SENATE OF PAKISTAN

DAILY JOURNAL

(272nd Session)

Date and day	22 nd January, 2018 (Monday)
Commenced at	03:25 p.m.
Adjourned at	08:30 p.m.
Presided by	Chairman Senate
Attendance	74
Total working hours	5 hours and 5 minutes

• Recitation from the Holy Quran.

PANEL OF PRESIDING OFFICERS FOR 271st SESSION

- **1.** Senator Syed Muzafar Hussain Shah.
- 2. Senator Muhammad Ali Khan Saif.
- **3.** Senator Nuzhat Sadiq.
- Leave applications were read by the Chairman.

FATEHA

The House may offer Fateha for the following:-

- 1. Air Martial (Retired) Asghar Khan, Ex- Air Force Chief
- 2. General (Retired) Khalid Shamim Wain, Ex-Joint Chief of Staff.
- 3. Minor girls Zainab and Asma who were brutally raped and murdered in Kasur and Mardan.
- **4.** Munno Bhai, the Famous newspaper journalist, columnist, poet and writer.
- **5.** Dr. Ishfaq Ahmad, Nuclear Physicist and former Chairman Pakistan Atomic Energy Commission (PAEC).
- **6.** Wife of Senator Saleem Mandviwala.
- 7. Sister of Senator Yaqoob Khan Nasir.
- **8.** Ex-Senator Qazi Abdul Majeed.

- **9.** Mr. Muhammad Saqib, Secretary, Port Qasim Authority, who died during Standing Committee Meeting in Committee Room No. 4, on 2nd January, 2018.
- **10.** Mr. Naqeeb Ullah Mehsud, Mr. Intizar Hussain and Mr. Maqsood who were killed in various incidents in Karachi at the hands of police.
- 11. Martyrs of law enforcement agencies in various terrorist incidents in Mehmund Agency, North Waziristan and Quetta near the Provincial Assembly Building and other parts of the country.
- 12. Two female members of a polio vaccination team who were shot dead in Quetta.
- **13.** Civilians who were martyred along LoC and working boundary due to cross border shelling by Indian Forces.

WELCOMING REMARKS

The Chairman welcomed the newly appointed Minister of Law and Justice and the Minister for Finance and Economic Affairs in the House.

REPORTS OF THE COMMITTEES - PRESENTATION OF:

- 1. Senator Nasreen Jalil on behalf of Senator Saleem Mandviwala, Chairman, Standing Committee on Finance, Revenue, Economic Affairs and Narcotics Control, presented report of the Committee on the Bill further to amend the Auditor-General's (Functions, Powers and Terms and Conditions of Service) Ordinance, 2001 [The Auditor-General's (Functions, Powers and Terms and Conditions of Service) (Amendment) Bill, 2017].
- 2. Senator Hidayat Ulla on behalf of Senator Muhammad Talha Mahmood, Chairman, Standing Committee on Cabinet Secretariat, presented report of the Committee on the Bill to amend the Shaheed Zulfiqar Ali Bhutto Medical University, Islamabad, Act, 2013 [The Shaheed Zulfiqar Ali Bhutto Medical University, Islamabad (Amendment) Bill, 2017].
- 3. Senator Hidayat Ullah on behalf of Senator Muhammad Talha Mahmood, Chairman, Standing Committee on Cabinet Secretariat, presented report of the Committee on the subject matter of starred question No. 62, asked by Senator Muhammad Usman Khan Kakar on 26th October, 2017, regarding the number of female officers in BPS-17 and above working in the Federal Secretariat and other Government Departments in Islamabad Capital Territory with province wise and district wise break up.
- **4.** Senator Muhammad Javed Abbasi, Chairman Standing Committee on Law and Justice, presented report of the Committee on the Bill further to amend the Constitution of the

- Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2017] (**Amendment of Article 153**), introduced by Senators Barrister Murtaza Wahab and Saleem Mandviwala on 23rd October, 2017.
- 5. Senator Nehal Hashmi on behalf of Senator Mohsin Aziz, Chairman Standing Committee on Privatization and Statistics, presented report of the Committee for the period from August, 2017 to November, 2017 under rule 193 of the Rules of Procedure and Conduct of Business in the Senate, 2012.
- **6.** Senator Saeedul Hassan Mandokhail on behalf of Senator Baz Muhammad Khan, Chairman, Standing Committee on Overseas Pakistanis and Human Resource Development, presented report of the Committee on the Bill further to amend the Industrial Relations Act, 2012 [The Industrial Relations (Amendment) Bill, 2017] introduced by Senator Mohammad Azam Khan Swati on 6th November, 2017.
- 7. Senator Sajjad Hussain Turi on behalf of Senator Muhammad Daud Khan Achakzai, Advocate, Chairman, Standing Committee on Communications, presented report of the Committee on the subject matter of starred question No. 113, asked by Senator Muhammad Usman Khan Kakar on 15th September, 2017, regarding the case of non-approval for deputing the Motorway Police personnel at Kuchlak-Zhob and Saranan-Chaman Highway.
- **8.** Senator Mushahid Hussain Syed, Chairman, Standing Committee on Defence, presented report of the Committee on the point of public importance raised by Senator Farhatullah Babar on 17th November, 2017, regarding the appointment of ex-cadre officer as head of the Military Land and Cantonment Services Department, due to which the regular cadre officers of the said Service Group never get an opportunity to head the Department.
- **9.** Senator Abdul Rehman Malik, Chairman, Standing Committee on Interior, presented report of the Committee on the issue raised by Senator Rubina Irfan on 18th September, 2017 regarding the incident of dacoity took place at her residence in Balochistan and the mishandling of the case by the Balochistan Police despite knowing about the culprits.
- **10.** Senator Nisar Muhammad, Convener, Special Committee on Marginalized Segments of Society, presented 8th interim report of the Special Committee on Marginalized Segments of Society.

INCIDNET OF MURDER OF MINOR GIRL ZAINAB IN KASUR

The Chairman Senate directed the Chairman Standing Committee on Interior and the Chairperson Functional Committee on Human Rights to visit the place of occurrence of the incident of rape and murder of minor girl Zainab in Kasur and submit a detailed report to the House regarding the incident and the investigation status so far by Friday the 26th January, 2018.

Chairman also explained the steps taken by the Senate towards the curbing of the menace of child abuse I the country and the legislation made in this regard.

The Chairman criticized the Government for not establishing the Commission for the rights of the child and directed the Government to immediately establish the Commission and inform the House by Friday the 26th January, 2018.

ANNOUNCEMENT OF ESTABLISHMENT OF MUSEUM OF THE SENATE

The Chairman informed the Members about the establishment of Senate Museum in order to preserve the parliamentary history.

Following Members spoke:-

- 1. Senator Mohammad Azam Khan Swati.
- 2. Senator Col. (R) Syed Tahir Hussain Mashhadi.
- **3.** Senator Taj Haider.
- **4.** Senator Abdul Rehman Malik.
- 5. Senator Saeedul Hassan Mandokhail.
- **6.** Senator Sirajul Haq.
- 7. Senator Mushahid Hussain Syed.
- **8.** Senator Muhammad Javed Abbasi.
- **9.** Senator Shahi Syed.

MOTION [Under Rule 194(1)]

Senator Nasreen Jalil on behalf of Senator Saleem Mandviwala, Chairman, Standing Committee on Finance, Revenue, Economic Affairs and Narcotics Control, moved under sub-rule (1) of rule 194 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that the time for presentation of report of the Committee on the subject matter of Calling Attention Notice moved by Senator Muhammad Usman Khan Kakar on 22nd November, 2017, regarding the thirty

promotional posts of Custom Inspectors lying vacant in the Customs Collectorate of Quetta, may be extended for a period of thirty working days with effect from 22nd January, 2018.

The Motion was put to the House and the requisite extension was granted.

MOTIONS (Under Rule 203)

1. Senator Raja Muhammad Zafar-Ul-Haq, Leader of the House, moved under sub-rule (2) of rule 203 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that Senators Muhammad Mohsin Khan Leghari, Atta Ur Rehman, Muhammad Usman Khan Kakar, Sajjad Hussain Turi, Muhammad Zafarullah Khan Dhandla, Najma Hameed, Farhatullah Babar, Osman Saifullah Khan, Mohammad Azam Khan Swati, Rubina Irfan, Khushbakht Shujat and Muhammad Daud Khan Achakzai, Advocate as nominated by the Chairman Senate in consultation with the Leader of the House and Leader of the Opposition in the Senate for constituting the Select Committee to consider the Constitution (Amendment) Bill, 2017 (Amendment of Article 228), may be elected by the House. The Chairman Senate be authorized to make changes in the composition of the Committee as and when deemed necessary. The Committee shall elect its Chairman in its first meeting and the report of the Committee shall be presented not later than forty five days from the date of notification of the Chairman of the Committee.

Motion was put to the House and adopted.

2. Senator Raja Muhammad Zafar-Ul-Haq, Leader of the House, moved under sub-rule (2) of rule 203 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that Senators Pervaiz Rashid, Kamran Michael, Professor Sajid Mir, Rahila Magsi, Mir Kabeer Ahmed Muhammad Shahi, Maulana Hafiz Hamdullah, Saleem Mandviwala, Sassui Palijo, Mohsin Aziz, Saeedul Hassan Mandokhail, Nighat Mirza and Baz Muhammad Khan as nominated by the Chairman Senate in consultation with the Leader of the House and Leader of the Opposition in the Senate for constituting the Select Committee to consider the Islamabad Restriction on Employment of Children Bill, 2017, may be elected by the House. The Chairman Senate be authorized to make changes in the composition of the Committee as and when deemed necessary. The Committee shall elect its Chairman in its first meeting and the report of the Committee shall be presented not later than forty five days from the date of notification of the Chairman of the Committee.

Motion was put to the House and adopted.

BILLS TO BE INTRODUCED

1. Senator Rubina Khalid was to move for leave to introduce a Bill further to amend the Pakistan Penal Code, 1860 [The Pakistan Penal Code (Amendment) Bill, 2017] (Amendments of sections 375 and 377).

The Bill was dropped due to Absence of Member.

2. Senator Sehar Kamran on her behalf and behalf of Senator Barrister Murtaza Wahab moved for leave to introduce a Bill further to amend the Pakistan Penal Code, 1860 and Code of Criminal Procedure, 1898 [The Criminal Laws (Amendment) Bill, 2017] (Amendment of section 364A of PPC and Schedule II of Cr.P.C)

The Motion was not opposed and the leave was granted.

Thereafter, Senator Sehar Kamran on her behalf and on behalf of Senator Barrister Murtaza Wahab introduced the Bill further to amend the Pakistan Penal Code, 1860 and Code of Criminal Procedure, 1898 [The Criminal Laws (Amendment) Bill, 2017] which upon introduction stood referred to the Standing Committee concerned for consideration and report.

3. Senator Mohammad Azam Khan Swati moved for leave to introduce a Bill to repeal the Federal Investigation Agency Act, 1974 and to enact a new law for the establishment of Federal Investigation Commission [The Federal Investigation Commission Bill, 2017].

The Motion was opposed by the Minister for Interior. The Motion was put to the House and the leave to introduce the Bill was granted by 26 votes to 22.

Thereafter, Senator Mohammad Azam Khan Swati introduced the Bill to repeal the Federal Investigation Agency Act, 1974 and to enact a new law for the establishment of Federal Investigation Commission [The Federal Investigation Commission Bill, 2017] which upon introduction stood referred to the Standing Committee concerned for consideration and report.

4. Senator Karim Ahmed Khawaja moved for leave to introduce a Bill further to amend the Prevention of Cruelty to Animals Act, 1890 [The Prevention of Cruelty to Animals (Amendment) Bill, 2018].

The Motion was not opposed and the leave was granted.

Thereafter, Senator Karim Ahmed Khawaja introduced the Bill further to amend the Prevention of Cruelty to Animals Act, 1890 [The Prevention of Cruelty to Animals (Amendment) Bill, 2018] which upon introduction stood referred to the Standing Committee concerned for consideration and report.

5. Senator Sehar Kamran moved for leave to introduce a Bill to provide for and promote Civic Education and create awareness relating to fundamental rights and obligations of citizens [The National Civic Education Commission Bill, 2017].

The Motion was not opposed and the leave was granted.

Thereafter, Senator Sehar Kamran introduced the Bill to provide for and promote Civic Education and create awareness relating to fundamental rights and obligations of citizens [The National Civic Education Commission Bill, 2017] which upon introduction stood referred to the Standing Committee concerned for consideration and report.

LEGISLATIVE BUSINESS

Senator Nasreen Jalil moved that the Bill to amend the National Commission on the Status of Women Act, 2012 [The National Commission on the Status of Women (Amendment) Bill, 2017], as reported by the Functional Committee, be taken into consideration, at once.

The Motion was put to the House which was adopted. The House started second reading of the Bill i.e. clause by clause consideration.

After clause by clause consideration, Senator Nasreen Jalil moved that the Bill to amend the National Commission on the Status of Women Act, 2012 [The National Commission on the Status of Women (Amendment) Bill, 2017] be passed.

The Motion was put to the House and the Bill was passed.

BILL TO BE WITHDRAWN [Under Rule 115]

Senator Chaudhary Tanvir Khan was to seek leave of the House to withdraw the Bill further to amend the Prohibition of Smoking and Protection of Non-smokers Health Ordinance, 2002 [The Prohibition of Smoking and Protection of Non-smokers Health (Amendment) Bill, 2017], introduced by him on 21st August, 2017.

However, due to absence of the Member, the Motion was deferred.

MOTIONS [Under Rule 218]

1. Senator Muhammad Talha Mahmood moved that the House may discuss the overall performance of National Highway Authority with particular reference to its ongoing projects of Motorways and National Highways in the country.

Following Members spoke on the Motion:-

- 1. Senator Muhammad Talha Mahmood
- 2. Senator Saeedul Hassan Mandokhail
- **3.** Senator Mukhtiar Ahmed Dhamrah @ Aajiz
- **4.** Senator Kalsoom Parveen

Sheikh Aftab Ahmed, Minister for Parliamentary Affairs wound up the debate thus the Motion was thus talked out.

2. Senator Sherry Rehman was to move that this House may discuss the need to revoke the Protection of Economic Reforms Act, 1992 in order to initiate the necessary exchange reforms in the economic sector and to block all the illegitimate sources of flight of capital from the country.

The Motion was dropped due to Absence of Member.

3. Senator Dr. Jehanzeb Jamaldini moved that this House may discuss the issues arising out of establishment of coal based power plants in the country with particular reference to its effects on environment and human population.

Following Members spoke on the Motion:-

- 1. Senator Dr. Jehanzeb Jamaldini
- 2. Senator Mohsin Khan Leghari

Senator Mushahid Ullah Khan, Minister for Climate Change wound up the debate, thus the Motion was thus talked out.

4. Senator Sehar Kamran moved that the House may discuss the importance of extracurricular activities in academic institutions and the facilities provided in institutions under the administrative control of the Federal Government.

Following Members spoke on the Motion:-

(1) Senator Sehar Kamran

- (2) Senator Khushbakht Shujat
- (3) Senator Maulana Hafiz Hamadullah

Minister for IPC wound up the debate thus the Motion was thus talked out.

5. Senator Col. (R) Syed Tahir Hussain Mashhadi moved that this House may discuss the steps being taken by the Government to protect the water reservoirs affected by climatic changes in the country.

Following Members spoke on the Motion:-

- (1) Senator Col. (R) Syed Tahir Hussain Mashhadi
- (2) Senator Mohsin Khan Leghari
- (3) Senator Taj Haider
- (4) Senator Saud Majeed
- (5) Senator Murtaza Wahab
- (6) Senator Dr. Jehanzeb Jamaldini
- (7) Senator Sassui Palijo
- (8) Senator Mukhtiar Ahmed Dhamrah @ Aajiz
- (9) Senator Ayesha Raza Farooq
- (10) Senator Mir Kabeer Muhammad Shahi

Senator Mushahid Ullah Khan, Minister for Climate Change wound up the debate, thus the Motion was thus talked out.

6. Senator Muhammad Talha Mahmood moved that the House may discuss the present position of economy of the country.

The Chairman clubbed the motion with an already admitted adjournment motion which will be fixed for discussion during the week.

7. Senator Mohammad Azam Khan Swati moved that this House may discuss the present status of Polio virus in the country.

Following Members spoke on the Motion:-

- (1) Senator Mohammad Azam Khan Swati
- (2) Senator Mir Kabeer Muhammad Shahi
- (3) Senator Saud Majeed

Senator Ayesha Raza Farooq, Focal Person for Prime Minister's Polio Programme wound up the debate and the Motion was talked out.

8. Senator Sherry Rehman was to move that this House may discuss the alarming rise in child abuse cases in the country.

The Motion was dropped due to Absence of Member.

RESOLUTIONS

1. **SENATOR MUHAMMAD TALHA MAHMOOD** moved the following resolution:-

"The House recommends that the Government should take necessary steps to control the lowering of Water Table in the country."

The Resolution was not opposed which was passed.

2. SENATOR DR. JEHANZEB JAMALDINI moved the following resolution:-

"This House recommends that all the schools, colleges and universities under the administrative control of the Federal Government should be opened for, at least, half day on the eve of Kashmir Day (5th February), Pakistan Day (23rd March), Labour Day (1st May), Independence Day (14th August), Iqbal Day (9th November), Quaid-e-Azam Day (25th December), 12th Rabi ul Awal (Eid Milad Nabi) and 9th Moharram (Youm-e-Ashura) to make the students understand the importance of these days."

The Resolution was opposed which was subsequently withdrawn by the Member.

3. SENATOR BAZ MUHAMMAD KHAN was to move the following resolution:-

"This House recommends that two new platoons of Frontier Constabulary (FC) be established for two sub-tribes of Ahmad Zai Wazir namely Bodin Khel Wazir and Painda Khel Wazir on the analogy of FC platoons already established for other sub-tribes of Ahamd Zai Wazir Tribe."

The Resolution was dropped due to absence of the Member.

4. SENATOR MUKHTIAR AHMED DHAMRAH @ **AAJIZ** moved the following resolution:-

"This House recommends that the Government should take necessary steps to provide the supply of natural gas to areas adjoining gas fields in the province of Sindh on priority basis."

The Resolution was not opposed which was passed.

5. **SENATOR CHAUDHARY TANVIR KHAN** to move the following resolution:-

"This House recommends that the Government should make the installation of Air Bags and ABS brakes mandatory in all vehicles being manufactured in the country."

The Resolution was dropped due to absence of the Member.

6. SENATOR SARDAR MUHAMMAD AZAM KHAN MUSAKHEL to move the following resolution:-

"This House recommends that the Government should take necessary steps to set up separate branches of the National Bank of Pakistan in Tehsils Dadak and Kangri of District Musakhel, Balochistan."

The Resolution was deferred on written request by the Member.

7. SENATOR MAULANA HAFIZ HAMDULLAH to move the following resolution:-

"The House recommends that the Government should include "Aqeeda-e-Khatm-e-Nabuwat" in the syllabus being taught in all educational institutions under the administrative control of the Federal Government."

The Resolution was passed as amended:-

"The House recommends that the Government should include "Aqeeda-e-Khatm-e-Nabuwat" **for Muslim students** in the syllabus being taught in all educational institutions under the administrative control of the Federal Government."

MINISTERIAL RESPONSE

Statements by the Ministers concerned on the following points of public importance raised by the members and referred by the Chairman to the concerned Ministries:-

i) Mr. Ahsan Iqbal, Minister for Interior made statement regarding the increase in tendency of missing persons in the country with particular reference to missing of Mr. Raza Mehmood Khan from Lahore, on 2nd December, 2017. (Raised by Senator Muhammad Usman Khan Kakar on 13th December, 2017).

The Chairman directed to re-fix the issue for fresh report on Friday the 26^{th} January, 2018.

ii) The ministerial response was deferred regarding the media reports that 200 Pakistanis have been detained in Bagram prison Afghanistan and most of them have undergone their sentences but still detained in the jail. (raised by Senator Muhammad Ali Khan Saif on 13th December, 2017).

GOVERNMENT BUSINESS MOTION (Under Rule 263)

RANA MUHAMMAD AFZAL KHAN, Minister of State for Finance and Economic Affairs moved under rule 263 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that the requirements of sub-rule (2) of rule 99 of the said Rules be dispensed with in order to take into consideration the Bill further to amend the Auditor-General's (Functions, Powers and Terms and Conditions of Service) Ordinance, 2001 [The Auditor-General's (Functions, Powers and Terms and Conditions of Service) (Amendment) Bill, 2017], as reported by the Standing Committee.

The Motion was put to the House and adopted.

LEGISLATIVE BUSINESS

Rana Muhammad Afzal Khan, Minister of State for Finance and Economic Affairs, moved that the Bill further to amend the Auditor-General's (Functions, Powers and Terms and Conditions of Service) Ordinance, 2001 [The Auditor-General's (Functions, Powers and Terms and Conditions of Service) (Amendment) Bill, 2017], as reported by the Standing Committee, be taken into consideration at once.

The Motion was put to the House which was adopted. The House started second reading of the Bill i.e. clause by clause consideration.

After clause by clause consideration, Rana Muhammad Afzal Khan, Minister of State for Finance and Economic Affairs, moved that the Bill further to amend the Auditor-General's (Functions, Powers and Terms and Conditions of Service) Ordinance, 2001 [The Auditor-General's (Functions, Powers and Terms and Conditions of Service) (Amendment) Bill, 2017] be passed.

The Motion was put to the House and the Bill was passed.

ACKNOWLEDGMENT OF PRESENCE

The Chairman acknowledge the presence of Chief Executive CPA UK Branch and the Manager Asia Pacific Region who were present in the galleries to witness the proceedings.

ANNOUNCEMENT BY THE SECRETARY

It is for the information of the House that written responses as per directions of the Chairman Senate on the following points of public importance raised by the Members have been received to the Secretariat which are being placed on the Tables of the concerned Members for their information:-

- 1. Written reply from the Ministry of Water Resources regarding the point raised by Senators Karim Ahmed Khawaja and Mukhtiar Ahmed Dhamrah @ Aajiz about the nomination of Member IRSA from Sindh.
- 2. Written reply from the Ministry of Foreign Affairs regarding the point raised by Senator Muhammad Usman Khan Kakar about the problems being faced by some Pakistani families having been stranded in Libya.
- 3. Written reply received from the National Commission for Human Rights regarding the point raised by Senator Nauman Wazir Khattak about the missing of a young boy whose old aged mother was roaming around the Parliament House holding pamphlets of missing of her son.

POINTS OF PUBLIC IMPORTANCE

[Zero Hour]

- 1. Senator Sassui Palijo pointed out the international media campaign regarding "Free Karachi" which is highly condemnable and the Government should take action on it.
- 2. Senator Saud Majeed expressed his concerns over the non-apprehension of the culprits involved in cases of child abuse.

Chairman announced that any Member may bring any case of child abuse which is pending investigation. The General public may also bring such cases into the notice of the Senate through mechanism provided in Public Petition System which will be referred to the Committee concerned for consideration.

3. Senator Farhatullah Babar spoke about the contents of the report presented by the Standing Committee on Defence.

Chairman directed the Member not to discuss the contents of the report and stated that he will speak to the Chairman Committee.

Senator Farhatullah Babar further spoke about the insulting remarks made by some parliamentarian about the Parliament during a public procession.

Chairman observed that since the remarks were made by the Members of the other House so under the parliamentary norms it cannot be discussed on the floor of the House however, the Members may discuss the issue without naming any one as a general issue.

Following Members spoke on the issue:-

- 1. Senator Farhatullah Babar.
- 2. Senator Aisha Raza Farooq.
- 3. Senator Mushahid Ullah Khan.
- 4. Senator Mohammad Azam Khan Swati.
- 5. Senator Saud Majeed.
- **4.** Senator Muhammad Ali Khan Saif pointed out the incidents of extra judicial killings in Karachi by the police.

Senator Ourangzaib Khan also spoke on the issue.

5. Senator Hari Ram spoke about the issues of provision of gas in Sindh.

Chairman referred the verbatim to the Minister concerned for ministerial response.

6. Senator Mir Kabeer Ahmed Muhammad Shahi raised an issue regarding closing down of flights from Quetta to Dubai and Quetta to Turbat and Gwadar by the PIA.

Chairman referred the verbatim to the Minister concerned for ministerial response.

7. Senator Nauman Wazir Khattak pointed out the irrelevant statements by the Minister.

At 8:30 p.m., the Chairman adjourned the proceedings of the House to meet again on Tuesday, the 23rd January, 2018 at 3:00 p.m.