

SENATE OF PAKISTAN HOUSE OF THE FEDERATION

Report No.21



REPORT OF THE SENATE STANDING COMMITTEE ON NATIONAL FOOD
SECURITY & RESEARCH

ON THE

SUPPLEMENTARY QUESTION ASKED BY SENATORS SARDAR MUHAMMAD
AZAM KHAN MUSAKHEL AND MIR HASIL KHAN BIZENJO DURING DISCUSSION
ON STARRED QUESTION NO.130 IN THE SENATE SITTING HELD ON 25.08.2017

PRESENTED BY

SENATOR SYED MUZAFAR HUSSAIN SHAH
CHAIRMAN

SENATE SECRETARIAT

Subject: REPORT OF THE STANDING COMMITTEE ON NATIONAL FOOD SECURITY & RESEARCH ON THE SUPPLEMENTARY QUESTION ASKED BY SENATORS SARDAR MUHAMMAD AZAM KHAN MUSAKHEL AND MIR HASIL KHAN BIZENJO DURING DISCUSSION ON STARRED QUESTION NO.130.

I, Senator Syed Muzafar Hussain Shah, Chairman Standing Committee on National Food Security & Research have the honor to present Report of Supplementary Question asked by Senators Sardar Muhammad Azam Khan Musakhel and Mir Hasil Khan Bizenjo during discussion on Starred Question No.130 in the Senate sitting held on 25.08.2017. After discussion, the relevant portion of the said Question pertaining to the fertilizers and movement of urea in Balochistan and Khyber Pakhtunkhwa, referred to the Standing Committee on National Food Security & Research for consideration and report.

2. The composition of the Standing Committee on National Food Security & Research is as under:-

1.	Senator Syed Muzafar Hussain Shah	Chairman
2.	Senator Muhammad Mohsin Khan Leghari	Member
3.	Senator Mst. Gul Bashra	Member
4.	Senator Muhammad Zafarullah Khan Dhandla	Member
5.	Senator Sirdar Zulfiqar Ali Khan Khosa	Member
6.	Senator Mushahid Ullah Khan	Member
7.	Senator Hamza	Member
8.	Senator Mukhtiar Ahmed Dhamrah @ Aajiz	Member
9.	Senator Hari Ram	Member
10.	Senator Brig. (R) John Kenneth Williams	Member
11.	Senator Muhammad Azam Khan Swati	Member
12.	<u>Minister for National Food Security and Research</u>	<u>Ex-Officio Member</u>
13.	Senator Sardar Muhammad Azam Khan Musakhel	Mover
14.	Senator Mir Hasil Khan Bizenjo	Mover

3. Accordingly, the Committee considered the matter in three consecutive meetings held on 13.09.2017, 25.10.2017 & 13.12.2017 respectively.

4. The Secretary M/o National Food Security & Research informed the Committee that Ministry has not imposed any ban on the movement of fertilizer in Balochistan and Khyber Pakhtunkhwa provinces, however, it might be possible that some law enforcement agencies including the FC may have taken any action in this regard and put some restrictions on the movement of fertilizer in certain areas keeping in view the law and order situation. Thereafter, the hon'able Chairman of the Committee in view of the above position advised the Secretary of the Ministry of National Food Security & Research to hold a meeting with the Interior Division alongwith the FC and other law enforcement agencies working in these areas as well as officials of fertilizer distribution companies in order to ascertain the factual position.

5. Thereafter, in the next meeting of the Committee held on 25.10.2017, the Secretary M/o National Food Security & Research apprised the Committee that as per the directions given in the last meeting, a meeting was convened on 19.09.2017 (**copy attached as F/A**) attended by the officers of Home Departments of Balochistan and KPK, Finance Division as well as representatives of Advisory Council of Fertilizer Manufacturers. He however, said that no one from Interior Division nor from any law enforcement agency including the FC had attended the meeting. He further said that during the meeting, the officers of Home Departments of Balochistan and KPK had informed that their provincial governments have not imposed any ban on the transportation of fertilizer, however, in few districts of Balochistan and tribal areas of KPK some precautionary measures in the wake of security and law & order situations in these areas have been taken. The representatives of Fertilizer Companies have however shown their concern during the meeting on the unnecessary restrictions imposed by various Federal law enforcement agencies as well as district administration, the Secretary further added.

6. After the briefing by Secretary M/o National Food Security & Research, the Additional Secretary, Interior Division who was present in the meeting advised to indentify the facts on ground in relation to the hurdles and difficulties being faced by the people of Balochistan and KPK in movement of fertilizer and furnish a detailed report to the Committee.

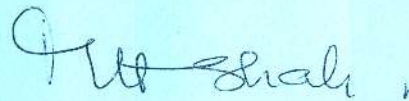
7. Thereafter, in the meeting of the Committee held on 13.12.2017, the officer from Interior Division informed that Headquarters of Frontier Corps Khyber Pakhtunkhwa and Balochistan have furnished separate reports on the issue of movement/ restriction of Fertilizer in Balochistan and Khyber Pakhtunkhwa. The copy of the report as furnished by the Interior Division contained the viewpoints of Frontier Corps of Balochistan and Khyber Pakhtunkhwa is **annexed as "B"**.

Recommendations:

In view of the above explained position, the Standing Committee on National Food Security & Research observed that there is no ban on behalf of the M/o NFS&R on the movement and transportation of Fertilizer in Balochistan or in Khyber Pakhtunkhwa as informed by the Secretary M/o NFS&R however, some actions/ precautionary measures have been taken by Headquarters of Frontier Corps in Balochistan and Khyber Pakhtunkhwa. The Committee therefore recommended that the subject matter may be disposed off. However, in case the hon'able Movers still need more information, it is requested that matter may be referred to the Standing Committee on Interior for further deliberations as the Frontier Corps comes under the purview of Interior Division.



(HAFEEZULLAH SHEIKH)
JS/Secretary Committee



(SENATOR SYED MUZAFAR HUSSAIN SHAH)
Chairman Standing Committee on National Food
Security & Research

No.F.1-11/2012/DFSC-II/Fertilizers
Government of Pakistan
Ministry of National Food Security & Research

Islamabad, the 3rd October, 2017

Subject: MINUTES OF MEETING REGARDING RESTRICTION OF FERTILIZER
MOVEMENT IN KPK & BALOCHISTAN

In line with the directions of the Senate Standing Committee on National Food Security & Research regarding the issue of movement/restriction of fertilizer (Urea) in Khyber Pakhtunkhwa and Balochistan a meeting was held under the Chairmanship of the Secretary, M/o NFS&R on Tuesday, 19-09-2017 in the Committee Room, Block "B", Pak Secretariat, Islamabad. The meeting was attended by the representatives of Ministry of Finance, Home Department of Balochistan, and representatives of Fertilizer Manufacturers of Pakistan Advisory Council (FMPAC). List of participants is annex-A.

2. The Secretary, M/o NFS&R welcomed the participants and apprised that during the Senate sitting on 25-08-2017 discussion on the Starred Question No. 130 raised by Senator Lt. Col. (R) Syed Tahir Hussain Mashhadi and Supplementary Questions asked by Senators Sardar Muhammad Azam Khan Musakhel and Mir Hasil Khan Bizenjo were held. The matter was referred to the Senate Standing Committee on NFS&R the committee in its meeting held on 13-09-2017 directed the M/o NFS&R to come up with concrete recommendations after consulting all stakeholders, including Provincial Governments of KP and Balochistan the meeting in M/o NFS&R was held accordingly at the absent. The Secretary M/o NFS&R showed concern over the non-presence of the representative from the Ministry of Interior to whom it was requested to participate alongwith the representatives of FC, Khyber Pakhtunkhwa and Balochistan. He directed that a letter expressing concern may be forwarded to the Secretary, Ministry of Interior requesting for his view point on the matter.

3. The representative of Home Department of Khyber Pakhtunkhwa and Balochistan informed that as such no restriction on the movement of fertilizer has been reported. However, in some tribal areas due to additional precautionary measures taken by the Security Agencies, the movement of fertilizer is being strictly monitored.

4. The representatives of Fertilizer Manufacturers of Pakistan Advisory Council (FMPAC) stated that Fertilizer sector is facing problems in KPK and Balochistan

Provinces due to quite restrictions imposed by District Governments, Frontier Corps, Customs, levies, Police and Agriculture department. Fertilizers movement in KPK is restricted by law enforcement agencies on the premise of law & order situation. Resultantly; the demand from the local dealers has decreased which is negatively affecting the Agriculture output of the province. They added that in some pockets of in Khyber Pakhtunkhwa (Khyber Agency, Kurram Agency, Mohmand Agency and Orakzai Agency, D.I Khan, Wana, Miran Shah, Tank around 16 FFC dealers at their sales points are affected due to the imposed restriction in above mentioned areas which has resulted in monitory losses to all stake holders as well.

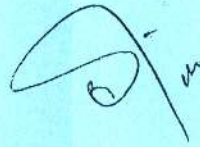
5. The representatives of FMPAC further added that fertilizer movement in Balochistan (Zhob, Chaghi, Dalbandin, Noshki, Khara, Nall, Basima and Mashkay) is subject to the provision of the information procurement transportation and of invoices of Ex-Plant / Ex-Warehouse, routes used for Fertilizer movement, List of dealers and name and contact numbers of Company focal persons to the FC Headquarters etc. Initially, the provision of aforementioned documents facilitated in the movement of different types of fertilizers but after August 2016, the problems resurfaced again. Apart from FC, the local levies and Police also hamper the transportation of fertilizers. Usually the trucks are stopped at check posts for verifications. Even though the transporter has the complete paper work, trucks are transferred to the wing headquarters and a letter is sent to the Customs Department or Customs intelligence for re-verification of the documents. Even though all the movement of fertilizers (from Plants / Warehouses) is reported to FC HQ through text, the confiscations and stalling of the trucks on one pretext or other often result in long delays. In addition to above, the inter-district transportation by the dealers and farmers is also quite difficult. Often the farmers are stopped from carrying the product and are asked for sales documents, permits from district Government /Agriculture department and documents of their land.

6. After a detailed discussion it was concluded that there is no restriction on the movement of Urea fertilizer in general areas of Khyber Pakhtunkhwa and Balochistan by the Provincial Governments. However, in wake of current scenario of the country and apprehension of smuggling and usage of some forms of fertilizers for explosive purposes, like Calcium Ammonium Nitrate (CAN) strict monitoring is being observed by the Security Wings of the country.

MEETING OF RESTRICTION OF FERTILIZER MOVEMENT IN BALOCHISTAN AND
KHYBER PAKHTUNKHWA
UNDER THE CHAIRMANSHIP OF SECRETARY M/O NFS&R ON 19-09-2017 AT 11:00 AM.

LIST OF PARTICIPANTS

S. No.	Name/ Designation/ Organization
1.	Mr. Fazal Abbas Maken, Secretary M/O NFS&R, Islamabad
2.	Mr. Imtiaz Ali Gopang, Food Security Commissioner, NFS&R
3.	Mr. Hamid Ali, Deputy Secretary, Home Department, K.P.
4.	Mr. Faseehur Rahman, Agriculture Extension
5.	Mr. Muhammad Azeem Hakro, Assistant Chief, NFS&R
6.	Mr. Tanveer Raza, National Sales Manager, Agritech. Ltd.
7.	Mr. Javed Iqbal, General Manager, Agritech. Ltd.
8.	Mr. Aman Mir, FFC, Rawalpindi
9.	Brig. Sher Shah, E.D. FMPAC
10.	Mr. Sikandar Shah, Director, FMPAC
11.	Mr. Saqib Aziz, D.M.



Annex "B"

MOST IMMEDIATE
BY SPL. MESSENGER

GOVERNMENT OF PAKISTAN
MINISTRY OF INTERIOR

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Subject: - MEETING OF THE SENATE STANDING COMMITTEE ON NATIONAL
FOOD SECURITY & RESEARCH TO BE HELD ON 13TH
DECEMBER, 2017.

Reference Senate Secretariat's Letter No. F.7 (1)/2015-Com-(27) dated
6th December, 2017 on the subject noted above.

2. A copy of Report on the issue of movement/Restriction of Fertilizer (urea)
in Balochistan and Khyber Pakhtunkhwa is enclosed as desired, please.

Encl: As Above


(Idrees Muhammad)
Section Officer Council)

Senate Secretariat (Mr. Hafeezullah Sheikh.JS / Secretary Senate Standing
Committee on National Food Security & Research Islamabad
Ministry of Interior's U.O.No.20 / 20 /2017-Council, dated 13-12-2017

BRIEF / REPORT

SUBJECT:- **REPORT ON THE ISSUE OF MOVEMENT / RESTRICTION OF FERTILIZER (UREA) IN BALOCHISTAN AND KHYBER PAKHTUNKHWA.**

Senate Secretariat had forwarded inter-alia the following agenda point for discussion and report thereof:-

- (ii) "Further discussion and consideration of Supplementary Question asked by Senators Sardar Muhammad Azam Khan Musakhel and Mir Hasil Khan Bizenjo during discussion on Starred Question No.130 in the Senate sitting on 25-8-2017 and referred the same to the Standing Committee for report on the issue of movement / restriction of fertilizer (Urea) in Balochistan and Khyber Pakhtunkhwa".

2. HQ Frontier Corps KP and HQ Frontier Corps Balochistan were requested to furnish the report on the subject issue. On the basis of information received from Frontier Corps KP and Frontier Corps Balochistan, the requisite report may be perused as under:-

Frontier Corps KP

- Sale and transportation of fertilizer to FATA is regulated by FATA Secretariat through proper mechanism issued by their Law and Order Department. Standing Operating Procedure (SOPs) for transportation of fertilizer to FATA is at flag "B".
- In view of prevalent security environment and increased Improvised Explosive Devices (IED) threats / incidents wherein fertilizers had been found as major source of Home Made Explosive (HME), a ban had been imposed on transportation of Urea / Calcium Ammonium Nitrate (CAN) only in all agencies of FATA by HQ 11 Corps with effect from 14th December, 2015. However, DAP is allowed for agricultural utility of populace.
- Threat of Improvised Explosive Devices (IED) is likely to persist being the cheapest choice with miscreants having huge potential of conflict. Besides LEAs other segments of society would continue to be the victims. This threat needs to be taken seriously and highlighted at highest level to deter and ward off its devastating effects.
- Urea / Calcium Ammonium Nitrate (CAN) contain 14% Nitrogen which is sufficient for converting into explosive. Not much of the areas, yet FATA is suitable for short duration, crops like vegetables thus Urea / Calcium Ammonium Nitrate (CAN) remains a traditional demand and ultimately converted into a potential threat. Due to its potential abuse, there is a concern to regulate the supply of Urea / Calcium Ammonium Nitrate (CAN) inland and deny its illegal export.

- 21
- FATA Secretariat issues the policy of sale as per requirements in / of respective agencies. However, the SOPs could not be enforced by the concerned Political authorities on ground. Despite "Policy of Fertilizer Control" in place, offenders easily hoodwink and prevail even after having found guilty. The Government should regulate either through proper legislation or administratively through FATA Secretariat. The regulation should propose capital punishment for culprits involved in illegal traffic of explosives and fertilizer.

Frontier Corps Balochistan

- HQ Frontier Corps Balochistan has prepared the following SOPs to regulate movement of Urea / Fertilizer in Balochistan:-
 - Calcium Ammonium Nitrate (CAN) is not allowed in the Province, as the same can be used in explosives.
 - Transportation is allowed in the Province. However, for security checking, the trucks are being checked on the spot.
 - All fertilizer bound for Afghanistan is checked for permit / legal documents.
 - Smuggling of fertilizer from unauthorized routes along the border is forbidden. It is checked and handed over to Customs authorities.
 - No fertilizer is allowed within 20 KM of border, being prone to illegal smuggling across the border with Afghanistan.

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FROM : CMC FATA

FAX NO. : 0919210579

1 Nov. 2017 11:52PM P1



FATA SECRETARIAT
LAW & ORDER DEPARTMENT
PESHAWAR

Immediate/By Fax

No. FS/L&O/35-Urea/664-65
Dated 13.02.2017
01-03-2017

All Political Agents
All Deputy Commissioners (FRs)

Subject:

**STANDING OPERATING PROCEDURES (SOPs) FOR TRANSPORTATION
OF FERTILIZERS TO FATA**

I am directed to enclose herewith HQ Frontier Corps letter No. 174/88/SOP/x/GS(O)B dated 15.02.2017 along with the subject SOP(s) for further course of action at your end, please.

Encl:As above(04xpages including covering letter)

Ends; of No.& date even.

Copy forwarded to:-

1. HQ Frontier Corps, KP Peshawar w/r to No. mentioned above.
2. PS to ACS(FATA)
3. PS to Secretary Law & Order.

Section Officer
(Law & Order)

Section Officer
(Law & Order)

(2)

(23)

JMI : CMC FATA

FAX NO. : 9211737

15 Feb. 2017 12:05 P1

RESTRICTEDIMMEDIATE / BY FAX

HQ Frontier Corps KP

Peshawar

Telephone: 091-9211491-2

No. 174/88/SOP/x/GS(O)B

15 February 2017

To: Headquarters 23 Brigade
Headquarters 27 Brigade
Headquarters 73 Brigade
Sector Headquarters Centre ✓
Sector Headquarters North, ✓
Sector Headquarters South West ✓
Sector Headquarters South

Copy to: Deputy Secretary (Law & Order)
FATA Secretariat Warsak Road
Peshawar

ID: Anti Smuggling Cell

Subject: STANDING OPERATING PROCEDURES FOR TRANSPORTATION OF
FERTILIZER TO FATA

1. Amended standing operating procedure for Transportation of Fertilizer is enclosed as Annexure 'A' to this letter alongwith Headquarters 11 Corps letter number IED/0104/17/GS (Ops)-A-8AH7FG dated 14 December 2015 is enclosed for disseminating / strict compliance. please.
2. Headquarters Frontier Corps letter number 172/39/Fert/xx/AS dated 28 October 2013 may please be treated as cancelled.

Spk please

Lieutenant Colonel
Commander, Frontier Corps, Peshawar

STANDING OPERATING PROCEDURES FOR TRANSPORTATION OF
FERTILIZER(S) TO FATA

1. In order to address the concerns of local farmers of FATA and to facilitate economic activities in the area, the Standing Operating Procedures (SOPs) for transportation of fertilizer i.e Urea / DAP to FATA in consultation with the Directorate of Agriculture Extension FATA has been formulated and forwarded for implementation:-

a. Allocation of Quota

- (1) Requirements of fertilizer should be worked out for each Sub Division according to harvesting seasons by Directorate of Agriculture Extension FATA Secretariat annually.

b. Nomination /Selection of Dealers

- (1) Political Administration would nominate 01 dealer of fertilizer having good reputation in each Sub-Division.
- (2) Family detail of the contractor/dealers be forwarded to respective Headquarters before awarding permits.
- (3) Contractor recommended by Political Administration should be thoroughly screened by Intelligence agencies for their direct or in-direct links with anti state elements.

c. Issuance of Permits

- (1) Commandant of respective area will issue permits to authorized dealers only.
- (2) The dealers will be bound to obtain permits from the concerned Commandant on the basis of the criterion, as chalked out by the Directorate of Agriculture Extension FATA Secretariat.
- (3) Details of permits will be shared with all LEAs.

d. Transportation

- (1) One copy of the original permit must accompany the vehicle during transportation of fertilizers from settle to FATA.
- (2) The contractor must be bound to transport the whole quota for season in maximum two shipments from settled area to agencies for particular seasons.

e. Distribution Mechanism

- (1) Distribution points should be established in Sub Division Headquarter of Agencies to facilitate the spot checking/visits by APA / Moharrar.
- (2) The concerned Political Administration and Directorate of Agriculture Extension FATA Secretariat will submit details of its sale/receipt to FATA Secretariat on monthly basis.

RESTRICTED

Accountability

- (1) A committee, comprising representative(s) of Political Administration, leading elder in each Sub-Division, LEAs and Directorate of Agriculture Extension FATA Secretariat, will be constituted to carry out spot checking on fortnightly basis to ensure maintenance of record and to check un-authorized sale/smuggling.
 - (2) Dealers would be bound to maintain sales register, receipt of stock & acquaintance roll etc in addition, the dealer will also be bound to share the information regarding number of bags purchased, name of supplier & his complete details to the Political Administration/LEAs.
2. Keeping current volatile / unstable situation of Khyber Agency, the Khyber Agency alongwith Tehsil of Orakzai, Kurram and Mohmand Agency adjoining Khyber should not at this point in time are not included in beneficiaries of said SOP