

**SENATE OF PAKISTAN**  
**HOUSE OF THE FEDERATION**

**REPORT NO. 53 / 2017**



**REPORT OF THE COMMITTEE ON BREACH OF PRIVILEGE  
MOTION NO. 1(257)/2016-M, MOVED BY SENATOR SYED MUZAFAR  
HUSSAIN SHAH, CHAIRMAN COMMITTEE ON NATIONAL FOOD  
SECURITY & RESEARCH REGARDING THE BREACH OF  
PRIVILEGE COMMITTED BY THE CHAIRMAN CDA BY NOT  
IMPLEMENTING THE RECOMMENDATIONS OF THAT  
COMMITTEE ON THE MATTER OF PROPOSED CONVERSION OF  
1400 ACRES OF NARC LAND BY THE CDA INTO RESIDENTIAL /  
COMMERCIAL PLOTS.**

**PRESTENDED BY**

**SENATOR DR. JEHAZEB JAMALDINI**  
**CHAIRMAN**



## SENATE SECRETARIAT

### REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON PRIVILEGE MOTION NO. 1(257)/2016-M.

Report No. 53 (2017)

I, Chairman of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on Privilege Motion No. 1(257)/2016-M, moved by Senator Syed Muzaffar Hussain Shah on 21<sup>st</sup> December, 2016.

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

1.	Senator Dr. Jehanzeb Jamaldini	Chairman
2.	Senator Zahida Khan	Member
3.	Senator Hilal-ur-Rehman	Member
4.	Senator Atta Ur Rehman	Member
5.	Senator Nighat Mirza	Member
6.	Senator Syed Muzafar Hussain Shah	Member
7.	Senator Saleem Zia	Member
8.	Senator Osman Saifullah Khan	Member
9.	Senator Sardar Muhammad Yaqoob Khan Nasar	Member
10.	Senator Murtaza Wahab	Member
11.	Senator Dr. Syed Asif Saeed Kirmani	Member
12.	Minister for Parliamentary Affairs	Ex-Officio Member

3. The details of the issue before the committee were that Senator Syed Muzaffar Hussain Shah moved privilege motion No. 1(257)/2016-M on 21<sup>st</sup> December, 2016, regarding non-implementation of recommendations of the Standing Committee on National Food Security and Research by the Chairman CDA. After hearing the mover, the Honourable Chairman Senate held the motion in order and referred the same to the Committee on Rules of Procedure and Privileges for investigation and report. The committee discussed the motion in its meetings held on 12<sup>th</sup> January, 22<sup>nd</sup> February, 22<sup>nd</sup> March, 19<sup>th</sup> May, 12<sup>th</sup> June, 3<sup>rd</sup> July, 4<sup>th</sup> August, 12<sup>th</sup> September and 24<sup>th</sup> November, 2017. The Chairman CDA, Secretary CADD and all concerned






officers were summoned to appear before the committee and give their point of view on the subject matter.

4. Senator Syed Muzafar Hussain Shah stated that Senator Mushahid Hussain Syed moved an adjournment motion in the House regarding cancellation of lease of 1400 acres land, leased out to NARC and proposed conversion of that land into residential and commercial plots. In view of the seriousness of the matter, the Honourable Chairman Senate referred the same to the Standing Committee on National Food Security and Research for consideration and report. That committee called all stakeholders and discussed the matter at length. After completing consideration that committee presented its report, containing the recommendations that the lease in question may be extended and land may not be converted into residential and commercial plots, which was considered and adopted by the House. The recommendations were forwarded to the Capital Administration and Development Division and CDA for implementation. Referring the provision of sub-rule (3) of rule 196 of the Rules of Procedure and Conduct of Business in the Senate, 2012, he said that there were two options with CDA i.e. either to implement the recommendations or to inform the Senate about the reasons for not implementing the same within two months. The CDA neither implemented the recommendations nor informed the House about the reasons for non-implementation thereof. He said that it was a violation of the Senate rules and breach of privilege of the Senate.

5. The committee was informed that the Prime Minister had referred the matter to the Cabinet and the CDA and CADD was helpless. Every time the officers attending the meeting had been asking for more time and promising to pursue the matter. The committee always accommodated them and had been giving more time.

6. The Secretary, Capital Administration and Development Division, informed that the summary was lying with the Cabinet Division for consideration and decision of the Cabinet. She said that there was no fault on the part of the Capital






Administration and Development Division or CDA as the matter was with the Cabinet. She said that on receiving the recommendations of the Committee on the National Food Security and Research, they took prompt action and the recommendations were submitted to the competent authority. They brought the directions of the House and of the committee to the notice of all concerned. They also sensitized the Cabinet Division of the directions of the committee and seriousness of the matter. She said that they have taken all steps to the extent they can.

7. The Member Estate, CDA, stated that when the lease period is expired NOC from various departments of CDA is required to be obtained for extension of the lease. In this case many departments of CDA raised objections on extension of lease of the land in question. He said that NARC had made illegal construction/encroachments on that land and CDA asked them to remove the same but it was not acted upon. He informed that there was a development plan for that land and a summary in that connection was submitted to the Prime Minister. The lease of NARC was not extended as they violated the original plan. He said that they have been informing the Standing Committee on National Food Security and Research as well to the Committee on Rules of Procedure and Privileges about the reasons for non-implementation of the recommendations in question and by doing so they assumed that the rules requirement was fulfilled and it was as good as to inform the House. He said that they did not know that providing reasons in writing was necessary. He was of the view that they had not violated the rules as they have been informing the committee about the reasons for not implementing those recommendations. He apologized and said that they do not even think to breach the privilege of the House or its committees.

8. The committee was of the view that the CDA and CADD should have implemented those recommendations or informed the Senate about the reasons for non-implementation thereof. It was the opinion of the committee that in this case

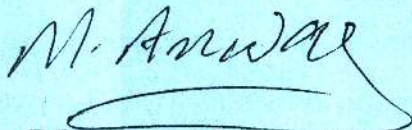




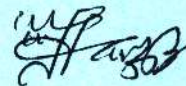
privilege had been breached by not implementing the directions of the Standing Committee on National Food Security and Research as well as of the House.

9. The matter was under consideration of this committee, when the mover informed the House that the summary sent to the Prime Minister for conversion of the said land into commercial and residential plots has been withdrawn and the Government has decided to extend the lease of that land in favour of NARC as was recommended by the Standing Committee on National Food Security and Research. The Chairman Senate as well as the House showed satisfaction on the implementation of the recommendations in question.

10. The committee held that the concerned quarters violated the Senate rules due to which the privilege of the House was breached. However, it was satisfied over the implementation of the said recommendations. After knowing about the new development in the matter and implementation of the recommendations in question, the committee on Rules of Procedure and Privileges disposed off the matter with the recommendation that no further action is required in the matter.



(Muhammad Anwar)  
A.S./Secretary Committee



(Senator Dr. Jehanzeb Jamaldini)  
Chairman