

**SENATE OF PAKISTAN**  
**DAILY JOURNAL**  
**(262<sup>nd</sup> Session)**  
**Requisitioned session**

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<b>Date and Day</b>	15 <sup>th</sup> May, 2017 (Monday)
<b>Commenced at</b>	02:30 p.m.
<b>Adjourned at</b>	6:30 p.m.
<b>Presided by</b>	Mian Raza Rabbani Chairman Senate of Pakistan
<b>Attendance</b>	55
<b>Total working hours</b>	4 hours

**LEAVE APPLICATIONS**

- The leave applications were read by the Chairman.
- Recitation from the Holy Quran.

**OFFERING OF FATEHA**

The House offered Fateha for the departed souls in the incident of terrorist attack on the convoy of Deputy Chairman Senate of Pakistan at Mastung and the incident of killing of laborers in Gwadar at the hands of the terrorists.

**ACKNOWLEDGMENT OF PRESENCE**

The House acknowledged the presence of a group of 13 Members of Youth Parliament Islamabad Chapter who were present in the galleries to witness the proceedings.

**CONDOLENCE/CONDEMNED RESOLUTIONS**

1. Senator Muhammad Talha Mehmood moved motion under rule 263 of the Rules that the relevant rules may be suspended in order to enable the House to pass resolution condemning the incident of terrorist attack on the convoy of Deputy Chairman Senate of Pakistan.

The Motion was put to the House and adopted.

Thereafter, Senator Muhammad Talha Mehmood moved the resolution which was put to the House and passed unanimously.

2. Senator Raja Muhammad Zafar-ul-Haq, Leader of the House moved motion under rule 263 of the Rules that the relevant rules may be suspended in order to enable the House to pass condolence resolution on the sad demise Mr. Muhammad Iftikhar Mughal, Director Staff

Senate of Pakistan in the incident of terrorist attack on the convoy of Deputy Chairman Senate of Pakistan.

The Motion was put to the House and adopted.

Thereafter, Senator Raja Muhammad Zafar-ul-Haq, Leader of the House moved the resolution which was put to the House and passed unanimously.

3. Senator Taj Haider moved motion under rule 263 of the Rules that the relevant rules may be suspended in order to enable the House to pass resolution condemning the incident of terrorist attack in Gwadar and Kharan killing the innocent laborers.

The Motion was put to the House and adopted.

Thereafter, Senator Taj Haider moved the resolution which was put to the House and passed unanimously.

### **PRESENTATION OF REPORTS**

1. Senator Muhammad Mohsin Khan Leghari on Behalf Of Saleem Mandviwala, Chairman, Standing Committee on Finance, Revenue, Economic Affairs, Statistics and Privatization, presented report of the Committee on the Bill further to amend the Partnership Act, 1932, in its application to the Islamabad Capital Territory [The Partnership (Amendment) Bill, 2016], introduced by Senator Mohammad Azam Khan Swati, on 26<sup>th</sup> September, 2016.
2. Senator Muhammad Mohsin Khan Leghari on Behalf Of Saleem Mandviwala, Chairman, Standing Committee on Finance, Revenue, Economic Affairs, Statistics and Privatization, presented special report of the Committee on payments made to clear the circular debt of power sector amounting to Rs.480 billion during the year 2013.

### **MOTIONS**

#### **[Under Rule 194(1)]**

1. Senator Muhammad Javed Abbasi, Chairman, Standing Committee on Law and Justice, moved under sub-rule (1) of rule 194 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that the time for presentation of report of the Committee on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2016] (**Substitution of Article 251**), introduced by Senator Sassui Palijo on her behalf and on behalf of Senator Mukhtiar Ahmed Dhamrah @ Aajiz, on 19<sup>th</sup> December, 2016 may be extended for a period of thirty working days.

**The Motion was put to the House and requisite extension was granted.**

2. Senator Muhammad Javed Abbasi, Chairman, Standing Committee on Law and Justice, moved under sub-rule (1) of rule 194 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that the time for presentation of report of the Committee on the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill,

2016] (**Amendment of Article 251**), introduced by Senator Karim Ahmed Khawaja, on 19<sup>th</sup> December, 2016 may be extended for a period of thirty working days.

**The Motion was put to the House and requisite extension was granted.**

3. Senator Muhammad Javed Abbasi, Chairman, Standing Committee on Law and Justice, moved under sub-rule (1) of rule 194 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that the time for presentation of report of the Committee on the Bill further to amend the Constitution of the Islamic Republic of Pakistan, 1973 [The Constitution (Amendment) Bill, 2017] (**Amendment of Article 255**), introduced by Senator Mohammad Azam Khan Swati, on 20<sup>th</sup> March, 2017, may be extended for a period of sixty working days with effect from 20<sup>th</sup> May, 2017.

**The Motion was put to the House and requisite extension was granted.**

#### **BILL INTRODUCED**

1. Ms. Marriyum Aurangzeb, Minister of State for Information, Broadcasting and National Heritage, introduced the Bill to provide for the right to information in transparent and effective manner, subject only to reasonable restrictions imposed by law [The Right of Access to Information Bill, 2017].

**The Chairman referred the Bill to the Standing Committee concerned with the direction to report back in the next session.**

#### **WITHDRAWAL OF BILL**

10. Mr. Zahid Hamid, Minister for Law and Justice on behalf of Senator Mohammad Ishaq Dar, Minister for Finance, Revenue, Economic Affairs, Statistics and Privatization moved for leave under rule 115 of the Rules of Procedure and Conduct of Business in the Senate, 2012, to withdraw the Cost and Management Accountants (Amendment) Bill, 2017.

**Leave was granted by the House.**

Thereafter, Mr. Zahid Hamid, Minister for Law and Justice on behalf of Senator Mohammad Ishaq Dar, Minister for Finance, Revenue, Economic Affairs, Statistics and Privatization withdrew the Cost and Management Accountants (Amendment) Bill, 2017.

#### **LEGISLATIVE BUSINESS**

1. Mr. Zahid Hamid, Minister for Law and Justice on behalf of Senator Mohammad Ishaq Dar, Minister for Finance, Revenue, Economic Affairs, Statistics and Privatization moved that the Bill to reform and re-enact the law relating to companies and for matters connected therewith [The Companies Bill, 2017], as reported by the Standing Committee, be taken into consideration at once.

Following Members spoke:-

1. Mr. Zahid Hamid, Minister for Law and Justice.
2. Senator Mohammad Azam Khan Swati.
3. Senator Muhammad Mohsin Khan Leghari.

**The Motion was put to the House and adopted.**

At this stage, keeping in view the huge volume of the Bill which contains 515 clauses and 8 schedules, the Chairman sought leave of the House that the clauses may be put to the House in groups.

The House granted permission and thereafter, the Chairman put the clauses in the following groups/divisions:-

Clauses 2-4

Clauses 5-6

Clauses 7-8

Clauses 9-56

Clauses 57-99

Clauses 100-117

Clauses 118-275

Clauses 276-285

Clauses 286-292

Clauses 293-426

Clauses 427-433

Clauses 434-450

Clauses 451-515

Schedules 1 – 8

Clause 1, the Preamble and the Title of the Bill

Thereafter, Mr. Zahid Hamid, Minister for Law and Justice on behalf of Senator Mohammad Ishaq Dar, Minister for Finance, Revenue, Economic Affairs, Statistics and Privatization moved that the Bill to reform and re-enact the law relating to companies and for matters connected therewith [The Companies Bill, 2017] be passed.

**The Motion was put to the House and the Bill was passed unanimously.**

2. Mr. Zahid Hamid, Minister for Law and Justice moved that the Bill to provide for alternate dispute resolution [The Alternate Dispute Resolution Bill, 2017], as reported by the Standing Committee, be taken into consideration at once.

Following Members spoke:-

1. Mr. Zahid Hamid, Minister for Law and Justice.

**The Motion was put to the House and adopted.**

Thereafter, Mr. Zahid Hamid, Minister for Law and Justice moved that the Bill to provide for alternate dispute resolution [The Alternate Dispute Resolution Bill, 2017], be passed.

**The Motion was put to the House and the Bill was passed unanimously.**

3. Mr. Zahid Hamid, Minister for Law and Justice, moved that the Bill further to amend the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1898 [The Costs of Litigation Bill, 2017], as reported by the Standing Committee, be taken into consideration at once.

**The Motion was put to the House and adopted.**

Thereafter, Mr. Zahid Hamid, Minister for Law and Justice, moved that the Bill further to amend the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1898 [The Costs of Litigation Bill, 2017] be passed.

**The Motion was put to the House and the Bill was passed unanimously.**

4. Mr. Zahid Hamid, Minister for Law and Justice on behalf of Senator Kamran Michael, Minister for Human Rights, moved that the Bill to provide for constitution of a National Commission on the Rights of the child and for matters connected therewith or incidental thereto [The National Commission on the Rights of the Child Bill, 2017], as reported by the Standing Committee, be taken into consideration at once.

**The Motion was put to the House and adopted.**

Thereafter, the House started clause by clause consideration of the Bill.

Thereafter, Mr. Zahid Hamid, Minister for Law and Justice on behalf of Senator Kamran Michael, Minister for Human Rights, moved that the Bill to provide for constitution of a National Commission on the Rights of the child and for matters connected therewith or incidental thereto [The National Commission on the Rights of the Child Bill, 2017] be passed.

**The Motion was put to the House and the Bill was passed unanimously.**

5. Mr. Zahid Hamid, Minister for Law and Justice, moved that the Bill further to amend the Explosive Substances Act, 1908 [The Explosive Substances (Amendment) Bill, 2017], as reported by the Standing Committee, be taken into consideration at once.

**The Motion was put to the House and adopted.**

Thereafter, the House started clause by clause consideration of the Bill.

Thereafter, Mr. Zahid Hamid, Minister for Law and Justice, moved that the Bill further to amend the Explosive Substances Act, 1908 [The Explosive Substances (Amendment) Bill, 2017] be passed.

**The Motion was put to the House and the Bill was passed unanimously.**

6. Mr. Zahid Hamid, Minister for Law and Justice on behalf of Khawaja Muhammad Asif, Minister for Defence, moved that the Bill further to amend the Pakistan Air Force Act, 1953 [The Pakistan Air Force (Amendment) Bill, 2017], as reported by the Standing Committee, be taken into consideration at once.

Following Members spoke:

1. Mr. Zahid Hamid, Minister for Law and Justice.
2. Senator Taj Haider.
3. Senator Farhatullah Babar.
4. Senator Mohammad Azam Khan Swati.
5. Senator Nauman Wazir Khattak.

**The Motion was put to the House and adopted.**

Thereafter, the House started clause by clause consideration of the Bill.

There was an amendment in clause 1 in the name of Senator Farhatullah Babar.

Senator Farhatullah Babar moved the amendment.

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

The amendment was put to the House which was rejected by 18 votes to 14.

Thereafter, Mr. Zahid Hamid, Minister for Law and Justice on behalf of Khawaja Muhammad Asif, Minister for Defence moved that the Bill further to amend the Pakistan Air Force Act, 1953 [The Pakistan Air Force (Amendment) Bill, 2017], be passed.

**The Motion was put to the House and the Bill was passed unanimously.**

### **COMMENCED MOTION**

**[Under Rule 218]**

Discussion on the following issues under rule 218 moved by Senator Aitzaz Ahsan, Leader of the Opposition, on his behalf and on behalf of Senators Saleem Mandviwala, Islamuddin Shaikh, Khanzada Khan, Gianchand, Karim Ahmed Khawaja, Rozi Khan Kakar, Hari Ram, Nawabzada Saifullah Magsi, Ahmed Hassan, Sehar Kamran, Rubina Khalid, Mukhtiar Ahmed Dhamrah @ Aajiz, Saeed Ghani, Mir Muhammad Yousaf Badini, Sardar Fateh Muhammad Muhammad Hassani, Sherry Rehman, Sassui Palijo, Khalida Parveen, Taj Haider, Nauman Wazir Khattak, Mushahid Hussain Syed, Baz Muhammad Khan, Mrs. Naseema Ehsan, Saeedul Hassan Mandokhail, Liaqat Khan Tarakai, Muhammad Daud Khan Achakzai, Advocate, Brig. (R) John Kenneth Williams, Syed Shibli Faraz and Shahi Syed, on 11<sup>th</sup> May, 2017: -

1. **Discussion on the alleged unconstitutional interference of Governor Sindh in political matters; the dropping of discussion on implementation of Article 158 of the Constitution from the delayed meeting of CCI of 2nd May, 2017; the alleged misstatement by the Minister of State for Water and Power in the Senate regarding the supply of irrigation water to the Provinces and the failure/delay in tracing the whereabouts of Mr. Ghulam Qadir Marri and others who are close to former President of Pakistan.**

The following members spoke in this regard:

1. Senator Taj Haider.
2. Senator Sehar Kamran.
3. Senator Sassui Palijo.
4. Senator Nehal Hashmi.

5. Senator Nauman Wazir Khattak.
6. Senator Mohsin Aziz.
7. Senator Muhammad Mohsin Khan Leghari.
8. Senator Mushahid Ullah Khan.
9. Senator Mohammad Azam Khan Swati.
10. Senator Mukhtiar Ahmed Dhamrah @ Aajiz.

**Mr. Zahid Hamid, Minister for Law and Justice wound up the debate and the Motion was talked out.**

### **MINISTERIAL RESPONSE ON THE DIRECTION OF THE CHAIRMAN**

8. Lt. Gen. (R) Abdul Qadir Baloch, Minister for SAFRON on behalf of the Advisor to the Prime Minister on Foreign Affairs made statement on the following issues of National importance as directed by the Chairman Senate on 11<sup>th</sup> May, 2017:-

- (i) Recent hostile statements by Iran.
- (ii) Recent tension on Pak-Afghan Border at Chamman.
- (iii) Statement made by the Chinese Ambassador in India regarding the changing of name of CPEC.
- (iv) Reported approaching of International Court of Justice by the Indian Government against the sentence awarded to Kalbooshan Yadev and media reports in this regard.
- (v) Upcoming visit of the Prime Minister to attend the Arab Summit wherein his meeting with the President of America is also expected.

### **OBSERVATION OF THE CHAIRMAN**

The Chairman drew attention of the Minister for Law and Justice towards an agenda item in the Orders of the Day of the National Assembly whereby an Ordinance was being extended with retrospective effect. The Chairman observed that it is unconstitutional to extend an ordinance after its expiry.

The Minister stated that he will look into the matter.

### **Matter of Public Importance**

Senator Sardar Muhammad Azam Khan Musakhel spoke about the injustice being done by the Federal Government in the Federal Budget on account of funds allocated for the small provinces especially the Province of Balochistan.

At 6:30 p.m. the Chairman prorogued the Senate session on conclusion of its business.

**AMJED PERVEZ**  
Secretary

**Islamabad, the**  
**15<sup>th</sup> May, 2017.**