

# **SENATE OF PAKISTAN**



## **FIFTH QUARTERLY REPORT OF THE COMMITTEE**

**ON**

## **DELEGATED LEGISLATION**

**PRESENTED BY**

**SENATOR TAJ HAIDER  
CHAIRMAN COMMITTEE**



## **SENATE SECRETARIAT**

### **QUARTERLY REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION (APRIL – JUNE, 2017)**

I, Chairman of the Senate Committee on Delegated Legislation have the honour to present fifth quarterly report of the Committee on Delegated Legislation under Rule 172E (3) of the Rules of Procedure and Conduct of Business in the Senate, 2012, for the period of April to June, 2017.

2. The composition of the Committee during the period under report was as follows: -

1.	Senator Taj Haider	Chairman
2.	Senator Farooq Hamid Naek	Member
3.	Senator Muhammad Daud Khan Achakzai, Advocate	Member
4.	Senator Muhammad Mohsin Khan Leghari	Member
5.	Senator Syed Muzafar Hussain Shah	Member
6.	Senator Saeed Ghani	Member
7.	Senator Muhammad Ali Khan Saif	Member
8.	Senator Kalsoom Parveen	Member
9.	Senator Muhammad Talha Mehmood	Member
10.	Senator Ayesha Raza Farooq	Member
11.	Senator Muhammad Javed Abbasi	Member
12.	Senator Mohammad Azam Khan Swati	Member

3. The meetings of the Committee were held on 17<sup>th</sup> May & 8<sup>th</sup> June 2017.

4. The following members of the Committee attending the above-said meetings:

i.	Senator Taj Haider	Chairman
ii.	Senator Muhammad Mohsin Khan Leghari	Member
iii.	Senator Kalsoom Parveen	Member
iv.	Senator Muhammad Ali Khan Saif	Member
v.	Senator Syed Muzafar Hussain Shah	Member
vi.	Senator Mohammad Azam Khan Swati	Member
vii.	Senator Muhammad Javed Abbasi	Member
viii.	Justice (Retd) Muhammad Raza Khan	Special Invitee

5. The Committee discussed the following agenda items: -

Sr. No.	Agenda Items	Discussions / Decisions
<b>17-05-2017</b>		
<b>I</b>	To follow up Public Petition No. PP-1709, as discussed in the meeting held on 23 <sup>rd</sup> February, 2017.	In the follow up of the said public petition, the Ministry of Finance informed the committee that after extensive deliberations on proposed amendments in National Savings Deposit Account rules, Post Office Savings Bank rules and Defense Savings Certificate

		rules in pursuance of Sindh High Court Order and recommendation of committee on Delegated Legislation, it approved amendments in above-mentioned rules as proposed by National Savings. Moreover, the Committee discussed the role of a nominee or <i>Ameen</i> , in case the pensioner dies. In this regard, it was decided that the committee would formulate its own recommendations to change the rules in the instant case, making it a part of the Committee's report to the House.
<b>08-06-2017</b>		
<b>I</b>	<p>i. To discuss the Petition pertaining to Regulations No. 3, 9 and 14 of the Privatization Commission Ordinance 2000 which are deemed to be <i>ultra vires</i> of the said basic Ordinance.</p> <p>ii. To lawfully examine Rule 6(i) of the Privatization Commission (Valuation of Property) Rules, 2007</p>	After detailed discussion and direction by the Committee, Privatization Commission committed to resolve the petitioner's concerns, after consultation with the Chairman and senior officials of the Privatization Commission.

6. The Sub-Committee of the Committee on Delegated Legislation on Information Technology (IT) held three meetings during the period, on 24<sup>th</sup> April, 8<sup>th</sup> May and 12<sup>th</sup> June, 2017.

7. The following members of the Committee attended the above-said meetings:

i.	Senator Muhammad Daud Khan Achakzai, Advocate	Convener
ii.	Senator Kalsoom Parveen	Member
iii.	Senator Muhammad Javed Abbasi	Member

8. The Committee discussed the following agenda items: -

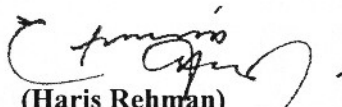
Sr. No.	Agenda Items	Discussions / Decisions
<b>24-04-2017</b>		
<b>I</b>	<p>i. Update/Compliance report of the recommendations of the sub-committee meeting held on 28<sup>th</sup> February, 2017.</p> <p>ii. Further discussion on the proposed amendment in Pakistan Telecom (Re-organization) Act</p>	Convener of sub-committee expressed concerns about delay in meetings between Ministry of Information Technology and Telecommunication (MITT) and Special Communication Organization (SCO) on these agenda items. In response, MITT promised to conclude their deliberations and present report thereof to the Sub-Committee as soon as

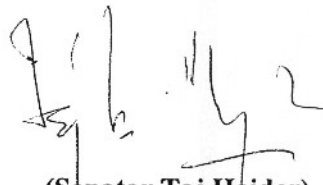


	1996 with the permission of GHQ and with the consensus of Ministry of Information Technology and Telecommunication.	possible.
<b>II</b>	Further discussion on rules, notifications and SROs in pursuance of existing acts of the Parliament of Pakistan Telecommunications Employees Trust (PTET).	As per directions of the sub-committee, PTET started making arrangements to change its external auditor prior to 31 <sup>st</sup> December, 2017.  Sub-Committee directed SCO and MITT to discuss the former's proposed amendments in Pakistan Telecom (Re-organization) Act, 1996 and share the minutes of the afore-said meeting with this sub-committee. It was also decided that MITT would submit its response on the amendments to the above-said act to this sub-committee.
<b>08-05-2017</b>		
<b>I</b>	i. Update/Compliance report of the recommendations of the sub-committee meeting held on 28 <sup>th</sup> February, 2017.  ii. Further discussion on the proposed amendment in Pakistan Telecom (Re-organization) Act 1996 with the permission of GHQ and with the consensus of Ministry of Information Technology and Telecommunication.	MITT gave its comments on Section 40 (A, B, C & D) and suggested that amendments proposed by SCO in Pakistan Telecom (Re-organization) Act, 1996 conflict with telecom regime in Pakistan, which cannot be accepted and will require a massive change in existing telecom policy of Pakistan. Moreover, amendments in the said act did not fall under the jurisdiction of this committee. Sub-Committee also suggested that SCO and MITT must hold regular meetings to resolve this point of contention between them and finalize their proposals for amendments in this telecom act.
<b>II</b>	Further discussion on rules, notifications and SROs in pursuance of existing acts of the Parliament of Pakistan Telecommunications Employees Trust (PTET)	PTET reiterated their commitment that they would change their external auditor before 31 <sup>st</sup> December, 2017.
<b>12-06-2017</b>		
<b>I</b>	i. Update/Compliance report of the recommendations of the sub-committee meeting held on 28 <sup>th</sup> February, 2017.  ii. Further discussion on the proposed amendment in Pakistan Telecom (Re-organization) Act 1996 with the permission of GHQ and with the consensus of Ministry of Information Technology and	Member (Legal) of ministry of IT repeated his previous stance that it is not the mandate of the standing committee on Delegated Legislation to propose amendments in primary legislation; therefore, it should not propose amendments in Pakistan Telecom (Re-organization) Act, 1996. However, the Committee expressed its dissatisfaction over the ministry's response and decided to take this matter up with the Senate Committee on Rules of Procedure and Privilege.

	Telecommunication.	
<b>II</b>	Further discussion on rules, notifications and SROs in pursuance of existing acts of the Parliament of Pakistan Telecommunications Employees Trust (PTET).	Members of the sub-committee agreed to dispose of Agenda item no. 3.

9. In terms of Rule 172E (3) of the Rules of Procedure and Conduct of Business in the Senate, 2012, the quarterly report of the Committee is presented for the perusal of the House.

  
**(Haris Rehman)**  
 Secretary Committee

  
**(Senator Taj Haider)**  
 Chairman