

**SENATE OF PAKISTAN  
DAILY JOURNAL  
(259<sup>th</sup> Session)**

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<b>Date and Day</b>	20 <sup>th</sup> February, 2017
<b>Commenced at</b>	3:00 p.m.
<b>Adjourned at</b>	7:35 p.m.
<b>Presided by</b>	Mian Raza Rabbani, Chairman Senate
<b>Attendance</b>	68
<b>Total working hours</b>	4 hours and 35 minutes

**LEAVE APPLICATIONS**

- The leave applications were read by the Chairman.

**FATEHA**

The House offered Fateha for the departed soul of former Senator Kazim Ali Khan.

**PRIVATE MEMBERS' BILLS INTRODUCED**

1. Senator Zaheer-Ud-Din Babar Awan moved for leave to introduce a Bill further to amend the Constitution of the Islamic Republic of Pakistan, 1973 [The Constitution (Amendment) Bill, 2017] (**Amendment of Articles 63, 177 and 193**).

The Member explained the salient features of the Bill.

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

The Motion was put to the House which was carried from 26 votes to 13 votes and leave was granted to introduce the Bill.

**The Bill as introduced was referred to the Standing Committee concerned.**

2. Senator Sehar Kamran moved for leave to introduce a Bill to provide for the establishment of the Islamabad National Hospital [The Islamabad National Hospital Bill, 2017].

The Member explained the salient features of the Bill.

The Bill was opposed by the Minister for CADD.

The Law Minister also spoke on the Bill.

**With the consent of the Member, the Chairman deferred the bill for further consultation and consideration.**

3. Senator Saeed Ghani moved for leave to introduce a Bill further to amend the Constitution of the Islamic Republic of Pakistan, 1973 [The Constitution (Amendment) Bill, 2017] (**Amendment of Article 130**).

The Member explained the salient features of the Bill.

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

Leave to introduce the Bill was granted.

**The Bill as introduced was referred to the Standing Committee concerned.**

### **REPORTS OF THE STANDING COMMITTEES - PRESENTATION OF:**

1. Senator Muhammad Javed Abbasi, Chairman Standing Committee on Law and Justice, presented report of the Committee on the Bill to provide for the constitution of commissions of Inquiry [The Pakistan Commissions of Inquiry Bill, 2016].

2. Senator Mushahid Hussain Syed, Chairman, Standing Committee on Defence, presented report of the Committee on the subject matter of starred question No. 1, asked by Senator Chaudhary Tanvir Khan, on 20<sup>th</sup> December, 2016, regarding the number of doctors, paramedical and administrative staff working in the Cantonment Board Hospital, Rawalpindi, on regular and ad-hoc / temporary basis with department-wise breakup.

3. Senator Mushahid Hussain Syed, Chairman, Standing Committee on Defence, presented an interim report of the Committee on the matter raised by Senator Sardar Muhammad Azam Khan Musakhel, on 20<sup>th</sup> December, 2016, regarding orders of the Ministry of Defence to the residents of Cantonment areas of Loralai to vacate the land despite the fact that the same has been allotted to them for 100 years.

4. Senator Saleem Mandviwala, Chairman Standing Committee on Finance, Revenue, Economic Affairs, Statistics and Privation presented report of the Committee on the Money Bill further to amend the Rulers of Acceding States (Abolition of Privy Purses and Privileges) Order, 1972 [The Rulers of Acceding States (Abolition of Privy Purses and Privileges) Bill, 2017].

## MOTION

Senator Saleem Mandviwala, Chairman Standing Committee on Finance, Revenue, Economic Affairs, Statistics and Privation moved that the recommendations of the Committee on the Money Bill further to amend the Rulers of Acceding States (Abolition of Privy Purses and Privileges) Order, 1972 [The Rulers of Acceding States (Abolition of Privy Purses and Privileges) Bill, 2017 be considered and adopted.

**The Motion was put to the House and the recommendations were adopted unanimously.**

## MOTIONS

### [Under Rule 194(1)]

Senator Muhammad Talha Mahmood, Chairman, Standing Committee on Cabinet Secretariat, moved under sub-rule (1) of Rule 194 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that the period for presentation of report of the Committee on the subject matter of starred question Nos. 45, 46 and 47, asked by Senator Mir Kabeer Ahmed Muhammad Shahi on 7<sup>th</sup> September, 2016, regarding the PAS and PSP officers in BPS 20 and 21 belonging to the province of Balochistan and the policy for their posting in the country and abroad, may be extended for a further period of ten working days with effect from 21<sup>st</sup> February, 2017.

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

## LEGISLATIVE BUSINESS

### [Under Rule 100]

Senator Saleem Mandviwala moved that the Bill to make provisions for prohibition of corporal punishment against children [The Prohibition of Corporal Punishment Bill, 2016], as reported by the Standing Committee, be taken into consideration, at once.

The Motion was opposed by the Minister for CADD.

Following Members spoke on the Motion:

1. Senator Saleem Mandviwala.
2. Senator Sirajul Haq.

**The Motion was put to the House which was carried from 17 votes to 11.**

**The House started clause by clause consideration of the Bill.**

Thereafter, Senator Saleem Mandviwala moved that the Bill to make provisions for prohibition of corporal punishment against children [The Prohibition of Corporal Punishment Bill, 2016] be passed.

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

## LEGISLATIVE BUSINESS

### (Government Bill)

**48. 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 further to amend the Cost and Management Accountants Act, 1966 [The Cost and Management Accountants (Amendment) Bill, 2017], as passed by the National Assembly, be taken into consideration.

**As per practice of the Senate, the Bill was referred to the Standing Committee concerned for consideration and report.**

## LEGISLATIVE BUSINESS

### [Under Rule 100 read with rule 166(3)]

Consideration of the following Bills was to be made under rule 100 read with 166(3) but the same was deferred till next Private Members' Day so that the Members may have an opportunity to go through the Bills and propose any amendment, if desire. The purpose behind deferment was that the Bills were not reported back by the Committee within the stipulated time and the House was going to consider the same directly.

- 1.** The Bill to prevent and Combat Trafficking in persons, especially Women and Children [The Trafficking in Persons Bill, 2016], as introduced in the Senate on 26<sup>th</sup> September, 2016.
- 2.** The Bill to combat the smuggling of migrants by land, sea and air [The Smuggling of Migrants Bill, 2016], as introduced in the Senate on 26<sup>th</sup> September, 2016.
- 3.** The Bill further to amend the Pakistan Penal Code, 1860 [The Pakistan Penal Code (Amendment) Bill, 2016] (**Insertion of new sections 320A and 337JJ**), as introduced in the Senate on 26<sup>th</sup> September.
- 4.** The Bill to prohibit the employment of children and to restrict the employment of adolescents in certain occupations and processes [The Islamabad Restriction on Employment of Children Bill, 2016], as introduced in the Senate on 26<sup>th</sup> September, 2016.
- 5.** The Bill further to amend the Pakistan Penal Code 1860 [The Pakistan Penal Code (Amendment) Bill, 2016] (**Amendment in section 364A**), as introduced in the Senate on 26<sup>th</sup> September, 2016.

## **BILLS FOR MOTION UNDER RULE 100**

The Chairman explained the Members whose Bills were on Order Nos. 26, 27, 31 and 33 to give notices of any of the Motions under rule 100 with respect to their Bills or withdraw the same in the House. The following Bills were set down in Order Nos. 26, 27, 31 and 33:-

- 1) The Constitution (Amendment) Bill, 2015 (Omission of Article 182), introduced by Senator Zaheer-ud-Din Babar Awan on 11th January, 2016 and reported by the Standing Committee on Law and Justice on 8th September, 2016.
- 2) The Supreme Court (Number of Judges) (Amendment) Bill, 2016, introduced by Senator Zaheer-ud-Din Babar Awan on 16th May, 2016 and reported by the Standing Committee on Law and Justice on 8th September, 2016.
- 3) The Constitution (Amendment) Bill, 2016 (Amendment of Article 209), introduced by Senator Zaheer-ud-Din Babar Awan on 21st November, 2016 and reported by the Standing Committee on Law and Justice on 20th January, 2017.
- 4) The Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Bill, 2016, introduced by Senator Sardar Muhammad Azam Khan Musakhel on 21st November, 2016 and reported by the Standing Committee on Cabinet Secretariat on 17th February, 2017.

## **BILLS TO BE WITHDRAWN**

### **[Under Rule 115]**

The following Bills were withdrawn by the Members concerned with the leave of the House:-

1. Senator Mushahid Hussain Syed withdrew the Bill further to amend the Prohibition of Smoking and Protection of Non-smokers Health Ordinance, 2002 [The Prohibition of Smoking and Protection of Non-smokers Health (Amendment) Bill, 2016].
2. Senator Mushahid Hussain Syed withdrew the Bill to provide for the establishment of a National Cyber Security Council [The National Cyber Security Council Bill, 2014], introduced by him on 14<sup>th</sup> April, 2014.
3. Senator Mohammad Azam Khan Swati withdrew the Bill further to amend the Civil Courts Ordinance, 1962, in its application to the Islamabad Capital Territory [The Civil Courts (Amendment) Bill, 2016], introduced by him on 26<sup>th</sup> September, 2016.

4. Senator Mohammad Azam Khan Swati withdrew the Islamabad Prohibition of Sheesha Smoking Bill, 2016, introduced by him on 26<sup>th</sup> September, 2016.
5. Senator Mohammad Azam Khan Swati withdrew the Juvenile Justice System (Amendment) Bill, 2016, introduced by him on 21<sup>st</sup> November, 2016.
6. Senator Mohammad Azam Khan Swati withdrew the Islamabad Prohibition of Expressing Matters on Walls Bill, 2016, introduced by him on 21<sup>st</sup> November, 2016.
7. Senator Mohammad Azam Khan Swati withdrew the Transplantation of Human Organs and Tissues (Amendment) Bill, 2016, introduced by him on 19<sup>th</sup> December, 2016.

**POINT RAISED BY SENATOR SYED MUZAFFAR HUSSAIN SHAH**

Senator Syed Muzaffar Hussain Shah drew attention of the Chair towards the consultative process going on between the Government and the Parliamentary party leaders in the National Assembly but the Parliamentary Party Leaders in the Senate have not been involved in any consultation process.

Following Members spoke on the issue:

1. Senator Mohammad Azam Khan Swati.
2. Senator Mushahid Hussain Syed.
3. Senator Dr. Jehanzeb Jamaldini.
4. Senator Sirajul Haq.
5. Senator Muhammad Usman Khan Kakar.
6. Mr. Zahid Hamid, Minister for Law and Justice.
7. Mr. Chairman stated that he had already sensitized the Government about the concern of the Senate in this regard.
8. Senator Mohammad Ishaq Dar, Minister for Finance submitted the background of the consultation and the stance of the Government. He asked the Chairman to provide the list of the members to whom the invitations will be sent at the earliest.
9. Chairman said that list of Parliamentary Party Leaders has already been provided to the Law Minister.

## RESOLUTIONS

The following Resolutions were moved in the House and passed by the House:-

1) Senator Dr. Jehanzeb Jamaldini moved the following resolution:-

**"This House condemns the barbaric bomb blast in Parachinar, Kurram Agency, in which more than 30 people died and 50 injured."**

The Mover moved an amendment in the resolution. Thereafter the resolution as amended was put to the House which was passed unanimously.

2) Senator Mohammad Azam Khan Swati moved the following resolution:-

**"This House recommends that quota reserved for the Provinces of Khyber Pakhtunkhwa and Balochistan in appointments in Government departments be implemented in letter and spirit."**

The Mover moved an amendment in the resolution. Thereafter the resolution as amended was put to the House which was passed unanimously.

3) Senator Kalsoom Parveen moved the following resolution:-

**"The House recommends that compensation package announced by the Government for the heirs of martyrs of terrorist attacks in Civil Hospital and Police Training Center, Quetta should be paid to them immediately."**

The Resolution was not opposed so the resolution was passed unanimously.

4) Senator Ch. Tanvir Khan moved the following resolution:-

**"This House recommends that the Government should take immediate steps for establishment of a Federal Food Authority to control sale of substandard food items in Islamabad."**

The Resolution was not opposed by the Minister so resolution was passed unanimously.

## **DROPING OF RESOLUTION**

The following resolution in the name of Senator Nisar Muhammad was dropped due to absence:-

**"This House recommends to the Government to take appropriate measures to strengthen the office of Wafaqi Mohtasib to provide effective and prompt remedial measures against inefficiency and maladministration in the Federal Government Departments."**

## **MOTIONS**

### **[Under Rule 218]**

1) Senator Mohammad Azam Khan Swati moved that this House may discuss the overall performance of Higher Education Commission.

Following Members spoke on the Motion:-

- 1) Senator Mohammad Azam Khan Swati.
- 2) Senator Mir Kabeer Ahmed Muhammad Shahi.
- 3) Senator Mushahid Hussain Syed.
- 4) Senator Mian Muhammad Ateeq Sheikh.
- 5) Senator Nauman Wazir Khattak.

Chairman gave remarks about the limited role of HEC as recommended by the Implementation Commission.

- 6) Senator Lt. Gen. (R) Abdul Qayyum.
- 7) Senator Muhammad Usman Khan Kakar.
- 8) Senator Taj Haider.
- 9) Senator Nehal Hashmi.
- 10) Senator Rehman Malik.
- 11) Senator Muhammad Javed Abbasi.

Mr. Muhammad Baligh-ur-Rehman, Minister of State for Federal Education and Professional Training wound up the debate.

**The Motion was thus talked out.**



2) Senator Syed Shibli Faraz moved that the House may discuss the impact of malnutrition and stunting in the country.

Following Members spoke on the Motion:-

- 1) Senator Syed Shibli Faraz.
- 2) Senator Mohammad Ishaq Dar.
- 3) Senator Nuzhat Sadiq.
- 4) Senator Nauman Wazir Khattak.
- 5) Senator Farhatullah Babar.

Mr. Muhammad Baligh ur Rehman, Minister of State for Interior and Narcotics Control on behalf of the Minister for National Health Services, Regulations and Coordination wound up the debate.

**The Motion was thus talked out.**

3) Senator Kalsoom Parveen moved that the House may discuss the situation arising out of the failure of PEMRA to stop airing of the material promoting sectarian violence on various TV channels.

Following Members spoke on the Motion:-

- 1) Senator Kalsoom Parveen.
- 2) Senator Sassui Palijo.
- 3) Senator Dr. Jehanzeb Jamaldini.
- 4) Senator Nehal Hashmi.

Ms. Marryam Aurangzaib, Minister for Information and Broadcasting wound up the debate

**The Motion was thus talked out**

### **DEFERMENT OF MOTIONS UNDER RULE 218**

Following Motions under rule 218 were deferred:-

1) This House may discuss the powers and functions of Pakistan Bureau of Statistics (PBS) with particular reference to the upcoming Census 2017, notice given of by Senators Sassui Palijo and Mir Kabeer Ahmed Muhammad Shahi

2) This House may discuss the need and importance to adopt modern techniques for conducting census in the country, notice given of by Senator Chaudhary Tanvir Khan.

## **DROPPING OF MOTION UNDER RULE 218**

The following Motion in the name of Senator Syed Tahir Hussain Mashhadi was dropped due to absence of the Member:-

“The House may discuss the situation arising out of insufficient production of milk in the country.”

### **MINISTERIAL RESPONSE ON THE POINTS OF PUBLIC IMPORTANCE**

Statement by the Ministers on the following points of public importance:-

(i) Regarding the less allocation of funds in PSDP for the small provinces and non-releasing of the same, raised by Senator Sardar Muhammad Azam Khan Muskhel on 4th October, 2016. (Matter pertains to the Minister for Planning, Development and Reforms)

**Due to absence of the concerned Minister and non-briefing to some other Minister, the Chairman directed to issue notice of breach of privilege to the Secretary Planning Division.**

(ii) Regarding the granting of extension in time to submit tax returns by the exporters involved in Pak-Afghan Trade as previously approved by ECC, raised by Senator Saeedul Hassan Mandokhail on 15th February, 2017. (Matter pertains to the Minister for Finance, Revenue, Economic Affairs, Statistics and Privatization)

**Mr. Zahid Hamid, Minister for Law and Justice on behalf of the Minister for Finance made statement. The matter was disposed of in terms of the statement by the Minister.**

(iii) Regarding the appointments against five posts for the Balochi News Service, raised by Senator Dr. Jehanzeb Jamaldini on 16th February, 2017. (Matter pertains to the Minister for Information and Broadcasting)

**Ms. Marryam Aurangzeb, Minister for Information made statement. The matter was disposed of in terms of the statement by the Minister.**

(iv) Senator Mohammad Ishaq Dar made statement about the pioneer industry policy as the matter was raised by Senator Nauman Wazir Khattak. He also updated the House about the progress towards the demand of the Members to release development funds.

## **RULING OF THE CHAIRMAN**

The Chairman announced his ruling on the issue of transferring of administrative control of the following Regulatory Authorities from Cabinet Division to their respective line ministries by the Government through Memorandum No. 7-2/2016-Min-I dated 19<sup>th</sup> December, 2016:-

1. National Electric Power Regulatory Authority (NEPRA).
2. Pakistan Telecommunication Authority (PTA).
3. Frequency Allocation Board (FAB).
4. Oil and Gas Regulatory Authority (OGRA).
5. Public Procurement Regulatory Authority (PPRA).

## **ZERO HOUR**

- 1) Senator Sherry Rehman spoke about the recent terrorist incidents and the course of action of the Government after the incidents.
- 2) Senator Mushahid Ullah Khan spoke about the recent terrorist incidents throughout the country and urged the political parties not to use the incidents for point scoring. He criticized the bad governance in Sindh which was exposed after the incident at Sehwan Sharif.
- 3) Senator Muhammad Usman Khan Kakar criticized the actions taken by the Government of Punjab against the Pashtoons after every terrorist incident.
- 4) Senator Shahi Syed spoke about the hardships and miseries of the families of the victims of terrorism. It is the responsibility of the State to look after them but no one takes care of such victims.

**The Chairman directed the Member to raise the issue in next session.**

- 5) Senator Sardar Muhammad Azam Khan Musakhel read out an application in the House addressed to him wherein it has been complained that the illegal hunting is being carried out in the Districts of Balochistan under the supervision of FC and the MNAs. When the locals ordained them not to do so they threatened the locals and injured them.
- 6) Senator Dr. Jehanzeb Jamaldini spoke about the situation on Sindh and Balochistan boarder wherein FC in the wake of checking of Iranian oil takes out the oil from the fuel tanks of the travelers.

### **CARRYING FORWARD OF BUSINESS**

The notices of questions, resolutions and motions under rule 218 received for the current session but could not be taken up will not lapse and will be carried forward for the next session.

- The Chairman prorogued the Session on conclusion of its business on 20<sup>th</sup> February, 2017.

**Islamabad, the**

**20<sup>th</sup> February, 2017**