

# ***FINAL REPORT OF THE SENATE STANDING COMMITTEE ON DEFENCE***

***“Calling Attention Notice of Senator  
Muhammad Usman Khan Kakar, Mover &  
application by Senator Maulana Atta-ur-  
Rehman, pertaining to proposed  
construction of a Cantonment at  
Khawazakhela Swat, Khyber-Pakhtunkhawa***

***Report No. 08***

***(Fourteenth Parliamentary Year)***

***PRESENTED BY***

***(SENATOR MUSHAHID HUSSAIN SAYED)  
CHAIRMAN***



# SENATE SECRETARIAT

## FINAL REPORT OF THE SENATE STANDING COMMITTEE ON DEFENCE

I, Senator Mushahid Hussain Sayed, Chairman of the Senate Standing Committee on Defence, have the honour to present the final report, on behalf of the Committee, on the matter which was referred to the Senate Standing Committee for consideration and report.

2. The Agenda before the Committee was as follows:-

***“Calling Attention Notice of Senator Muhammad Usman Khan Kakar, Mover & application by Senator Maulana Atta-ur-Rehman, pertaining to proposed construction of a Cantonment at Khawazakhela Swat, Khyber-Pakhtunkhawa***

3. The composition of the Committee is as under:-

<b>1. Senator Mushahid Hussain Sayed</b>	<b>Chairman</b>
2. Senator Ilyas Ahmad Bilour	Member
3. Senator Hidayat Ullah	Member
4. Senator Atta Ur Rehman	Member
5. Senator Col. (R) Syed Tahir Hussain Mashadi	Member
6. Senator Lt. Gen. (R) Salahuddin Tirmizi	Member
7. Senator Lt. Gen. (R) Abdul Qayyum	Member
8. Senator Muhammad Javed Abbasi	Member
9. Senator Farhatullah Babar	Member
10. Senator Farooq H. Naek	Member
11. Senator Mrs. Sehar Kamran	Member
12. Senator Brig (R) John Kenneth Williams	Member
13. Minister for Defence	Ex-Officio Member

4. A Calling Attention Notice moved by Senator Muhammad Usman Khan Kakar was referred to the DEFCOM by the House on 1<sup>st</sup> October, 2015. This Calling Attention Notice was dovetailed with an application moved by Senator Maulana Atta-ur-Rehman on the same subject. The case was taken up in the meeting of the Defcom held on 19<sup>th</sup> January, 2016 where detailed deliberations took place. In order to amicably



resolve the issue, it was decided to form a Sub-Committee under the Convenership of Senator Lt. Gen. (R) Salahuddin Tirmizi with Senator Farhatullah Babar and Senator Ata-ur-Rehman as members to physically visit the site and take measures for dispute resolution. Due to inclement weather and other issues, the Sub-Committee was asked to visit the area and submit their report by 23<sup>rd</sup> March, 2016.

5. An interim report of the Committee was laid before the House on 11<sup>th</sup> February, 2016, where extension in time period for submission of the final report was granted.

6. A meeting of the Senate Standing Committee on Defence was held on 13<sup>th</sup> April, 2016. The following members of the Committee attended the meeting:-

i.	Senator Mushahid Hussain Sayed	Chairman
ii.	Senator Muhammad Ilyas Bilour	Member
iii.	Senator Atta Ur Rehman	Member
iv.	Senator Col. (R) Syed Tahir Hussain Mashhadi	Member
v.	Senator Lt. Gen. (R) Abdul Qayyum	Member
vi.	Senator Farhatullah Babar	Member
vii.	Senator Lt. Gen. (R) Salahuddin Tirmizi	Member
viii.	Senator Muhammad Javed Abbasi	Member
ix.	Senator Farooq Naek	Member
x.	Senator Brig (R) John Kenneth Williams	Member
xi.	Senator Hidayat Ullah	Member
xii.	Senator Muhammad Usman Kakar	Mover

7. The Sub-Committee of Senate Standing Committee on Defence after visiting the site & consulting all stakeholders submitted its report on 13<sup>th</sup> April, 2016 in the meeting of the Committee. The Convener of the Sub-Committee first held discussions with relevant officials including Secretary Defence, Corps Commander Peshawar, DGMO and GOC Malakand emphasizing upon them the need to resolve the issue amicably. He suggested a middle path so that the requirements of setting up a cantonment were met without antagonizing and alienating the local population. In his meetings and talks with these officials the Convener emphasized that the purpose of setting up a new cantonment would be undermined if the local population was antagonized. A consensus was reached there by to endeavor to address the concerns of the local population on priority basis.



8. Subsequently all the members of Sub-Committee visited the site on March 16, 2016. The Sub-Committee members met the concerned officials including the Commissioner Malakand and his team, the Div Commander and his team, the aggrieved public in their village and also visited the alternate sites available for the purpose of building the new cantonment.

9. The military officials stated that they had decided not to acquire the land forcibly and will wait till the local people consented without any coercion. However they also suggested that this decision should not be made public at this point of time as it would serve as an incentive to the people of other villages to reopen the already settled cases thereby undermining the entire exercise.

10. The bone of contention was the land adjoining the government land measuring over 52 kanals that has already been transferred to the Ministry of Defence. The army has already carried out fencing with a view to protecting this piece of 52 kanals of state land. However, the aggrieved population complained that the fencing has been done arbitrarily by encroaching upon their lands. This they complained had resulted in the blocking of their free movement to their own properties.

11. On visiting this particular site and the village of Titabat it was found that the villagers' complaint was not without merit. The fences and barricades installed almost divided the affected village in the name of security. The villagers' access to their own agricultural lands as well as to the irrigation channels had been severely restricted by the security cordon erected arbitrarily. The villagers complained that the staff at the barriers discouraged their free movement and access to their own land. The behavior of the security personnel manning the barriers and guarding the fences was terse, erratic and whimsical they complained.

12. The Committee members also visited the alternate sites available at a distance of about 3 kilometers on a vast tract of land belonging to Musarrat Ahmad Zeb MNA. This vast tract of land called SERAI is located in nearby Moza Manpetai.

13. This site seemed most suitable for the cantonment not only because of its location but also because the owner Musarrat Ahmad Zeb reportedly has consented to giving it for free and without charge. The Committee was informed that parts of this land were under litigation but there was no stay order. So, if litigation appeared to be an

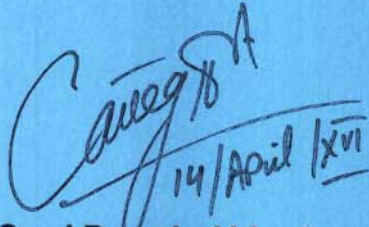


issue, this land can still be acquired by paying compensation according to the title deed- more so as Madam Musrrat Zeb has volunteered to do so.

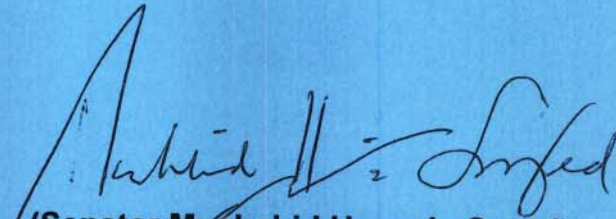
14. Recommendation: The Sub-Committee strongly feels that in the absence of any negotiated settlement of the dispute the authorities should consider using Musarrat Ahmad Zeb's land in Moza Panetai for the purpose of locating the new cantonment. The goodwill earned by the army in the area through large scale sacrifices should be jealously guarded and not squandered by alienating the people.

15. It is also strongly recommended that till such time the possibility of locating the cantonment in the nearby Moza Manpetai (the land of Madam Musarrat Zeb) is considered and decided upon the scheme of fencing and barricades be revisited so as to satisfactorily address the grievances of the people.

16. The Chairman DEFCOM & the Senate Standing Committee on Defence adopted this report and approved its laying before the Honourable House in compliance of the aforementioned Calling Attention Notice and application moved by Senator Maulana Ata-ur-Rehman.



**(Dr. Syed Pervaiz Abbas)**  
Addl. Secretary / Secretary Committee



**(Senator Mushahid Hussain Sayed)**  
Chairman