

**SENATE OF PAKISTAN
HOUSE OF THE FEDERATION**

REPORT NO. 58 / 2018



REPORT OF THE COMMITTEE ON BREACH OF PRIVILEGE OF THE HOUSE BY MR. RASHID SULTAN, LEGAL CONSULTANT, PETROLEUM DIVISION, WHO DRAFTED THE BILL AND MADE PROPOSAL THAT THE GOVERNMENT MAY BY NOTIFICATION PROVIDE THAT UNTIL THE AUTHORITY IS CONSTITUTED AND THE OFFICERS, EMPLOYEES, CONSULTANTS ETC. ARE APPOINTED UNDER THE ACT, THE POWERS AND FUNCTIONS OF THE AUTHORITY SHALL BE EXERCISED AND PERFORMED BY THE DIRECTOR GENERAL OF PETROLEUM CONCESSIONS.

PRESTENDED BY

**SENATOR DR. JEHANZEB JAMALDINI
CHAIRMAN**

SENATE SECRETARIAT

REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON BREACH OF PRIVILEGE OF THE HOUSE BY MR. RASHID SULTAN, LEGAL CONSULTANT, PETROLEUM DIVISION.

Report No. 58 (2017)

I, Chairman of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on Breach of privilege of the House by Mr. Rashid Sultan, Legal Consultant, Petroleum Division, who drafted the Bill making proposal therein that the Government may by notification provide that until the authority is constituted and the officers, employees, consultants etc. are appointed under the Act, the powers, functions, of the authority shall be exercised and performed by the Director General of Petroleum Concessions.

2. The composition of the Committee is as under:-

1.	Senator Dr. Jehanzeb Jamaldini	Chairman
2.	Senator Zahida Khan	Member
3.	Senator Hilal-ur-Rehman	Member
4.	Senator Atta Ur Rehman	Member
5.	Senator Nighat Mirza	Member
6.	Senator Syed Muzafar Hussain Shah	Member
7.	Senator Saleem Zia	Member
8.	Senator Osman Saifullah Khan	Member
9.	Senator Sardar Muhammad Yaqoob Khan Nasar	Member
10.	Senator Murtaza Wahab	Member
11.	Senator Dr. Syed Asif Saeed Kirmani	Member
12.	Minister for Parliamentary Affairs	Ex-Officio Member

3. The details of the issue before the committee were that the Minister of State for Petroleum placed a Bill drafted by Mr. Rashid Sultan, Legal Consultant, Petroleum Division, on the Table of the House wherein there was a proposal that the Government may by notification provide that until the authority is constituted and the officers, employees, consultants etc. are appointed under the Act, the powers, functions, of the authority shall be exercised and performed by the Director General of Petroleum Concessions. The Honourable Chairman Senate held that this attempt was breach of

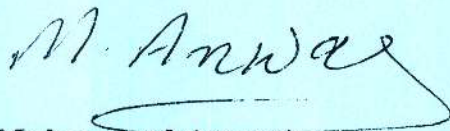
privilege of the House as it was the House to take a decision in this regard. He referred the same to the Committee on Rules of Procedure and Privileges for making appropriate recommendations in the matter. The committee discussed the matter in its meetings held on 24th November, 2018, 2nd January, 2018 and 6th and 26th February, 2018. The Secretary and Legal Consultant/Director General of Petroleum Concessions, Petroleum Division, were summoned to appear before the committee and explain the position.

4. The Chairman committee stated that the legislation is the prerogative of the Parliament and making such proposal was a breach of privilege of the Parliament. He inquired that whether the consultant was working with either the IMF or the World Bank and was being dictated by them.


5. The Secretary Petroleum apprised the Committee that Mr. Rashid Sultan the consultant was an employee of the Petroleum Division serving as Legal Consultant. He was not working for the World Bank or IMF. He informed that the Bill in question was at very early stage of drafting and would be vetted by the Law Ministry, the Cabinet and the Council of Common Interests before finalizing and introducing in the Parliament. He said that the assumption of drafting of that Bill by or on dictation of the World Bank was unjustified.

6. Mr. Rashid Sultan, Legal Consultant, informed that he was a contractual employee of the Petroleum Division and had no linkage with the World Bank or the IMF.

7. The committee accepted the clarification given by the Secretary Petroleum and Legal Consultant/Director General Petroleum Concessions and disposed off the matter. The committee recommended that the House may also accept the clarification and dispose off the matter accordingly.



(Muhammad Anwar)
A.S./Secretary Committee



(Senator Dr. Jehanzeb Jamaldini)
Chairman