

SENATE OF PAKISTAN
DAILY JOURNAL
(269th Session)

| | |
|---------------------|---|
| Date and day | 23 rd October, 2017 (Monday) |
| Commenced at | 03:00 p.m. |
| Adjourned at | 8:30 p.m. |
| Presided by | Chairman Senate |
| Attendance | 83 |
| Total working hours | 5 hours and 30 minutes |

- Recitation from the Holy Quran.

PANEL OF PRESIDING OFFICERS FOR 269TH SESSION

1. Senator Col. (R) Syed Tahir Hussain Mashhadi.
2. Senator Muhammad Javed Abbasi.
3. Senator Sitara Ayaz.

LEAVE APPLICATIONS

- The leave applications were read by Chairman.

ACKNOWLEDGEMENT OF PRESENCE

1. Chairman acknowledged the presence of 25 students and 8 faculty members of Pak-Turk school Sector H-8/1 Islamabad who were present in the galleries to visit the proceedings of the House.
2. Chairman acknowledged the presence of 27 students and 1 faculty member of tamer-e-public school, Harnai Balochistan who were present in the galleries to visit the proceedings of the House.

REPORT OF THE STANDING COMMITTEE - PRESENTATION OF:

Senator Muhammad Talha Mahmood, Chairman, Standing Committee on Cabinet Secretariat, presented report of the Committee on the Bill further to amend the Pakistan Bait-ul-Mal Act, 1991 [The Pakistan Bait-ul-Mal (Amendment) Bill, 2017], introduced by Senator Karim Ahmed Khawaja, on 21st August 2017.

BILLS TO BE INTRODUCED

1. Senators Barrister Murtaza Wahab on his behalf and on behalf of Senator Mukhtiar Ahmed Dhamrah @ Aajiz moved for leave to introduce a Bill to provide for the prevention and management of conflicts of interest and to establish clear conflict of interest principles for Public servants in the Federal Government and for matters connected therewith or incidental thereto [The Prevention and Management of Conflict of Interest Bill, 2017].

The Bill was not opposed by the Minister for Law and Justice.

The Motion was put to the House and the leave to introduce the Bill was granted by the House.

Thereafter, Senators Barrister Murtaza Wahab on his behalf and on behalf of Senator Mukhtiar Ahmed Dhamrah @ Aajiz introduced the Bill to provide for the prevention and management of conflicts of interest and to establish clear conflict of interest principles for Public servants in the Federal Government and for matters connected therewith or incidental thereto [The Prevention and Management of Conflict of Interest Bill, 2017].

The Bill as introduced stood referred to the Standing Committee concerned for consideration and report.

2. Senators Syed Shibli Faraz on his behalf and on behalf of Senators Taj Haider, Sirajul Haq, Kamil Ali Agha, Mohammad Azam Khan Swati, Saleem Mandviwala, Mohsin Aziz, Mukhtiar Ahmed Dhamrah @ Aajiz, Nauman Wazir Khattak, Liaqat Khan Tarakai, Brig. (R) John Kenneth Williams and Samina Saeed moved for leave to introduce a Bill further to amend the Elections Act, 2017 [The Elections (Amendment) Bill, 2017].

The Bill was vehemently opposed by the Minister for Law and Justice.

The Motion was put to the House and the leave to introduce the Bill was granted by the House by 46 votes in favor and 21 against the bill.

Thereafter, Senators Syed Shibli Faraz, on his behalf and on behalf of Senators Taj Haider, Sirajul Haq, Kamil Ali Agha, Mohammad Azam Khan Swati, Saleem Mandviwala, Mohsin Aziz, Mukhtiar Ahmed Dhamrah @ Aajiz, Nauman Wazir Khattak,

Liaqat Khan Tarakai, Brig. (R) John Kenneth Williams and Samina Saeed introduced the Bill further to amend the Elections Act, 2017 [The Elections (Amendment) Bill, 2017].

At this stage, Senator Taj Haider and Senator Mohammad Azam Khan Swati requested the chairman to allow them to move a motion under rule 263 of the Rules to suspend the relevant provisions of rules 95, 97 and 98 in order to enable the House to directly pass the Bill.

The request was vehemently opposed by the Minister for Law and Justice and the Leader of the House.

Chairman also observed that the set practices and traditions of the House should not be changed.

However, the Opposition Benches were adamant to move the motion for suspension of rules and they were of the view that let the House make decision.

Thereafter, Senator Taj Haider moved the motion under rule 263 of the Rules to suspend the relevant provisions of rules 95, 97 and 98 in order to enable the House to directly pass the Bill.

The Motion was put to the House which was adopted by 47 votes to 23 votes.

Thereafter Senator Taj Haider moved that the Bill be taken into consideration at once.

Following Members spoke:-

1. Senator Mohammad Azam Khan Swati
2. Senator Muhammad Javed Abbasi
3. Senator Mushahid Ullah Khan
4. Senator Nehal Hashmi (a word was expunged)
5. Senator Ch. Tanvir Khan
6. Senator Maulana Hafiz Hamadullah
7. Senator Pervaiz Rasheed
8. Senator Mukhtiar Ahmed Dhamrah @ Aajiz
9. Senator Muhammad Usman Khan Kakar
10. Senator Mir Kabeer Ahmed Muhammad Shahi (a word was expunged)
11. Senator Sardar Muhammad Azam Khan Musakhel
12. Senator Saleem Zia

13. Senator Kamil Ali Agha (some words were expunged)
14. Senator Ghous Muhammad Khan Nazi
15. Senator Rehman Malik (a word was expunged)
16. Senator Sherry Rehman
17. Senator Sehar Kamran
18. Senator Taj Haider
19. Senator Nauman Wazir Khattak
20. Senator Saud Majeed
21. Senator Barrister Murtaza Wahab (a word was expunged)

Thereafter, the Motion was put to the House which was adopted by 49 votes to 17.

The House started second reading of the Bill i.e. clause by clause consideration.

Clause 2 of the Bill was made part of the Bill by 49 votes to 18 votes.

Clause 1, the preamble and the title of the Bill was made part of the Bill by 49 votes to 18 votes.

Thereafter, Senator Taj Haider moved that the Elections (Amendment) Bill, 2017 be passed.

The Motion was put to the House and the Bill was passed by 49 votes to 18 votes.

3. Senators Barrister Murtaza Wahab on his behalf and on behalf of Senator Mukhtiar Ahmed Dhamrah @ Aajiz moved for leave to introduce a Bill further to amend the Anti-Terrorism Act, 1997 [The Anti-Terrorism (Amendment) Bill, 2017].

The Bill was not opposed by the Minister for Law and Justice.

The Motion was put to the House and the leave to introduce the Bill was granted by the House.

Thereafter, Senators Barrister Murtaza Wahab on his behalf and on behalf of Senator Mukhtiar Ahmed Dhamrah @ Aajiz introduced the Bill further to amend the Anti-Terrorism Act, 1997 [The Anti-Terrorism (Amendment) Bill, 2017].

The Bill as introduced stood referred to the Standing Committee concerned for consideration and report.

4. Senators Barrister Murtaza Wahab on his behalf and on behalf of Senator Saleem Mandviwala moved for leave to introduce a Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2017] (Amendment of Article 153).

The Bill was opposed by the Minister for Law and Justice.

The Motion was put to the House and the leave to introduce the Bill was granted by the House.

Thereafter, Senators Barrister Murtaza Wahab on his behalf and on behalf of Senator Saleem Mandviwala introduced the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2017].

The Bill as introduced stood referred to the Standing Committee concerned for consideration and report.

5. Senator Mian Muhammad Ateeq Shaikh moved for leave to introduce a Bill further to amend the Federal Universities Ordinance, 2002 [The Federal Universities (Amendment) Bill, 2017].

The Bill was not opposed by the Minister for Federal Education and Professional Training.

The Motion was put to the House and the leave to introduce the Bill was granted by the House.

Thereafter, Senator Mian Muhammad Ateeq Shaikh introduced the Bill further to amend the Federal Universities Ordinance, 2002 [The Federal Universities (Amendment) Bill, 2017].

The Bill as introduced stood referred to the Standing Committee concerned for consideration and report.

LEGISLATIVE BUSINESS

1. Senator Chaudhary Tanvir Khan sought leave of the House to withdraw the Bill to provide for the well-being, comfort and dignity of the senior citizens resident of the Islamabad Capital Territory [The Islamabad Capital Territory Senior Citizens Welfare Bill, 2017], as reported by the Standing Committee.

The Leave was granted to the Member and he withdrew the Bill.

2. Senator Mohammad Azam Khan Swati requested to defer the Bill further to amend the Code of Civil Procedure, 1908 [The Code of Civil Procedure (Amendment) Bill, 2017].

The Bill was deferred.

3. Senator Nasreen Jalil moved that the Bill to amend the National Commission on the Status of Women Act, 2012 [The National Commission on the Status of Women (Amendment) 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.

BILLS TO BE WITHDRAWN

[Under Rule 115]

1. Senator Mohammad Azam Khan Swati sought leave of the House to withdraw the following Bills: -
 - (i) The Code of Criminal Procedure (Amendment) Bill, 2017 (**Amendment of sections 154 and 156 and insertion of new section 154A**);
 - (ii) The Code of Criminal Procedure (Amendment) Bill, 2017 (**Amendment of sections 46 and 57**);
 - (iii) The Islamabad Consumers Protection (Amendment) Bill, 2017;
 - (iv) The Anti-Money Laundering (Amendment) Bill, 2017;
 - (v) The Medical and Dental Council (Amendment) Bill, 2017;
 - (vi) The National Health Care Bill, 2017;
 - (vii) The Defamation (Amendment) Bill, 2017; and
 - (viii) The Financial Institutions (Recovery of Finances) (Amendment) Bill, 2017 (**Amendment of section 2**).

The Motion was put to the House and leave to withdraw the Bills was granted by the House.

Thereafter, Senator Mohammad Azam Khan Swati withdrew the above-mentioned Bills.

BILLS REPORTED BACK BY THE STANDING COMMITTEES
(NOTICES FOR MOTION UNDER RULE 100 AWAITED)

[Under Rule 99]

Chairman announced that the following Private Members' Bills have been reported back by the Standing Committees and now awaiting notices of any of the motions under rule 100 of the Rules of Procedure and Conduct of Business in the Senate, 2012, by the concerned Members: -

- (i) The Constitution (Amendment) Bill, 2017 (**Amendment of Article 228**), introduced by Senator Sehar Kamran.
- (ii) The Criminal Laws (Amendment) Bill, 2017, introduced by Senator Karim Ahmed Khawaja.
- (iii) The Islamabad Restriction on Employment of Children Bill, 2017, introduced by Senator Sehar Kamran.

RESOLUTIONS

1. Senator Mohammad Azam Khan Swati moved the following resolution: -

“This House recommends that the Government should direct the office of the AGPR to ensure autonomy of the Election Commission of Pakistan in financial matters to enable it to perform without any hindrance.”

The Resolution was not opposed by the Minister of Law and Justice, however, he stated that the Government has already given the ECP financial autonomy under the Elections Act, 2017.

The Chairman suggested the Member to not press his resolution as already the needful has been done but the Mover was adamant to press his resolution.

The Resolution was put to the House and passed unanimously.

2. Following resolution in the name of Senator Rubina Khalid was dropped due to her absence: -

“This House recommends that the National Cadet Corps (NCC) should be re-introduced in all public and private Higher Secondary educational institutions in the country.”

3. Following resolution in the name of Senator Muhammad Talha Mahmood was dropped due to his absence:-

“This House recommends that the Government should take appropriate steps to reduce the expenditures for Hajj under the Government scheme.”

4. Following resolution in the name of Senator Muhammad Javed Abbasi was dropped due to his absence:-

“This House recommends that all public sector universities and colleges should make arrangements for admission tests at provincial headquarters.”

5. Following resolution in the name of Senator Sirajul Haq was deferred on his written request:-

“This House recommends that the Federal Government should establish separate university for women in every district of the country.”

6. Senator Mukhtiar Ahmed Dhamrah @ Aajiz moved the following resolution: -

“The Senate of Pakistan is of the opinion that conversion of National Highway from Karachi to Hyderabad into motorway will create many problems and hardships for light traffic as it will not be able to handle all traffic, the heavy as well as light traffic.

The House recommends that the Government should construct a separate motorway to connect Karachi with other parts of the country.”

The Resolution was not opposed by the Minister of Parliamentary affairs.

The Resolution was put to the House and passed unanimously.

At this stage, the Chairman observed that under the rules when a resolution is not opposed by the Minister then there will be no discussion on the same as discussion on a resolution can only be made in case the same is opposed by the Minister. The Chairman directed the Ministers to take a firm position as to whether they are opposing the resolution or not.

The Chairman further showed his serious concern on absence of the concerned Ministers due to their other engagements and Chairman stated that no other engagement can be given precedence over the Parliament.

7. Senator Col. (R) Syed Tahir Hussain Mashhadi moved the following resolution:-
“This House recommends that the Government should take necessary steps to improve the performance of the Pakistan Cotton Standard Institute, Karachi.”

The Resolution was not opposed by the Minister for Commerce.

The Resolution was put to the House and passed unanimously.

8. Following resolution in the name of Senator Muhammad Usman Khan Kakar was deferred due to absence of the Minister concerned: -

“This House recommends that three different slabs be made for tariff of natural gas in Balochistan for domestic consumers i.e. from 0 to 500 mcf, 501 to 1000 mcf and 1001 mcf and above.”

9. Following resolution in the name of Senator Dr. Jehanzeb Jamaldini was dropped due to his absence: -

“The House recommends that teaching of fundamental rights and traffic rules be made compulsory part of the syllabus of Pakistan Studies at Matric and Intermediate level in all public and private sector educational institutions under the administrative control of the Federal Government.”

10. Senator Mian Muhammad Ateeq Shaikh moved the following resolution: -

“The House recommends that the Government should ban the import of luxury items including exotic fruit in view of the increasing gap between imports and exports and their adverse effects on the local production of the same in the country.”

The Resolution was opposed by the Minister for Commerce.

The Resolution was put to the House and passed by 14 votes to 11.

11. Senator Mohammad Azam Khan Swati moved the following resolution: -

“This House recommends that separate counters should be established for women in NADRA offices in District Mansehra.”

The Resolution was not opposed by the Minister for Federal Education and Professional Training on behalf of the Minister for Interior.

The Resolution was put to the House and passed unanimously.

12. Senator col. (R) Syed Tahir Hussain Mashhadi moved the following resolution: -

“This House recommends that biometric system should be installed in all the Federal Government hospitals to ensure attendance in time and presence during working hours of the employees of those hospitals.”

The Resolution was not opposed by the Minister of Law and Justice.

The Resolution was put to the House and passed unanimously.

13. Senators Mohsin Aziz on his behalf and on behalf of Senator Syed Shibli Faraz moved the following resolution: -

“This House recommends that the Government should take immediate steps for the revival of sick or closed, sustainable textile units for the economic benefits of the country.”

The Resolution was initially opposed by the Minister for Commerce but after the statement by the Member he withdrew his opposition.

The Resolution was put to the House and passed unanimously.

MOTIONS

[Under Rule 218]

1. Senator Mohammad Azam Khan Swati moved that the House may discuss the progress made so far in revitalizing the Asian Parliamentary Assembly after active involvement of Pakistan.

Following Members spoke on the Motion: -

1. Senator Taj Harder
2. Senator Raja Muhammad Zafar Ul Haq, Leader of the House.
3. Senator Nawabzada Saifullah Magsi
4. Senator Muhammad Javed Abbasi
5. Senator Mir Kabeer Ahmed Muhammad Shahi
6. Senator Ch. Tanveer Khan.

The Members acknowledged the efforts of the former Chairman Senate and the current Chairman Senate to revitalize APA.

The Motion was thus talked out.

2. Senator Mian Muhammad Ateeq Shaikh moved that this House may discuss the reasons for imposition of various taxes through electricity bills.

Following Members spoke on the Motion: -

1. Senator Mian Muhammad Ateeq Sheikh.
2. Senator Nauman Wazir Khattak
3. Senator Taj Harder
4. Senator Mohsin Aziz

After discussion, Minister for Law and Justice wound up the debate thus the Motion was talked out.

3. Senator Mukhtiar Ahmed Dhamrah @ Aajiz moved that the House may discuss the situation arising out of non-announcement of NFC Award and announcing the Budget 2017-18 without announcing that Award.

Following Members spoke on the Motion: -

1. Senator Mukhtiar Ahmed Dhamrah @ Aajiz
2. Senator Mohammad Azam Khan Swati
3. Senator Sehar Kamran
4. Senator Sassui Palijo
5. Senator Karim Ahmed Khawaja
6. Senator Nawabzada Saifullah Magsi
7. Senator Muhammad Usman Khan Kakar
8. Senator Taj Haider
9. Senator Barrister Murtaza Wahab
10. Senator Mir Kabeer Ahmed Muhammad Shahi
11. Senator Sardar Muhammad Azam Khan Musakhel.
12. Senator Gianchand.

After discussion, Minister for Law and Justice wound up the debate thus the Motion was talked out.

4. Following Motion in the name of Senator Chaudhary Tanvir Khan was deferred on his request:-

“This House may discuss the need and importance of effective management of borders with Iran and Afghanistan.”

5. Following Motion in the name of Senator Dr. Jehanzeb Jamaldini was dropped due to his absence:-

“This House may discuss the ways and means to promote tree plantation culture in the country.”

6. Senator Mohsin Aziz moved that the House may discuss the issue of cartelization in the industrial sector with particular reference to the Cement and automobile sector where the consumers have to pay higher prices of commodities.

Following Members spoke on the Motion:-

1. Senator Mohsin Aziz.
2. Senator Syed Tahir Hussain Mashhadi.

After discussion, Minister for Law and Justice wound up the debate thus the Motion was talked out.

7. Following Motion in the name of Senator Syed Shibli Faraz was dropped due to his absence:-

“The House may discuss the situation arising out of increasing fiscal and current account deficit.

8. Following Motion in the names of Senators Kalsoom Perveen and Khalida Parveen was dropped due to their absence:-

“The House may discuss the reasons for delay in completion of the Kuchlak Road Housing Scheme and Quetta City Mahal Karakshasa Mouza Kirani Tappa Shadenzai Scheme.

9. Senator Sehar Kamran moved that the House may discuss the situation arising out of increasing extremism and intolerance in our society and the ways and means to eliminate the same.

Following Members spoke on the Motion:-

1. Senator Sehar Kamran.
2. Senator Muhammad Usman Khan Kakar.
3. Senator Syed Tahir Hussain Mashhadi.

After discussion, Minister for Federal Education and Professional Training on behalf of the Minister for Interior wound up the debate thus the Motion was talked out.

10. Following Motion in the name of Senator Chaudhary Tanvir Khan was deferred on his request:-

“This House may discuss the need and importance of security measures to combat emergency situation in commercial buildings specially in hotels in ICT and cantonment areas in the country.

11. Senator Col. (R) Syed Tahir Hussain Mashhadi moved that this House may discuss the need for increase in the amount of house building advance to the Government employees.

Discussion on the Motion was commenced.

12. Senator Sehar Kamran moved that this House may discuss the situation arising out of the continuous unprovoked ceasefire violation being committed by India on both the Line of Control (LOC) and the working boundary.

Following Members spoke on the Motion:-

1. Senator Sehar Kamran.

After discussion, Minister of State for Communication on behalf of the Minister for Defence wound up the debate thus the Motion was talked out.

13. Following Motion in the name of Senator Muhammad Talha Mahmood was dropped due to his absence:-

“The House may discuss the Education Policy of the Government with particular reference to implementation of Article 25A of the Constitution.

14. Senator Karim Ahmed Khawaja moved that this House may discuss the present position of implementation of land reforms introduced in the country so far and the situation arising out of verdict of Shariat Appellate Court given in 1991 regarding those reforms which practically has made the Article 253 of the Constitution redundant.

Discussion on the Motion was commenced.

DIRECTION OF THE CHAIRMAN

The Chairman asked the Minister for Law and Justice to convey the Minister for Foreign Affairs that he shall come in the House on 25th October, 2017 and apprise the House about the recent visit of the Secretary of State for Foreign Affairs of USA.

MINISTERIAL RESPONSE ON THE POINTS OF PUBLIC IMPORTANCE

Minister for Federal Education and Professional Training on behalf of the Minister for Information Technology and Telecommunication made statement regarding non-repairing / replacing of fiber optic cable in Shoran area of Balochistan which was damaged about seven years ago due to which internet and other IT facilities are not available in the area. Matter was raised by Senator Mir Kabeer Ahmed Muhammad Shahi on 20th September, 2017.

The matter was disposed of in view of the statement by the Minister.

POINTS OF PUBLIC IMPORTANCE

1. Senators Mir Kabeer Ahmed Muhammad Shahi and Sassui Palijo spoke about the issue of students in Quaid-e-Azam University Islamabad.

Minister for Federal Education and Professional Training responded the issue. The Chairman requested the Minister to intervene for release of the arrested students and apprise the House tomorrow.

2. Senator Nawabzada Saifullah Magsi spoke about the biasness of the Government of Balochistan towards the affectees of suicide attack at Fateh Pur Dargah Jhal Magsi and imposition of section 144 Cr.P.C in the area just to harass some political rivals.

Chairman directed to provide the verbatim to the Leader of the House.

3. Senator Saleem Ziu spoke about the incidents of death of infants in civil hospital Mithi Tharparkar.

Senator Taj Haider responded the issue.

At 8:30 p.m. the Chairman adjourned the proceedings of the House to meet again on Tuesday, the 24th October, 2017 at 3:00 p.m.