

SENATE OF PAKISTAN
DAILY JOURNAL
(272nd Session)

Date and day	26 th January, 2018 (Friday)
Commenced at	10: 00 a.m.
Prorogued at	01:25 p.m.
Presided by	Chairman Senate
Attendance	59
Total working hours	3 hours and 25 minutes

- Recitation from the Holy Quran.

QUESTION HOUR

- Questions were taken up during the question hour.
- Leave applications were read by the Chairman.

CONSIDERATION OF ADMISSIBILITY OF ADJOURNMENT MOTIONS

Admissibility of the following Adjournment Motions will be determined:-

1. Senator Dr. Ashok Kumar moved Adj. Motion No. 18-272/2018-M to discuss incident of killing of two real brothers namely Dileep Maheshwari and Chandur Maheshwari in broad day light at Mitthi, Sindh.

After hearing the Member, the Chairman held the Motion out of order.

2. **Adj. Motion No.19-272/2018-M**, notice given of by Senator Sherry Rehman to discuss the trade deficit of the country which has soared to 18 billion dollars during the first half of the current Fiscal Year was dropped due to absence of the Member.

3. Senator Muhammad Usman Khan Kakar on his behalf and on behalf of Senators Sardar Muhammad Azam Khan Musakhel and Gul Bashra moved Adj. Motion No. 21-272/2018-M to discuss the passage of Bill by the National Assembly regarding the extension of jurisdiction of Supreme Court of Pakistan and Peshawar High Court to FATA.

The Motion was held out of order by the Chairman as the Committee of the Whole is already seized of the matter.

REPORTS OF THE COMMITTEES - PRESENTATION OF:

1. **SENATOR KHUASHBAKHT SHUJAT ON BEHALF OF SENATOR MUHAMMAD TALHA MAHMOOD**, Chairman, Standing Committee on Cabinet Secretariat, presented report of the Committee on the point of public importance raised by Senator Samina Saeed on 24th November, 2017, regarding ATR Plane crashed during the flight from Chitral to Islamabad.
2. **SENATOR MIR KABEER AHMED MUHAMMAD SHAHI**, Chairman, Functional Committee on Devolution, presented report of the Committee on a Public Petition referred by the Office of Chairman Senate on 17th November, 2017, regarding “implementation of 18th Constitutional Amendment in the Higher Education Sector confining role of Federal HEC in formulation of standards and enhancing legitimate role of Provincial Governments especially in funding and implementation of Higher Education Policy”.

MOTIONS

[Under Rule 194(1)]

1. **SENATOR KHUASHBAKHT SHUJAT ON BEHALF OF 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 time for presentation of report of the Committee on the Bill to establish the Real Estate Regulatory Authority for regulation and promotion of the real estate sector and for matters connected therewith [The Real Estate (Regulation and Development) Bill, 2017], introduced by Senator Mohsin Aziz, on 21st August, 2017, may be extended for a further period of twenty working days with effect from 6th February, 2018.

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

2. **SENATOR KHUASHBAKHT SHUJAT ON BEHALF OF 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 time for presentation of report of the Committee on 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], introduced by Senators Barrister Murtaza Wahab and Mukhtiar Ahmed Dhamrah @ Aajiz, on 23rd October, 2017, may be extended for a further period of twenty working days with effect from 2nd February, 2018.

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 matter referred by the House on 24th January, 2018 regarding whether an amendment would be required in the Pakistan Penal Code for provision of penalty of death by hanging publicly in view of rule 354 of the Prisons Rules, 1978, may be extended for a period of thirty working days with effect from 26th January, 2018.

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

4. **SENATOR SYED MUZAFAR HUSSAIN SHAH**, Convener, Special Committee to examine the Annual Report of FPSC for the year 2015, 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 to examine the Annual Report of FPSC for the Year 2015, may be extended for a period of thirty working days with effect from 9th February, 2018.

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

5. **SENATOR MUHAMMAD MOHSIN KHAN LEGHARI ON BEHALF OF SENATOR SALEEM MANDVIWALA**, Chairman, Standing Committee on Finance, Revenue, Economic Affairs and Narcotics Control, 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 subject matter of Calling Attention Notice moved by Senator Hidayat Ullah regarding pending approval of 7500 sanctioned new posts (SNEs) for FATA which have already been approved by the FATA Secretariat and the Ministry of SAFRON, referred to the Committee on 21st September, 2017, may be extended for a further period of thirty working days with effect from 10th February, 2018.

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

**DISCUSSION ON THE INCIDENTS OF POLICE ACTION ON PAKHTOON BALOCH
STUDENTS OF PUNJAB UNIVERSITY, LAHORE**

Following Members spoke on the issue:-

1. Senator Muhammad Usman Khan Kakar.
2. Senator Mir Kabeer Ahmed Muhammad Shahi.
3. Senator Ilyas Ahmed Bilouyr.
4. Senator Mohammad Azam Khan Swati.
5. Senator Ourangzaib Khan.
6. Senator Aitzaz Ahsan.
7. Senator Raja Muhammad Zafar Ul Haq.
8. Mr. Ahsan Iqbal, Minister for Interior.

Chairman asked the Leaders of the House and the Opposition to speak to the Chief Minister Punjab to get the issue resolved. On suggestion of the Leader of the Opposition, the Chairman stated that he will himself speak to the Chief Minister as well.

ACKNOWLEDGMENT OF PRESENCE

The Chairman acknowledged the presence of a group of 32 Members of Youth Parliament AJK Chapter.

RESOLUTION

SENATOR NASREEN JALIL moved unanimous resolution to condemn n the use of pallet guns and daily atrocities committed by Indian Forces in Indian Occupied Kashmir.

The Resolution was put to the House and passed unanimously.

REPORT TO BE LAID BEFORE THE SENATE

RANA MUHAMMAD AFZAL KHAN, Minister of State for Finance and Economic Affairs, laid before the Senate the First Quarterly Report for the year 2017-2018 of the Central Board of Directors of the State Bank of Pakistan on the state of Pakistan's Economy, as required under section 9A(2) of the State Bank of Pakistan Act, 1956.

LEGISLATIVE BUSINESS

RANA TANVEER HUSSAIN, Minister for Science and Technology, moved that the Bill to set up National University of Technology at Islamabad [The National University of Technology Bill, 2017], as reported by the Standing Committee, be taken into consideration, at once.

The Motion was put to the House and adopted. After second reading i.e. clause by clause consideration of the Bill, **RANA TANVEER HUSSAIN**, Minister for Science and Technology, moved that the Bill to set up National University of Technology at Islamabad [The National University of Technology Bill, 2017] be passed.

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

CALLING ATTENTION NOTICE

SENATORS BARRISTER MURTAZA WAHAB, NAUMAN WAZIR KHATTAK, KAMIL ALI AGHA, SALEEM MANDVIWALA AND ILYAS AHMED BILOUR drew attention of the Minister for Finance and Economic Affairs towards the issuance of SRO No. 47(I)/2018, dated 23rd January, 2018, whereby one particular company has been exempted from payment of Sales Tax and Federal Excise Duty.

Rana Muhammad Afzal Khan, Minister for Finance and Economic Affairs made statement on the Calling Attention Notice.

Mr. Ahsan Iqbal, Minister for Planning, Development and Reforms also made statement on the Calling Attention Notice.

After hearing the Members and the Ministers, the Chairman referred the matter to the Standing Committee on Finance for consideration and report in next session of the Senate in February.

AMENDMENTS TO THE SENATE RULES

[Under Rule 278]

SENATOR RAJA MUHAMMAD ZAFAR-UL-HAQ, LEADER OF THE HOUSE AND SENATOR AITZAZ AHSAN, LEADER OF THE OPPOSITION, sought leave under sub-rule (4) of rule 278 of the Rules of Procedure and Conduct of Business in the Senate, 2012, to move that,-

- (i) in the Rules of Procedure and Conduct of Business in the Senate, 2012, in rule 79, in sub-rule (1), after the word “When” the words, “a case is registered or” shall be inserted; and
- (ii) in the Rules of Procedure and Conduct of Business in the Senate, 2012, in rule 81, after the words “referred to in”, the words, brackets and figure “sub-rule (1) of” shall be inserted.

The Motion was put to the House and lave was granted.

Thereafter, SENATOR RAJA MUHAMMAD ZAFAR-UL-HAQ, LEADER OF THE HOUSE AND SENATOR AITZAZ AHSAN, LEADER OF THE OPPOSITION, moved that the proposed amendments in rules 79 and 81 of the Rules of Procedure and Conduct of Business in the Senate, 2012, be taken into consideration.

The Motion was put to the House and adopted.

Thereafter, SENATOR RAJA MUHAMMAD ZAFAR-UL-HAQ, LEADER OF THE HOUSE AND SENATOR AITZAZ AHSAN, LEADER OF THE OPPOSITION, moved that the proposed amendments in rules 79 and 81 of the Rules of Procedure and Conduct of Business in the Senate, 2012, be adopted.

The Motion was put to the House and the amendment in the Senate rules was adopted.

AMENDMENT TO THE STANDING ORDERS

[Under Standing Order No.4.3]

Insertion of the following new Chapter X and Standing Order No. 1.65, after the existing Chapter IX and Standing Order No. 1.64 was placed before the House and adopted:-

“CHAPTER X: MISCELLANEOUS

1.65. There shall be a Flag, Emblem and Seal of the Senate which can be amended, altered or varied by the House on the recommendations of the Business Advisory Committee.”

PERIODICAL REPORTS BY THE MINISTERS ON THE RECOMMENDATIONS OF
THE COMMITTEES
(Under Rule 265A)

1. **Minister for Inter-Provincial Coordination** to report under rule 265A of the Rules of Procedure and Conduct of Business in the Senate, 2012, on the status of implementation of the recommendations contained in the report of the Special Committee on twenty four demands made by the Government of Khyber Pakhtunkhwa (Demand No. 4). (Adopted by the House on 16-03-2017)

Matter was disposed of.

2. **Minister for Science and Technology** to report under rule 265A of the Rules of Procedure and Conduct of Business in the Senate, 2012, on the status of implementation of the recommendations contained in the report of the Standing Committee on Law and Justice regarding proposed amendments in the Pakistan Standards and Quality Control Authority Act, 1996, to make it comprehensive and robust for providing improved mechanism for quality control in the country. (Adopted by the House on 07-09-2016)

Matter was disposed of.

3. **Minister for Federal Education and Professional Training** to report under rule 265A of the Rules of Procedure and Conduct of Business in the Senate, 2012, on the status of implementation of the recommendations contained in the report of the Special Committee on the issue of lapse of various foreign scholarships offered by various countries for the students of Pakistan. (Adopted by the House on 10-11-2015)

Matter was disposed of.

4. **Minister for Finance and Economic Affairs** to make reports on the implementation of the recommendations contained in the following reports of the Committees:-

- i. Report of Standing Committee on Finance, Revenue, Economic Affairs, Statistics and Privatization regarding the import of auto parts in the shape of scrap from Japan and re-assembling the same into cars. (Adopted by the House on 20-04-2017);

Matter was disposed of.

- ii. Report of the Special Committee on twenty four demands made by the Government of Khyber Pakhtunkhwa (Demand Nos. 4, 15 and 23). (Adopted by the House on 16-03-2017)

Matter was disposed of.

5. Minister for Planning, Development and Reforms to make reports on the implementation of the recommendations contained in the following reports of the Committees:-

- i. 1st Report of the Special committee on the Project of China-Pak Economic Corridor (CPEC). (Adopted by the House on 07-10-2015);

Matter was disposed of.

- ii. 2nd Interim Report of the Special Committee on the Project of China-Pak Economic Corridor (CPEC). (Adopted by the House on 15-06-2016);

Matter was disposed of.

- iii. 3rd Interim Report of the Special Committee on the Project of China-Pak Economic Corridor (CPEC). (Adopted by the House on 15-12-2016);

Matter was disposed of.

- iv. Report of the Standing Committee on Planning, Development and Reforms on “Sea intrusion causing land erosion in coastal areas of Sindh and Balochistan”. (Adopted by the House on 16-06-2016); and

Matter was disposed of.

- v. Report of the Special Committee on twenty four demands made by the Government of Khyber Pakhtunkhwa (Demand Nos. 13 and 14). (Adopted by the House on 16-03-2017);

Matter was disposed of.

MINISTERIAL RESPONSE

Statements by the Ministers concerned on the following points of public importance raised by the members and referred by the Chairman to the concerned Ministries:-

- i) Regarding the increase in tendency of missing persons in the country with particular reference to missing of Mr. Raza Mehmood Khan from Lahore,

on 2nd December, 2017. **(raised by Senator Muhammad Usman Khan Kakar on 13th December, 2017).**

Matter was disposed of.

- ii) Regarding the media reports that 200 Pakistanis have been detained in Bagram prison Afghanistan and most of them have undergone their sentences but still detained in the jail. **(raised by Senator Muhammad Ali Khan Saif on 13th December, 2017).**

Matter was deferred.

- iii) Regarding the closing down of PIA flights from Quetta to Dubai and Quetta to Turbat and Gwadar. **(raised by Senator Mir Kabeer Ahmed Muhammad Shahi on 22nd January, 2018).**

Matter was deferred for complete reply.

- iv) Regarding the non-supply of gas to Plejani area of Sindh. **(raised by Senator Hari Ram on 22nd January, 2018).**

Matter was disposed of.

- v) Regarding the non-supply of natural gas to the domestic consumers of Islamabad. **(raised by Senator Col. (R) Syed Tahir Hussain Mashhadi on 23rd January, 2018).**

Matter was disposed of.

- vi) Regarding the direction given by the Chairman to the Government to immediately constitute the National Commission on the Rights of Child under intimation to the House. **(direction given on 22nd January, 2018).**

Matter was disposed of, however, the Chairman directed the Secretary Senate to get in touch with the Chief Secretaries Khyber Pakhtunkhwa, Punjab and Sindh to expedite the nomination process.

ANNOUNCEMENT BY THE SECRETARY SENATE

Secretary Senate announced that on 13th February, 2017, Senate passed a unanimous Resolution No. 305 regarding the enhancement of role and powers of the Senate of Pakistan to protect the rights of the federating units and provide a meaningful participation to the provinces and other territories in the affairs of the Federation. The Resolution was communicated to the Ministry of

Law and Justice for necessary action. The Ministry of Law and Justice through correspondence dated 16th January, 2018 has now informed that the Special Assistant to the Prime Minister, Mr. Zafarullah Khan gave a detailed presentation on the Resolution in the Cabinet meeting dated 3rd January, 2018. However, the Cabinet did not approve the Constitutional amendments proposed by the Senate of Pakistan through its Resolution No. 305.

The Chairman observed that in the next session we will take up what the Senate is now to do after its unanimous resolution has been rejected by the Cabinet.

CARRYING FORWARD OF BUSINESS

The questions, motions under rule 218 and resolutions which could not be taken up during the session were carried forward for next session.

At 1:25 p.m. the Chairman read out the prorogation order signed by the President.