to be Transferred to Sarmaya-e-Pakistan.

3 pending entities:

Pakistan Sports Arm and Hunting Development Company	Agreed for merger into PIDC after consultation with MoD in 24 th meeting but thereafter there was some interest by the GoKP
SEC	In list of Candidates of Privatization approved by Cabinet but Ministry wants to liquidate it 1(35)/2019-NPO dated 2/12/2019 and 4(5)/2019-Admin-III dated 23/4/2020
NFC	In list of Candidates of Privatization approved by Cabinet but Ministry wants to merge it with PIDC 1(35)/2019-NPO dated 2/12/2019 and 4(5)/2019-Admin-III dated 23/4/2020

Pending List

S. No.	Division	Organisational Entity	Proposed Status	Remarks
1.	Communications	Pakistan Post Office Department (PPOD)	Autonomous Body	Business Plan was to be submitted to the Committee. Currently Attached Department
2.	Housing & Works	National Construction Company Limited	Winding up / liquidation	Was discussed in the 32 nd Implementation Committee Meeting where the Ministry was directed to consult with Defence Division to find out if the SPD would like to retain the entity. Upon receiving a response, the Ministry is to report back to the Committee.
3.	Information Technology & Telecommunication	Telephone Industries of Pakistan (TIP)	Privatization	Removed from privatization list. Business Plan was to be presented to the Committee. May be classified as autonomous body
4.	Revenue	Federal Board of Revenue (FBR)	Finalisation of status as Autonomous Body deferred until the first week of March, 2020 in the 19th Implementation Committee meeting.	