

SENATE OF PAKISTAN
HOUSE OF THE FEDERATION

REPORT NO. 4 / 2018-2021



REPORT OF THE COMMITTEE ON PRIVILEGE MOTION NO. 2 (279)/2018-M, MOVED BY SENATOR MUHAMMAD USMAN KHAN KAKAR ON 9TH JULY, 2018, REGARDING MISBEHAVIOR WITH THE MOVER BY F.C. SUBEDAR AT QILA SAIFULLAH (SHAREN JOGAZAI).

PRESTENDED BY

SENATOR AYESHA RAZA FARROQ
CHAIRPERSON

SENATE SECRETARIAT

REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON PRIVILEGE MOTION NO. 2(279)/2018-M.

(Report No. 4/2018-21)

I, Chairperson of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on Privilege motion 2 (279)/2018-M, moved by Senator Muhammad Usman Khan Kakar on 9th July, 2018, regarding misbehavior with the mover by F.C. Subedar at Qila Saifullah (Sharen Jogazai).

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


1.	Senator Ayesha Raza Farroq	Chairperson
2.	Senator Raja Muhammad Zafar-ul-Haq	Member
3.	Senator Mian Raza Rabbani	Member
4.	Senator Dr. Asif Kirmani	Member
5.	Senator Dilawar Khan	Member
6.	Senator Brig. (R) John Kenneth Williams	Member
7.	Senator Khanzada Khan	Member
8.	Senator Dr. Muhammad Farogh Naseem	Member
9.	Senator Syed Muzafar Hussain Shah	Member
10.	Senator Nighat Mirza	Member
11.	Senator Pervaiz Rasheed	Member
12.	Senator Walid Iqbal	Member
13.	Senator Manzoor Ahmad	Member
14.	Minister for Parliamentary Affairs.	Ex-Officio Member

3. The details of the matter before the committee were that Senator Muhammad Usman Khan Kakar moved Privilege motion 2 (279)/2018-M on 9th July, 2018, regarding misbehavior with the mover by F.C. Subedar / Hawaldar at Qila Saifullah (Sharen Jogazai). After hearing the mover, the Honourable Chairman



Senate held the motion in order and referred the same to the Committee for investigation and report. The Committee discussed the motion in its meetings held on 6th August, 16th August, 3rd September, 2018 and 17th January, 2019. The Secretary Interior and concerned officers and officials of F.C. Balochistan were called in the meeting to give their explanation in the matter.

4. Senator Muhammad Usman Khan Kakar, mover of the privilege motion, informed the Committee that he had been travelling to various areas in Balochistan for holding public meetings in connection with the general elections, 2018. While returning from public meetings in Zhob and Qilla Saifullah on 4th July, 2018 at about 11.30 p.m., he reached the check post at Sharen Jogazai and found it closed. Nobody was present at the check post at that late hour. After called out loudly and in vain to the persons on duty, they started to blow the horn of the vehicle to attract the attention of F.C. personnel at the check post. After a wait of four to five minutes, two F.C. personnel came out to inquire. After the driver informed the F.C. officials of Senator Muhammad Usman Khan Kakar's presence in the car and after he showed their Identity cards to the F.C. personnel, the chain of the check post was removed to allow the car to pass through. At the same moment, a Hawaldar came out of his room demanding to know the cause for all the noise and commotion. Despite the F.C. personnel informing the Hawaldar that Senator Muhammad Usman Khan Kakar was in the vehicle, the Hawaldar refused to allow anyone to pass through. The mover stated further that they were stopped and retained at the check post for about one hour. He said that while the F.C. personnel were very cooperative and accorded due respect to him, the behavior of the Hawaldar was very rude and insulting. He informed that after about one hour they were allowed to go. The Senator also shared with the Committee that despite repeated attempts to reach the I.G. F.C. to inform him about the incident and to



request an inquiry into the matter, his call was not taken or returned. Instead, the I.G's P.S. was asked to communicate with the Senator and assured him of an inquiry on the I.G's behalf. The Senator found it odd that the I.G. directed his P.S to inform the Senator that his inquiry had revealed that the Senator was not present in the vehicle when the incident took place. The mover felt that the discriminatory treatment accorded to him by the F.C. Balochistan was a result of a speech he made in the public meeting at Qamar Din, wherein he had demanded that the F.C. should not be checking and bothering commuters unnecessarily while moving in those areas. He felt that in retaliation to his speech, the I.G. F.C was not willing to talk to him (the mover) directly and the motion was thus moved due to the said attitude of the I.G.


5. Senator Brig. (R) John Kenneth Williams stated that during the last few months there had been heavy killings in that area due to which preventive measures of strict checking may have been undertaken. He said that although the attitude of the Hawaldar was not appropriate but they were duty bound to obey the orders of their seniors. He was also of the view that the attitude of the I.G. (F. C.), as stated by the mover, was not appropriate.

6. Senator Khanzada Khan said that the senior officers irrespective of their rank should entertain Parliamentarians. He was of the view that the treatment meted out to the mover was done in retaliation to the speech made by him in a public meeting, which was very unfortunate.

7. Senator Nighat Mirza said that the security officials should recognize the Parliamentarians belonging to their area of posting and should also maintain contact details of the local Parliamentarians to liaison with them easily in such like situations. She was of the view that the FC personnel should have made a call to the Senator and made confirmation in this regard.



8. The Commander FC, Zhob, briefed the Committee that about 70 % of check posts in those areas are closed down in the late evening hours. He also informed that the I.G. F.C. had inquired about the details of the incident from him. According to the information that he had gathered from the persons deputed on the said post, the person communicating with the F.C. personnel had introduced himself as Mr. Allah Noor Kakar, saying that he was a companion of Senator Muhammad Usman Khan Kakar. The Commander admitted, to have shared with the I.G F.C, the information that Senator Muhammad Usman Khan Kakar was not in the vehicle at the time of the incident, as per the statement of the F.C. personnel at the check post. If the I.G. had said that Senator Muhammad Usman Khan Kakar was not present in the vehicle, he had said so on the basis of information provided to him. The information received from the concerned persons on the check post was given to the I.G. and the I.G. had informed the Senator accordingly. He said that he had inquired from the concerned officials about the presence of Senator Muhammad Usman Khan Kakar in the vehicle and he had been informed that they had not recognized the Senator. The Commander informed that since the mover went to those areas via another route and did not cross the same check post on his way, his presence and movement was not in the knowledge of the FC personnel deputed on the said check post, and they did not expect Senator Muhammad Usman Khan Kakar to be using the said check post on his return journey. He informed that the Deputy Inspector General, Frontier Corps Balochistan (North), had made multiple phone calls, from his official mobile number 03008380660, to the Senator on 17th and 18th August, 2018. The D.I.G had also sent text and WhatsApp messages indicating his identity but neither were the calls answered and nor were the messages responded to. He also informed that in the late hours the chain of the said check post is not opened and shared that the check post in



question has been closed down since this incident. The Commander further briefed that this incident had nothing to do with the speech of the Senator made in the public meeting as many other political persons also have been making similar speeches. He reiterated that no instruction was given to the F.C. personnel in connection with the Senator's speech. He said that all security officials have been directed not to retaliate to any such statement made by any person.

9. Senator Mian Raza Rabbani said that despite their efforts to mitigate the suffering of the people at such check posts in Balochistan, they had failed. He said that there were two issues before the Committee; the first related to the attitude of the Hawaldar at the check post and the second to the attitude of the I.G., F.C. He proposed that SOPs be made for such check posts and shared with the Committee. He was of the view that if the IG was not present or available at the time when the mover made calls to him, he should have returned those calls after being informed by his staff.

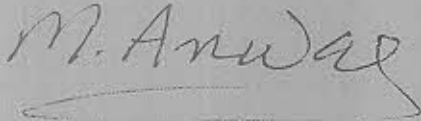
10. The then Advisor to the Prime Minister on Parliamentary Affairs agreed to the proposal made by Senator Mian Raza Rabbani and assured that he would hold a meeting with the concerned quarters to finalize the SOPs and Senator Muhammad Usman Khan Kakar will be called and consulted for this purpose. The Committee was told that the SOPs have been drafted and shared with Senator Usman Khan Kakar.

11. In the final meeting of the Committee held on this motion on 17th January, 2019, the Commander explained his position again and regretted the untoward incident. The mover was satisfied with the explanation given by the officer and did not press his motion. However, Senator Mian Raza Rabbani stressed the need to move a fresh privilege motion against the I.G. F.C, who despite being summoned thrice by the Committee, had failed to make an appearance.



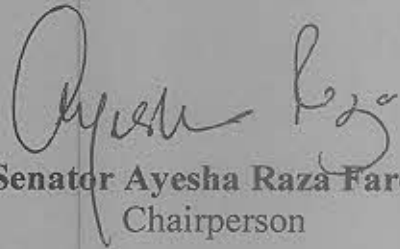
12. The Chairperson Committee directed that the Parliamentarians should be given due respect by all Government functionaries. She said that while officials should remain vigilant while performing their duty, they should do so politely while according due respect not only to Parliamentarians but to all citizens. She showed satisfaction over the amicable disposal of the matter.

13. The Committee, after hearing the explanation provided by the officer and after satisfaction of the mover, disposed off the motion as not pressed. The Committee recommended that the House may also dispose off the motion accordingly.



(Muhammad Anwar)

Special Secretary/Secretary Committee



(Senator Ayesha Raza Farooq)

Chairperson