

REPORT 27 OF 2019



House of the Federation

SENATE SECRETARIAT

REPORT OF THE
SENATE STANDING COMMITTEE ON INTERIOR

ON

The National Counter Terrorism Authority (Amendment) Bill, 2019.

PRESENTED BY

SENATOR A. REHMAN MALIK
Chairman (Committee)

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SENATE SECRETARIAT

Report of Senate Standing Committee on Interior on "The National Counter Terrorism Authority (Amendment) Bill, 2019" introduced by Senator Muhammad Azam Khan Swati, Minister for Parliamentary Affairs on behalf of Mr. Ijaz Ahmad Shah, Minister for Interior on 3rd September, 2019

I, Senator A. Rehman Malik, Chairman, Senate Standing Committee on Interior, have the Honour to present the report on "The National Counter Terrorism Authority (Amendment) Bill, 2019" introduced by Senator Muhammad Azam Khan Swati, Minister for Parliamentary Affairs on behalf of Mr. Ijaz Ahmad Shah, Minister for Interior on 3rd September, 2019, and referred to the Committee for consideration and report.

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

1.	Senator A. Rehman Malik	Chairman
2.	Senator Kalsoom Parveen	Member
3.	Senator Muhammad JavedAbbasi	Member
4.	Senator Muhammad Azam Khan Swati	Member
5.	Senator Muhammad TahirBizinjo	Member
6.	Senator Mian Muhammad AteeqShaikh	Member
7.	Senator RanaMaqbool Ahmad	Member
8.	Senator Muhammad TalhaMehmood	Member
9.	Senator Farooq Hamid Naek	Member
10.	Senator Kauda Babar	Member
11.	Senator Sardar Muhammad ShafiqTareen	Member
12.	Senator Dr. Shahzad Waseem	Member
13.	Minister for Interior	Ex-Officio Member

3. The Committee considered and discussed the Bill in its meeting held on 8th October, 2019.

4. Chairman Committee presented Report of the Committee in the House on 03rd February, 2020 . However, Senator Muhammad JavedAbbasi stated that that there was no proper representation of the Parliament in the composition of the Board of Governors of the Authority, therefore , the Report of the Committee should be reviewed keeping in view this important point.

5. Chairman Senate sent back the Report to the committee with his directions to include the amendments proposed by Senator Muhammad JavedAbbasi in the Report and present the same in the House within three days.

6. The Committee, in pursuance of the directions of the Honourable Chairman Senate ,reconsidered "The National Counter Terrorism Authority (Amendment) Bill, 2019" in its meeting held on 10th February, 2020.

7. The following attended the meeting: -

1.	Senator A. Rehman Malik	Chairman
2.	Senator Kalsoom Parveen	Member
3.	Senator Muhammad Javed Abbasi	Member
4.	Senator Sardar Muhammad Shafiq Tareen	Member

5. Senator Muhammad Azam Khan Swati, Minister for Parliamentary Affairs briefed the Committee about the objects and reasons of the Bill. He apprised that there had been a surge of terrorist activities in the recent months in Balochistan and Khyber Pakhtunkhwa, which necessitates greater coordination of the Ministry of Interior with all stakeholders, through NACTA on war footings. Therefore, keeping in view the exigencies of national security / internal peace and law & order, some amendments were required in NACTA ACT, 2013 for changing reporting hierarchy of NACTA, to make it more efficient and effective organization.

6. After detailed deliberation, the Committee proposed the following amendments in "The National Counter Terrorism Authority (Amendment) Bill, 2019": -

(I) SECTION-1

The Committee recommend as:

In section-1 in sub-section (1) for the word "Ordinance" the word "Bill" shall be substituted and for the word "Ordinance" occurring after "(Amendment)" the word "Act" shall be substituted .

(II) SECTION-3

The Committee recommend as:

Amendment of Section 5, Act XIX of 2013: In the said Act, in section 5, in sub-section (1) for paragraph (f) and (g), the following shall be substituted, namely:-

(f) **One member from the opposition and one member from Treasury benches respectively in the Senate of Pakistan to be nominated by the Chairman Senate;**

- (g) **One member from the opposition and one member from Treasury benches respectively in the National Assembly to be nominated by the Speaker , National Assembly;**

(III)

SECTION-6

6. (Amendment of Section 9, Act XIXI of 2013" in the said Act, in section9, in sub-section (1) for the words "Federal Government" the words "Prime Minister shall be substituted)

The Committee discussed section 6and did not agree with the proposed amendment hence unanimously recommended that this Section 6 shall be omitted.

(IV)

SECTION-7

7. (Amendment of Section 10, Act XIXI of 2013" in the said Act, in section9, in sub-section (1) for the words "Federal Government" the words "Prime Minister shall be substituted)

The Committee discussed section 7 and did not agree with the proposed amendment hence unanimously recommended that this Section 7 shall be omitted.

7. The Committee recommended that the Bill may be passedas amendedand also granted approval for presentation of the report to the House.

8 The Bill, as reported by the Committee is at Annexure-Aand the Bill, as introduced, is at Annexure-B.


(TANVIR AHMED)
D.G./Secretary (Committee)


(SENATOR A. REHMAN MALIK)
Chairman (Committee)

Islamabad, the
10th February, 2020

[AS REPORTED BY THE COMMITTEE]

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BILL

further to amend the National Counter Terrorism Authority Act, 2013

WHEREAS it is expedient further to amend the National Counter Terrorism Authority Act, 2013 (XIX of 2013) for the purposes hereinafter appearing;

It is hereby amended as following: -

1. **Short title and commencement.**—(1) This **Bill** shall be called the National Counter Terrorism Authority (Amendment) **Act**, 2019.

(2) It shall come into force at once.

2. **Amendment of Section 3, Act XIX of 2013.** – In the National Counter Terrorism Authority Act, 2013 (XIX of 2013), herein after referred to as the said Act, in Section 3 sub-section (2) shall be omitted.

3. **Substitution of section 5, act XIX of 2013.** – In the said Act, for section 5, the following shall be substituted, namely: -

“Board of Governors. – (1) The Authority shall have a Board of Governor comprising—

(a) Minister In-charge of Interior Division Chairman

(b) Secretary, Interior Member

(c) Secretary, Defence Division Member

(d) Secretary, Law and Justice Division Member

(e) Secretary, Finance Division Member

(f) **One member from the opposition and one member Members from Treasury benches respectively in the Senate of Pakistan to be nominated by the Chairman Senate;**

(g) **One member from the opposition and one member Members from Treasury benches respectively in the National Assembly to be nominated by the Speaker, National**

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Assembly:

- | | | |
|-----|---|---------|
| (h) | Director General, Intelligence Bureau | Member |
| (i) | Director General, Federal Investigation Agency | Member |
| (j) | Director General (CT), Inter-Services-Intelligence | Member |
| (k) | Representative of Directorate General, Military Intelligence
(Not less than DG) | Member |
| (l) | National Coordinator of the Authority | Member |
| (m) | Home Secretaries of the Provinces of Sindh,
Punjab, Khyber Pakhtunkhwa, Balochistan,
Gilgit-Baltistan and State of Azad Jammu and
Kashmir and Chief Commissioner, Islamabad
Capital Territory (ICT) | Members |
| (n) | Inspector General of Police of Provinces of Sindh,
Punjab, Khyber Pakhtunkhwa, Balochistan, ICT,
Gilgit-Baltistan and State of Azad Jammu and
Kashmir | Members |

(2) The National Coordinator of the Authority shall act as the Secretary to the Board.

(3) The Board may invite any person to the meeting on special invitation."

4. **Amendment of Section 6, Act XIX of 2013.**—In the said Act, in section 6,-

- (i) Sub-section (1) and sub-section (2) shall be omitted; and
- (ii) In sub-section (3), in the proviso, the expression "notwithstanding anything contained in sub-clause (6)," shall be omitted.

5. **Amendment of section 8, Act XIX of 2013.**—In the said Act, in section 8, for sub-section (1), the following shall be substituted, namely:

"8. Executive Committee.—(1) The Board shall be assisted by an Executive Committee comprising the following, namely: -

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|-----|---|----------|
| (a) | National Coordinator, NACTA | Convener |
| (b) | Additional Secretary, Finance Division | Member |
| (c) | Additional Secretary, Interior Division | Member |
| (d) | Additional Secretary, Ministry of Foreign Affairs | Member |
| (e) | Additional Secretary, Ministry of Law and Justice | Member |

- (f) Additional Secretaries Home of the Provinces of Member
Sindh, Punjab, Khyber Pakhtunkhwa, Balochistan,
Gilgit-Baltistan and State of Azad Jammu and
Kashmir and representative of Chief Commissioner, Islamabad Capital
Territory (ICT)

STATEMENT OF OBJECTS AND REASONS

There has been a surge of terrorist activities in the recent months in Balochistan and Khyber Pakhtunkhwa provinces, which necessitates greater coordination of the Minister of Interior with all stakeholders, through NACTA on war footings. Therefore, keeping in view the exigencies of national security / internal peace and order, some amendments are required in NACTA ACT, 2013 for changing reporting hierarchy of NACTA, to make it more efficient and effective organization.

(Brig.(R) Ijaz Ahmad Shah)
Minister for Interior

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[AS PRESENTED IN THE SENATE]

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further to amend the National Counter Terrorism Authority Act, 2013

WHEREAS it is expedient further to amend the National Counter Terrorism Authority Act, 2013 (XIX of 2013) for the purposes hereinafter appearing;

It is hereby amended as following: -

1. **Short title and commencement.**—(1) This Ordinance shall be called the National Counter Terrorism Authority (Amendment) Ordinance, 2019.

(2) It shall come into force at once.

2. **Amendment of Section 3, Act XIX of 2013.** – In the National Counter Terrorism Authority Act, 2013 (XIX of 2013), herein after referred to as the said Act, in Section 3 sub-section (2) shall be omitted.

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“Board of Governors. – (1) The Authority shall have a Board of Governors comprising—

- | | |
|---|----------|
| (a) Minister In-charge of Interior Division | Chairman |
| (b) Secretary, Interior | Member |
| (c) Secretary, Defence Division | Member |
| (d) Secretary, Law and Justice Division | Member |
| (e) Secretary, Finance Division | Member |
| (f) One Senator to be recommended by Chairman Senate | Member |
| (g) One Member National Assembly to be recommended by Speaker National Assembly | Member |
| (h) Director General, Intelligence Bureau | Member |
| (i) Director General, Federal Investigation Agency | Member |
| (j) Director General (CT), Inter-Services-Intelligence | Member |
| (k) Rep of Directorate General, Military Intelligence | Member |

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(Not less than DC)

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|-----|---|---------|
| (l) | National Coordinator of the Authority | Member |
| (m) | Home Secretaries of the Provinces of Sindh, Punjab, Khyber Pakhtunkhwa, Balochistan, Gilgit-Baltistan and State of Azad Jammu and Kashmir and Chief Commissioner, Islamabad Capital Territory (ICT) | Members |
| (n) | Inspector General of Police of Provinces of Sindh, Punjab, Khyber Pakhtunkhwa, Balochistan, ICT, Gilgit-Baltistan and State of Azad Jammu and Kashmir | Members |

(2) The National Coordinator of the Authority shall act as the Secretary to the Board.

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“8. **Executive Committee.**—(1) The Board shall be assisted by an Executive Committee comprising the following, namely: -

- | | | |
|-----|--|----------|
| (a) | National Coordinator, NACTA | Convener |
| (b) | Additional Secretary, Finance Division | Member |
| (c) | Additional Secretary, Interior Division | Member |
| (d) | Additional Secretary, Ministry of Foreign Affairs | Member |
| (e) | Additional Secretary, Ministry of Law and Justice | Member |
| (f) | Additional Secretaries Home of the Provinces of Sindh, Punjab, Khyber Pakhtunkhwa, Balochistan, Gilgit-Baltistan and State of Azad Jammu and Kashmir and representative of Chief Commissioner, Islamabad Capital Territory (ICT) | Member |

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6. **Amendment of section 9, Act XIX of 2013.** –In the said Act, in section 9, in sub-section (1), for the words “Federal Government” the words “Prime minister” shall be substituted.

7. **Amendment of section 10, Act XIX of 2013.** –In the said Act, in section 10, in sub-section (1), for the words ‘Federal Government’ the Words “Prime Minister” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

There has been a surge of terrorist activities in the recent months in Balochistan and Khyber Pakhtunkhwa provinces, which necessitates greater coordination of the Minister of Interior with all stakeholders, through NACTA on war footings. Therefore, keeping in view the exigencies of national security / internal peace and order, some amendments are required in NACTA ACT, 2013 for changing reporting hierarchy of NACTA, to make it more efficient and effective organization.

(Brig.(R) Ijaz Ahmad Shah)
Minister for Interior

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