



**THE
SENATE OF PAKISTAN
DEBATES**

OFFICIAL REPORT

Friday, October 07, 2016

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SENATE OF PAKISTAN

SENATE DEBATES

Friday, October 07, 2016

The Senate of Pakistan met in the Senate Hall (Parliament House) Islamabad at two minutes past ten in the morning with Mr. Chairman (Mian Raza Rabbani) in the Chair.

Recitation from the Holy Quran

أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ-

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ-

إِنَّ بَطْشَ رَبِّكَ لَشَدِيدٌ ﴿١٢﴾ إِنَّهُ هُوَ يُبْدِي وَيُعِيدُ ﴿١٣﴾ وَهُوَ الْعَفُورُ الْوَدُودُ ﴿١٤﴾ ذُو الْعَرْشِ الْمَجِيدُ ﴿١٥﴾ فَعَالٌ لِّمَا يُرِيدُ ﴿١٦﴾ هَلْ أَمَّاكَ حَدِيثُ الْجُنُودِ ﴿١٧﴾ فِرْعَوْنَ وَثَمُودَ ﴿١٨﴾ بَلِ الَّذِينَ كَفَرُوا فِي تَكْذِيبٍ ﴿١٩﴾ وَاللَّهُ مِنْ وَرَائِهِمْ مُحِيطٌ ﴿٢٠﴾ بَلْ هُوَ قُرْآنٌ مَجِيدٌ ﴿٢١﴾ فِي لَوْحٍ مَحْفُوظٍ ﴿٢٢﴾

ترجمہ: میں پناہ مانگتا ہوں ساتھ اللہ کے شیطان مردود سے۔ شروع اللہ کے نام سے جو بڑا مہربان نہایت رحم والا ہے۔ حقیقت یہ ہے کہ تمہارے پروردگار کی پکڑ بہت سخت ہے۔ وہی پہلی مرتبہ پیدا کرتا ہے، اور وہی دوبارہ پیدا کرے گا۔ اور وہ بہت بخشنے والا، بہت محبت کرنے والا ہے، عرش کا مالک ہے، بزرگی والا ہے۔ جو کچھ ارادہ کرتا ہے، کرگزرتا ہے۔ کیا تمہارے پاس ان لشکروں کی خبر پہنچی ہے، فرعون اور ثمود کے لشکروں کی۔ اس کے باوجود کافر لوگ حق کو جھٹلانے میں لگے ہوئے ہیں جبکہ اللہ نے ان کو گھیرے میں لیا ہوا ہے۔ (ان کے جھٹلانے سے قرآن پر کوئی اثر نہیں پڑتا) بلکہ یہ بڑی عظمت والا قرآن ہے جو لوح

محفوظ میں درج ہے۔

(سورة البروج: آیات 12 تا 22)

جناب چیئرمین: جزاک اللہ، بسم اللہ الرَّحْمٰن الرَّحِیْم۔ جو فیصلہ کل House Business Committee میں ہوا تھا، the Question Hour will stand suspended. جی مظفر حسین شاہ صاحب۔

Syed Muzafar Hussain Shah: I seek your permission to move a motion under Rule 263 of the Rules of Procedure and Conduct of Business in the Senate, 2012 that the requirements of Rule 41 of the said Rules regarding Question Hour be dispensed with for today.

Mr. Chairman: It has been moved under Rule 263 of the Rules of Procedure and Conduct of Business in the Senate, 2012 that the requirement of Rule 41 of the said Rules regarding Question Hour be dispensed with.

(The motion was carried)

Mr. Chairman: And hence, Question Hour is suspended. We move on to leave applications.

Leave of Absence

جناب چیئرمین: سینیٹر نثار مجد بعض نجی مصرفیات کی بنا پر مورخہ 26، 27 ستمبر اور 03 اور 04 اکتوبر کو اجلاس میں شرکت نہیں کرسکے تھے اس لئے انہوں نے ان تاریخوں کے لئے ایوان سے رخصت کی درخواست کی ہے۔ کیا رخصت منظور ہے؟

(رخصت منظور کی گئی)

جناب چیئرمین: سینیٹر روزی خان کاکڑ بعض نجی مصرفیات کی بنا پر مورخہ 26 تا 30 ستمبر اجلاس میں شرکت

نہیں کرسکے تھے اس لئے انہوں نے ان تاریخوں کے لئے
ایوان سے رخصت کی درخواست کی ہے۔ کیا رخصت منظور ہے؟
(رخصت منظور کی گئی)

جناب چیئرمین: سینیٹر پروفیسر ساجد میر نے بعض نجی
مصرفیات کی بنا پر آج مورخہ 07 اکتوبر کے لئے ایوان سے
رخصت کی درخواست کی ہے۔ کیا رخصت منظور ہے؟
(رخصت منظور کی گئی)

جناب چیئرمین: سینیٹر ڈاکٹر اشوک کمار نے بعض نجی
مصرفیات کی بنا پر آج مورخہ 07 اکتوبر کے لئے ایوان سے
رخصت کی درخواست کی ہے۔ کیا رخصت منظور ہے؟
(رخصت منظور کی گئی)

Mr. Chairman: We move on to Order No.2. Order No.2 stands in the
name of Senator Muhammad Talha Mehmood, Chairman, Standing
Committee on Cabinet Secretariat may move Order No.2.

**Presentation of Report of the Standing Committee on Cabinet regarding
amendment in the Oil & Gas Regulatory Authority, Bill, 2015**

Senator Muhammad Talha Mehmood: Thank you very much.

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ -
Chairman, Standing Committee on Cabinet
Secretariat present report of the Committee on the Bill further to amend the
Oil and Gas Regulatory Authority Ordinance, 2002 [The Oil and Gas
Regulatory Authority (Amendment) Bill, 2015], introduced by Senator Sussui
Palijo, on 21st December, 2015.

Mr. Chairman: The Report stands laid. We move on to Order No.3.
Order No.3 stands in the name of Senator Taj Haider, Chairman, Committee
on delegated legislation, may move Order No.3.

Presentation of Report of the Committee on Delegated Legislation to present 2nd quarterly report

Senator Taj Haider: Senator, Sir, I, Taj Haider, Chairman, Committee on Delegated Legislation, have the honour to present second quarterly report for the period from July to September, 2016, of the Committee, as required under sub-rule (3) of Rule 172(e) of the Rules of Procedure and Conduct of Business in the Senate, 2012.

Mr. Chairman: The report stands laid.

Senator Taj Haider: Sir, at the same timecontd...

T02-7Oct2016 Taj/Ed. Mubashir 10:10 a.m.

Mr. Chairman: The report stands laid. Yes.

Senator Taj Haider: Sir, at the same time, I have a request to make that we need assistance of lawyers and you had very kindly offered.....

Mr. Chairman: In this break I will try to get you some lawyers, perhaps the most eminent lawyer in the country is sitting next to you, so would you need lawyers. If you permit me I will quickly move on to Order No. 7 and then we will come to Order No. 4. We move on to Order No. 7, which stands in the name of Mr. Zahid Hamid, Minister for Law and Justice, may move Order No. 7.

The Central Law Officers (Amendment) Bill, 2016

Mr. Zahid Hamid: Thank you Mr. Chairman, I hereby move that the Bill further to amend the Central Law Officers Ordinance, 1970 [The Central Law Officers (Amendment) Bill, 2016], as passed by the National Assembly, be taken into consideration.

Mr. Chairman: The Bill stands referred to the Standing Committee concerned. We move on to Order No. 9. Order No. 9 stands in the name of Mr. Zahid Hamid, Minister for Law and Justice, may move Order No. 9.

The Legal Practitioners and Bar Councils (Amendment) Bill, 2016

Mr. Zahid Hamid: Thank you Mr. Chairman, I hereby move that the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 2016], as passed by the National Assembly, be taken into consideration.

Mr. Chairman: The Bill stands referred to the Standing Committee concerned. We move on to Order No. 11. Order No. 11 again stands in the name of Mr. Zahid Hamid, Minister for Law and Justice, may move Order No. 11.

The Code of Civil Procedure (Amendment) Bill, 2016

Mr. Zahid Hamid: Sir, I hereby move that the Bill further to amend the Code of Civil Procedure, 1908, in its application to Islamabad Capital Territory, [The Code of Civil Procedure (Amendment) Bill, 2016], as passed by the National Assembly, be taken into consideration.

Mr. Chairman: The Bill stands referred to the Standing Committee concerned. We move on to Order No. 13. Order No. 13 again stands in the name of Mr. Zahid Hamid, Minister for Law and Justice, may move Order No. 13.

The Islamabad High Court (Amendment) Bill, 2016

Mr. Zahid Hamid: Sir, I hereby move that the Bill further to amend the Islamabad High Court Act, 2010, [The Islamabad High Court (Amendment) Bill, 2016], as passed by the National Assembly, be taken into consideration.

Mr. Chairman: The Bill stands referred to the Standing Committee concerned. We now take up Order No. 15. Order No. 15 stands in the name of Mr. Zahid Hamid, Minister for Law and Justice, may move Order No. 15.

The Civil Courts (Amendment) Bill, 2016

Mr. Zahid Hamid: Sir, I hereby move that the Bill further to amend the Civil Courts Ordinance, 1962, in its application to Islamabad Capital Territory, [The Civil Courts (Amendment) Bill, 2016], as passed by the National Assembly, be taken into consideration.

Mr. Chairman: We now move on to Order No. 17, which stands in the name of Senator Mohammad Ishaq Dar, Minister for Finance, Revenue, Economic Affairs, Statistics and Privatization, may move Order No. 17. Law Minister on his behalf.

The Companies (Appointment of Legal Advisers) (Amendment) Bill, 2016

Mr. Zahid Hamid: Thank you sir, I hereby move that the Bill further to amend the Companies (Appointment of Legal Advisers) Act, 1974, [The Companies Appointment of Legal Advisers) (Amendment) Bill, 2016], as passed by the National Assembly, be taken into consideration.

Mr. Chairman: The Bill stands referred to the Standing Committee concerned. There are amendments in Order No. 19 which I believe Senator Saleem Mandviwala will be withdrawing but he is not here at the moment. So we will take up Order No. 21. Order No. 21 stands in the name of Engr. Khurram Dastgir Khan, Minister for Commerce, may move Order No. 21. Minister of Law on his behalf.

The State Life Insurance Corporation (Re-organization and Conversion)
Bill, 2016

Mr. Zahid Hamid: Thank you sir, I hereby move that the Bill to provide for the re-organization and conversion of the State Life Insurance Corporation into a public limited company [The State Life Insurance Corporation (Re-organization and Conversion) Bill, 2016], as reported by the Standing Committee, be taken into consideration, at once.

Mr. Chairman: Is it opposed? Yes.

Senator Taj Haider: Sir, the Bill was referred to the relevant Committee and the relevant Committee has given its report. I would refer to paragraph No. 10 of that report in which the Committee's opinion has come, which says that the Minister for Commerce requested that 6 weeks be granted to the Ministry to carefully examine the proposed amendments.

Mr. Chairman: But why did not you move amendments that this has come as reported by Standing Committee.

Senator Taj Haider: Sir, the amendments have been moved by Senator Mandviwala and therefore, I shall be grateful.....

Mr. Chairman: They have been included in this.

Senator Taj Haider: I shall be grateful if the Calling Attention Notices are taken up.

Mr. Chairman: No, we have a Joint Sitting coming also. I spoke to Senator Mandviwala this morning and yesterday also. He has no objection, the amendments that were moved in the Committee, have been incorporated and the Bill is being taken up as per the report of the Standing Committee.

Senator Taj Haider: Sir, I beg to submit that Senator Mandviwala would be here any minute, if you defer it for about 15 minutes.

Mr. Chairman: Taj Haider Sahib, Just I spoke to him that his amendments are in Order No. 19. I spoke to him at quarter past nine, I was in touch with him yesterday. He has spoken to the Minister for Finance. They have agreed on that. He is withdrawing his amendments. I have already skipped Order No. 19 and 20 and come to Order No. 21. There is no dispute on Order No. 21.

Senator Taj Haider: Sir, it is the privatization of the State Life Insurance Corporation.

Mr. Chairman: They have moved the relevant amendments in the Bill. Taj Haider Sahib, if your party people are not keeping your ways, I cannot help that.

Senator Aitzaz Ahsan: Amendments are part of the Bill, that we move, then it may be moved.

Mr. Chairman: Chaudhry Sahib, it says, 'as reported by the Standing Committee'. I have repeatedly asked the honourable Senator Mandviwala, if there is going to be an issue on this Bill. He told me, no, it is clear. But now Taj Haider has created a doubt, I don't want to be caught tomorrow on the wrong foot and say that I bulldozed legislation in favour of the Government.

سینیٹر اعتزاز احسن: نہیں جناب! آپ پر کوئی ایسا
حرف نہیں آتا لیکن اگر مانڈوی والا صاحب کا انتظار
کر لیں، دوسرے Items لے لیں۔
جناب چیئرمین: تین منٹ میں پہنچیں، میں اس کو
defer کروں گا۔

سینیٹر اعتزاز احسن: شکریم جناب۔

Mr. Chairman: We quickly take up agenda Item No. 6. Agenda Item No. 6 stands in the name of Senator Muhammad Usman Khan Kakar, Sardar Muhammad Azam Khan Musakhel and Gul Bushra sahiba. Yes, Kakar Sahib.

Calling Attention Notice moved by Senator Muhammad Usman Khan Kakar regarding non-establishment of Passport Offices in various Districts of Balochistan

سینیٹر محمد عثمان خان کاکڑ: مہربانی جناب چیئرمین! یہ توجہ دلاؤ نوٹس ہے جو مو سی خیل، زیارت اور ہرنائی کے اضلاع میں پاسپورٹ دفاتر قائم نہ کرنے جبکہ مذکورہ دفاتر کے لیے عملہ بھرتی کیا جا چکا ہے اور بلوچستان کے مختلف اضلاع بشمول قلعہ سیف اللہ میں پاسپورٹ دفاتر کا غیر فعال ہونا جس کی وجہ سے صوبے کے لوگوں کو شدید مسائل درپیش ہیں۔

جناب چیئرمین! پاسپورٹ تو ہر شہری کا بنیادی حقوق میں سے ایک ہے۔ لوگ سفر کے لیے، مزدوری کے لیے اور خاص طور پر ہمارے لوگ کہاں جائیں، نہ کوئی نوکری ہے، نہ روزگار ہے۔ ہمارے صوبے کے لیے حج کا ایک سہولت ہے، بے چارے فرض ادا کرنے جاتے ہیں۔ اس میں بھی بہت سے مشکلات درپیش آتے ہیں کیونکہ بلوچستان کا رقبہ بہت وسیع ہے۔ ایک ضلع سے دوسرے ضلع کے درمیان دو سو کلومیٹر، پانچ سو کلومیٹر، تین سو کلومیٹر کا فاصلہ ہے۔ ڈیڑھ سو کلومیٹر تو عام اضلاع کے درمیان فاصلہ ہے۔ پاسپورٹ والوں نے کہا ہے کہ District Headquarters میں ہمارے۔۔۔۔

جناب چیئرمین: ایک منٹ۔ چوہدری صاحب، اسی دوران اگر آپ اس رپورٹ کا Para No. 9 onwards پڑھ لیں تو آپ کو clear ہو جائے گا۔ جی کاکڑ صاحب۔

سینیٹر محمد عثمان خان کاکڑ: پاسپورٹ والوں نے کہا ہے کہ District Headquarters میں ہم دفاتر کھولیں گے اور وہاں پر لوگوں کو یہ بنیادی سہولت دیں گے۔ ہماری معلومات کے مطابق ابھی تک ضلع موسیٰ خیل، ضلع شیرانی اور ضلع ہرنائی میں دفاتر نہیں بنائے گئے ہیں۔ ہم نے زیارت کے لیے لکھا تھا، دو تین دن پہلے زیارت میں پاسپورٹ دفتر کا افتتاح ہوا لیکن کام ابھی تک شروع ہوا نہیں ہے۔ [Followed by T03]

T03-07OCT2016

SAIFI

TIME 1030

سینیٹر محمد عثمان خان کاکڑ: ہم دفاتر کھولیں گے ، لوگوں کو بنیادی سہولت دیں گے۔ جو ہماری معلومات ہیں ابھی تک موسیٰ خیل میں دفتر نہیں بنایا گیا۔ ڈسٹرکٹ شیرانی میں دفتر نہیں بنایا گیا۔ ہرنائی میں ابھی تک دفتر نہیں بنایا گیا۔ ہم نے زیارت کا لکھا تھا دو تین دن پہلے زیارت کا افتتاح ہوا ہے، کام ابھی تک شروع نہیں ہوا، لوگوں کی بڑی مہربانی۔ قلعہ سیف اللہ میں بھی جو دفتر کو فعال ہونا چاہیے وہ اس طرح نہیں ہے۔ کوئٹہ میں پاسپورٹ بنوانے والوں کے لیے بہت سی مشکلات ہیں۔ مہینوں بلکہ سالوں لگ جاتے ہیں پاسپورٹ بنوانے کے لیے، ایک خاص مافیا ہے جو ہر وقت پاسپورٹ آفس کے باہر گھومتے ہیں ، اگر آپ ان کا اعتماد کسی ذریعے سے حاصل کر لیتے ہیں پھر آپ کو مشکلات نہیں ہوتیں، اگر آپ direct passport office جائیں گے تو پچاس ساٹھ فیصد لوگوں کو

مشکلات درپیش آتی ہیں۔ ایک نیا طریقہ بھی لوگوں نے اختیار کیا ہوا ہے کہ جب آپ پولیس کے ذریعے اس کی verification کرو گے وہ لوگوں سے پیسے لیتے ہیں یہ بھی ایک جنجال ہے۔ ایک بندے نے ایک دفعہ پاسپورٹ بنوایا، دو دفعہ بنوایا پھر اس کی وہی verification ہے، ہماری گزارش ہے کہ اس پر توجہ دیں۔

جناب چیئرمین: شکریہ، سردار صاحب آپ بات کریں گے۔

Sardar Muhammad Azam Khan Musakhel

سینیٹر سردار محمد اعظم خان موسیٰ خیل: جناب چیئرمین! شکریہ، جہاں تک پاسپورٹ آفس کا تعلق ہے موسیٰ خیل، برنائی، شیرانی، زیارت اس کے علاوہ بلوچستان میں، ہمارے بلوچ بھائیوں کے اضلاع میں نئی پاسپورٹ کا اجرا، ان کے ٹیسٹ انٹرویو، سب کچھ، پرانے جو دفاتر ہیں، جنوبی پشتونخوا میں ہمارے بلوچ بھائیوں کے اضلاع میں وہ بھی عرصہ سے بند چلے آ رہے ہیں۔ جناب والا! جہاں تک پاسپورٹ اور شناختی کارڈ کا تعلق ہے یہ دو مسائل ہیں۔ ہمارے شناختی کارڈ نہیں بنتے، ہمیں پاسپورٹ بنوانے میں بہت سی مشکلیں برداشت کرنی پڑتی ہیں۔ ابھی بھی اگر آپ اندازہ لگائیں، ڈیٹا نکالیں تو کم از کم پشتو speaking والوں کے دو لاکھ شناختی کارڈ بلاک ہیں۔ جب یہ دفاتر کا آرڈر ہو، میں نے ان اضلاع کو شیرانی، موسیٰ خیل، برنائی، میں نے ان کو فون بھی کیا اور لیٹر بھی لکھے کہ جب تک آپ دفتر کے لیے زمین لیتے ہیں DC صاحب کو میں نے کہا تھا کہ آپ نے لوگوں کو accommodate کرنا ہے، ان کے لیے دفاتر دینے ہیں۔ سب اضلاع کے ڈی سی اوز نے مجھے کہا کہ ہم انہیں جگہ دیں گے بشرطیکہ وہ آئیں

لیکن آج تک وہ لوگ آئے ہی نہیں ہیں۔ ہم جو بھی یہاں پر بیان کرتے ہیں اور آپ راجہ صاحب کے ذمہ لگاتے ہیں ، راجہ صاحب ہمارے ساتھ وہ رویہ نہیں رکھتے جو انہیں رکھنا چاہیے۔

جناب چیئرمین: شکریہ، جی وزیر مملکت برائے داخلہ۔

Mr. Muhammad Baligh-ur-Rehman, MoS for Interior

مُجِّدُ بَلِيغُ الرَّحْمٰنِ (وزیر مملکت برائے داخلہ): بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِيْمِ۔ شکریہ، جناب چیئرمین! حکومت نے 2015 میں یہ فیصلہ کیا تھا کہ پاکستان کے تمام اضلاع میں پاسپورٹ آفس کھولے جائیں گے۔ اس کے لیے تیزی سے کام جاری ہے 2016 ختم ہونے کو آ رہا ہے اور اس پروگرام کے تحت جنوری 2017 تک یہ مرحلے مکمل ہو جائیں گے۔ مجھے یہاں پر بالخصوص چار ڈسٹرکٹ کے بارے میں اس Calling Attention Notice میں ذکر کیا گیا میں ان کا status بھی دے دیتا ہوں اور باقی بھی share کرتا ہوں۔ ایک موسیٰ خیل کا بتایا گیا۔ اس کی تمام deployment تمام ٹیکنیکل کام بھی اور لوگوں کو بھی وہاں پر بھرتی کیا جا چکا ہے یا بھیجا جا چکا ہے جنہوں نے کام کرنا ہے۔ انشاء اللہ ہمیں امید ہے کہ پندرہ اکتوبر تک inaugurate کر دیا جائے گا۔ زیارت کی بات کی گئی، زیارت مکمل ہو چکا تھا اور اب سے چند دن پہلے چار اکتوبر کو اس کا باقاعدہ افتتاح بھی ہو گیا ہے اور افتتاح کے بعد وہ fully functional ہے۔ ہرنائی کی بات کی گئی تو ہرنائی بھی اس وقت تیار ہے اور ان شاء اللہ جلد ہی اس کا افتتاح کر دیا جائے۔ اس کے علاوہ بھی عرض کردوں کہ پاسپورٹ آفس جن اضلاع میں مکمل طور پر تیار ہیں اور کسی بھی وقت ان کا افتتاح کیا جا سکتا ہے، کچھ جگہوں پر یہ preference آئی ہے کہ محرم کے

بعد ان کا افتتاح کیا جائے۔ اس میں نوشکی کا، قلات کا، پنجگور کا، مستونگ اور ہرنائی کا یہ والے بالکل تیار ہیں، اسی طرح قلعہ سیف اللہ کی بات کی گئی کہ قلعہ سیف اللہ میں non-functional ہے۔ جناب والا! ایسا نہیں ہے میں نے آج صبح بھی چیک کروایا وہاں پر بات بھی کروائی ہے، اس وقت وہاں پر انچارج کلیم اللہ وہ بھی آفس میں موجود ہے۔ ابھی دو دن پہلے پانچ اکتوبر کو دو پاسپورٹ وہاں سے process بھی ہوئے ہیں۔ It is very much functional وہاں پر کسی چیز کی کمی نہیں ہے۔ انہیں کوئی غلط فہمی ہوئی ہے اگر کوئی تفصیل ان کے پاس موجود ہے تو ہم اس کو الگ سے دیکھ لیتے ہیں کہ کیوں ایسی اطلاع پہنچی کیونکہ یہ perception اچھی بات نہیں ہے۔

جناب والا! ڈسٹرکٹ کی اور بھی لسٹ ہے جہاں پر ابھی کام شروع ہونا ہے۔ برکھان، جھل مگسی، موسیٰ خیل، موسیٰ خیل کا تو یہاں ذکر تھا لیکن برکھان اور جھل مگسی بھی ان شاء اللہ پندرہ اکتوبر تک operational ہو جائیں گے۔ اگلے phase میں ہم توقع کر رہے ہیں کہ ڈیرہ بگٹی، کوبلو اور لسبیلہ میں بھی اکتوبر میں operational ہو جائیں گے۔ اس کے بعد following districts ہیں ان پر بھی کام شروع ہو چکا ہے۔ اواران، شیرانی، نصیرآباد، جعفر آباد اور صحبت پور میں بھی کام شروع ہو چکا۔ یہ جو پورا process ہے اس پر بہت تسلی بخش کام جا رہا ہے۔ اس کے علاوہ اگر کوئی شکایت ہے تو میں اس پر حاضر ہوں۔

Mr. Chairman: Thank you. The Calling Attention Notice is disposed of.

Ch. Sahib, he has not come, we are working in the constraint of time. You have read that paragraph. I do not think there is an issue there.

سینیٹر اعزاز احسن: ٹھیک ہے سر یہ 21 and 22 میں
یہ آجائے as reported by the Standing
Committee.

**The State Life Insurance Corporation (Re-organization and Conversion)
Bill, 2016**

جناب چیئرمین: جی وہ تو آگیا ہے، 21 کے موشن میں
آگیا ہے۔

It has been moved that the Bill to provide for the re-organization and conversion of the State Life Insurance Corporation into a public limited company [The State Life Insurance Corporation (Re-organization and Conversion) Bill, 2016], as reported by the Standing Committee, be taken into consideration, at once.

(The motion was adopted)

Mr. Chairman: Yes, Minister.

Mr. Zhaid Hamid: I just went out to speak to the Minister for Commerce, who, unfortunately, is not here in Islamabad, he is out of town and he is requesting that if this Bill could be deferred.

Mr. Chairman: This Bill will lapse on the 17th of October. He will have a similar situation as that of the PMDC Bill and in any case the motion has been carried. Would you like to make a brief statement or should I go on with you? OK. We may now take up the second reading of the Bill. That is clause by clause consideration of the Bill. Clause 2, there is no amendment in Clause 2. The question is that Clause 2 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 2 stands part of the Bill. There is no amendment in Clause 3. The question is that Clause 3 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 3 stands part of the Bill. There is no amendment in Clause 4. The question is that Clause 4 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 4 stands part of the Bill. There is no amendment in Clause 5. The question is that Clause 5 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 5 stands part of the Bill. There is no amendment in Clause 6. The question is that Clause 6 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 6 stands part of the Bill. There is no amendment in Clause 7. The question is that Clause 7 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 7 stands part of the Bill. There is no amendment in Clause 8. The question is that Clause 8 do form part of the Bill?

(The Motion was carried)

.....Contd.....

T04-07OCT2016 10:30 P.M. FAHEEM/ ED Mohsin Zaidi

Mr. Chairman: Clause 7 stands part of the Bill. There is no amendment in Clause 8. The question is that Clause 8 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 8 stands part of the Bill. There is no amendment in Clause 9. The question is that Clause 9 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 9 stands part of the Bill. There is no amendment in Clause 10. The question is that Clause 10 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 10 stands part of the Bill. There is no amendment in Clause 11. The question is that Clause 11 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 11 stands part of the Bill. There is no amendment in Clause 12. The question is that Clause 12 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 12 stands part of the Bill. There is no amendment in Clause 13. The question is that Clause 13 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 13 stands part of the Bill. There is no amendment in Clause 14. The question is that Clause 14 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 14 stands part of the Bill. There is no amendment in Clause 15. The question is that Clause 15 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 15 stands part of the Bill. There is no amendment in Clause 16. The question is that Clause 16 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 16 stands part of the Bill. There is no amendment in Clause 17. The question is that Clause 17 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 17 stands part of the Bill. There is no amendment in Clause 18. The question is that Clause 18 do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 18 stands part of the Bill. We now take up Clause 1, the Preamble and the Title of the Bill. The question is that Clause 1, the Preamble and the Title do form part of the Bill?

(The Motion was carried)

Mr. Chairman: Clause 1, the Preamble and the Title stands part of the Bill. We now move on to Order No.22. Order No.22 stands in the name of Engr. Khurram Dastgir Khan, Minister for Commerce. Minister for Law on his behalf move Order No.22.

Mr. Zahid Hamid (Minister for Law & Justice): Sir, I have a request from the honourable Minister, who desires to please defer this matter. I also notice now that there is a letter of dissent from one of the members of the Committee, who is not present in this august House. So, there is a problem, therefore, I hesitate now to move the motion to pass only because the

Minister concerned has personally requested me to please make this submission before this august House. On the other hand, there is some confusion because the honourable Minister for Parliamentary Affairs was asked to have this put on the agenda but then somebody should have presented the other point of view to this, the note of dissent.

Mr. Chairman: Minister Sahib, there can be a note of dissent, that does not mean that the note of dissent will override the overall decision of the Committee.

Mr. Zahid Hamid: Sir, what has happened is, of course, that the opposite point of view has not been presented at all, therefore, we have voted one-sidedly.

Senator Saleem Mandviwala: Sir, the Committee has passed it by majority. So, the Minister is misstating again to the House. I am sorry.

Mr. Zahid Hamid: I am not misstating anything, just saying that things are taken back. What does this mean that I am misstating?

Mr. Chairman: The report of the Committee is here. The report of the Committee was presented in the House. If there was any issue with the report of the Committee, the member who dissented, he should have raised it at that time. Now the time has lapsed since the presentation of the report in the House and the Bill being taken up today, then the Minister has asked the Parliamentary Affairs, we have not brought the Bill on the Orders of the Day. The Ministry of Parliamentary Affairs has brought the Bill on the Orders of the Day. It has now been taken up and the Bill has been introduced, the clauses have been voted upon, I do not know what is the problem.

(Interruption)

Mr. Chairman: Minister Sahib, talk to me, I am not saying that you are misstating. Let Minister for Parliamentary Affairs move the motion.

Shaikh Aftab Ahmed (MoS for Parliamentary Affairs): Sir, I beg to move that the Bill to provide for the re-organization and conversion of the State Life Insurance Corporation into a public limited company [The State Life Insurance Corporation (Re-organization and Conversion) Bill, 2016] be passed.

Mr. Chairman: It has been moved that the Bill to provide for the re-organization and conversion of the State Life Insurance Corporation into a public limited company [The State Life Insurance Corporation (Re-organization and Conversion) Bill, 2016] be passed.

(The Motion was carried)

Mr. Chairman: The Motion is carried and the Bill stands passed. We now go back to Order No.19.

Observation of the Chairman on bypassing the Senate and the Constitution

Mr. Chairman: I just want to say and the Law Minister you may kindly see that a very dangerous and a very serious precedent is being set. This begins from the PMDC Bill. This is why I wrote to the Speaker also, as Presiding Officer of the Joint Sitting. Now Ministers are beginning to feel that the route that was adopted in the PMDC Bill by the honourable Minister for Health is perhaps the best way to circumvent and bypass the Senate that let the time period of 90 days pass and then let it be sent to the Joint Sitting. This tantamount to subverting the Constitution. You are depriving the Upper House of its right to either reject or pass the Bill. If the House rejects the Bill, you still have to go to the National Assembly and then you can take it to the

Joint Sitting but you cannot deny the Senate its right to do legislation. This is a very very serious precedent and I don't expect it from Law Minister like you. I just want to bring this on record that if the Ministers find that this is an easy way of circumventing the Constitution and the rules, then I am sorry, as custodian of this House, I will go to any length and I want to make it clear, I will go to any length to protect the Constitutional right of this House.

(Interruption)

Mr. Chairman: No please. Babar Sahib, please, we are short of time. Yes, Law Minister you want to respond on this.... (Followed by T05)

T05-07October2016---Mazhar/Ed. Rauf

Continue....Mr. Chairman...No please, no, Senator Zaheer-ud-Din Babar Awan Sahib we are short of time. Law Minister you want to respond on this.

(Interruption)

جناب چیئرمین: سینیٹر ظہیر الدین بابر اعوان صاحب میں آپ سے گزارش کر رہا ہوں آج Joint Sitting بھی ہے، یہ بھی کرنا ہے۔ بہت کام ہے اس لیے میں آپ سے گزارش کر رہا ہوں۔ Law Minister Sahib..

Mr. Zahid Hamid: Thank you sir, since you have raised the point I am duty bound to respond. Let me just mention that the honourable Minister of State for National Health Services is not present but let me just draw your attention what exactly happened that day when it was being argued.

Mr. Chairman: Let's not go on to the PMDC Bill.

Mr. Zahid Hamid: No, sir, because you are striving, I am sorry to say you are saying that this was done deliberately. It was not, we generally wanted that ...

(Interruption)

Mr. Chairman: Please Babar Sahib, Minister Sahib look at me, talk to me.

Zahid Hamid: Sir, we generally wanted that the matter should be re-argued. In fact the honourable Minister of State on that day requested me I am acting on her instruction. I requested you and you very kindly agreed to defer the matter and she says that she asked the Attorney General who wants to come here and argue the matter before you to do the needful. Unfortunately, he was travelling etc. and the 90 days period expired, it was not deliberate. I keep saying that it was not deliberate that it was designed that the 90 days period should expire and this august House should not express its views and therefore, it should get deferred. When the Secretary, Senate referred the Bill back after the 90 days that is the Constitutional requirement, the Minister had no alternative but to take it to the Joint Sitting. Once again I would emphasize that the intention was not, "NOT" (capital letters) to do anything of this sort to try to avoid the decision of this august House. This particular Bill, also frankly I have been caught totally unaware. I moved it myself, I just thought that because there was an objection from the other side I wanted to know what were the exact facts. I went out, I managed to catch him on the phone, he is in Gujrawala. I asked him "Do you know about that Bill"? He said, "I don't". I said "You know it's being passed today". He didn't. I said do you know this amendment, he

didn't. He said "Please! defer it I want to be there." I came and told you that. The intention is not

کم اس کو expire ہونے دیں پھر اس کو adopt کر لیں گے۔
Please, this feeling that somehow or the other the Government is deliberately intending to bypass this august House, is not correct. It should not be taken in that like at all. In fact, the stock in the media that somehow or the other the two august organs of this Parliament are at loggerheads or in anyway not on the same page is not right. So please, I would strongly urge that this feeling, this sentiment should be dispelled. We honour this august House, we have been acting accordingly and please no motives of this sort should be described that we are deliberately trying somehow the other to bypass this House. This is not the intention and nor will it ever be the intention of this Government.

Mr. Chairman: Thank you, honourable Law Minister but just let me correct the record. The ignorance in the present case, the pleading of ignorance by the Minister, I fail to understand because the notice of this Bill being put on the Orders of Day has been signed by the Minister concerned. Unless he has delegated that powers to his Secretary, I can't say to that but the notice has been signed by him, No. 1. No. 2, it has been brought on the Orders of the Day by the Ministry of Parliamentary Affairs. It has not been brought on the Orders of the Day by the Senate Secretariat so the Ministry of Parliamentary Affairs must have done intra-ministerial.

(Interruption)

Mr. Chairman: On the other question on the PMDC Bill No. 1, you argued very competently that day, I don't see any difference in competence

between yourself and the Attorney General. When you were arguing you should have been asked to continue with the arguments rather than to wait for the Attorney General then the Senate Secretariat has copies of letters which the Ministry of Parliamentary Affairs wrote at ad nauseam to the Ministry saying that the Bill was to be taken up in the next Session and is due to lapse so tell us when the Bill is to be taken up. None of the letters was replied to by the Ministry. I will go by what you say but the facts belie what the intention was but I would prefer to go by what you are saying. We now move on to Agenda Order No. 19. Minister Incharge Cabinet Secretariat may move Order No. 19.

Passage of the Special Economic Zones (Amendment) Bill, 2016

Sheikh Aftab Ahmed: Sir, I beg to move that the Bill further to amend the Special Economic Zones Act, 2012, [The Special Economic Zones (Amendment) Bill, 2016] as reported by the Standing Committee, be taken into consideration, at once.

Mr. Chairman: Is it opposed? That is another matter but you are not opposing it. It has been moved that the Bill further to amend the Special Economic Zones Act, 2012, [The Special Economic Zones (Amendment) Bill, 2016] as reported by the Standing Committee, be taken into consideration, at once.

(The motion was carried)

Mr. Chairman: We now take up the second reading. We now take up clause 2. There is an amendment in Clause 2 in the name of Senator Saleem Mandviwala.

Senator Saleem Mandviwala: Sir, after due deliberations with the Government I would like to withdraw this amendment because it has been covered in a different definition in the Bill.

Mr. Chairman: Right, so the amendment stands withdrawn. I now put Clause 2 before the House. The question is that Clause 2 do form part of the Bill.

(The motion was carried)

Mr. Chairman: Clause 2 stands part of the Bill. There is an amendment in Clause 3 in the name of Senator Saleem Mandviwala.

Senator Saleem Mandviwala: Sir, this amendment has also been deliberated with the Government and it's also covered in Clause 6 of the Bill.

Mr. Chairman: So you are withdrawing it.

Senator Saleem Mandviwala: Yes sir.

Mr. Chairman: The amendment stands withdrawn. I now put Clause 3 before the House. The question is that Clause 3 do form part of the Bill.

(The motion was carried)

Mr. Chairman: Clause 3 stands part of the Bill. There is an amendment in Clause 4 in the name of Senator Saleem Mandviwala.

Senator Saleem Mandviwala: Actually there was a translation issue in this, what I was saying and what the Government was saying was same so I withdraw this amendment.

Mr. Chairman: The amendment withdrawn. I now put Clause 4 before the House. The question is that Clause 4 do form part of the Bill.

(The motion was carried)

Mr. Chairman: Clause 4 stands part of the Bill. There is no amendment in Clause 5. The question is that Clause 5 do form part of the Bill.

(The motion was carried)

Mr. Chairman: Clause 5 stands part of the Bill. There is an amendment in Clause 6 in the name of Senator Saleem Mandviwala.

Senator Saleem Mandviwala: This amendment was also discussed and it has been resolved that this amendment should also be withdrawn.

Mr. Chairman: The amendment stands withdrawn. I now put Clause 6 before the House. The question is that Clause 6 do form part of the Bill.

(The motion was carried)

Mr. Chairman: Clause 6 stands part of the Bill. There is an amendment in Clause 7 in the name of Senator Saleem Mandviwala.

Senator Saleem Mandviwala: This has also been resolved.

Mr. Chairman: The amendment stands withdrawn. I now put Clause 7 before the House. The question is that Clause 7 do form part of the Bill.

(The motion was carried)

Mr. Chairman: Clause 7 stands part of the Bill. We now take up Clause 1 the Preamble and Title. The question is that Clause 1 the Preamble and Title do stand part of the Bill.

(The motion was carried)

Mr. Chairman: We now take up Order No. 20, Minister Incharge Cabinet Secretariat may move Order No. 20.

(Followed by T06)

T06-07Oct16

ZAFAR/Ed.Zafar

Sheikh Aftab Ahmed (Minister-In-Charge Cabinet Secretariat): Sir, I beg to move that the Bill further to amend the Special Economic Zones Act, 2012, [The Special Economic Zones (Amendment) Bill, 2016], be passed.

Mr. Chairman: It has been moved that the Bill further to amend the Special Economic Zones Act, 2012, [The Special Economic Zones (Amendment) Bill, 2016], be passed.

(The motion was carried)

Mr. Chairman: The motion is adopted and the Bill stands passed. We now take up Agenda Item No.23, which is a calling attention notice in the name of Senator Sassui Palijo.

Senator Taj Haider: Sir, I beg to submit and I realize and admit that Senator Palijo should have contacted the secretariat directly but she had to rush to Thatha for some urgent work. However, it is about the electrification of certain villages which that area is producing. Sir, the Jhampeer corridor is already producing more....

Mr. Chairman: Taj Sahib, you can't speak on it, the calling attention is on her behalf, sorry. The calling attention notice stands dropped. We now come back to Order No. 4 which stands in the name of Senator Raja Muhammad Zafar-ul-Haq, Leader of the House, may move Order No. 4.

Presentation of Report of the Committee of the Whole Regarding Policy Guidelines in view of the latest situation developing between Pakistan and India

Senator Raja Muhammad Zafar-ul-Haq: Sir, I present 1st report of the Committee of the Whole on a matter referred by the House regarding Policy Guidelines in view of the latest situation developing between Pakistan and

India, as required under sub-rule (5) of rule 172(b) of the Rules of Procedure and Conduct of Business in the Senate, 2012.

Remarks by the Chairman

Mr. Chairman: The report stands laid.

میں سب سے پہلے تو پوری Committee of the Whole بالخصوص
Leader of the House, Leader of the Opposition تمام پارلیمانی
لیڈرز اور تمام ممبران کو مبارک باد پیش کرنا چاہتا
ہوں کہ اتنے کم عرصے میں یہ کام کیا گیا، ان کو یہ
Committee of the Whole matter 26th September اور
Whole کی meetings ہوئیں، جن میں briefings ہوئیں اور ایک
بارہ رکنی drafting committee تشکیل دی گئی اور اس بارہ
رکنی drafting committee نے اپنی سفارشات مرتب کیں جو کہ
پرسوں Committee of the Whole کے سامنے لائی گئیں۔ ان پر
Committee of the Whole نے غور کیا، ان میں amendments کرنے
کے بعد ان کو pass کیا۔ میں ان کو اس بات پر مبارک باد
پیش کرنا چاہتا ہوں کہ اتنے کم عرصے میں سینیٹ نے
atna جامع کام انجام دیا۔ میں سمجھتا ہوں کہ یہ report
and policy guidelines درحقیقت پارلیمان کا اصل کام ہے اور
موجودہ صورت حال میں یہ policy guidelines جو کہ سینیٹ نے
مرتب کی ہیں، ان کا ایک اہم کردار ہو گا اور ان سے
حکومت کی رہنمائی ہو گی۔ یہ House میں lay ہو گئی ہیں
اور اگلا motion ان کی adoption کا ہے۔ اس کے بعد ساڑھے
گیارہ بجے جو joint sitting ہو گی، ان کے لیے بھی یہ ایک
نہایت مفید چیز ہو گی۔ سینیٹ نے ایک بار پھر اپنا
پارلیمانی کردار جو اس کو آئین اور rules کے تحت ادا
کرنا تھا، وہ کیا ہے۔ آپ نے دیکھا ہے کہ یہ report

regional geopolitical حصوں پر مشتمل ہے، ایک preface ہے، پھر
There are 22 policy context ہے اور آخر میں policy guidelines ہیں۔
ongoing process ایک اور یہ guidelines that the Senate has provided
Committee of the ہے، اس کو حتمی نہ سمجھا جائے کیوں کہ
to prepare policy guidelines over all in the foreign policy. Whole بنی ہے
یہ ایک specific چیز سامنے آئی تھی، ان کو mandate ملا تھا
policy guidelines in view of the latest situation developing between India and
Pakistan. So, I commend and thankful to all honourable members for their
contribution, for their positive role that they played and they have in deed
brought honour to the Senate and Senate has made a positive contribution
in the present context of the situation.

اعتزاز صاحب، آپ اس پر کچھ کہنا چاہیں گے؟

Senator Aitzaz Ahsan, Leader of the Opposition

سینیٹر اعتزاز احسن: میں اس کو خوش آئند سمجھتا
ہوں کہ یہ across the board, both sides of the aisle سے منظور ہوئی
ہے۔ اس میں تجاویز اور سفارشات ہیں۔ اس میں بالخصوص
Foreign Office کے لیے رہنمائی ہے، اس وقت پاکستان کا
Foreign Office خاصا کمزور، ضعیف اور ناکام نظر آ رہا ہے۔
اس حکومت کی foreign policy کافی مجروح نظر آتی ہے اور
پاکستان isolate ہو گیا ہے اور diplomatic initiatives میں
انڈیا بڑا aggressive جا رہا ہے۔ اس صورت میں Foreign Office
کی رہنمائی کے لیے یہ ایک بہت اچھی دستاویز ہے۔

**Recognition of Students and Faculty Members of Kinnaird College by the
Chairman**

Mr. Chairman: Thank you. The Chair recognizes a group of 25 students
of the department of Political Science along with three faculty members of

Kinnaird College of Women, Lahore who are present in visitors gallery. I would also like to add with a touch of pride that the 25 members and their faculty members are here as they made a request to visit the Gali-e-Dastoor and they have also come to see the Proceedings of the House. Raja Zafar-ul-Haq Sahib.

Further discussion on the Presentation of Report of the Committee of the Whole Regarding Policy Guidelines in view of the latest situation developing between Pakistan and India

Senator Raja Muhammad Zafar-ul-Haq, Leader of the House

سینیٹر راجہ محمد ظفر الحق: جناب! آپ نے درست فرمایا کہ سینیٹ نے Committee of the Whole کی حیثیت سے اس issue پر جو نہ صرف بڑا burning issue ہے بلکہ ایک challenge to our existence also and what the people of Kashmir are facing بھی سب نے مل کر یہ report ترتیب دی، پھر اس کی drafting ہوئی اور میں یہ سمجھتا ہوں کہ اس میں Foreign Office کی بھی بہت contribution ہے۔ ہمیں اس بات کو recognize کرنا چاہیے کہ کئی بار بہت تھوڑے وقت میں آپ نے جب بھی مشیر خارجہ کو یہاں کسی بھی issue پر اور بالخصوص اس issue پر contribute کرنے کی دعوت دی تو انہوں نے سارے کام چھوڑ کر سینیٹ کی ان proceedings کو اہمیت دی۔ انہوں نے یہاں پر آ کر contribute کیا whatever information he had, he laid before the House. اس لیے ہم اس موقع پر ان کی اس contribution کو appreciate کرتے ہیں۔

جو challenges ہوتے ہیں، مثال کے طور پر پہلی بار ابتدا میں جب 1948-49 میں ہندوستان اپنی افواج لے آیا تھا تو اس وقت وزیر اعظم لیاقت علی خان تھے اور یہ

challenge لیاقت علی خان صاحب کو نہیں تھا، یہ پاکستان
challenge کو تھا لیکن جب قوم نے متحد ہو کر اس
retreat کا مقابلہ کرنے کا اظہار کیا تو Indian forces نے
کیا۔ اسی طریقے سے بعد میں بھی اگر 1965 میں انڈیا نے
پاکستان پر حملہ کیا تو اس وقت بھی قوم نے اپنے valor
اور اپنی existence کو برقرار رکھنے کا بہترین ثبوت دیا
اور جنہوں نے ان پر حملہ کیا تھا، ان کے خلاف civilians,
army, bureaucracy ہر ایک نے اپنا کردار ادا کیا۔
.....جاری.....

T07-07OCT2016 FURQAN[ED.MUBASHIR] 11:00A.M.

سینیٹر راجہ محمد ظفر الحق (جاری)۔ کیا بیوروکریسی وغیرہ، ہر
ایک نے اپنا role ادا کیا، آپ دیکھیں کہ ان سترہ دنوں
میں کوئی crimes نہیں ہوئے، یہ ایک اس کا collective
ethos تھا، جس کا اظہار اس وقت بھی ہوا۔ اس بات میں
کوئی دو رائے نہیں ہے کہ 1971 میں مشرقی پاکستان میں
Indian forces سے مکتی بابنی سے مقابلہ ہوا تو پاکستانی
افواج نے اپنی جانیں دینے اور لوہا منوانے میں کبھی
کوٹاہی نہیں کی، باقی جو اس وقت کی leadership تھی، اگر
ان سے وہ معاملہ سنبھالا نہیں گیا تو یہ بدقسمتی کی
بات ہے کہ ملک دولخت ہوا۔ اس وقت جو کشمیر میں صورت
حال ہے اور جس پر یہ معاملہ اٹھایا گیا، اس پر آپ نے
کمیٹی بنائی، اس کمیٹی نے اپنی رپورٹ دی، پھر اس پر
یہاں threadbare discussion ہوئی، ایک ایک item پر discussion ہوئی،
final draft آج ہمارے سامنے ہے۔ آپ نے کل Business Advisory
Committee کی meeting بلائی تھی، اس میں بھی یہ طے ہوا تھا

کہ سینیٹ نے اپنا کام اپنی قومی ذمہ داری محسوس کرتے ہوئے کیا ہے، بہت اچھا کام کیا ہے۔ میرا خیال ہے کہ اس کی کاپی گورنمنٹ کو بھی بھیجیں، قومی اسمبلی کو بھی بھیجیں تاکہ جو ہماری طرف سے اپنے فرض کی ادائیگی کے طور پر ایک document تیار ہوا ہے وہ قوم کے کام آسکے اور آئندہ کے لیے guidelines بھی تیار ہو سکیں۔ میں سمجھتا ہوں کہ پارلیمنٹ کا یہی کام ہوتا ہے اور یہی کام ہونا چاہیے، باقی جو issues ہیں، وہ الگ ہیں، اختلافات بھی ہیں لیکن کشمیر کے معاملے پر کوئی اختلاف رائے نہیں ہے۔ اگر میں اس میں کوئی contribution دیتا ہوں تو میں کسی کو obligate کرنے کے لیے نہیں دیتا، پاکستان کے شہری کے طور پر یہ میرا اپنا فرض ہے، مجھ میں جو کچھ ہے، خون ہے، زندگی ہے، اگر میں اسے ملک کے لیے پیش کرتا ہوں تو مجھے کوئی بچکچاہٹ نہیں ہے۔ ہماری آپس میں اگر کوئی تلخی ہو جاتی ہے تو وہ ایک الگ بات ہے اور کل وہ معاملہ بڑی خوش اسلوبی سے ایک اچھی spirit سے conclude ہوا اور میں امید کرتا ہوں کہ آئندہ اس طرح کی باتیں نہیں ہوں گی اور اصل مقصد کو سامنے رکھا جائے گا۔ جناب چیئرمین! آپ اجازت دیں تو میں پیش کردوں۔

جناب چیئرمین: آپ Order No. 5 پڑھ دیں۔

Motion under Rule 196(1) moved by Senator Raja Muhammad Zafar-ul-Haq, Leader of the House regarding report of the Committee of the Whole on Policy Guidelines in view of the situation between Pakistan and India

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
 Senator Raja Muhammad Zafar-ul-Haq: beg to move under sub-rule(1) of rule 196 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that 1st report of the Committee of the Whole on a matter referred by the House regarding policy Guidelines in

view of the latest situation developing between Pakistan and India, be considered and adopted.

Mr. Chairman: It has been moved under sub-rule(1) of rule 196 of the Rules of Procedure and Conduct of Business in the Senate, 2012, that 1st report of the Committee of the Whole on a matter referred by the House regarding policy Guidelines in view of the latest situation developing between Pakistan and India, be considered and adopted.

(The motion was carried unanimously)

Observation of the Chairman regarding Recommendations of the Committees

Mr. Chairman: I would just like to add that after this report being made public and being laid in the House, I think this gives an excellent example as to how in Committees, everybody rises above party interests and keeps the national interest in mind. These unanimous recommendations are a product of that. I would also urge the Government to take note of the recommendations that have flown from this Committee and also see the usefulness of a parliamentary committee and I hope that they are able to implement the decisions taken in the APC of forming the Parliamentary Committee on National Security, as soon as possible, because that will also go a long way in facilitating the war on terror and the implementation of the National Action Plan and keeping an overall check on the foreign policy in the country. So, I hope that Committee finds light as soon as possible. Yes, Mashhadi Sahib.

Senator Col. (R) Syed Tahir Hussain Mashhadi: Thank you very much. Mr. Chairman. It is one more example of your dynamic leadership to bring the supremacy of Parliament because our actual role is the formulation of policies and guidelines which we should be giving to the Government and

the Government should be following them, it should assist them for better governance. Sir, this work as appreciated by you, has to be appreciated by all the democratic forces in the country. There is no doubt that this is a landmark effort which has been formulated and put in such a nice manner.

My one and only request why I have asked the floor from you sir, is that the Joint Session is on at this moment; it would be a waste of the collective wisdom of this House if they were to go parallel rather than they were to be allowed to consider this in some manner; either we should lay it in the Joint Session or it should be taken up for consideration, so that when they formulate, if they do in such a clear-cut manner, in such a dynamic manner, in such a national interest manner, in such a beneficial manner, my one and only desire is that they should not go waste. What would be the Rules of Procedure, how we could get the Joint Session to give it its due credit and if it comes in the formulation of their guidelines and all these, each 22 very good suggestions and guidelines have been given, they should be considered as whole in the Joint Session.

If you could kindly guide us on this as to whether some private member should take it up or whether it should go from the Senate side or whether the honourable Leader of the House or honourable Leader of the Opposition could do it. I personally feel that the nation would benefit greatly, I personally feel that the Government will benefit greatly, where if this collective wisdom of this House, very much on the subject and very well formulated, if this would be taken in the Joint Session also. Thank you.

جناب چئرمين: جى ڪاڪڙ صاحب۔

سینیٹر محمد عثمان خان کاکڑ: جناب چیئرمین! آپ نے اس رپورٹ کی منظوری سے پہلے مجھے موقع نہیں دیا جبکہ میں نے بٹن بھی on کیا ہوا تھا۔ اس میں بنیادی مسئلہ یہ تھا کہ پارلیمنٹ کی supremacy اور ساری پالیسیاں پارلیمنٹ طے کرے، اس ملک کے سارے اداروں کی، چاہے خارجہ پالیسی ہو یا داخلہ پالیسی ہو، پارلیمنٹ طے کرے، اس کا اس میں کوئی ذکر نہیں ہے۔ اصل میں مسئلہ یہ ہے کہ کشمیر کا مسئلہ کون حل کروائے گا، اتھارٹی کون ہے، ساری رپورٹ اس چیز پر خاموش ہے۔ دو پارٹیوں نے بیٹھ کر، چار بندوں نے رپورٹ تیار کی ہے، یہ پارلیمنٹ اور سینیٹ کی اوقات ہے۔ دوسری بات یہ کہ Committee of the Whole in Camera تھی۔

(آگے جاری T08)

T08-07OCT2016---ASHFAQ/ED. ALTAF---11.10AM

جاری۔۔ سینیٹر محمد عثمان خان کاکڑ۔۔ دوسری بات یہ ہے کہ Whole Committee جو in camera تھی، آپ نے یہاں پر دو دنوں سے ایک table رکھوایا ہوا تھا جس کے لیے رکھا ہوا تھا، وہ آخر تک نہیں آئے، یہ پارلیمنٹ کے حالات ہیں۔ لہذا، آپ یہاں سے جتنی reports منظور کرتے رہیں گے، آپ کے پارلیمنٹ کے فیصلوں کے مطابق اس پر عملدرآمد نہیں ہو گا۔ جناب! میں یہ record پر لانا چاہتا تھا، میں یہ record لایا ہوں۔

Ruling of the Chairman regarding implementation of guidelines made in the Committee of the Whole

جناب چیئرمین: میں بھی کچھ باتیں record پر لانا چاہتا ہوں۔ پارلیمنٹ کی بالادستی وہ کوئی ایک کوئی ایسا تحفہ نہیں ہے کہ آپ گھر پر بیٹھے رہیں گے یا آپ

اپنی نشستوں پر بیٹھے رہیں گے اور آپ کو وہ مل جائے گا۔ پارلیمنٹ کی بالا دستی کے لیے آپ کو عملی جدوجہد کرنی ہے اور ہم وہ عملی جدوجہد کر رہے ہیں، وہ عملی جدوجہد آپ نے کل بھی دیکھی جب PMDC کا bill آیا اور Senate کو by pass کرنے کی کوشش کی گئی تو میں نے Speaker کو خط لکھا کہ آپ اور House Business کی permission کے ساتھ وہ بھی اس جدوجہد کا حصہ ہے۔ آج جب کوشش کی گئی کہ دوسرے bill کا time lapse ہو جائے گا تو میں نے جو باتیں House کی جانب سے حکومت کو کہیں، وہ بھی پارلیمنٹ کی جدوجہد کا ایک حصہ ہے۔

جہاں تک اس بات کا تعلق ہے، آپ نے کہا کہ ایک table ربا اور جس کو بلایا تھا، وہ نہیں آیا، اگر آپ زحمت کر کے کمیٹی میں تشریف لے آتے تو میں نے بڑی تفصیل سے بتایا تھا کہ یہاں پر جس کو بلایا گیا تھا، وہ آ رہا تھا اور اس سے پہلے وہ میرے دفتر میں آیا تھا اور اس نے تمام briefing کے خدوخال مجھ سے discuss کئے تھے اور پوچھا کہ آیا آپ اس میں کوئی اور پہلو اجاگر کرنا چاہتے ہیں یا نہیں کرنا چاہتے، میں نے وہ briefing اس کو دے دی تھی۔ اس کے بعد time بھی set ہو گیا تھا لیکن Monday and Tuesday کو اوپر نیچے meetings ہو رہی تھیں جو ہم سب نے اخبارات میں اور TV پر بھی دیکھیں۔ Wednesday کا time set ہوا تھا، Tuesday کو National Security کی meeting ہوئی تھی، اس میں ان سے کہا گیا تھا کہ وہ committee کے decision کے مطابق شہر سے باہر travel کریں، اس لیے وہ نہیں آسکے۔

یہ Committee of the Whole ختم نہیں ہوئی ہے، یہ Committee of the Whole کی پہلی report ہے۔ اگلے یا اس سے اگلے اجلاس میں ان کو دوبارہ بلایا جائے گا اور وہ آئیں گے تو یہ کہنا کہ وہ پارلیمان کے سامنے appear نہیں ہوئے یا یہ تاثر دینا کہ وہ پارلیمان کے سامنے appear نہیں ہوئے، یہ تاثر درست نہیں ہے۔ لہذا، میں نے in camera بات floor پر اس لیے کہی ہے کیونکہ آپ نے یہ بات یہاں پر کہی تو record کی درستگی کے لیے مجھے یہ بات کرنا لازم ہو گئی۔

دوسری بات یہ ہے کہ مشہدی صاحب as far as the question of this document being taken to the Joint sitting is concerned, this document of the Senate of Pakistan, you are all attending the Joint sitting what I am giving to understand is that there are no policy guidelines that would be emanating from the Joint sitting but there will be a resolution whether the resolution can reflect the entire guidelines in its text. I will not offer a comment on that, the honourable Leader of the House is there, the honourable Leader of the Opposition is there, if they so desire on their own, they can talk about this report, they can mention the report and if either one of them or anyone of the other Members is associated in the drafting of the document of the Joint sitting. You get an opportunity to have any of the thoughts of this document reflected in that. You are at liberty to do so but an institution it would not be possible from me to refer this document as an institution from one House to the Joint Sitting, it would not be possible.

I would also direct the Senate Secretariat to inform the Ministry of Foreign Affairs that after this document has been communicated to them,

we will expect that in every Session of the Senate that will now come, they will give a report to the extent that they have moved ahead in the implementation of the recommendations that have been made by the Committee of the Whole and that have been adopted by the Senate here today as per the Rules of Procedure and Conduct of Business in the Senate.

There are a group of 25 students along with ten Members of the Mohmand Khyber Agency, FATA sitting in the visitors' gallery; I would like to welcome them to the Senate of Pakistan. Yes, Senator Saleem Mandviwala *Sahib*.

Senator Saleem Mandviwala: I wanted to give a humble suggestion to the House on this report that these guidelines should also be sent to the Joint Parliamentary Committee on the National Security.

جناب چیئرمین: ابھی joint committee زینی نہیں ہے۔ ہاں، جب وہ بن جائے تو پھر اس کو بھیج دیں گے۔

Senator Saleem Mandviwala: Or even the separate ones, if there is one.

Mr. Chairman: The report be sent to the Standing Committee of Defence and the Standing of Foreign Affairs of the National Assembly, Senate Standing Committee Chairman is already Member of the drafting committee and she has a copy of the report and the Chairman of the Defence Committee was the convener of the drafting committee. So, he already has the report. Yes, Senator Abdul Rehman Malik *Sahib*.

Senator Abdul Rehman Malik: Thank you, Mr. Chairman! Let me put it on record. Mr. Chairman! your efforts for the supremacy of the Parliament are not only recognized by your colleagues but by the entire country. Having

given this comment, are we so helpless being Upper House, we spend so much time under your guidance and ultimately we beg for its implementation.

Mr. Chairman! everywhere in the world anything set by the Congress or by the upper House is always implemented. So, can't we do, can't we move forward through Senate or through the Joint Session to have a law that whatever is recommended by the Upper House should be given some weight not only weight by just, by shows, by talks but through a legitimate way, means some law. So, I have always been insisting because you know what you did for Charter of Democracy, you know, what you did for the 18th amendment....Contd.....T08

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Senator Abdul Rehman Malik.....continue.....because you know what you did for the sake of democracy. You know what you did for the 18th Constitution Amendment and what kind of pressure you went through, I being the former Interior Minister know what exactly you had undergone. But having done all that why do we sit here. We waste our time. Just to send the recommendations, may be tomorrow they are on this side and we are on that side. But the question is there, it remains the same that the recommendations or anything decided by Senate or by the National Assembly, it is not taken as a law, because if you give recommendations, of course it is a collective wisdom and the collective wisdom is not a simple thing. But we are representing the people of Pakistan, when we say something, we are reflecting what the people of Pakistan want.

So, Mr. Chairman, my humble request to you, to the Government and to my colleagues, please whatever time we spent it is qualitative, it is national time, so I think, at least the recommendations in the area of national security or for the foreign policy should be taken as mandatory recommendations, not recommendations, but the directions from your good self. Thank you.

جناب چیئرمین: شکریہ۔ جی، شاہی سید صاحب last point of public importance کیونکہ پھر joint sitting کا وقت بوربا ہے۔

Point of Public Importance Raised by Senator Shahi Syed regarding Seizure of Illegal Arms at Karachi

سینیٹر شاہی سید: شکریہ، جناب چیئرمین! میں یہ سمجھتا ہوں کہ دو روز پہلے کراچی میں جو اسلحہ کاڈپو پکڑا گیا ہے یہ کلبھوشن یا دیو کوپکڑنے سے زیادہ اہم مسئلہ ہے۔ اس پر حکومت سندھ پولیس کو انعامات اور ان کی حوصلہ افزائی کرنی چاہیے۔ وفاقی حکومت کو بھی توجہ دیتے ہوئے جو Rangers کو کبھی وقت دیتے ہیں اور کبھی نہیں دیتے ہیں۔ ان علاقوں اور پورے کراچی کو check کرنے کی اشد ضرورت ہے۔ اگر جہاز گرانے کے اسلحہ ڈپو ہمارے گھروں میں بنے ہوئے ہوں تو یہ بہت تشویشناک اور خطرناک بات ہے۔ ہمیں اس پر بہت توجہ دینی چاہیے اور وفاقی حکومت کو اس میں interest لینا چاہیے، اس طرح نہ ہو کہ یہ صرف اخبار کی زینت بن جائے۔ میری سب سے یہی اپیل ہے۔

جناب چیئرمین: جی آپ نے صحیح کہا، بہت serious issue ہے۔

I will now read out the prorogation order.

“In exercise of the powers conferred by Clause 1 of Article 54 of the Constitution of the Islamic Republic of Pakistan, 1973 I hereby prorogue the Senate session summoned on Monday the 26th September, 2016 on conclusion of its business.”

Sd/-
(Mamnoon Hussain)
President
Islamic Republic of Pakistan

(The session was then prorogued sine die)
