



House of the Federation

## SENATE OF PAKISTAN

### REPORT NO. 17

### REPORT OF THE STANDING COMMITTEE ON HUMAN RIGHTS

ON

*“Point of Public Importance regarding “implementation of recommendations of Functional Committee on Human Rights with respect to treatment of a child by K-electric” raised by Senator Keshoo Bai in the Senate Sitting held on 14<sup>th</sup> February, 2022”*

*Presented by:*

**SENATOR WALID IQBAL  
CHAIRMAN**

**STANDING COMMITTEE ON HUMAN RIGHTS**

## SENATE SECRETARIAT

Subject: REPORT OF THE STANDING COMMITTEE ON HUMAN RIGHTS.

I, Chairman of the Standing Committee on Human Rights, have the honour to present this report on Point of Public Importance regarding "implementation of recommendations of Functional Committee on Human Rights with respect to treatment of a child by K-electric" raised by Senator Keshoo Bai in the Senate Sitting held on 14<sup>th</sup> February, 2022. The Point of Public Importance, upon introduction, was referred to the Standing Committee for consideration and report.

2. The composition of the Standing Committee is as follows:-

1.	Senator Walid Iqbal	Chairman
2.	Senator Prof. Dr. Mehr Taj Roghani	Member
3.	Senator Dr. Mohammad Humayun Mohamand	Member
4.	Senator Seemee Ezdi	Member
5.	Senator Syed Faisal Ali Subzwari	Member
6.	Senator Quratul Ain Marri	Member
7.	Senator Kamran Michael	Member
8.	Senator Mushahid Hussain Sayed	Member
9.	Senator Abida Muhammad Azeem	Member
10.	Senator Muhammad Tahir Bizinjo	Member
11.	Senator Irfanul Haq Siddiqui	Member
12.	Senator Falak Naz	Member
13.	Senator Syed Waqar Mehdi	Member
14.	Minister for Human Rights	Ex-officio Member

3. The Committee considered the Bill in its meetings held on 14<sup>th</sup> March, 16<sup>th</sup> May, 05<sup>th</sup> September, 01<sup>st</sup> December, 2022 and 13<sup>th</sup> February 2023, respectively, under the Chairmanship of Senator Walid Iqbal. Final consideration of the Point of Public Importance was held in the meeting held on 13<sup>th</sup> February, 2023, which was attended by the following Honorable Senators:-

1.	Senator Walid Iqbal	Chairman
2.	Senator Prof. Dr. Mehr Taj Roghani	Member
3.	Senator Mushahid Hussain Sayed	Member
4.	Senator Dr. Mohammad Humayun Mohamand	Member
5.	Senator Syed Waqar Mehdi	Member
6.	Senator Keshoo Bai	Mover

4. Senator Keshoo Bai, Mover, apprised the Committee that the promised treatment and rehabilitation of Master Umar had been delayed for no reason despite being a serious matter pertaining to life of a child. The Chairman Committee complimented the Mover for showing love and affection to the victim child. The Chairman Committee noted with satisfaction that five out of six terms finalized and agreed upon between the father of child and K-Electric with the involvement of the Functional Committee on Human Rights have been implemented in letter and spirit and the delay, if any, is solely regarding installation and up-gradation of bionic arms. Muhammad Arif, father of the child expressed his reservations over progress made so far qua this aspect of his child's treatment. However, he confirmed that K-Electric has already spent Rs. 7.3 million on the treatment and upbringing of his child to date. The representative of K-Electric apprised the Committee that they had been trying to reach to company named 'BIONIKS' which is specialized in prosthetics for several months and they later found out that the company was registered only in December 2021. He stated that we only want the company to at least fulfill our requirements regarding financial standing and track record. On this occasion, Director of BIONIKS briefed that they started their business as partnership in 2016 whereas it was incorporated as company in 2021 and it has also completed its Vendor Registration. The representative of the Company informed that they are in constant contact with K-Electric and negotiating the price for battery operated bionic arms. According to him, K-Electric was asking for a 50 % discount in the total quoted price of Rs. 12.9 million which is not convincing owing to devaluation of Pakistani currency and advancement in technology. The Chairman Committee directed the CEO K-Electric to ensure his presence along with medical and financial experts in the next meeting so the issue is sorted out without further delay.

5. Accordingly, in the second meeting held on the subject dated 16<sup>th</sup> May, 2022, The Chief Medical Officer (K-Electric) briefed the meeting that KE has been and continues to remain committed towards the treatment and wellbeing of Master Umer. This update is in continuation to the below efforts:-

- Coverage of all medical expenses of Master Umer & Payment of Master Umer's school fees
- A monthly stipend to support Master Umer's family & Subsidizing family's monthly electricity bill completion of education.

- A doctor from KE's Medical Department has been involved at every step of Master Umer's treatment including his medical evaluation and procedures along with relevant external consultants.

A summary of the payment made with respect to Master Umer so far is given below:

PAYMENT SUMMARY	
Purpose	Amount (Rupees)
One time Payment made in 2018	5,000,000
Stipend (paid in monthly installments to date)	1,293,042
School Fees (to date)	610,260
Monthly Units – 300 units (to date)	150,000
Medical Bill (paid to date)	280172
New Connection related Waiver (to date)	28,716
<b>Total Payment</b>	<b>7,362,190</b>

6. During the meetings, K-Electric time and again reiterated that they remain committed to supporting Master Umer in line with the mutual understanding reached between KE and Master Umer's parents/guardians and in this regard have been extending its full support, cooperation and financial assistance. However, the representative of K-electric shared serious concerns and reservations on the company finalized by the guardian of Master Umer.

7. Additionally, during the process, both sides felt the need for an intermediary with the right kind of expertise. For this reason both the parties agreed to engage the Disabled Welfare Association (DWA) to seek counsel and engage experts / organizations within Pakistan working on Provision of Assistive technologies. Accordingly, in the third meeting held on the subject dated 05<sup>th</sup> September, 2022, the Spokesperson of K-Electric briefed that the K-Electric will transfer Rs.3 Million for the treatment of child. However, the company finalized by the guardian of Master Umer stated that the proposed amount is insufficient. Committee directed both the parties to sit, engage with each other and reach to a settlement in the best interest of the child.

8. Accordingly, in the fourth meeting held on the subject dated 01<sup>st</sup> December, 2022, Mr. Imran Qureshi, Chief Regulatory Affairs Officer, and Ms. Sadia Dada, CMCO, K-Electric briefed the Committee that subsequent to its previous commitment, KE pledged up to a total of Rs.15 million for prosthetics replacements needed by Master Umer from now until the age of 24. Accordingly, cheque of Rs. 3 million in favor of Disabled Welfare Association (DWA) for the first set of prosthetic arms (Zindagi 2.0) is ready since the past four months to handover as soon as Master Umer's parent / guardian shares consent to proceed. In addition, on the request of DWA, we also commit to cover the cost of the jacket which is considered necessary to connect

the two prosthetic fittings. KE remains committed to the continued treatment and wellbeing of Master Umer by making timely payments with respect to his educational expenses (monthly school fees), monthly stipend and electricity bill as per the agreed terms of the MOU dated 27-09-2018. Being a socially responsible entity and keeping the best interests of Master Umer in mind, KE signed the said MOU with the intent to provide a prosthetic option to fulfill the needs of Master Umer.

9. The Committee was of the firm view that the damage caused to the child and his life is totally irreparable. Efforts should be made to ensure that the child can lead his life in a normal way. Senator Mohammad Humayun Mohmand opined that if no upper financial limit for treatment of child was provided in the agreement then no cap can be provided by K-Electric at this stage. Senator Qurat ul Ain Marri stressed the need of implementing the out of court settlement entered into between the K-Electric and parents of Master Umer and also desired that a copy of the agreement should be placed before the Committee. The Hon'ble Senator was of the view that instead of focusing on any one particular company a panel of at least three companies should be shortlisted out of which, company providing most suitable prosthetic solutions should be finalized. Welfare of child shall be the primary consideration of both parties.

10. The Committee while taking note of the observations of the Members and considering the fact that a considerable time has lapsed which is badly affecting the wellbeing of the child, constituted a sub-committee consisting of the following Members:-

- |      |                                  |          |
|------|----------------------------------|----------|
| i.   | Senator Qurat ul Ain Marri       | Convener |
| ii.  | Senator Seemee Ezdi              | Member   |
| iii. | Senator Mohammad Humayun Mohmand | Member   |

11. The sub-committee was tasked to consider and recommend an amicable way forward for provision of prosthetics replacements needed by Master Umer as agreed by K-Electric in an out of court settlement agreement to ensure wellbeing of the child.

12. The sub-Committee held three meetings and presented its report before the Committee in the following terms:-

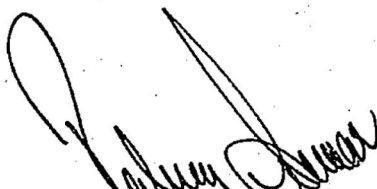
- a. A Memorandum of Understanding has been signed between the parties. Vide the said Memorandum of Understanding an exclusive endowment fund is being created with the single utilization aim of replacements/affixation of bionics arms of Master Umer upon attaining the age of 22 years (after 10 years). The

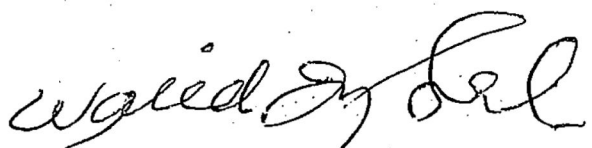
Government of Sindh will provide PKR 10 Million as grant in aid/kind for the said fund and K-Electric will contribute a sum of PKR 15 Million.

- b. The amount in the fund shall be the full and final financial support by KE towards the replacement of the bionic/prosthetic limbs of Master Umer. The fund shall mature after a period of 10 (Ten) years from the date of the signing of this MoU, and the Party No.2 shall become eligible to receive the amount from the said fund.
- c. The investment decisions with respect to the management and operation of the fund shall be at the discretion of Mr. Muhammad Arif. Conditional to the approved terms and conditions of the fund.
- d. The liability of KE under this agreement shall be full and final. Thereafter KE shall not be liable for any further costs/financial support/benefits etc. to the Party No.2
- e. The Government of Sindh will provide light weight prosthetics arms to Master Umer, as per his needs.

13. The Committee adopted the report of the sub-Committee without any amendment and appreciated the efforts of the Convener and Members of the Sub-Committee, Government of Sindh and the K-Electric. (report of the sub-Committee, as adopted by the Committee is annexed herewith).

14. Accordingly, the matter stands resolved to the mutual satisfaction of both parties involved.

  
(RABEEA ANWAR)  
J.S/ Secretary Committee

  
(SENATOR WALID IQBAL)  
Chairman Standing Committee on Human Rights