

# **SENATE OF PAKISTAN**



## **REPORT OF THE SENATE STANDING COMMITTEE ON CABINET SECRETARIAT**

**ON**

## **THE ISLAMABAD CAPITAL TERRITORY SENIOR CITIZENS BOARD BILL, 2017**

**REPORT NO.33**

**PRESENTED BY**

**SENATOR MUHAMMAD TALHA MEHMOOD  
CHAIRMAN**

## SENATE SECRETARIAT

### **REPORT OF THE STANDING COMMITTEE ON CABINET SECRETARIAT ON "THE ISLAMABAD CAPITAL TERRITORY SENIOR CITIZENS BOARD BILL, 2017" MOVED BY SENATOR CHAUDHARY TANVIR KHAN**

I, Chairman, Standing Committee on Cabinet Secretariat, have the honour to present report of the Committee on Bill titled "The Islamabad Capital Territory Senior Citizens Board Bill, 2017" moved by Senator Chaudhary Tanvir Khan, the Bill was referred to the Standing Committee on Cabinet Secretariat on 13<sup>th</sup> February, 2017.

2. The composition of the Standing Committee on Cabinet Secretariat is as under:-

1.	Senator Muhammad Talha Mehmood	Chairman
2.	Senator Osman Saifullah Khan	Member
3.	Senator Nawabzada Saifullah Magsi	Member
4.	Senator Kamil Ali Agha	Member
5.	Senator Hidayat Ullah	Member
6.	Senator Shahi Syed	Member
7.	Senator Haji Saifullah Khan Bangash	Member
8.	Senator Khushbakht Shujat	Member
9.	Senator Rahila Magsi	Member
10.	Senator Kalsoom Perveen	Member
11.	Senator Mir Muhammad Yousaf Badini	Member
12.	Senator Najma Hameed	Member
13.	Minister Incharge for Capital Administration & Development Division	Ex-officio Member

3. The Committee considered and discussed the Bill in detail in its meetings held on 21<sup>st</sup> March and 4<sup>th</sup> April, 2017. The Secretary, Capital Administration & Development Division (CADD) briefed the Committee that the

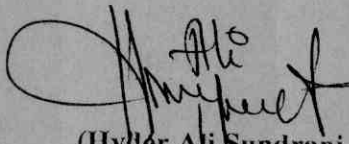
Government has drafted a Bill on the same subject, however, after discussion the agenda item was deferred due to absence of Mover.

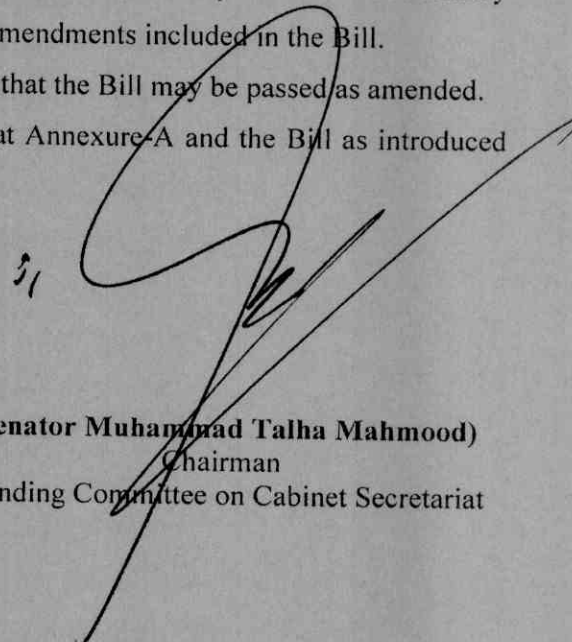
4. Senator Chaudhary Tanvir Khan, Mover of the Bill briefed the Committee that customary standards of the Pakistani society lay stress on giving consideration to the elderly. However, the starting trends of nuclear family system have led most elderly of the family unattended, not being taken care of and are particularly left to spend their twilight years all alone. They are often exposed to emotional neglect and to lack of physical and financial support. This clearly reveals that ageing has become a major social challenge and there is a need to give more attention to the care and protection for the older persons. The Bill proposes to constitute a board to work for the well being of senior citizen and to make provisions for setting-up old-age homes for the indigent older persons. The Bill further proposes to provide better medical facilities to the senior citizens and provisions for protection of their life and property. The Bill, therefore, institutionalizes the protection of senior citizen's rights and the provision of proper care to senior citizens. The Bill seeks to achieve the said objectives.

5. The Chairman, National Council of Social Welfare, briefed the Committee and proposed a number of amendments in the Bill including Title of the Bill, Mover and Members of the Committee agreed with the proposed amendments given by Chairman National Council of Social Welfare and representative of Ministry of Law and Justice also agreed with all the amendments included in the Bill.

6. The Committee recommends that the Bill may be passed as amended.

7. The amended Bill is placed at Annexure-A and the Bill as introduced in the Senate is placed at Annexure-B.

  
(Hyder Ali Sundrani)  
DS/Secretary Committee

51   
(Senator Muhammad Talha Mahmood)  
Chairman  
Standing Committee on Cabinet Secretariat

[AS REPORTED BY THE COMMITTEE]

**A**

**BILL**

*To provide Well-being, comfort and dignity of the senior citizens resident of the Islamabad Capital Territory (ICT)*

**WHEREAS** it is expedient to make the law for the well-being, comfort and dignity of the Senior Citizens of the Islamabad Capital Territory:

**AND WHEREAS** the Constitution of the Islamic Republic of Pakistan 1973, enjoins on the State to alleviate the sufferings of all the citizens, irrespective of sex, caste, creed or race;

It is hereby enacted as follows:-

**PART-I**

**PRELIMINARY**

**1. SHORT TITLE, EXTENT AND COMMENCEMENT:**

- (i) This Bill may be called the "Islamabad Capital Territory Senior Citizens Welfare Bill 2017.
- (ii) It shall extend to the Islamabad Capital Territory (ICT).
- (iii) It shall come into force at once.

**2. DEFINITIONS:** (1) In this Bill, unless there is anything repugnant in the subject or context:-

- i. "ICT" means Islamabad Capital Territory;
- ii. "Council" means "Islamabad Capital Territory Senior Citizens Welfare" Council established under Section-3;
- iii. "Member" means a member of the Council;
- iv. "Chairperson" means The Chairperson of the Senior Citizens Welfare Council;
- v. "Funds" means the Senior Citizens Welfare Fund established under section -9;
- vi. "Government" means the Government of Pakistan;



- vii. "Senior Citizen" means a citizen of Pakistan of the age of 60 years or above and is residing in Islamabad Capital Territory
- viii. **"Subsistence" means a Senior Citizens Allowance;**
- ix. "Welfare" includes all such services that relate to social, economic, boarding, lodging and legal protection of Senior citizens;
- x. "Welfare packages or grants" mean welfare and subsistence allowance or grants announced for welfare of the Senior Citizens by the Government **on recommendations of the Senior Citizens Council;**
- xi. **"Prescribed" means prescribed under the rules;**
- xii. **"Rules" means rules made under section 19;**

(2) The expressions, not defined in sub-section (1), shall have the same meaning as defined in any other relevant law or generally used.

## PART-II

### SENIOR CITIZENS COUNCIL

#### 3. ESTABLISHMENT OF THE SENIOR CITIZENS WELFARE COUNCIL:-

- (1) As soon as after the commencement of this Law, the Government shall constitute a council to be known as Islamabad Capital Territory Senior Citizens Welfare Council, hereinafter to be referred as the "Council" shall be under the Capital Administration and Development Division to exercise the powers conferred upon, and to perform the functions assigned to it, under this Bill.
- (2) The Council shall be an independent, non-profit body corporate having perpetual succession and a common seal with power, subject to the provisions of this Bill, to enter into contracts, acquire, purchase, hold and dispose off both movable and immovable property and shall by its name, sue or be sued.
- (3) The Council shall be provided by the Government, with necessary trained human resources who shall be responsible for providing secretariat support to the Council and to perform such other functions that may be assigned to it.

4. COMPOSITION OF THE COUNCIL:- (1) The Government shall constitute the council which shall consist of:

- i. An eminent Senior Citizen of good standing who has rendered services to be nominated by the Prime Minister of the Islamic Republic of the Pakistan for a period of 3 years further extendable for a period of three years Chairperson

ii. A person approved by the Council.

Vice  
Chairperson

Members:-

- |     |   |                                       |
|-----|---|---------------------------------------|
| (a) | Three Members of the Senate preferably having age of 60 years or above to be nominated by the Chairman Senate;                      | Members                               |
| (b) | Three members of the National Assembly preferably having age of 60 years or above to be nominated by the Speaker National Assembly; | Members                               |
| (c) | Mayor, Municipal Corporation Islamabad  | Member                                |
| (d) | Chairman Capital Development Authority(CDA  | Member                                |
| (e) | Additional Secretary CA&DD or nominee not below BS-20   | Member                                |
| (f) | A representative from, Ministry of Finance as nominee approved by Secretary Finance not below BS-20                                 | Member                                |
| (g) | A representative from M/o, Planning, Development and Reforms, as nominee approved by Secretary not below BS-20.                     | Member                                |
| (h) | A representative from, Economic Affairs Division as nominee approved by Secretary EAD not below BS-20.                              | Member                                |
| (i) | Managing Director Pakistan Bait-ul-Mal  | Member                                |
| (j) | Director General Health, Islamabad  | Member                                |
| (k) | Chief Commissioner, Islamabad Capital Territory   | Member                                |
| (l) | 3 representatives of Civil Society as nominated by the Chairperson of the Council.  | Member                                |
| (m) | Director General of the Council Secretariat will be the Secretary of the Council.   | Ex-officio<br>Member/cum<br>Secretary |
- (2) The **Council** shall have powers to co-opt members from among persons who are experts in their respective fields, for advice on particular projects and matters under its consideration.
- (3) The members of the **Council**, except for the ex-officio members, shall be nominated for a term of three years extendable for another term of three years if approved by the Council.

- (4) A member of the Council, other than an ex-officio member, may tender his/her resignation to the Chairperson.
- (5) Any casual vacancy in the office of a member, other than an ex-officio member, shall be filled by a person nominated by the **Chairperson** and the person so nominated shall hold office for the **remaining** period of the term of his predecessor.

5. **Qualification of Members.-** No person shall be the member of the **Council** unless,-

- (a) he is a citizen of Pakistan;
- (b) he is sane and of sound mind;
- (c) he has not been convicted of an offence involving moral turpitude;
- (d) he has not at any time been adjudicated insolvent;
- (e) he has not at any time been disqualified for employment in or dismissed from Government service;
- (f) he is not acting in contravention of the provisions of this Bill;
- (g) he has financial interest in any aspect of the Authority, or has a conflict of interest, directly or indirectly, with the Authority.

6. The membership of non official member may cease to exist in case of his / her being:

- a) guilty of misconduct;
- b) adjudged an insolvent;
- c) unfit to continue in office by reasons of infirmity of mind; or
- d) convicted and sentenced to imprisonment for an offence which involves moral turpitude;
- e) lacking in interest or absent for three or more consecutive meetings of the council.

7. **POWERS AND FUNCTIONS OF THE COUNCIL:**

Council shall exercise such powers and perform such functions as may be necessary for carrying out the purpose of this bill:

- (a) Formulate policy / proposals **for the welfare of the senior citizens** in the light of national commitments on the welfare of senior citizens and submit it to the Government for the approval from time to time;
- (b) Conduct research and compile data on various aspects of aging for policy / plan formulation for the wellbeing of senior citizens;

- (c) Take steps towards introduction of geriatrics as part of the syllabus of medical universities / colleges **and gerontology at other universities / colleges;**
- (d) Propose arrangements in hospitals for better medical attention to senior citizens;
- (e) Create **recreational** facilities including clubs, for better social interaction among senior citizens;
- (f) Arrange workshops to educate senior citizens about life changes required for a healthy and stratifying old age;
- (g) Formulate proposals to accommodate the requirements of senior citizens in urban and rural planning and development;
- (h) Undertake social, economic and other welfare activities in collaboration with public and private sectors for the welfare of senior citizens;
- (i) Mobilize of financial resources for welfare of the senior citizens;
- (j) constitute committees to assess and carry out welfare activities for senior citizens;
- (k) Co-ordinate with Government, non-governmental and international social and welfare organizations at national and international level to take steps for the welfare of senior citizens;
- (l) Make regulations / **rules** for proper functioning of the Board including regulations for appointment of different categories of employees under the administrative control of the **Council and also approve appointments of all employees of the Council Secretariat;**
- (m) Publish reports and other material for guidance and welfare of senior citizens;
- (n) Grant of senior citizens awards in the fields of their expertise and their achievements
- (o) Create awareness in the public through organizing seminars, workshops, conferences and use of mass media;
- (p) Establish senior citizens homes to accommodate homeless, deserted and indigent senior citizens; and **centers for recreation, education, health and other services for senior citizens; and**
- (q) Encourage to setup organization of senior citizens corps for utilization of their potential for service activities and national development.

#### 8. **PROCEDURE AND MEETINGS OF THE COUNCIL:**

- (1) The Council shall regulate its own procedure which will be approved in a meeting of the Council and prescribed.
- (2) The meetings of the Council shall be held quarterly or as may be expedient, and shall be presided over by the Chairperson or, in case



his/her absence, by the Vice Chairperson and in the absence of both, by a member nominated by Chairperson for the purpose. One third of the total members shall constitute the quorum and no quorum shall be required for the adjourned meeting.

- (3) All decisions of the Council shall be taken with simple majority of vote of the Council members and the Chairperson shall have a casting vote in case of a tie.
- (4) Decision of the Council shall be recorded by the Secretary / Director General of the Council who shall circulate such decisions for confirmation to each member and to the Chairperson within fifteen days of each meeting.
- (5) Secretary / Director General shall be responsible for implementation of decisions of the Council under the direction, supervision and control of the Chairperson.
- (6) Secretary / Director General shall report the progress to the Council in the next meeting of the Council.

#### **9. SECRETARY OF COUNCIL:**

**Secretary of Council shall be the head of the secretariat of the Senior Citizens Welfare Council, Islamabad, and perform his functions under the direct control and supervision of the Chairperson**

### **PART-III**

#### **ESTABLISHMENT OF OLDAGE HOMES**

**10. Establishment of old age Homes.**-(1) The Government shall establish and maintain such number of old age homes at accessible places, as it may deem necessary, to accommodate indigent senior citizens in such homes **under the council secretariat.**

(2) The Government shall prescribe scheme for management of old age homes including the standards and various types of services to be provided by them which are necessary for medical care and means of entertainment to inhabitants of such homes.

(3) The Chairperson of the senior citizens welfare council shall be the incharge of the old homes.

## PART-IV

### PRIVILEGES TO SENIOR CITIZENS

11. **PRIVILEGES TO SENIOR CITIZENS:** (1) The procedure and criteria for obtaining the senior citizen card shall be such, as may be prescribed by rules as approved by the council.

(2) Senior citizens shall be allowed the following privileges on the basis of senior citizen card:-

- a) Senior Citizens shall be allowed free of charge entry to public museums, libraries, parks and recreation facilities.
- b) Financial supports will be given to deserving senior citizens as per criteria approved by the council;
- c) Separate counters at all public offices/banks etc shall be provided for Senior Citizens.
- d) Facilitate all pensioners to resolve their pension issues.
- e) The hospital authorities shall provide the following facilities in the hospitals:-
  - **Separate counters for Senior Citizens.**
  - **Concession in medical and medicine charges.**
  - **Separate medical wards.**
  - **Introduce a Geriatric Specialty in the hospital.**
- f) Senior Citizens shall be given discount in public transport including Pakistan Railways.
- g) Voluntary organizations shall be encouraged and assisted to organize services such as day care / multi service Senior Citizens centers, outreach services, supply of disability related aids and appliances.
- h) Provide legal aid to Senior Citizens in case of need by the council.

12. **SENIOR CITIZENS WELFARE FUND:** (i) There shall be a Fund established by the Federal Government to be known as the Senior Citizens Welfare Fund, which shall consist of;

- (a) All grants, allocations made by the Government of Pakistan.
- (b) Donations, endowments, contributions made by the private individuals and organizations within the country and abroad; and

- (c) all sums received by the **Council** from any other source including Pakistan Bait-ul-Mal, Profits on Investment from funds, funds generated by different motivated campaigns and received from lawful sources. **Funds shall be invested only in scheduled banks or such other organizations as approved by Ministry of Finance.** No investment will be made in stock market shares or used for speculation in any manner.
- (ii) The Fund shall be administered by the **Council**, which shall make such allocations for specific activities, as per clauses 11 and 12 of this Bill and deemed appropriate in line with fulfillment of Functions of the **Council**.
- (iii) The Government shall make annual budgetary allocations for the establishment and other charges of the **Council**.
- (iv) The Fund shall be utilized for,-
  - (a) the establishment charges; and
  - (b) welfare of the senior citizens as per approval of the council.
- (v) The Fund shall be regularly monitored by the Council and audited in the same manner as in the case of the funds of other Government Departments.
- (vi) The Fund shall be maintain in accordance with the rules the accounting procedure for this fund will be prepared in consultation with Controller General of Accounts and Accountant General of Pakistan Revenue and annual audit report of the Fund shall be submitted to the Government of Pakistan.

## **PART-V**

### **OFFENCE AND PROCEDURE FOR TRIAL**

- 13. **Contravention.-** Any person, who refuses to honor the senior citizen card issued by the **Council** or violates any provision of this Bill, shall be punished with rigorous imprisonment up to three years but not less than six months or with fine which may extend to fifty thousand rupees or with both.
- 14. **Abandonment of Senior Citizen.-** Whoever, having the care and protection of senior citizen including family member and spouse, leaves such senior citizen in any place with the intention of wholly abandoning such senior citizen, shall be punishable

with imprisonment up to three months or with fine which may extend to thirty thousand rupees or with both.

**15. Cognizance of Offences.**-(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, every offence shall be cognizable and bailable.

(2) An offence under this bill shall be tried summarily by a Judicial Magistrate of First Class.

## **PART-VI**

### **MISCELLANEOUS**

**16. Head office of the Council.**-The Head office of the Council shall be at Islamabad and controlling division will be responsible to provide space for office of the Council.

**17. Public servants.**-All employees of the Council shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860).

**18. Officers, employees, etc.**-To carry out the purposes of this Bill, the Council may, with the approval of Government, appoint advisors, consultants and experts, having specialization and expertise in the related field and other officers and employees on such terms and conditions as may be prescribed.

**19. (1) Power to make rules.**-The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Bill.

(2) **Power to make regulations;** (i) the council may, by notification in the official Gazettee make regulations to carry out the purposed of this bill.

(ii) Without prejudice to generality of the power under this bill, the regulation may be made to provide legal cover.

#### **20. CERTAIN CLAIMS FOR COMPENSATION TO BE BARRED:**

No person shall have any right, whether in contract, tort or otherwise, to any compensation for any loss incurred by reason of the operation of any of the provisions of this Act or by reason of the compliance by any other organization with any policy guidelines or directions given to it under this Act or under any rules or regulations.



**21. WINDING UP:**

No provision of law relating to the winding up of body corporate shall apply to the Council and the Council shall not be wound up except by order of the parliament.

**22. REMOVAL OF DIFFICULTIES:**

If any difficulty arises in giving effect to any provision of this bill, the Federal Government may, by notification in the official Gazette, make such provisions, not in consistent with the provisions of this bill, for the purpose of removal of such difficulty: provided that such powers shall not be exercised after one year of the commencement of repeal and serving of this Bill.

**STATEMENT OF OBJECTS AND REASONS**

Customary standards of the Pakistani society lay stress on giving consideration to the elderly. However, the starting trends of nuclear family system have led most elderly of the family unattended, not being taken care of and are particularly left to spend their twilight years all alone. They are often exposed to emotional neglect and to lack of physical and financial support. This clearly reveals that ageing has become a major social challenge and there is a need to give more attention to the care and protection for the older persons.

The Bill proposes to constitute a board to work for the well being of senior citizen and to make provisions for setting-up old-age homes for the indigent older persons. The Bill further proposes to provide better medical facilities to the senior citizens and provisions for protection of their life and property. The Bill, therefore, institutionalizes the protection of senior citizen's rights and the provision of proper care to senior citizens.

The Bill seeks to achieve the above objectives.

**SENATOR CHAUDHARY TANVIR KHAN**  
**(Member-in-Charge)**

AS  
[~~TO~~ BE INTRODUCED IN THE SENATE]

Annex-B

A  
BILL

*to provide for the well-being, comfort and dignity of the senior citizens in the  
Islamabad Capital Territory*

**WHEREAS** it is expedient to provide for the establishment of the Board for the well-being, comfort and dignity of the senior citizens in the Islamabad Capital Territory;

**AND WHEREAS** the Constitution of the Islamic Republic of Pakistan, enjoins on the State to alleviate the sufferings of all the citizens, irrespective of sex, caste, creed or race;

It is hereby enacted as follows:-

**PART-I  
PRELIMINARY**

**1. Short title, extent and commencement.**-(1) This Act may be called the Islamabad Capital Territory Senior Citizens Board Act, 2017.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

**2. Definitions.**-(1) In this Act, unless there is anything repugnant in the subject or context,—

(a) "Act" means the Islamabad Capital Territory Senior Citizens Board Act, 2017;

(b) "Board" means the Islamabad Capital Territory Senior Citizens Welfare Board established under section 3;

(c) "Chairperson" means the Chairperson of the Board;

(d) "Fund" means the Islamabad Capital Territory Senior Citizens Welfare Fund established under section 10;

(e) "Government" means the Government of Pakistan;

(f) "ICT" means the Islamabad Capital Territory;

(g) "Indigent" means any senior citizen who has not having sufficient means of income as may be determined by the Board from time to time;

- (h) "Senior citizen" means an elderly person of age of 60 years and above living in the Islamabad Capital Territory;
- (i) "Welfare" includes all such services relating to social, economic, boarding, lodging and legal protection of senior citizens; and
- (j) "Welfare packages or grants" mean welfare and social security packages or grants announced for welfare of the senior citizens by the Government.

(2) The expressions, not defined in sub-section (1), shall have the same meaning as defined in any other relevant law or generally used.

## PART-II SENIOR CITIZENS BOARD

**3. Establishment of the Board.-** As soon as after the commencement of this Act, the Government shall establish a Board to be known as the Islamabad Capital Territory Senior Citizens Welfare Board.

**4. Composition of the Board.-**(1) The Board shall consist of,-

- |     |   |                                 |
|-----|---|---------------------------------|
| (a) | The Minister for Capital Administration and Development;  | Chairperson                     |
| (b) | Three Members of the Senate preferably having age of 60 years or above to be nominated by the Chairman Senate;                      | Members                         |
| (c) | Three members of the National Assembly preferably having age of 60 years or above to be nominated by the Speaker National Assembly; | Members                         |
| (d) | Mayor, Municipal Corporation Islamabad;   | Member                          |
| (e) | Secretary, Capital Administration and Development Division;   | Ex-officio Member/<br>Secretary |

(2) The Board shall have powers to co-opt members from amongst persons who are experts in their respective fields, for advice on particular matters under its consideration.

(3) The members of the Board, other than ex-officio members, shall be nominated for a term of three years which may be extended for another term of three years.

(4) If a member of the Board, other than ex-officio member, is unable to perform as member of the Board, he shall inform the Board and the Board after receiving such information, may cancel his membership.

(5) Any casual vacancy of a member, other than an ex-officio member, shall be filled in by a person nominated by the respective Authority and the person so nominated shall hold office for the unexpired period of the term of his predecessor.

**5. Qualification of Members.-** No person shall be the member of the Board unless,-

- (a) he is a citizen of Pakistan;
- (b) he is sane and of sound mind;
- (c) he has not been convicted of an offence involving moral turpitude;
- (d) he has not at any time been adjudicated insolvent;
- (e) he has not at any time been disqualified for employment in or dismissed from Government service;
- (f) he is not acting in contravention of the provisions of this Act;
- (g) he has financial interest in any aspect of the Authority, or has a conflict of interest, directly or indirectly, with the Authority.

**6. Powers and functions of the Board.-**(1) Subject to the provisions of this Act and rules, the Board shall exercise such powers and perform such functions, as may be necessary for carrying out the purposes of this Act.



(2) Without prejudice to the generality of the fore-going sub-section, the Board shall,-

- (a) formulate policy proposals on aging in the light of national commitments on the welfare of senior citizens and submit it to the Government for the approval from time to time;
- (b) conduct research and compile data on various aspects of aging for the wellbeing of senior citizens for policy or plan formulation;
- (c) take steps towards introduction of geriatrics as part of the syllabus of medical universities or colleges;
- (d) propose arrangements in hospitals for better medical attention to senior citizens;
- (e) create facilities including clubs, for better social inter-action among senior citizens;
- (f) arrange workshops to educate senior citizens about life changes required for a healthy and stratifying old age;
- (g) formulate proposals to accommodate the requirements of senior citizens in urban and rural planning and development;
- (h) undertake social, economic and other welfare activities in collaboration with public and private sectors for the welfare of senior citizens;
- (i) mobilize of financial resources for welfare of the senior citizens;
- (j) constitute committees to assess and carry out welfare activities for senior citizens;
- (k) co-ordinate with Government, non-governmental and international social and welfare organizations at national and international level to take steps for the welfare of senior citizens;
- (l) make regulations for proper functioning of the Board including regulations for appointment of different categories of employees under the administrative control of the Board;

- (m) publish reports and other material for guidance and welfare of senior citizens;
- (n) grant of senior citizens awards in the fields of their expertise;
- (o) create awareness in the public through organizing seminars, workshops, conferences and use of mass media;
- (p) establish senior citizens homes to accommodate homeless, deserted and indigent senior citizens; and
- (q) encourage to setup organization of senior citizen corps for utilization of their potential for service activities and national development.

**7. Meetings of the Board.**-(1) The meetings of the Board shall be held quarterly, and shall be presided over by the Chairperson or, in his absence, by a member nominated by the Chairperson for the purpose. One third of the total members shall constitute the quorum.

(2) All decisions of the Board shall be taken by simple majority of the members of the Board present in the meeting. The Chairperson shall have a casting vote in case of a tie.

(3) Decision of the Board shall be recorded by the Secretary of the Board, who shall circulate such decisions for confirmation to Chairperson and the members within fifteen days of each meeting.

### **PART-III ESTABLISHMENT OF OLDAGE HOMES**

**8. Establishment of oldage Homes.**-(1) The Government shall establish and maintain such number of oldage homes at accessible places, as it may deem necessary, to accommodate indigent senior citizens in such homes.

(2) The Government shall prescribe scheme for management of old age homes including the standards and various types of services to be provided by them which are necessary for medical care and means of entertainment to inhabitants of such homes.

(3) The Secretary, Capital Administration and Development Division shall be the Incharge of the oldage homes.

**PART-IV**  
**PRIVILEGES TO SENIOR CITIZENS**

**9. Privileges to senior citizens.**-(1) A senior citizen may, on completion of his sixty (60) year of age, apply for the senior citizen card.

(2) The procedure and criteria for obtaining the senior citizen card shall be such, as may be prescribed by rules.

(3) The senior citizens shall be allowed the following privileges on the basis of senior citizen card:-

- (a) free of charge entry to public museums, libraries, parks and recreation facilities;
- (b) financial supports to deserving senior citizens;
- (c) separate counters for senior citizens in hospitals;
- (d) separate counters for senior citizens in utility stores;
- (e) separate counters for senior citizens in banks;
- (f) concession in medical and medicine charges;
- (g) separate medical wards; and
- (h) fares concession in public transport.

**10. Fund.**-(1) There shall be established a Fund to be known as the Islamabad Capital Territory Senior Citizens Welfare Fund, consist of-

- (a) all grants, allocations made by the Government of Pakistan;
- (b) donations, endowments, contributions made by the private individual organizations within country and abroad; and
- (c) all sums received by the Board from any other source including Pakistan Bait-ul-Mal, Profits on Investment from funds, funds generated by different motivated campaigns and received from any lawful sources. Funds shall be invested only in scheduled banks and National Saving Schemes. No investment will be made in stock market shares or used for speculation in any manner.

(2) The Fund shall be administered by the Board, which shall make such allocations for specific activities, enumerated in sections 8 and 9 of this Act and may deem appropriate in line with the performance of functions of the Board.

(3) The Government shall make annual budgetary allocations for the establishment and other charges of the Board.

(4) The Fund shall be utilized for,-

- (a) the establishment charges; and
- (b) welfare of the senior citizens.

(5) The Fund shall be maintained in a scheduled bank and shall be operated in accordance with directions of the Board.

(6) The Fund shall be regularly monitored by the Board and audited in the same manner as in the case of the funds of other Government Departments.

(7) The Fund shall be maintain in accordance with the rules and shall be auditable annually through Auditor General of Pakistan and annual audit report of the Fund shall be submitted to the Government of Pakistan.

#### **PART-V** **OFFENCE AND PROCEDURE FOR TRIAL**

**11. Contravention.-** Any person, who refuses to honor the senior citizen card issued by the Board or violates any provision of this Act, shall be punished with rigorous imprisonment up to three years but not less than six months or with fine which may extend to fifty thousand rupees or with both.

**12. Abandonment of Senior Citizen.-**Whoever, having the care and protection of senior citizen including family member and spouse, leaves such senior citizen in any place with the intention of wholly abandoning such senior citizen, shall be punishable with imprisonment up to three months or with fine which may extend to thirty thousand rupees or with both.

**13. Cognizance of Offences.-**(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, every offence shall be cognizable and bailable.

(2) An offence under this Act shall be tried summarily by a Judicial Magistrate of First Class.



**PART-VI  
MISCELLANEOUS**

**14. Head office of the Board.**-The Head office of the Board shall be at Islamabad.

**15. Public servants.**-All employees of the Board shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860).

**16. Officers, employees, etc.**-To carry out the purposes of this Act, the Board may, with the approval of Government, appoint advisors, consultants and experts, having specialization and expertise in the related field and other officers and employees on such terms and conditions as may be prescribed.

**17. Power to make rules.**-The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

**STATEMENT OF OBJECTS AND REASONS**

Customary standards of the Pakistani society lay stress on giving consideration to the elderly. However, the starting trends of nuclear family system have led most elderly of the family unattended, not being taken care of and are particularly left to spend their twilight years all alone. They are often exposed to emotional neglect and to lack of physical and financial support. This clearly reveals that ageing has become a major social challenge and there is a need to give more attention to the care and protection for the older persons.

The Bill proposes to constitute a board to work for the well being of senior citizen and to make provisions for setting-up old-age homes for the indigent older persons. The Bill further proposes to provide better medical facilities to the senior citizens and provisions for protection of their life and property. The Bill, therefore, institutionalizes the protection of senior citizen's rights and the provision of proper care to senior citizens.

The Bill seeks to achieve the above objectives.

**SENATOR CHAUDHARY TANVIR KHAN  
(Member-in-Charge)**

## SENATE SECRETARIAT

### MINUTES OF THE MEETING OF THE SENATE STANDING COMMITTEE ON CABINET SECRETARIAT HELD ON 4<sup>TH</sup> APRIL, 2017.

A meeting of the Senate Standing Committee on Cabinet Secretariat was held under the Chairmanship of Senator Muhammad Talha Mahmood, on 4<sup>th</sup> April, 2017 at 11.30 a.m. in Committee Room No.4, Parliament House, Islamabad.

2. The agenda before the Committee was as under:-

- i. Further consideration of a Bill titled **"The Islamabad Capital Territory Senior Citizens Board Bill, 2017"** moved by Senator Chaudhary Tanvir Khan in the Senate in its sitting held on 13<sup>th</sup> February, 2017.
- ii. Further consideration of the subject matter of Starred Question No.55, asked by the Senator Nauman Wazir Khattak regarding the **"number of Special Economic Zones (SEZs) established / notified in the country so far"** referred by the House to the Standing Committee on Cabinet Secretariat in its sitting held on 10<sup>th</sup> January, 2017.
- iii. Briefing regarding **"an advertisement whereby the outsourcing of the airports of the country has been advertised"** pointed out by Senator Taj Haider in the Senate in its sitting held on 16<sup>th</sup> February, 2017.
- iv. Consideration of the subject matter of Starred Question No.203 asked by Senator Muhammad Azam Khan Swati regarding the **"details of cases and violation of CDA by-laws etc. by various shopping malls and hotels in Islamabad during the last two years including those committed by Safa Gold Mall and Grand Hayat"** referred by the House to the Standing Committee on Cabinet Secretariat in its sitting held on 17<sup>th</sup> March, 2017.
- v. Consideration of a Bill titled **"The Right to Free and Compulsory Education (Amendment) Bill, 2017"** moved by Senator Mian Muhammad Ateeq Shaikh, in the Senate in its sitting held on 13<sup>th</sup> March, 2017.
- vi. Consideration of the subject matter of Public Petition No. PP-1762 pertaining to exploitation of parents & students by private schools
- vii. Consideration of the subject matter of Public Petition No. PP-1774 pertaining to degradation of national sports heroes.

3. The following Members of the Committee attended the meeting:-

- |     |                                |          |
|-----|--------------------------------|----------|
| i.  | Senator Muhammad Talha Mahmood | Chairman |
| ii. | Senator Shahi Syed             | Member   |



iii.	Senator Mir Muhammad Yousaf Badini	Member
iv.	Senator Kamil Ali Agha	Member
v.	Senator Najma Hameed	Member
vi.	Senator Kalsoom Perveen	Member
vii.	Senator Haji Saif Ullah Khan Bangash	Member
viii.	Senator Nauman Wazir Khattak	Mover
ix.	Senator Chaudhary Tanvir Khan	Mover
x.	Senator Mian Muhammad Ateeq Sheikh	Mover

4. A list of participants of the meeting is enclosed as Annexure-A.
5. Meeting commenced with the recitation from the Holy Quran. The Chairman Committee welcomed all participants of meeting.

**Item No.i. Further consideration of a Bill titled "The Islamabad Capital Territory Senior Citizens Board Bill, 2017" moved by Senator Chaudhary Tanvir Khan in the Senate in its sitting held on 13th February, 2017.**

6. Senator Chaudhary Tanvir Khan, Mover of the Bill briefed the Committee that customary standards of the Pakistani society lay stress on giving consideration to the elderly. However, the starting trends of nuclear family system have led most elderly of the family unattended, not being taken care of and are particularly left to spend their twilight years all alone. They are often exposed to emotional neglect and to lack of physical and financial support. This clearly reveals that ageing has become a major social challenge and there is a need to give more attention to the care and protection for the older persons. The Bill proposes to constitute a board to work for the well being of senior citizen and to make provisions for setting-up old-age homes for the indigent older persons. The Bill further proposes to provide better medical facilities to the senior citizens and provisions for protection of their life and property. The Bill, therefore, institutionalizes the protection of senior citizen's rights and the provision of proper care to senior citizens. The Bill seeks to achieve the said objectives.

7. The Chairman, National Council of Social Welfare, briefed the Committee and proposed a number of amendments in the Bill including Title of the Bill, Mover and Members of the Committee agreed with the proposed amendments given by Chairman National Council of Social Welfare and representative of Ministry of Law and Justice also agreed with all the amendments included in the Bill.



8. The Committee recommended that the Bill titled "The Islamabad Capital Territory Senior Citizens Board Bill, 2017" may be passed as amended, hence, the agenda item was disposed of (copy of amended Bill is enclosed as Annexure-B).

**Item No. ii. Further consideration of the subject matter of Starred Question No.55, asked by the Senator Nauman Wazir Khattak regarding the "number of Special Economic Zones (SEZs) established / notified in the country so far" referred by the House to the Standing Committee on Cabinet Secretariat in its sitting held on 10th January, 2017.**

9. The Director General of Board of Investment stated that all the seven SEZs which have been notified by BOI have sent their demands of Gas and electricity connections, but there is a moratorium on Gas connections, therefore BOI can not do any thing. Senator Nauman Wazir Khattak stated that Federal Government has failed to provide assistance to the Provincial Governments for the development of SEZs, he further added that backward areas of country must be given extra incentives, otherwise no one invest in backward areas. Secretary Industries, Government of Sindh raised objection against the Federal Government for not providing Gas and electricity to notified SEZs in Sindh, he added that Federal Government is violating Article 158 of the Constitution for not providing Gas.

10. The Director General briefed the Committee that out sourcing of all three airports will be according rules and laws, he added that out sourcing will be for 15 years. During discussion it transpired that it's a new name of privatization and government of Pakistan has very bad experience to out source or privatize the departments alike PTCL and K-eclectic where government lost trillions of rupees. HR issues as well as will arise which resulting unemployment.

11. After discussion in detail the Committee disposed of the agenda item with the following recommendations:-

- (a) The budgetary allocation of BOI may be increased to empower the BOI with regard to facilitate all required facilities including Gas & Electricity to notified Special Economic Zones.
- (b) Article 158 may be implemented.
- (c) Tax exemption may be given to Pakistani investors on the equal basis to China.
- (d) Backward areas may be identified and given more incentives to encourage investors.



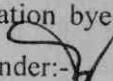
**Item No.iii.** Briefing regarding “an advertisement whereby the outsourcing of the airports of the country has been advertised” pointed out by Senator Taj Haider in the Senate in its sitting held on 16th February, 2017.

12. The Director General, Civil Aviation Authority briefed the Committee regarding outsourcing of the airports of the country, he stated that in accordance with the National Aviation policy (NAP) 2015, outsourcing of major airports to world class operators of international standard through transparent and competitive bidding to improve revenue streams and quality of services were to be undertaken. As per NAP-2015, Pakistan Civil Aviation Authority (CAA) may enter into outsourcing models for operation, management and development of airports. Accordingly, an advertisement has been published in the leading newspapers for outsourcing of the operation, management and development of JIAP, Karachi, AIIAP, Lahore and the new IAP Islamabad with the Bids opening date of 25<sup>th</sup> March, 2017. He said that outsourcing of management of Airports is neither privatization nor public private partnership instead; a concession license for management of Airports shall be granted. Title of all assets (both Aeronautical and Non-Aeronautical) shall continue to vest in Pakistan Civil Aviation Authority, with complete regulatory control.

13. The Members of the Committee were of the view that the outsourcing is the second name of privatization as earlier experience regarding PTCL, K-Electric and other departments of the Government did not succeeded, a number of issues will be raised. The Committee recommended that car parking, hotels and shops of the Airports can be outsourced but the entire management including operations may not be outsourced, hence the agenda item was disposed of.

**Item No.iv.** Consideration of the subject matter of Starred Question No.203 asked by Senator Muhammad Azam Khan Swati regarding the “details of cases and violation of CDA by-laws etc. by various shopping malls and hotels in Islamabad during the last two years including those committed by Safa Gold Mall and Grand Hayat” referred by the House to the Standing Committee on Cabinet Secretariat in its sitting held on 17<sup>th</sup> March, 2017.

14. The Member (Estate), CDA briefed the Committee that CDA has taken notice regarding violation bye-laws of CDA committed by the following shopping malls and hotels are under:-



- i. **Cantaurus Shopping Mall:** Notice has been served and fine has been imposed by Deputy Commissioner CDA.
- ii. **Safa Gold Mall:** The mall was sealed by CDA which has been resealed on the orders of Islamabad High Court. Some violations have been removed and the matter is still subjudice in High Court.
- iii. **Grand Hayatt:** The building has been sealed and the allotment letter has been cancelled by CDA possession is with CDA.

15. He further stated that due to building violation committed Safa Gold Mall and Grand Hayatt, both the buildings were sealed by CDA after serving them several notices. On the order of Honourable Islamabad High Court, Safa Gold mall has been de-sealed. However, Grand Hayatt is still sealed and the matter is subjudice in Islamabad High Court.

16. After discussion in detail, the Committee was of the view that before construction CDA should take action regarding violation of bye-laws of CDA pertaining to the construction, after construction CDA takes action which only loss to general public not to Construction Company, hence the agenda item was deferred.

**Item No.v. Consideration of a Bill titled "The Right to Free and Compulsory Education (Amendment) Bill, 2017" moved by Senator Mian Muhammad Ateeq Shaikh, in the Senate in its sitting held on 13<sup>th</sup> March, 2017.**

17. The Secretary, Capital Administration & Development Division (CADD) briefed the Committee that the motive of Right to Free & compulsory Education Act, 2012 is to ensure that every child (age 5-16) receives free and compulsory education. Moreover, there is no need to specify subjects in the Act as because technical education is already part of scheme of studies from Class VI – X. However, the concerned departments may be asked to take immediate steps to arrange teachers specifically for technical education, work out a comprehensive plan to make workshops/labs fully functional with all the equipment and facilities available for achieving the desired output.

18. The Secretary, CADD opposed the Bill and referred Article 25-A of the Constitution.

19. However, Senator Kalsoom Parveen and Senator Kamil Ali Agha supported the Bill.

20. After discussion in detail the agenda item was deferred.



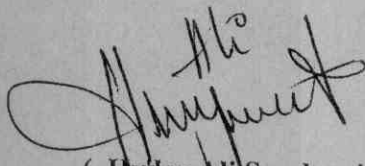
**Item No.vi. Consideration of the subject matter of Public Petition No. PP-1762 pertaining to exploitation of parents & students by private schools.**

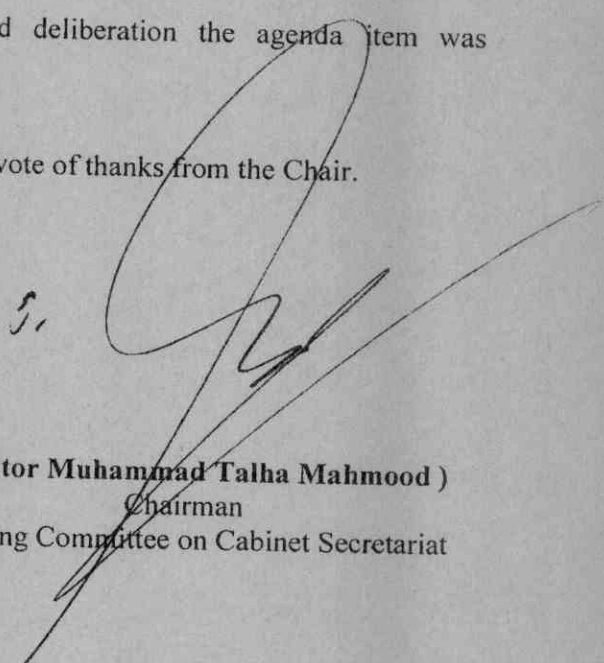
21. After discussion in detail it was decided that the Chief Commissioner, Islamabad, Director General, Anti Narcotics Force, Inspector General of Police, Islamabad and all other concerned departments may be invited in the next meeting for further discussion, hence, the agenda item was deferred.

**Item No.vii. Consideration of the subject matter of Public Petition No. PP-1774 pertaining to degradation of national sports heroes.**

22. After detailed discussion and deliberation the agenda item was deferred.

23. The meeting was ended with a vote of thanks from the Chair.

  
( Hyder Ali Sundrani )  
DS/Secretary Committee

  
( Senator Muhammad Talha Mahmood )  
Chairman  
Standing Committee on Cabinet Secretariat

**LIST OF PARTICIPANTS****MEETING OF THE STANDING COMMITTEE ON CABINET  
SECRETARIAT HELD ON 4<sup>TH</sup> APRIL, 2017**

Sr.No.	Name & Designation	Ministry/Division/Department
1.	Nargis Ghaloo, Secretary	Capital Administration and Development Division (CADD)
2.	Dr. Nadeem	NCSW
3.	Mr. Muhammad Sajid Hammad, Director	NCSW
4.	Air Mrshal	Civil Aviation Authority
5.	Mr. Hasnat Qureshi, Chairman	PEIRA
6.	Mr. Zuhfran Qasim, Director	Board of Investment
7.	Mr. Asad Keyani, Member (Planning)	Capital Development Authority
8.	Mr. Khushal Khan, Member(Estate)	Capital Development Authority
9.	Mr. Mubeen	Islamabad Club
10.	Dr. Mujraba Piracha, Secretary	Industries Department, Punjab
11.	Mr. Abdul Rahim Soomro, Secretary	Industries & Commerce Department, Sindh
12.	Mr. Shafi Muhammad Marwat, Director (Building Control)	Capital Development Authority
13.	Mr. Tanveer A Khaskheli, Advisor (Coordination)	WAPDA
14.	Mr. Roohullah Khan, Special Secretary	Industries Department, KPK
15.	S. Aamir Mehboob, Deputy Director General	Civil Aviation Authority
16.	Mr. Sanaullah, Secretary (Customs)	Federal Board of Revenue
17.	Mr. Zulfiqar Hussain, Chief	Federal Board of Revenue
18.	Sheikh Saif, Joint Secretary	Ministry of Law & Justice
19.	Mr. Muhammad Aslam, Assistant Draftsman	Ministry of Law & Justice
20.	Mr. Afzal Chaudhary	Islamabad
21.	Mr. Hassan Khelia	
22.	Mr. Imtiaz Ali Qureshi, Member	PEIRA