

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**



House of the Federation

SENATE SECRETARIAT

REPORT No.12

**REPORT
(Volume – I)
OF THE
SENATE STANDING COMMITTEE ON INTERIOR**

ON

**POINT OF PUBLIC IMPORTANCE REGARDING “KILLING
OF FOUR PEOPLE BY A TEAM OF CTD OFFICIALS NEAR
SAHIWAL ON 19-01-2019” RAISED BY SENATOR
MUHAMMAD JAVED ABBASI IN THE HOUSE ON 21ST
JANUARY, 2019.**

PRESENTED BY

**SENATOR A. RHMAN MALIK
Chairman
Standing Committee on Interior**

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

INDEX OF REPORT

| S.NO. | CONTENTS | PAGE NO. |
|--------------|---|-----------------|
| 1. | Members of the Committee..... | 3 |
| 2. | Executive Summary..... | 4-6 |
| 3. | Ruling of the Chairman Senate regarding Sahiwal Incident..... | 7 |
| 4. | <u>Three TORs – Mandate of the Committee:</u> 1) To investigate the matter of killing of four people by a team of CTD officials near Sahiwal on 19 th January, 2019. 2) To make Recommendations for the improvement in the criminal justice system and proposals to avoid recurrence of any such incident in future. 3) To make Recommendations to propose a Welfare Plan for the children of the victim family. | 7 |
| 5. | Minutes of the First Meeting of the Committee held on 21st January, 2019 and Recommendation..... | 8 – 12 |
| 6. | All Letters / Communication sent to the Secretary, Ministry of Interior and Punjab Government..... | 13-21 |
| 7. | Informal Meeting of the Committee held on 24th January, 2019 and their Endorsement..... | 22 – 23 |
| 8. | Minutes of the Second Meeting of the Committee held on 25th January, 2019 and Recommendations | 24 – 30 |
| 9. | Interim Report received from the Government of Punjab..... | 21 – 35 |
| 10. | Copy of the Notices issued to the members of victim family with STATEMENT PROFORMA..... | 36 |
| 11. | Conclusion – Findings of the Committee..... | 37 – 39 |
| 12. | Recommendations on Welfare of the survived Children of Sahiwal incident | 40 |
| 13. | Recommendations for Improvement in the Criminal Justice System..... | 41-42 |

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANURY, 2019**

MEMBERS OF THE SENATE STANDING COMMITTEE ON INTERIOR:

| | | | |
|--|---|--|---|
| Senator Kalsoom Parveen |  | Mr. Imran Khan, Ex-Officio Member / Minister for Interior |  |
| Senator Muhammad Javed Abbasi |  | Mr. Shehryar Khan Afridi Ex-Officio Member / Minister of State for Interior (MOS) |  |
| Senator Chaudhary Tanvir Khan |  | | |
| Senator Muhammad Asad Ali Khan Junejo |  | | |
| Senator Rana Maqbool Ahmed |  | | |
| Senator Muhammad Talha Mehmood |  | | |
| Senator Farooq Hamid Naek |  | | |
| Senator Muhammad Azam Khan Swati |  | | |
| Senator Haji Momin Khan Afridi |  | | |
| Senator Mian Muhammad Ateeq Shaikh |  | | |
| Senator Kauda Babar |  | | |
| Senator Sardar Muhammad Shafiq Tareen |  | | |
| Senator Dr. Shahzad Waseem |  | | |

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

EXECUTIVE SUMMARY

INTRODUCTION:

The Chairman Senate Standing Committee on Interior, Senator A. Rehman Malik took a serious Notice of the incident reported in the Media on 19th January, 2019 regarding killing of four peoples by a Team of CTD officials near Sahiwal. The victims were identified as (1. Muhammad Khalil - 42 Years, 2. His wife Nabila – 38 Years, 3. their daughter Areeba - 13 Years, 4. Zeeshan Akhtar - 36 Years, Driver of the Car). Their Son Umair Khalil sustained bullet wounds while his sister Munibas hand was injured due to broken glass of the Car band Habiba their daughter remained unhurt.

RULING OF THE CHAIR:

On 21st January, 2019, Senator Muhammad Javed Abbasi raised the matter of Point of Public Importance regarding "killing of four people by a Team of CTD officials near Sahiwal on 19th January, 2019" in the House. The Chairman keeping in view the importance of the matter and letter submitted by the Committee, announced his Ruling in the House as under:-

"KILLING OF FOUR PEOPLE AND INJURING MINOR CHILDREN BY A TEAM OF CTD OFFICIALS NEAR SAHIWAL ON 19-01-2019 IS A MATTER OF SUFFICIENT PUBLIC IMPORTANCE WHICH HAS SENT A WAVE OF RESENTMENT ALL OVER THE COUNTRY. THEREFORE, THE MATTER IS REFERRED TO SENATE STANDING COMMITTEE ON INTERIOR WITH DIRECTIONS TO PROBE THE FACTS AND FIX RESPONSIBILITY ON THOSE WHO ACTED BEYOND THEIR LEGAL MANDATE. THE COMMITTEE IS ALSO DIRECTED TO SUGGEST A PLAN FOR THE WELFARE OF THE CHILDREN AS WELL"

MANDATE – TORs:

Accordingly the Chairman Senate referred the matter to the Senate Standing Committee on Interior to probe it as per the following TORs:-

- 1) To investigate the matter of killing of four people by a Team of CTD officials near Sahiwal on 19th January, 2019.
- 2) To make Recommendations for the improvement in the Criminal Justice System and proposals to avoid recurrence of any such incident in future.
- 3) To make Recommendations to propose a Welfare Plan for the children of the victim family.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

LETTERS WRITTEN BY THE COMMITTEE:

The Chairman Senate Standing Committee on Interior, Senator A. Rehman Malik while taking a serious notice of the unfortunate incident sent Four letters to the Secretary Ministry of Interior, Islamabad, the Chief Minister Punjab, Home Secretary, Punjab, I.G. Punjab Police, Lahore and The D.I.G & DPO. Police, Sahiwal, as under:-

- 1) First letter was written on the next day of the incident i.e. on 20th January, 2019, in which **12 questions were raised** to provide facts on the incident.
- 2) Second Letter was written on 22nd January, 2019, to the Chairman Senate with the recommendations of the Committee **for constitution of a JUDICIAL COMMISSION** to probe into the matter.
- 3) Third letter was written on 23rd January, 2019, **containing 41 Questions** asking the Secretary, Ministry of Interior, Home Secretary Punjab, and I.G. Police, Punjab.
- 4) Fourth Letter was written on 23rd January, 2019, regarding nomination of **Focal Persons** in the Ministry of Interior and by the Punjab Government and also for **provision of Final Investigation Report** to the Committee.

MEETINGS HELD BY THE COMMITTEE:

The Committee has held three meetings (two formal meetings and one informal meeting) as under :-

FORMAL MEETINGS

1. First meeting was held on 21st January, 2019,
2. Second meeting was held on 25th January, 2019.

INFORMAL MEETING:

1. An informal meeting was held on 24th January, 2019.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

INTERIM REPORT RECEIVED FROM PUNJAB GOVERNMENT:

An Interim Report has been received in response to the Letter written by the Committee on 23rd January, 2019 which is made part of this Report. As per the Report submitted by the Punjab Government in the meeting of the Committee held on 25th January, 2019, six CTD officials have been arrested and being interrogated. It has further been informed that the AIG CTD, SSP CTD, DSP CTD, have been removed from the posts.

This Report contains a detailed discussion held on the Interim Report received from the Government of Punjab and briefing given by the Home Secretary Punjab and I.G. Police Punjab, during the meeting of Senate Standing Committee on Interior on 25th January, 2019 and the Recommendations made by the Committee. However, the Government of Punjab has requested the Commission to give them atleast 30 days for submission of the final Report which will be presented to the House, as and when it will be received to the Committee.

RECOMMENDATIONS:

The Committee has made recommendations in this Report on the following points:-

- 1) **Recommendations for the improvement in the Criminal Justice System and proposals to avoid recurrence of any such incident in future.**
- 2) **Recommendations to propose a Welfare Plan for the children of the victim family.**

The Committee while condemning the role of the CTD team officials also appreciated the role of the Army, Rangers, FC, LEAs, and other Agencies in countering terrorism by sacrificing their lives for the last two decades. The nation stands indebted to the Heroes of the nation who have protected their motherland by offering unprecedented sacrifices.

This is a Preliminary Report (Volume – I) on the matter of Public Importance regarding killing of four people by a Team of CTD officials near Sahiwal, raised by Senator Muhammad Javed Abbasi in the House on 21st January, 2019, as the Government of Punjab has requested to give them atleast 30 days for submission of Final Report in the matter, which will be presented before the House as and when it is received, accordingly.

(TANVIR AHMED)
D.G. / Secretary Committee

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

"BRIEF OF THE REPORT"

1) RULING OF CHAIRMAN SENATE DATED 21ST JANUARY, 2019:

The matter of killing of four people (1. Muhammad Khalil - 42 Years, 2. His wife Nabila - 38 Years, 3. their daughter Areeba - 13 Years, 4. Zeeshan Akhtar - 36 Years) and minor children who got injured by a Team of CTD officials near Sahiwal on 19th January, 2019, was discussed in detail in the House as the Point of Public Importance raised by Senator Muhammad Javed Abbasi, in the House on 21st January, 2019 and after a detailed discussion, the Chairman Senate passed the following Ruling:

"Killing of four people and injuring minor children by a Team of CTD officials near Sahiwal on 19-01-2019 is a matter of sufficient Public Importance which has sent a wave of resentment all over the country. therefore, the matter is referred to Senate Standing Committee on Interior with directions to probe the facts and fix responsibility on those who acted beyond their legal mandate. The Committee is also directed to suggest a plan for the welfare of the children as well"

2) THREE TORS – MANDATE OF THE COMMITTEE:

The Committee took guidance out of the discussion in the House and proceeded accordingly and the progress made so far in this regard as under:

- 1) To investigate the matter of killing of four people by a Team of CTD officials near Sahiwal on 19th January, 2019.**
- 2) To make Recommendations for the improvement in the criminal justice system and proposals to avoid recurrence of any such incident in future.**
- 3) To make Recommendations to propose a Welfare Plan for the children of the victim family.**

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

**3) MINUTES OF THE FIRST MEETING OF THE COMMITTEE HELD ON
21ST JANUARY, 2019 AND RECOMMENDATION:**

SENATE SECRETARIAT

**SUBJECT: MINUTES OF THE MEETING OF THE STANDING COMMITTEE ON
INTERIOR, HELD ON 21ST JANUARY, 2018 IN COMMITTEE ROOM
NO. 1, PARLIAMENT HOUSE, ISLAMABAD.**

A meeting of the Standing Committee on Interior was held on 21st January, 2018 at 11:00 a.m. in Committee room No. 1, Parliament House, Islamabad, under the Chairmanship of Senator A. Rehman Malik.

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

- i. Consideration of the Bill "The Real Estate (Regulation and Development) Bill, 2017, introduced by Senator Mohsin Aziz referred to the Committee on 09-10-2018.
- ii. Consideration of the matter of "Point of Public Importance" regarding theft of Mobile Phones from Faisalabad Dry Port raised by Senator Mian Muhammad Ateeq Shaikh on 24-09-2018.
- iii. Consideration of the report to be presented by the D.G. FIA regarding a complaint against illegal operations of M/s Hadid International Ltd. at Karachi Airport, Karachi.
- iv. Consideration of the report of the FIA on Illegal Immigration & Human Trafficking of Pakistani citizens with connivance of fake Agents and Overseas Promoters through Airports and Seaports with particular reference to the matter of death of 11 Pakistanis who drowned in Libya, which was previously discussed during the meeting of the Committee, dated 5th March, 2018.
- v. Briefing by the Chairman, CDA and Mayor, MCI on the progress made so far to resolve Administrative, Financial and Legal issues of the MCI and to review the progress.
- vi. Any other item with permission of the Chair.

3. The following members attended the meeting: -

| | |
|--|----------|
| 1) Senator Abdul Rehman Malik | Chairman |
| 2) Senator Mian Muhammad Ateeq Sheikh | Member |
| 3) Senator Muhammad Javed Abbasi | Member |
| 4) Senator Sardar Muhammad Shafiq Tareen | Member |
| 5) Senator Haji Momin Khan Afridi | Member |
| 6) Senator Kauda Babar | Member |

4. The list of participants of the meeting is attached as Annexure-A.

5. The meeting commenced with the recitation from the Holy Quran.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

**"MATTER OF KILLING OF FOUR PEOPLE BY A TEAM OF CTD OFFICIALS
NEAR SAHIWAL ON 19TH JANUARY, 2019".**

6. The Chairman Committee, in his opening remarks, strongly condemned the tragic incident of brutal killing of a family, by a Team of CTD officials, who was travelling from Lahore to Burewala to attend a marriage ceremony on 19th January, 2019 near Sahiwal. Fateha was offered for the departed souls.

7. After Fateha, Chairman Committee expressed his deep concern and resentment over the non-professional attitude of the CTD Team officials. He stated that such barbaric act must be stopped in order to establish writ of state and to ensure the rule of law.

8. The Chairman Committee stated as to whether the license to kill was issued to the police; if not, then there is a due procedure wherein the operation was to be executed in the presence of a senior officer with proper evaluation of the targeted person.

9. The Chairman Committee informed the participants that he had already taken notice of Sahiwal incident and a letter, on behalf of the Committee, has been sent to Ministry of Interior and other provincial departments to present a detailed report on this unfortunate incident within a week.

10. The Chairman Committee directed to carry out a deep probe, based on ground realities, into the incident to examine the reasons due to which the CTD Team officials failed to have acted in a proper professional manner.

11. Thereafter, Chairman Committee presented the letter written on 20th Januray, 2019 wherein the Ministry of Interior, I.G. Police of Punjab and Home Secretary Punjab have been directed to provide a detailed report on the incident as per the following 12 Points :-

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

12 QUESTIONS ASKED IN LETTER DATED 20TH JANUARY, 2019:

- 1) Full details and profile of the deceased members of the family.
- 2) Any past criminal record, FIR or anything related to any criminal activity of deceased individuals or their family?
- 3) Any animosity within the family or other feud in the area which could have created some issues.
- 4) What made the police to follow the family travelling in a small car and what was concrete evidence to consider the deceased as prime suspects? - Full evidences to be placed on record.
- 5) When they stopped the car on CTD Police direction, then why police opened the firing despite no resistance by the deceased, what were the reasons killing them instantly? Why the attempt was made to kill the children — should it be presumed that it was to eliminate the rite witnesses?
- 6) Full police version on this incident - At what level such action was ordered - was there any FIR wherein these deceased were ever summoned or interrogated. Is there any intelligence report on them if that should be placed on record?
- 7) Profile and the service history of all the officials of CTD involved in this incident and any of them belongs to the local area. Was there any personal animosity of the deceased /or other members of the victim family?
- 8) Any personal vendetta of victim family with any influential or otherwise in that area.
- 9) If it was an encounter, was it being supervised by a senior officer as per the laws? Police wireless communication record on it and first three police diaries of the police record .The P/M report .Whose name the police weapon and the bullets issued?
- 10) PEMRA to provide entire footage of this incident as it is broadcast on electronic TV channels.
- 11) It is too serious to allow the police retaliation and resistance from the other side and apparently Police SOPs has not been followed and has raised a big question in public.
- 12) The incident has happened on the main highway when the people are around and police firing could be seen by people around and eye witness are available hence their statements are to be made as part of record of this case.

12) Senator Muhammad Javed Abbasi protested against the unfortunate incident and condemned the bizarre behavior of CTD Team officials by extending number of allegations upon those civilians and branding them as terrorists. He was of the view that the police should inquire them before ascertaining the death sentence upon suspects. He stated that the Police has not been given a license to kill.

13) Senator Muhammad Javed Abbasi rejected the constitution of Joint Investigators for the said purpose by the Government of the Punjab. He proposed that there should a Judicial Commission under the chairmanship of a Senior Judge from High Court and the said commission should submit its report on the basis of well-defined TORs within the fixed timeline.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANURY, 2019**

14) The Chairman Committee added that the Committee has not accepted any **JOINT INVESTIGATORS** by any means. Moreover, he also raised his concern over the nature of intelligence report that pointed towards the killing of those suspects.

15) The Chairman Committee directed that the Committee has decided unanimously to constitute a **Judicial Commission** to investigate the said incident, with publicly announced TOR's in order to ascertain as to whether Zeeshan was a terrorist or not.

16) The Chairman Committee questioned as to why the government is continuously denying the presence of Daish in Pakistan. Government should be clear on its stance by releasing a categorical statement that whether the Daish is present in the country or not. He stated that we are not hitting government, instead, we are just rectifying the system.

17) Senator Kauda Babar was of the view that this incident has not been happened for first time in Pakistan. We have already been witnessing such incidents frequently in this state, especially if we adhere to unresolved matter of killing of Naqeebullah Mehsud, so far. But the real catastrophe is that it is only the Senate Standing Committee on Interior that is highlighting such issues of grave concern and also taking suo-moto notice of matter of public importance.

18) The Chairman Committee termed the Sahiwal's incident as the matter of highest public importance. He further directed the Ministry of Interior to probe into the matter of death of five girls in Rawalpindi and report back the Committee.

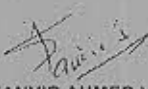
19) The Chairman Committee appreciated the present Chief Justice of Pakistan, on highlighting Article 184(3) that empowers the top court to initiate a suo motu proceedings on matters it considers against the law.


RECOMMENDATIONS:

1. The Committee recommended that a **JUDICIAL COMMISSION** should be constituted to probe the matter of killing of four people by a team of CTD officials near Sahiwal on 19-10-2019.
2. The Chairman Committee directed the Secretary Interior , Secretary Home , Government of the Punjab and Inspector General of Punjab to send a detailed report on the incident as per the following points:-

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

- 1) Full details and profile of the deceased members of the family.
- 2) Any past criminal record, FIR or anything related to any criminal activity of deceased individuals or their family?
- 3) Any animosity within the family or other feud in the area which could have created some issues.
- 4) What made the police to follow the family travelling in a small car and what was concrete evidence to consider the deceased as prime suspects? - Full evidences to be placed on record.
- 5) When they stopped the car on CTD Police direction, then why police opened the firing despite no resistance by the deceased, what were the reasons killing them instantly? Why the attempt was made to kill the children — should it be presumed that it was to eliminate the rite witnesses?
- 6) Full police version on this incident - At what level such action was ordered - was there any FIR wherein these deceased were ever summoned or interrogated. Is there any intelligence report on them if that should be placed on record?
- 7) Profile and the service history of all the officials of CTD involved in this incident and any of them belongs to the local area. Was there any personal animosity of the deceased /or other members of the victim family?
- 8) Any personal vendetta of victim family with any influential or otherwise in that area.
- 9) If it was an encounter, was it being supervised by a senior officer as per the laws? Police wireless communication record on it and first three police diaries of the police record .The P/M report .Whose name the police weapon and the bullets issued?
- 10) PEMRA to provide entire footage of this incident as it is broadcast on electronic TV channels.
- 11) It is too serious to allow the police retaliation and resistance from the other side and apparently Police SOP has not been followed and has raised a big question in public.
- 12) The incident has happened on the main highway when the people are around and police firing could be seen by people around and eye witness are available hence their statements are to be made as part of record of this case.


(TANVIR AHMED)
Director General / Secretary Committee
Tele No.051-9214040


(Senator A. Rehman Malik)
Chairman
Committee Standing Committee on Interior

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

4. **ALL LETTERS / COMMUNICATION SENT TO THE SECRETARY, MINISTRY
OF INTERIOR AND PUNJAB GOVERNMENT:**

FIRST LETTER WRITTEN BY COMMITTEE ON 20TH JANUARY, 2019:

Subject: **REPORT ON THE INCIDENT OF KILLING OF FOUR PEOPLE BY A TEAM OF
CTD OFFICIALS IN WHICH THREE MEMBERS OF A FAMILY WERE KILLED
AND MINOR CHILDREN GOT INJURED NEAR SAHIWAL.**

Sir,

The undersigned has been directed to state that the Chairman Senate Standing Committee on Interior, Senator A. Rehman Malik has taken a very serious notice of the CTD encounter in which three members of a family were killed and minor children got injured near Sahiwal. He has directed a deep probe based on ground realities into the incident to examine the failure of administrative, legal and violation its police rules and Committee will look into its various aspects raised as result of this brutal incident.

2. The Chairman Committee has directed the Ministry of Interior to submit a comprehensive report to the Committee based on the following questions asked from I.G. Police and Home Secretary Punjab:-

- 1) Full details and profile of the deceased members of the family.
- 2) Any past criminal record, FIR or anything related to any criminal activity of deceased individuals or their family?
- 3) Any animosity within the family or other feud in the area which could have created some issues.
- 4) What made the police to follow the family travelling in a small car and what was concrete evidence to consider the deceased as prime suspects? - Full evidences to be placed on record.
- 5) When they stopped the car on CTD Team direction, then why police opened the firing despite no resistance by the deceased, what was the reasons killing them instantly? Why the attempt was made to kill the children — should it be presumed that it was to eliminate the rite witnesses?
- 6) Full police version on this incident - At what level such action was ordered - was there any FIR wherein these deceased were ever summoned or interrogated. Is there any intelligence report on them if that should be placed on record?

Contd....P/2

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

Page - 2

- 7) Profile and the service history of all the officials of CTD involved in this incident and any of them belongs to the local area. Was there any personal animosity of the deceased /or other members of the victim family?
- 8) Any personal vendetta of victim family with any influential or otherwise in that area.
- 9) If it was a Police encounter, was it being supervised by senior police officers as per the laws? Police wireless communication record on it and first three police diaries of the police record .The P/M report .Whose name the police weapon and the bullets issued?
- 10) PEMRA to provide entire footage of this incident as it is broadcast on electronic TV channels.
- 11) It is too serious to allow the police retaliation and resistance from the other side and apparently Police SOP has not been followed and has raised a big question in public.
- 12) The incident has happened on the main highway when the people are around and police firing could be seen by people around and eye witness are available hence their statements are to be made as part of record of this case.

3. The Chairman Committee has directed that a detailed comprehensive Report on the incident based on the above questions raised by the Chairman Committee should be submitted to the Committee within one week and strict action shall be taken against those found guilty.

4. This issues with the approval of the Chairman Committee.

(TANVIR AHMED)
D.G. / Secretary (Committee)

The Secretary,
Ministry of Interior,
Islamabad.

Cc:

- 1) The Chief Minister Punjab, Chief Minister Office, Lahore.
- 2) The Home Secretary, Punjab.
- 3) The I.G. Punjab, Punjab Police, Lahore.
- 4) The D.I.G. Police, Sahiwal.
- 5) The DPO, Sahiwal.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

SECOND LETTER WRITTEN BY COMMITTEE ON 22ND JANUARY, 2019:

Subject: **CONSTITUTION OF JUDICIAL COMMISSION ON THE MATTER OF
KILLING OF FOUR PEOPLE BY CTD POLICE ENCOUNTER IN
WHICH THREE MEMBERS OF A FAMILY WERE KILLED AND MINOR
CHILDREN GOT INJURED NEAR SAHIWAL.**

The undersigned has been directed to state that a meeting of Senate Standing Committee on Interior was held on 21st January, 2018 at Parliament House Islamabad. The unfortunate and shocking incident of killing of four people by CTD Police near Sahiwal.

The Senate Standing Committee has recommended that a JUDICIAL COMMISSION under Chairmanship of a senior Judge of High Court be constituted and a comprehensive report on the following questions be sent specifically:-

- 1) Full details and profile of the deceased members of the family.
- 2) Any past criminal record, FIR or anything related to any criminal activity of deceased individuals or their family?
- 3) Any animosity within the family or other feud in the area which could have created some issues.
- 4) What made the police to follow the family travelling in a small car and what was concrete evidence to consider the deceased as prime suspects? - Full evidences to be placed on record.
- 5) When they stopped the car on CTD Police direction, then why police opened the firing despite no resistance by the deceased, what was the reasons killing them instantly? Why the attempt was made to kill the children — should it be presumed that it was to eliminate the rite witnesses?
- 6) Full police version on this incident- At what level such action was ordered -was there any FIR wherein these deceased were ever summoned or interrogated. Is there any intelligence report on them if that should be placed on record?
- 7) Profile and the service history of all the officials of CTD involved in this incident and any of them belongs to the local area. Was there any personal animosity of the deceased /or other members of the victim family?
- 8) Any personal vendetta of victim family with any influential or otherwise in that area.
- 9) If it was a Police encounter, was it being supervised by senior police officers as per the laws? Police wireless communication record on it and first three police diaries of the police record .The P/M report. Whose name the police weapon and the bullets issued?

Contd....P/2

REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019

Page - 2

- 10) Profile and the service history of all the officials of CTD involved in this incident and any of them belongs to the local area. Was there any personal animosity of the deceased /or other members of the victim family?
- 11) Any personal vendetta of victim family with any influential or otherwise in that area.
- 12) If it was a Police encounter, was it being supervised by senior police officers as per the laws? Police wireless communication record on it and first three police diaries of the police record .The P/M report. Whose name the police weapon and the bullets issued?
- 13) PEMRA to provide entire footage of this incident as it is broadcast on electronic TV channels.
- 14) It is too serious to allow the police retaliation and resistance from the other side and apparently Police SOP has not been followed and has raised a big question in public.
- 15) The incident has happened on the main highway when the people are around and police firing could be seen by people around and eye witness are available hence their statements are to be made as part of record of this case.
- 16) Report of JOIN^T INVESTIGATORS may also be sent by Email at "tanvir.senate@gmail.com".

3. The Chairman Committee has directed that a detailed comprehensive Report on the incident based on the above questions raised by the Committee should be submitted to the Committee within THREE DAYS positively.

4. This issues with the approval of the Chairman Committee.

(TANVIR AHMED)
D.G. / Secretary (Committee)

The Secretary,
Ministry of Interior,
Islamabad.

Cc:

1. The Chief Minister Punjab, Chief Minister Office, Lahore.
2. The Home Secretary, Punjab Lahore
3. The I.G. Punjab, Punjab Police, Lahore.
4. The D.I.G. Police, Sahiwal.
5. The DPO, Sahiwal.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

THIRD LETTER WRITTEN BY COMMITTEE ON 23RD JANUARY, 2019:

Subject: **REPORT ON THE MATTER OF KILLING OF FOUR PEOPLE BY CTD POLICE
ENCOUNTER NEAR SAHIWAL ON 19-01-2019.**

Sir,

In continuation of this office letter of even number dated 20th January 2019, and with reference to the Ruling of the Chairman Senate during Session of the Senate on 21st January 2019, the matter of killing of four people (1. Muhammad Khalil - 42 Years, 2. His wife Nabila - 38 Years, 3. their daughter Areeba - 13 Years, 4. Zeeshan Akhtar - 36 Years) has now been referred to the Senate Standing Committee on Interior to probe and report back to the House within a week.

2. The Chairman Senate, after full discussion on the matter of Public Importance raised by Senator Javed Abbasi, suspended the Rules of Business and announced his Ruling as under, after detailed discussion in the House:-

"KILLING OF FOUR PEOPLE AND INJURING MINOR CHILDREN BY A TEAM OF CTD OFFICIALS NEAR SAHIWAL ON 19-01-2019 IS A MATTER OF SUFFICIENT PUBLIC IMPORTANCE WHICH HAS SENT A WAVE OF RESENTMENT ALL OVER THE COUNTRY. THEREFORE, THE MATTER IS REFERRED TO SENATE STANDING COMMITTEE ON INTERIOR WITH DIRECTIONS TO PROBE THE FACTS AND FIX RESPONSIBILITY ON THOSE WHO ACTED BEYOND THEIR LEGAL MANDATE. THE COMMITTEE IS ALSO DIRECTED TO SUGGEST A PLAN FOR THE WELFARE OF THE CHILDREN AS WELL"

3. In view of the above Ruling, Senator A. Rehman Malik, Chairman Senate Standing Committee on Interior has desired that the following information should reach to the Committee without delay by 25th January 2019:

INFORMATION REGARDING CTD DEPARTMENT:

- 1) Provide the complete organizational, administrative and legal structure of CTD Police Department.
- 2) What is the name of the present Head of CTD and concerned DIG/SP who was Incharge of this particular operation?
- 3) According to the record of CTD and procedure laid down, how Zeeshan was emerged as suspect of CTD?
- 4) Whether there was any intelligence report, if so, the said report may also be made part of this report.
- 5) Provide the telephone data of the officers, who took part in the operation. For the last one month, was any family member of accused /victims contacted by the CTD Police?
- 6) Information be provided about the vehicles used by the CTD team for operation, the wireless identity of said vehicles and frequencies being used along with the entire communication record /logbook of the day of incident and following day.

Contd....P/2

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

INFORMATION REGARDING MR .ZHEESHAN, DRIVER OF THE CAR:

- 7) Which officer was assigned to monitor and which officer was designated to investigate deceased Zeeshan?
- 8) Provide the date of initiating inquiry against him along with the daily zimnees/ progress report showing activities of Zheeshan. Was the CTD also been mandated to collect the intelligence on any suspect if so a brief of the report and allegations if any.
- 9) Was any statement of Zeshan recorded by the investigating officer else?
- 10) Provision of telephonic record of his mob data and his geo-locations/ movements for the last one month?
- 11) Provide details of the suspect's meetings with different people including with Khalil, /visits to other locations for the last one month through geo-location and all the material, circumstantial, electronics, any other material strengthening him to be suspect as a terrorist.
- 12) It is reported in the media that he was involved in the abduction of Son of Yousaf Raza Gillani, few killings of Police officials and Army Personnel. Are there any evidences on record linking Zeeshan with these cases?
- 13) If he was accused/ suspect, whether he had been ever interrogated, challanned if so, provide the copies of the court proceedings in support of the claim made in media ?
- 14) Is there any other criminal record or cases ever registered by police?

INFORMATION REGARDING DECEASED KHALIL AND HIS FAMILY:

- 15) Full names, details and family background, detail of parents, brothers and sisters and since how long they have been staying at the present location?
- 16) What was the relationship of deceased Khalil with deceased Zeeshan and if there was any common business between the two ?since how long both Khalil and Zeshan known to each other.
- 17) Details of Property owned by deceased Khalil, joint property of the family, ongoing dispute related to property if any?
- 18) Was the said car owned by deceased Zeeshan, and since how long was it in his use?
- 19) Where did he purchase the said car?

Contd....P/3

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

Page - 3

- 20) Is there any Relationship of deceased Zeeshan with two brothers Jalil?
- 21) All Telephonic record of deceased Zeeshan, deceased Khalil and other family members and full analysis of last 3 months, all timings of the calls, especially 3 days prior to the marriage be provided.
- 22) Who was getting married in Burey-Wala and the relationship with deceased Khalil?
- 23) Was this marriage of the relationship of deceased Khalil or his deceased wife?
- 24) If the marriage was from the relationship of Khalil; was Mr. Jalil the brother of Khalil also invited there or not.

QUESTIONS ON SO CALLED ENCOUNTER:

- 25) Who authorized the inquiry on receipt of intelligence report against Zeeshan?
- 26) Name of officers/officials deputed on the case basing on the intelligence report?
- 27) Who authorized and assigned the duties on this particular case and what measures were taken in the morning to proceed with the matter?
- 28) From where the CTD team started to CHASE deceased Zeeshan's car and why the said car was not stopped on the way.
- 29) Why the warning was not issued for stopping the car and search?
- 30) Why the car was allowed to cover so long distance and not stopped on the way on some pretext ?
- 31) Who was the source which had confirmed that there were two suicidal jackets, prohibited bore weapons in the car - were these recovered?
- 32) Which officer was driving police vehicle and at what speed he followed the car of deceased Zeeshan while taking it on the side? Log book of the police car and the registration be provided.
- 33) Was the car hit during move as the present as condition of car reveals the sign of hit?
- 34) Was firing from the said Car made on the police if so recovery of any cartridges near the car.
- 35) Was the Forensic of the car done by a forensic expert if so his full forensic report be provided.

Contd....P/4

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

Page - 4

- 36) According to the available evidence, the car was stopped, and firing was carried out killing the occupants in the car, which does not look like a counterering. Comments please.
- 37) The circumstances as mentioned above compelled to presume that there were some motives behind this killing which needs to be probed thoroughly. Comments please.
- 38) In order to reach to the background of those motives post presumption of encounter, we require the statements of the operation team which undertook the action against deceased Khalil and his family and deceased Zeeshan.
- 39) Two FIRs were registered, one was registered under public pressure against the CTD officers under Anti-terrorism Act, 1997 without nominating any accused and the second FIR was registered in Lahore in CTD Police Station. Copies of both the FIRs be provided.
- 40) The statement of each officials, who were present there and their role in the said action.
- 41) The Incharge of the said operation and the individuals should be given a fair chance to tell the truth and the circumstances according to their judgment of the incident. What is their defence in support of this encounter.

4. This issues with the approval of the Chairman Committee.

(TANVIR AHMED)
D.G. / Secretary (Committee)

The secretary,
Ministry of Interior,
Islamabad.

Cc:

- 1) The Home Secretary, Government of Punjab, Lahore.
- 2) The I.G. Police, Punjab, Lahore.
- 3) The Head of Counter Terrorism Department, Punjab Police.
- 4) The Attorney General of Pakistan.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

FOURTH LETTER WRITTEN BY COMMITTEE ON 23RD JANUARY, 2019:

Subject: **REPORT ON THE MATTER OF KILLING OF FOUR PEOPLE BY A TEAM OF
CTD OFFICIALS ENCOUNTER NEAR SAHIWAL ON 19-01-2019.**

Sir,

The undersigned has been directed to state that a meeting of Senate Standing Committee on Interior was held under the Chairmanship of Senator A. Rehman Malik on 21st January, 2019. The Committee discussed the matter of killing of four people by a Team of CTD officials near Sahiwal on 19-01-2019.

2. A Report of the discussion held during the said meeting was presented in the House and after the House adopted the said Report and discussion on the matter of Public Importance regarding killing of four people by CTP Police near Sahiwal on 19th January, 2019, raised by Senator Muhammad Javed Abbasi, the House referred the said matter to the Senate Standing Committee on Interior with the directions to investigate the matter and report back to the House within one week. The Ruling of the Chair is reproduced as under:-

"Killing of four people and injuring minor children by a Team of CTD officials near Sahiwal on 19-01-2019 is a matter of sufficient public importance which has sent a wave of resentment all over the country. Therefore, the matter is referred to Senate Standing Committee on Interior with directions to probe the facts and fix responsibility on those who acted beyond their legal mandate. The Committee is also directed to suggest a plan for the welfare of the children as well"

3. It is therefore requested to please forward a copy of the Report of Joint Investigators and also copy of TORs of the Joint Investigators which were investigated and reported back to the Government, for further discussion on the matter in the Committee meeting scheduled to be held on 25th January, 2019.

4. The Chairman Committee has also desired that Secretary, Ministry of Interior, Islamabad and Home Secretary, Government of Punjab, Lahore should appoint **FOCAL PERSONS** in their respective departments to Coordinate with the undersigned with reference to the above said matter.

5. This issues with the approval of the Chairman Committee.

**The Secretary,
Ministry of Interior,
Islamabad.**

**(TANVIR AHMED)
D.G. / Secretary (Committee)**

Cc:

The Home Secretary, Government of Punjab, Lahore.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

5) **MINUTES OF THE INFORMAL MEETING OF THE COMMITTEE HELD ON
24TH JANUARY, 2019 AND THEIR ENDORSEMENT:**

MINUTES OF INFORMAL MEETING

Keeping in view the importance and sensitivity of the matter the Chairman Committee requested the Members of the Committee to hold an informal meeting on 24th January, 2019 in Committee Room No.1 at Parliament House, Islamabad.

2. The Following Members attended the meeting:-

- 1) Senator Muhammad Ateeq Shaikh.
- 2) Senator Muhammad Azam Khan Swati
- 3) Senator Shafiq Tareen
- 4) Senator Dr. Shahzad Waseem
- 5) Senator Asad Ali Khan Junejo

3. The Chairman Committee informed the Committee Members that as he received the information regarding killing of four people by a Team of CTD officials near Sahiwal, on media, he immediately wrote a letter on 20th January, 2019 to Secretary Ministry of Interior, Chief Minister, Punjab, Home Secretary, Government of Punjab and I.G. Police, Punjab and DIG and DPO Sahiwal to send their comments on 12 questions pertaining with the incident.

4. The Chairman Committee also informed the Committee that second letter was written to the Secretary Interior for constitution of a Judicial Commission as per the recommendations of the Senate Standing Committee on Interior in its meeting held on 21st January, 2019.

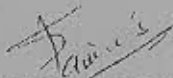
**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

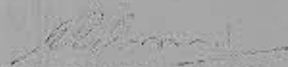
5. Senator Muhammad Azam Khan Swati appreciated the Chairman Committee for taking up this issue immediately after the Sahiwal incident reported on the media. He stated that such kind of incident should be thoroughly investigated so that writ of the State and protection of the Human Rights could be ensured.

6. Senator M. Ateeq Shaikh expressed his deep concern on the killing of four persons by CTD Police in Sahiwal. He pointed out that the controversial and changing statements of the CTD Team officials are creating doubts in the public and this incident has sent a wave of unrest and resentment all over the country.

7. The Chairman Committee stated that every aspect of the incident will be investigated thoroughly and facts will be brought before the nation. In this regard, he informed that the Committee has already sent a letter containing 41 questions to the Secretary Ministry of Interior, Home Secretary, Punjab.

8. The informal meeting ended with a resolve to bring the culprits of the incident before justice so that such incidents could be avoided in future.


(TANVIR AHMED)
Director General / Secretary Committee
Tele No.051-9214040


(Senator A. Rehman Malik)
Chairman
Committee Standing Committee on Interior

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

6) MINUTES OF THE SECOND MEETING OF THE COMMITTEE HELD ON 25TH JANUARY, 2019 AND RECOMMENDATIONS:

SENATE SECRETARIAT

SUBJECT: MINUTES OF THE MEETING OF SENATE STANDING COMMITTEE ON INTERIOR, HELD ON 25TH JANUARY, 2018 IN COMMITTEE ROOM NO. 7, PARLIAMENT HOUSE, ISLAMABAD.

A meeting of the Standing Committee on Interior was held on 25th January, 2018 at 02:30 p.m. in Committee room No. 7, Parliament House, Islamabad, under the Chairmanship of Senator A. Rehman Malik.

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

- i. Consideration of the Bill "The Real Estate (Regulation and Development) Bill, 2017, introduced by Senator Mohsin Aziz referred to the Committee on 09-10-2018.
- ii. Consideration of the matter of Point of Public Importance regarding "Killing of Four People by a Team of CTD officials including Three Members of a Family and Minor Children who got injured near Sahiwal on 19-01-2019", raised by Senator Muhammad Javed Abbasi in the House on 21-01-2019.
- iii. Any other item with permission of the Chair.

12. The following members attended the meeting: -

- | | |
|--|----------|
| i. Senator Abdul Rehman Malik | Chairman |
| ii. Senator Muhammad Javed Abbasi | Member |
| iii. Senator Dr. Shahzad Waseem | Member |
| iv. Senator Sardar Muhammad Shafiq Tareen | Member |
| v. Senator Muhammad Azam Khan Swati | Member |
| vi. Senator Kalsoom Parveen | Member |
| vii. Senator Muhammad Asad Ali Khan Junejo | Member |

13. The list of participants of the meeting is attached as Annexure-A.

14. The meeting commenced with the recitation from the Holy Quran.

15. The Chairman Committee, in his opening remarks, welcomed Senator Dr. Shahzad Waseem and Senator Muhammad Azam Khan Swati on becoming part of the Senate Standing Committee on Interior.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

Agenda Item (ii):

'Consideration of the matter of Point of Public Importance regarding "Killing of Four People by a Team of CTD officials including Three Members of a Family and Minor Children who got Injured near Sahiwal on 19-01-2019", raised by Senator Muhammad Javed Abbasi in the House on 21-01-2019'

16. The Committee discussed Agenda item pertaining to consideration of the matter of Point of Public Importance regarding "Killing of Four People by a Team of CTD officials including Three Members of a Family and Minor Children who got Injured near Sahiwal on 19-01-2019", raised by Senator Muhammad Javed Abbasi in the House on 21-01-2019.
17. The Committee offered Fateha for the departed souls of those who were killed during operation of CTD Police near Sahiwal.
18. The Chairman Committee condemned the tragic incident that took place in Sahiwal and demanded an impartial investigation of the incident.
19. The Chairman Committee informed that the Senate Standing Committee on Interior has immediately taken the notice within 24 hours after the incident was reported on various TV channels.
20. The Chairman Committee stated that the recommendations made by the Committee in its meeting held on 21st January were presented to Honourable Chairman Senate to be placed on the table of the House.
21. Consequent upon presentation of the recommendations of the Committee and raising Point of Public Importance regarding "Killing of Four People by a Team of CTD officials including Three Members of a Family and Minor Children who got Injured near Sahiwal on 19-01-2019", Honourable Chairman Senate announced his Ruling as under:

'Killing of four people and injuring minor children by a Team of CTD Officials near Sahiwal on 19-01-2019 is a matter of sufficient public importance which has sent a wave of resentment all over the country. Therefore, the matter is referred to Senate Standing Committee on Interior with directions to probe the facts and fix responsibility on those who acted beyond their legal mandate. The Committee is also directed to suggest a plan for the welfare of the children as well'.

REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019

22. The Chairman Committee stated that House mandated the Senate Standing Committee on Interior was entrusted the following task:-

- i. **Probe the matter properly;**
- ii. **Draw the roadmap for the welfare of those children who survived in the CTD Operation.**
- iii. **Purpose recommendations to bring improvement in the relevant laws to stop recurrence of such incidents in future.**

19. The Chairman Committee appreciated the Federal Government as well as the Punjab Government for their quick response and co-operations with the Committee for proper investigation of the incident.

20. The Chairman Committee informed the Committee that he had contacted Chief Minister, Punjab as well and communicated that the incident seems to be a target killing.

21. The Chairman Committee stated that ,after the active communication with the heads of law enforcement agencies, the Committee has been assured of probing the case on merit.

22. The Chairman Committee informed that the arrest of six culprits involved in this matter has served the purpose of our first demand.

23. The Chairman Committee further informed the committee that he had sent four letters and questionnaires to the Punjab government through Ministry of Interior and received the interim report in response to 41 questions.

24. He stated that he is examining the interim report and a copy of the report will be sent to each member of the committee. The report will not be made public till the finalization of the same.

25. The Chairman Committee added that the Counter Terrorism Department (CTD) as an institution as per our information, has not been involved in the incident of Sahiwala and it should be taken as an individual act.

26. The Chairman Committee stated that the CTD officials acted in haste, unprofessionally and goofed up the operation because of their professional incompetence.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

27. The Chairman Committee pointed out that the element of conspiracy behind the Sahiwal tragedy cannot be ignored, as the initial investigation shows it can be personal animosity or some conspiracy to undermine our institutions.

28. The Chairman Committee stated that our police and law enforcement agencies are already fighting and sacrificing their lives in a war against terrorism and such plots can be aimed at to divide and weaken the institutions.

29. He insisted that we need to assess if some CTD individuals have been used in this conspiracy but we ensure that as a nation, we will not get trapped in any of such anti-Pakistan move.

30. He further informed that our proposal for Judicial Commission is under-consideration of Lahore High Court. Thus, the matter is pending before the law.

31. The Chairman elucidated that the word "Encounter" neither exist in the Constitution nor in the Pakistan Penal Code, Police Rules 1934, Police Order 2002 and Police Act or any Act.

32. He further clarified that before the 18th Amendment, it was the power of a Magistrate as to whether the person be killed or not, but after the 18th Amendment, it has been withdrawn. In this regard, the committee together with Ministry of Law and other legal team will bring the legislation that will envelope all such cases including the course of action for self-defense, target killing or mob-killing. In present scenario, the laws are not clear enough to respond to such incidents.

33. The Chairman Committee also informed the House that the Senate Standing Committee deals with all such domains which the Ministry of Interior is presently dealing with. There has been no political agenda of the meeting and we assure the nation that all such incidents will be dealt transparently.

34. The I.G. Police Punjab informed the Committee that their preliminary report of 26 pages has answered several of questions asked by the Committee, yet the rest of the questions of the Committee shall be answered soon once Joint Investigators completes its investigation. He added that as soon as the matter was surfaced, he suggested that the Home Department will seek the thorough investigation and Joint Investigators will be constituted for impartial enquiry, in this regard. He further informed the committee that the thirty days are required for the inquiry to be completed. After that, committee would thoroughly monitor all the investigation regarding this case and would continue to guide

REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019

the Joint Investigators. He said that the questionnaire sent by the Committee is helpful and it has set the parameters for impartial and comprehensive investigation.

35. Home Secretary, Punjab informed the Committee that Zeeshan there were some reports that Zeeshan was involved in terrorist activities.

36. The Chairman Committee stated that he will call Zeeshan a terrorist only after he is proved a terrorist with concrete evidence.

37. The Chairman Committee stated that Khalil and his family were innocent.

38. Senator Muhammad Azam Khan Swati asked as to whether it was a fact that such despicable act of killing was performed after the surrendering of all the members in the vehicle, even after recognizing them.

39. Senator Dr. Waseem Shahzad also asked some investigative questions to which IG, Punjab Police informed that all such questions will be answered in Joint Investigators report and disclosing of any such information before the public and media, will disturb the investigation process. He further told the committee that the CTD was after following a very dangerous network of terrorists, adding that the department has killed several terrorists and has arrested many.

40. Senator Dr. Waseem Shahzad also pointed out that the operation wing and training wing of CTD has not clearly highlighted their responsibilities pertaining to rules of engagement i.e., the nature of reaction on certain form of information received. He said the CTD was established in 2015 and its efficiency has reduced the terrorism incidents to total of two in 2018. "CTD has carried out action against Daesh," he said. He conceded that the Sahiwal incident has brought a very serious blow to the CTD and has put it under huge pressure.

41. Secretary Interior Major (R) Azam Suleman Khansaid that Joint Investigators should be given some time for complete investigations as they were observing the evidences collected by the police.

42. The Chairman Committee also directed the Punjab Police to complete the investigation and present the report within thirty days and also investigate on the element of conspiracy or any personal animosity against the innocent Khalil should be exposed.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

43. The Chairman Committee directed that the level of involvement of Zeeshan needs to be determined based on two points; was he radicalized; if so, any evidence and if he was involved in terrorism and some terrorist acts then was he arrested in any such case or tried or bring under notice under the law?
44. The Chairman Committee directed that due procedure should be adopted for declaring anybody as radical?
45. The Chairman Committee stated that the Senate Committee on Interior was waiting for the final report on the incident, adding that law enforcement agencies were going through a difficult phase and we are not here for blame game but to fix the responsibility for the sad incident.
46. The Chairman Committee directed that the IG Police should submit a complete report to the Committee within 30 days once the investigation is completed.
47. The Chairman Committee further added that the affected family and MNAs and MPAs from Sahiwal will be summoned by the Committee in its next meeting for hearing. Senate Standing Committee on Interior would continue to provide guidelines to the police to probe the matter to its logical conclusion.
48. The Chairman Committee was of the view that the incident of killing of people near Sahiwal is a dark scar on the face of Police which needs to be cleared with impartial investigation and this committee would thoroughly examine the report and would recommend its own directions after final report is submitted.

RECOMMENDATIONS:

49. The Committee while condemning the illegal action of CTD Team, it also appreciates the role of the Army, Rangers, FC, LEAs, and other Agencies in countering terrorism by sacrificing their lives for the last two decades. The nation stands indebted to the Heroes of the nation who have protected their motherland by offering unprecedented sacrifices.
50. The Chairman Committee has examined the relevant sections of law and the observations of the Committee and read out the following recommendations for the Committee, outlining the future roadmap for preventing such cases like Sahiwal Incident, in future, as mandated by House:

REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019

- The word "Encounter" neither exist in the Constitution nor in the Pakistan Penal Code, Police Rules 1934, Police Order 2002 and Police Act or any Act. However, the law exists on self-defence, procedure to conduct operations or handling the mob etc.
- Police Rules 1934 & Police Act allows the police to learn about the self defence, as to how they have to protect themselves from the bullet. It is pertinent to mention that the use of direct firing in case of self defence has not been codified in any law so far. Self defence is more inclined to precautionary measure, through harming or diffusing the weapon of adversary. Even the PPC, Anti-Terrorism Act 1997 and Arms Act, also does not empower the same. Rather, police has the right of self-defence. But this right could be levied only in the case where the open firing has been launched from the other side; even in such case, the direct firing cannot be initiated upon the culprit. Only the feet or hand can be harmed and his weapon has to be diffused. Thus, the world Encounter should be ceased to exist and not to be used in our criminal justice system.
- The use of encounters, extra judicial killings has become an easy way of disposing off the suspects. Thus, the Committee further feels that there should be a separate law for Police encounters to ensure State Police to stop to become self - Judge, prosecutor, executer at the sight. Therefore Ministry of Law may propose a comprehensive Act on this highly sensitive issue which has prompted a culture of killings the suspects in the Police custody.
- The killing during police custody has not been dealt seriously and in accordance with law, therefore this should also be covered properly in the law to ensure to stop the killing of suspects at the will of the Police officials.
- The major penalty may be imposed on any such officer who is found guilty of killing the suspect willfully, with motives on different grounds.
- All the arrested CTD officials should be treated like ordinary accused persons.
- According to the provisions of law, firing by the police used to be ordered by a Magistrate and it was not a prerogative of a Police officer to shoot the suspect. The Committee therefore proposed that same law may be re-enforced and Police should stand barred in any such action without permission of the Magistrate.

The law in Cr.Pc U/S 145, gives the power to magistrate to lead such kind of operations and pass and executive order.

The law in Cr.Pc U/S 79 & 80 the sections are reproduced as under:-

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

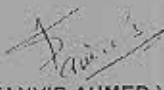
- ⇒ **"79. Warrant directed to officer:** A warrant directed to any police officer may also be executed by any other police officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed.
- ⇒ **80. Notification of substance of warrant:** The police officer or other person executing a warrant of arrest shall notify the substance thereof to the person to be arrested, and if so required, shall show him the warrant."

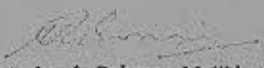
- Any encounter, motivated killing for personal animosity or any other reason not covered in law shall be tried under Anti-Terrorism Act.

51. The Chairman Committee stated that three children have survived in the operation and their welfare in terms of their education is required to be looked into thoroughly. The Government of Punjab has already announced 20 million rupees for the victim family of Khalil which has been rejected by Mr. Jalil, brother of Mr. Khalil as per the media reports. The Committee recommended as under:-

- The children may be admitted into any of the Cadet School and fully supported by the Government of Punjab and entire expenditure should be borne by the Government of Punjab.
- The Government through Court should appoint a guardian for the minor children and they should also be provided facility of school, boarding and lodging by the Government of Punjab.
- The support of Government of Punjab should be ensured through a directive of Chief Minister Punjab duly endorsed by the Court enabling all concerned to implement this decision of their welfare.

52. The Committee ended with a vote of thanks to and from the Chair.


(TANVIR AHMED)
Director General / Secretary Committee
Tele No.051-9214040


(Senator A. Rehman Malik)
Chairman
Committee Standing Committee on Interior

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

7) INTERIM REPORT RECEIVED FROM THE GOVERNMENT OF PUNJAB:

An Interim Report has been submitted by the Government of Punjab to the Committee, which is enclosed as **(Annexure – C)**.

2. In the said Report most of the questions asked by the Committee have been answered by the I.G. Police Punjab, while some important questions are yet to be answered.

3. The information received from Government of Punjab is reproduced as under:-

1) INFORMATION REGARDING ZEESHAN (DRIVER OF THE CAR):

| <u>Q. NO.</u> | <u>QUESTION ASKED</u> | <u>REPLY OF I.G. POLICE</u> |
|----------------------|---|--|
| 7 | Which officer was assigned to monitor and which officer was designated to investigate deceased Zeeshan? | A Joint Investigation Team has been constituted by Provincial Government vide Order No.SO(Jud-III)11-Sahiwal/2019 Dated 19-01-2019. Investigation is in process. This may be treated as Interim reply. |
| 8 | Provide the date of initiating inquiry against him along with the daily zimnees/ progress report showing activities of Zeeshan. Was the CTD also been mandated to collect the intelligence on any suspect if so a brief of the report and allegations if any. | Matter relates to Inter-Agencies cooperation. |
| 9 | Was any statement of Zeeshan recorded by the investigating officer else? | |
| 10 | Provision of telephonic record of his mob data and his geo-locations/ movements for the last one month? | A Joint Investigation Team has been constituted by Provincial Government vide Order No.SO(Jud-III)11-Sahiwal/2019 Dated 19-01-2019. Investigation is in process. This may be treated as Interim reply. |
| 11 | Provide details of the suspect's meetings with different people including with Khalil, /visits to other locations for the last one month through geo-location and all the material, circumstantial, | |

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

| | | |
|----|---|--|
| | electronics, any other material suspect as a terrorist. | A Joint Investigation Team has been constituted by Provincial Government vide Order No.SO(Jud-III)11-Sahiwal/2019 Dated 19-01-2019. Investigation is in process. This may be treated as Interim reply. |
| 12 | It is reported in the media that he was involved in the abduction of Son of Yousaf Raza Gillani, few killings of Police officials and Army Personnel. Are there any evidences on record linking Zeeshan with these cases? | |
| 13 | If he was accused/ suspect, whether he had been ever interrogated, challanned if so, provide the copies of the court proceedings in support of the claim made in media ? | |
| 14 | Is there any other criminal record or cases ever registered by police? | No criminal record available so far. Report Certificate appended at Annexure B |

2) INFORMATION REGARDING DECEASED KHALIL AND HIS FAMILY:

| Q. NO. | QUESTION AKSED | REPLY OF I.G. POLICE |
|---------------|---|---|
| 15 | Full names, details and family background, detail of parents, brothers and sisters and since how long they have been staying at the present location? | <p>Father's Name = Muhammad Bashir caste Arain, age years.</p> <p>Mother's name = Ruqiah Bibi, age 70 years.</p> <p>Brother Names=</p> <ol style="list-style-type: none"> 1. Muhammad Khalil 2. Muhammad Jalil 3. Muhammad Naeem 4. Muhammad Imran <p>Sister Names =</p> <ol style="list-style-type: none"> 1. Saeed Fatima 2. Kaneez Fatima 3. Nazir Fatima 4. Samina Bibi 5. Asia Bibi <p>They have been staying at present location for year approximately.</p> |
| 16 | What was the relationship of deceased Khalil with deceased Zeeshan and if there was any common business between the two ?since how long both Khalil and Zeshan known to each other. | <p>No relation and no common business.</p> <p>They knew each other for about 15/20 years.</p> |

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

| | | |
|----|--|---|
| 17 | Details of property owned by deceased Khalil, Joint property of the family, ongoing dispute related to property if any? | <ol style="list-style-type: none"> 100 Kanal land (Joint) at Chak No.293, Burewala. 1 Kanal Plot at Chak No.293 EB (Joint). Rented shop at main road Tariq Colony Lahore. 6 Marla House at Lahore (Joint) 3 Marla Commercial Plot (Joint) No property dispute. |
| 18 | Was the said car owned by deceased Zeeshan, and since how long was it in his use? | <p>Suzuki Alto Car No. LEA-12-6663 Colour: White Engine No. PKR288152 First Owner: Samina Muqadar d/o Muqadar Hussain r/o Lahore I.D. Crd No.35202-2624444-4 Second Owner: Shoukat Sajjad S/o Anwar Rehan r/o Dipalpur Okara I.D. Crd No.35301-1912324-9 Third Owner: Azeem Liaqat S/o Shah Muhammad r/o Shalimar Right Road Lahore. Fifth Owner: Saqib Majeed S/o Ch. Majeed r/o Old Dhob Ghat, Chah Meeran Shalimar Lahore. Sixth Owner: Adeel Hafeez the killed P.O. of Red Book got car from the fifth owner on open Letter in the names which are being probed by JIT.</p> |
| 19 | Where did he purchase the said car? | Clarified in Para No.18 |
| 20 | Is there any Relationship of deceased Zeeshan with two brothers of Jalil? | They were only residents of same locality. |
| 21 | All Telephonic record of deceased Zeeshan, deceased Khalil and other family members and full analysis of last 3 months, all timings of the calls, especially 3 days prior to the marriage be provided. | Matter related Inter-Agencies Cooperation. |
| 22 | Who was getting married in Burey-Wala and the relationship with deceased Khalil? | There was marriage ceremony of Mr. Rizwan S/o Haiz Hanif is the paternal cousin of Muhammad Bashir (father of deceased Khalil), Muhammad Bashir had no brother. |
| 23 | Was this marriage of the relationship of deceased Khalil or his deceased wife? | It was marriage ceremony of Mr. Rizwan who was a relative of deceased Khalil. His wife Nabeela had no direct relation with Rizwan. |

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

| | | |
|----|--|---|
| 24 | If the marriage was from the relationship of Khalil; was Mr. Jalil the brother of Khalil also invited there or not | Yes. It was the marriage ceremony of Khalil's relative Jalil, the complainant of FIR No.33 dated 20-01-2019 U/S 302-PPC/7ATA, PS, Yousaf Wala, District Sahiwal was also invited. |
|----|--|---|

3) INFORMATION REGARDING CTD OPERATION:

| <u>Q. NO</u> | <u>QUESTION AKSED</u> | <u>REPLY OF I.G. POLICE</u> |
|--------------|--|--|
| 25 | Who authorized the inquiry on receipt of intelligence report against Zeeshan? | A Joint Investigation Team has been constituted by Provincial Government vide Order No.SO(Jud-III)11-Sahiwal/2019 Dated 19-01-2019. Investigation is in process. This may be treated as Interim reply. |
| 26 | Name of officers/officials deputed on the case basing on the intelligence report? | A Joint Investigation Team has been constituted by Provincial Government vide Order No.SO(Jud-III)11-Sahiwal/2019 Dated 19-01-2019. Investigation is in process. This may be treated as Interim reply. |
| 27 | Who authorized and assigned the duties on this particular case and what measures were taken in the morning to proceed with the matter? | |
| 28 | From where the CTD team started to CHASE deceased Zeeshan's car and why the said car was not stopped on the way. | |
| 29 | Why the warning was not issued for stopping the car and search? | |
| 30 | Why the car was allowed to cover so long distance and not stopped on the way on some pretext ? | A Joint Investigation Team has been constituted by Provincial Government vide Order No.SO(Jud-III)11-Sahiwal/2019 Dated 19-01-2019. Investigation is in process. This may be treated as Interim reply. |
| 31 | Who was the source which had confirmed that there were two suicidal jackets, prohibited bore weapons in the car - were these recovered? | |
| 32 | Which officer was driving police vehicle and at what speed he followed the car of deceased Zeeshan while taking it on the side? Log book of the police car and the registration be provided. | |
| 33 | Was the car hit during move as the present as condition of car reveals the sign of hit? | |

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

| | | |
|----|--|---|
| 34 | Was firing from the said Car made on the police if so recovery of any cartridges near the car. | During investigation of the case FIR No.33/99 dated 20-01-2019 U/S 302-PPC-7ATA, P.S. Yousaf Wala, local Police secured 45 empty cartridges and one live cartridge of Rifle SMG, 4 Empty cartridges of 9MM to empties from the Road. The same were sent to the D.G. Punjab, Forensic Science Agency Lahore vide DPO Sahiwal Office letter No.101/HQs, dated 21-01-2019. |
| 35 | Was the Forensic of the car done by a forensic expert if so his full forensic report be provided. | A Joint Investigation Team has been constituted by Provincial Government vide Order No.SO(Jud-III)11-Sahiwal/2019 Dated 19-01-2019. Investigation is in process. This may be treated as Interim reply. |
| 36 | According to the available evidence, the car was stopped, and firing was carried out killing the occupants in the car. which does not look like a counterering. Comments please. | A Joint Investigation Team has been constituted by Provincial Government vide Order No.SO(Jud-III)11-Sahiwal/2019 Dated 19-01-2019. Investigation is in process. This may be treated as Interim reply. |
| 37 | The circumstances as mentioned above compelled to presume that there were some motives behind this killing which needs to be probed thoroughly. Comments please. | |
| 38 | In order to reach to the background of those motives post presumption of encounter, we require the statements of the operation team which undertook the action against deceased Khalil and his family and deceased Zeeshan. | |
| 39 | Two FIRs were registered, one was registered under public pressure against the CTD officers under Anti-terrorism Act,1997 without nominating any accused and the second FIR was registered in Lahore in CTD Police Station. Copies of both the FIRs be provided. | |
| 40 | The statement of each officials, who were present there and their role in the said action. | |

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

**o) COPIES OF THE NOTICES ISSUED TO THE MEMBERS OF VICTIM
FAMILY WITH PROFORMA:**

SENATE SECRETARIAT

'NOITCE'

A meeting of the Senate Standing Committee on Interior will be held on 29th January, 2019, at Parliament House, Islamabad.

2. The Agenda before the Committee would be as under:-

"Discussion of the matter of Point of Public Importance regarding "killing of four persons in Sahiwal on 19th January, 2019, raised by Senator Muhammad Javed Abbasi, in the House on 21st January, 2019".

3. The Chairman Committee, Senator A. Rehman Malik, has desired that the Members of the Victim family to please attend the meeting alongwith their written statements on the following proforma:-

PROFORMA OF STATMENT:

WITNESS NO. _____ :

| <u>SL. NO.</u> | <u>PARTICULARS OF WITNESS</u> |
|---|---|
| 1. | <u>NAME OF WITNESS:</u> |
| 2. | <u>FATHER 'S NAME:</u> |
| 3. | <u>CNIC NO.:</u> |
| 4. | <u>ADDRESS.:</u> |
| 5. | <u>RELATION WITH THE VICTIM:</u> |
| 6. | <u>TELEPHONE NO.</u> |
| 1) <u>Brief Statement:</u> | |
| 2) <u>Point of View in the matter:</u> | |
| 3) <u>Any Suggestion / Remarks:</u> | |
| Date: _____ Signatures: _____ | |

4. The information provided by the concerned officials and Members of the Victim family will help to ensure an impartial investigation in the matter.

5. Please contact on the following numbers for further information, if any.

Tanvir Ahmed, D.G. / Secretary Committee

Senate Standing Committee on Interior

Contact Nos. Office: 051-9217643, 051-9214040, 051-2829612.

(TANVIR AHMED)
D.G./Secretary Committee
Tele No.051-9217643

9) CONCLUSION – FINDINGS OF THE COMMITTEE:

The Committee analyzed the Interim Report received from the Punjab Government and Briefings given by the Secretary, Ministry of Interior, Home Secretary, Government of Punjab, I.G. Police Punjab.

2. After a threadbare discussion on all important aspects of the matter in the meetings of the Committee held on 21st January, 2019 and 25th January, 2019, the Committee has come to the conclusion as under:-

1) ROLE OF ZEESHAN (DRIVER OF THE CAR):

- i. According to CTD report, Zeeshan was basically a radicalized individual.
- ii. CTD considered that he was involved in the incidents of terrorism and abduction of son of Former Prime Minister Yousaf Raza Gillani.
- iii. CTD has also released material regarding the involvement of Zeeshan with the individuals and incidents.
- iv. However, CTD has failed to provide any information against the questions as to whether there was any criminal case or any trial pending against Mr. Zeeshan till the time he was murdered in the said encounter which leaves a big question mark. If he was a terrorist or a radicalized person progressing to be a terrorist, then concrete evidence should have been provided to the Committee.
- v. CTD has failed to provide any record related to his monitoring the relationship between Khalil family and Zeeshan.
- vi. It was primarily being portrayed as he was a mistaken identity in making an assessment of real level of involvement of Zeeshan as a hardcore terrorist.
- vii. The CTD has failed to provide concrete evidence before the Committee to prove that Zeeshan was a hardcore terrorist.
- viii. However, the Committee will submit its final report on receiving of the evidences / report of Joint Investigators on Zeeshan's role as the Punjab Government has requested 30 days for submission of their Final Report.

2) ROLE OF KHALIL & HIS FAMILY:

- i. The investigation has led that Khalil is innocent victim alongwith his wife and daughter.
- ii. Khalil and Zeeshan were residents of the same locality.
- iii. There was no relation or common business between Khalil and Zeeshan.
- iv. Khalil and Zeeshan knew each other for about 15/20 years.
- v. There was marriage ceremony of Mr. Rizwan at Burewala who is the paternal cousin of Muahmmad Bashir (father of Khalil).
- vi. Khalil's family was using the car of Zeeshan (Suzuki Alto Car No.LEA-12-6663) for attending the marriage ceremony at Burewala.
- vii. They were intercepted by the CTD Police near Sahiwal and four people (1.Muhammad Khalil - 42 Years, 2. His wife Nabila - 38 Years, 3. their daughter Areeba - 13 Years, 4. Zeeshan Akhtar - 36 Years) and minor children who got injured.
- viii. The Committee was informed that an FIR has been registered against unknown persons.
- ix. The Committee emphasized that FIR should be registered against those CTD Police officials who were involved in the said Encounter.
- x. Accordingly on the recommendations of the Committee, five CTD Police officials have been arrested in this FIR and they are in the Police custody but their names have not been mentioned in the FIR.
- xi. The following Sections of law U/S 302, 109, 307 of Pakistan Penal Code (PPC) and U/S 6, 7 of Anti-Terrorism Act 1997, (ATA) have been applied and the Committee expects justice in the trial in the Court.
- xii. The Committee feels action to the extent of registration of case, declaring Khalil and his family innocent which is now proving beyond doubt and the Punjab Government has been directed to engage proper legal team to pursue this case in the Court through proper witness, prosecution to ensure justice to the victims.
- xiii. The Committee however at initial stage recommended Judicial Commission with the view to fix the responsibility of these murders and the officials involved in it have already been arrested and therefore the suggestion of Judicial Commission is further left to the House to decide.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

10) RECOMMENDATIONS TO PROPOSE WELFARE PLAN FOR THE CHILDREN OF THE VICTIM FAMILY:

- i. Three children namely Umair Khalil, son (10 Years), two daughters namely Muniba and Hadiba (under 05 years) have survived in the operation and their welfare in terms of their education is required to be looked into thoroughly.
- ii. The Government of Punjab has already announced 20 million rupees. However, the Committee proposes as under:-
 - The children may be admitted into any of the Cadet School and fully supported by the Government of Punjab and entire expenditure should be borne by the Government of Punjab.
 - The Government through Court should appoint a guardian for the minor children and they should also be provided facility of school, boarding and lodging by the Government of Punjab.
 - The support of Government of Punjab should be ensured through a directive of Chief Minister Punjab duly endorsed by the Court enabling all concerned to implement this decision of their welfare.

11) RECOMMENDATIONS FOR IMPROVEMENT IN CRIMINAL JUSTICE SYSTEM:

- i) The Committee has thoroughly examined the CTD Structure which is very comprehensive and the administration, operation intelligence and operational role duly divided and spread over different ranks
- ii) The Committee feels that CTD as a department / Institution is not involved in this messed-up operation.
- iii) However it requires certain improvements in it to make more effective control to ensure any such injustice in future and the Committee has given some recommendations to improve the Criminal Justice System as under:-

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

The Committee has examined the relevant sections of law and the observations of the Committee are as under:-

- The word "**Encounter**" neither exist in the Constitution nor in the Pakistan Penal Code, Police Rules 1934, Police Order 2002 and Police Act or any Act. However, the law exists on self-defence, procedure to conduct operations or handling the mob etc.
- Police Rules 1934 & Police Act allows the police to learn about the self defence, as to how they have to protect themselves from the bullet. It is pertinent to mention that the use of direct firing in case of self defence has not been codified in any law so far. Self defence is more inclined to precautionary measure, through harming or diffusing the weapon of adversary. Even the PPC, Anti-Terrorism Act 1997 and Arms Act, also does not empower the same. Rather, police has the right of self-defence. But this right could be levied only in the case where the open firing has been launched from the other side; even in such case, the direct firing cannot be initiated upon the culprit. Only the feet or hand can be harmed and his weapon has to be diffused

In the light of the aforementioned, the word 'Encounter' should ceased to exist and to be used in our criminal justice system.

- The Committee recommends that the arrested CTD police personnel should be treated as ordinary accused.
- The Committee further feels that there should be a separate law on self defence for Police Raid to ensure State Police to stop to become self-judge, prosecutor, executor at the sight, therefore, Ministry of Law may propose a comprehensive Act which has prompted a culture of killings the suspects in the Police custody. The killing during Police custody has not been dealt seriously in accordance with the law, therefore, this should also be covered properly in the law to ensure to stop the killing of suspects at will of the Police officials. The major penalty may be imposed on any such officer who is found guilty of killing the suspect willfully, with motives on different grounds.
- According to the provisions of law, firing by the police used to be ordered by a Magistrate and it was not a prerogative of a Police officer to shoot the suspect. The Committee therefore propose that same law may be re-enforced and Police should stand barred in any such action without permission of the Magistrate.
- The law in Cr.Pc U/S 145 which give the power to magistrate to lead such kind of operations and pass and executive order.

**REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON
SAHIWAL INCIDENT DATED 19TH JANUARY, 2019**

- The law in Cr. Pc U/S 79 & 80 the sections are reproduce as under:-

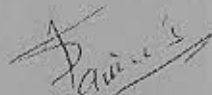
"79. Warrant directed to officer: A warrant directed to any police officer may also be executed by any other police officer whose name is endorsed upon the warrant by the officer to whom it is directed or endorsed.

80. Notification of substance of warrant: The police officer or other person executing a warrant of arrest shall notify the substance thereof to the person to be arrested, and if so required, shall show him the warrant."

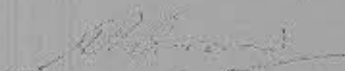
Any encounter, motivated killing for personal animosity or any other reason not covered in law shall be tried under Anti-Terrorism Act.

The Committee while condemning the role of the CTD team officials also appreciated the role of the Army, Rangers, FC, LEAs, and other Agencies in countering terrorism by sacrificing their lives for the last two decades. The nation stands indebted to the Heroes of the nation who have protected their motherland by offering unprecedented sacrifices.

This is a Preliminary Report (Volume – I) of the Committee on the subject matter and Final Report will be presented before the House within due course of time.



(TANVIR AHMED)
Director General / Secretary Committee
Tele No.051-9214040



(Senator A. Rehman Malik)
Chairman
Committee Standing Committee on Interior