

**SENATE OF PAKISTAN**  
**DAILY JOURNAL**  
**(272<sup>nd</sup> Session)**

Date and day	23 <sup>rd</sup> January, 2018 (Tuesday)
Commenced at	03: 00 p.m.
Adjourned at	07:45 p.m.
Presided by	Dy. Chairman during the question hour and the Chairman Senate for remaining proceedings
Attendance	71
Total working hours	4 hours and 45 minutes

- Recitation from the Holy Quran.

**QUESTION HOUR**

Question Nos. 2, 5, 8, 9, 10, 11, 14, 15, and 16 were asked and replied in the House. Replies to Question Nos. 76, 171, 172, 173, 174, 3, 6, 7 and 12 were treated as laid on the Table of the House due to absence of the Members concerned. Questions Nos. 4 and 13 were deferred. Remaining printed questions and their replies were treated as laid on the Table of the House.

- Leave applications were read by the Chairman.
- The Chair acknowledged the presence of a group of lawyers from Rawalpindi Bar Association and a group of Ulemas from Balochistan who were present in the galleries to witness the proceedings of the House.

**ANNOUNCEMENT OF RULING**

The Chairman announced his detailed ruling on the interpretation of Article 172(3) of the Constitution of Pakistan.

Following Members spoke and acknowledged the landmark ruling:-

1. Senator Taj Haider.
2. Senator Mohammad Azam Khan Swati.
3. Senator Hasil Khan Bizenjo.

4. Senator Sassui Palijo.
5. Senator Dr. Jahanzeb Jamaldini.
6. Senator Mir Kabeer Ahmed Muhammad Shahi.

### **CONSIDERATION OF ADMISSIBILITY OF ADJOURNMENT MOTIONS**

Admissibility of the following Adjournment Motions will be determined:-

1. Senator Maulana Hafiz Hamdullah moved Adj. Motion No. 1(1-272/2018-M), to discuss various mental and Physical issues being faced by the children under fourteen years of age in Pakistan which are 35.5 % of total population as per recent census. Moreover, as per the National Management Information System, which is a subsidiary of the Ministry of Education, 22.6 % children are out of schools.

**After hearing the Member, the Chairman held the Motion out of order and suggested the Mover to raise the issue through Motion under rule 218.**

2. Senator Col. (R) Syed Tahir Hussain Mashhadi moved Adj. Motion No. 2(2-272/2018-M), to discuss the inadequate supply of natural gas to the domestic users of Islamabad.

**After hearing the Member, the Chairman suggested the Member that since the matter has come under discussion on number of occasions, therefore, he may withdraw his motion as it would not be admissible under rule 87(d) of the Rules. The Member withdrew his motion, however, keeping in view the urgency of the issue, the Chairman directed to send the issue for ministerial response.**

3. Senators Mohammad Azam Khan Swati, Syed Shibli Faraz, Nauman Wazir Khattak and Mohsin Aziz moved Adj. Motion No. 3(3-272/2018-M), to discuss the issue of FATA Reforms and its merger into Khyber Pakhtunkhwa which is being delayed by the Government.

**After hearing the Mover, the Chairman held the Motion out of order under Rule 87(k) of the Rules.**

## **REPORT OF THE STANDING COMMITTEES - PRESENTATION OF:**

1. Senator Muhammad Javed Abbasi, Chairman, Standing Committee on Law and Justice, presented report of the Committee on the Bill further to amend the Law and Justice Commission of Pakistan Ordinance, 1979 [The Law and Justice Commission of Pakistan (Amendment) Bill, 2017].
2. Senator Taj Haider, Chairman, Committee on Delegated Legislation, presented seventh quarterly report of the Committee as required under sub-rule (3) of rule 172E of the Rules of Procedure and Conduct of Business in the Senate, 2012.

## **CALLING ATTENTION NOTICE**

**SENATOR COL. (R) SYED TAHIR HUSSAIN MASHHADI** drew attention of the Minister for Capital Administration and Development Division towards the non-functioning of Liver Transplant Center of Pakistan Institute of Medical Sciences (PIMS) due to lack of trained Liver Transplant Surgeon, Hepatologist, Anesthetist and Intensive Care Specialists.

**Dr. Tariq Fazal Chaudhary, the Minister for Capital Administration Development Division, made statement on the subject matter of the Calling Attention Notice. Calling Attention Notice was disposed of.**

## **LEGISLATIVE BUSINESS**

1. Mr. Muhammad Baligh-Ur-Rehman, Minister for Federal Education and Professional Training, moved that the Bill to upgrade the status of National Institute of Science and Technical Education, Islamabad into National Skills University [The National Skills University Islamabad Bill, 2017], as passed by the National Assembly, be taken into consideration.

**The Bill was referred to the Standing Committee concerned for consideration and report.**

2. Chaudhary Mahmood Bashir Virk, Minister for Law and Justice, moved that the Bill to extend the jurisdiction of the Supreme Court of Pakistan and the Peshawar High Court to the Federally Administered Tribal Areas [The Supreme Court and High Court (Extension of Jurisdiction to Federally Administered Tribal Areas) Bill, 2018], as passed by the National Assembly, be taken into consideration.

**The Bill was referred to the Committee of Whole on FATA reforms for consideration and report.**

**PERIODICAL REPORTS BY THE MINISTERS ON THE RECOMMENDATIONS OF  
THE STANDING COMMITTEES  
(Under Rule 265A)**

1. Adviser to the Prime Minister on Aviation made report under rule 265A of the Rules of Procedure and Conduct of Business in the Senate, 2012, on the status of implementation of the recommendations contained in the second interim report of the Special Committee on the performance of PIA. (Adopted by the House on 16-03-2017\_)

**Matter was disposed of in terms of the statement by the Advisor.**

2. Minister for Climate Change made report under rule 265A of the Rules of Procedure and Conduct of Business in the Senate, 2012, on the status of implementation of the recommendations contained in the report of the Standing Committee on the Climate Change on the issue raised by Senator Kalsoom Perveen to formulate a detailed report on all aspects by the Ministry of Climate Change particularly with reference to the role of Meteorological Office. (Adopted by the House on 07-09-2016)

**In view of the statement made by the Minister, the matter was disposed of however, the Chairman directed that the Cabinet Committee of Secretaries shall have a meeting within one month.**

3. Minister for Capital Administration and Development Division made reports on the implementation of the recommendations contained in the reports of the Senate Committees adopted by the House, regarding:-

- i. Report of the Standing Committee on Cabinet Secretariat on Public Petition No. PP 1040 regarding regularization of daily wages / contractual employees. (Adopted by the House on 09-09-2016);  
**In view of the statement made by the Minister, the Chairman directed to re-fix the issue for next periodical reports due under the rules.**
- ii. Report of the Standing Committee on Law and Justice on the Implementation of Building Code, with particular reference to provisions regarding earthquake, for suggesting penal provisions, measures and mechanism regarding violation of the said Code. (Adopted by the House on 25-11-2016);  
**In view of the statement made by the Minister, the matter was disposed**
- iii. Report of the Standing Committee on Law and Justice on the steps taken / being taken by the Government against illegal Housing societies in Islamabad Capital Territory. (Adopted by the House on 12-05-2016); and  
**In view of the statement made by the Minister, the matter was disposed**
- iv. Report of the Standing Committee on Law and Justice on the affairs of Cooperative Housing Societies in Islamabad particularly the violations committed by them in planning and allocation of land for community services. (Adopted by the House on 13-05-2016).  
**In view of the statement made by the Minister, the matter was disposed**

### **MINISTERIAL RESPONSE**

Statements by the Ministers concerned on the following issues:-

- i) regarding the direction of the Chairman Senate to the Minister for Parliamentary Affairs for a Government Bill to address the issue of non-implementation of the recommendations of the Committees within a period of two months (**direction was given on 26<sup>th</sup> October, 2017**).  
**Minister for Parliamentary Affairs made statement on the issue and sought some more time to submit draft Bill.**  
**The Chairman directed as under:-**  
**“On 26th October, 2017 Senator Aitzaz Ahsan, Leader of the Opposition, presented report of the Special Committee to examine the**

**issue of non-implementation of the decisions of the House and the recommendations of the Committee. The Committee had recommended in its report that proper legislation may be made to address the issue, therefore, I directed the Minister for Parliamentary Affairs that the Government shall bring a Bill on this issue within a period of two months otherwise the Senate will take its own course of action to address the issue.**

**Now the Government has sought some more time to bring the Bill, therefore, the Minister for Parliamentary Affairs is directed to bring the Bill latest by the first sitting of the next session which is likely to commence from 12th of February, 2018.**

**The Secretariat is directed to prepare a parallel Bill on this issue so that in case of failure of the Government to bring the Bill by first sitting of next session, the Bill having been prepared by the Senate can be processed.”**

- ii) regarding the issuance of Notification by the Federal Government in terms of sub-section (3) of section 1 of the Costs of Litigation Act, 2017, raised through a public petition. **(direction was given on 15<sup>th</sup> December, 2017).** Minister for Law and Justice made statement on the issue. In view of the statement by the Minister, the Chairman directed to re-fix the issue for ministerial response after the holding of next Cabinet meeting.

#### **REFERENCE BACK OF THE REPORT OF THE STANDING COMMITTEE ON DEFENCE**

A report of the Standing Committee on Defence was presented in the House on 22<sup>nd</sup> February, 2018 on the point of public importance raised by Senator Farhatullah Babar on 17<sup>th</sup> 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.

However, the mover of the issue Senator Farhatullah Babar raised some concern over the report.

The Chairman after discussing the issue with the Chairman of the Committee referred the report back to the Standing Committee on Defence with the direction to re-consider the matter in view of the new facts.

**PROPOSED MEETING OF THE CHAIRMAN WITH THE CHIEF JUSTICE OF  
PAKISTAN**

The Chairman took the House into confidence about his proposed meeting with the Chief Justice of Pakistan in the Supreme Court Building on 24<sup>th</sup> January, 2018 to discuss the judicial reforms issue with the CJP.

**STATEMENT BY SENATOR ABDUL REHMAN MALIK**

Senator Abdul Rehman Malik, Chairman Standing Committee on Interior apprised the House about the latest development in the matter regarding arrest of the culprit by the police

**DISCUSSION ON THE ADMITTED ADJOURNMENT MOTION AND CLUBBED  
MOTION UNDER RULE 218**

The House started discussion on the admitted adjournment motion moved by Senator Mohsin Aziz on 20th December, 2017, regarding the devastating effect of the recent devaluation of rupee by over 10% on the already crippled economy with huge financial burden of payments; and Motion under rule 218 moved by Senator Muhammad Talha Mahmood on 22nd January, 2018, regarding the present position of economy of the country.

Following Members spoke on the issue:-

1. Senator Mohsin Aziz.
2. Senator Dr. Jahanzeb Jamaldini.

**Rana Muhammad Afzal Khan, Minister for Finance and Economic Affairs made statement on the Motions.**

**The discussion was over.**

**POINTS OF PUBLIC IMPORTANCE**

[Zero Hour]

1. Senator Mushahid Hussain Syed pointed out the incident of murder of a forest guard in the Margalla Hills Islamabad probably at the hands of timber mafia.

Dr. Tariq Fazal Chaudhary, Minister for CADD made statement on the issue. The Chairman directed the Minister to keep the House informed about the incident.

2. Senator Nasreen Jalil pointed out a news published in a Urdu newspaper that during session of the Senate, the female Senators remain busy in discussing the fashion.

Chairman expressed his concern over the news item and stated that the female senators are very active and serious about the proceedings of the House. The Chairman rebutted the news item.

Senator Nasreen Jalil further spoke about the issue of non-release of funds to the local authorities which the provinces receive under the NFC Award.

3. Senator Mohsin Aziz stated that a Special Committee of the Senate was constituted to examine the dilapidated condition of Bacha Khan Airport. The Committee had decided to obtain a periodic compliance report of overall progress/development work from both the Ministries i.e. Ministry of Defence and the Aviation Division. The compliance report was due on 1<sup>st</sup> January, 2018 but no such report has been given to the Committee. The Member further expressed his concern over the slow pace of work at the airport.

**The Chairman observed that 18 special committees have been constituted during the parliamentary year and at the end of the parliamentary year i.e. on 11<sup>th</sup> March, 2018 all the Committees will come to an end. The Chairman directed that the concerned departments may be asked to send the compliance report directly to the Chairman Senate as the Special Committee will not be in existence after the end of parliamentary year.**

**At 7:45 p.m. the Chairman adjourned the proceedings of the House to meet again on Wednesday, the 24<sup>th</sup> January, 2018 at 3:00 p.m.**