

# SENATE OF PAKISTAN



(Report No.16/2018-21)

## REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES

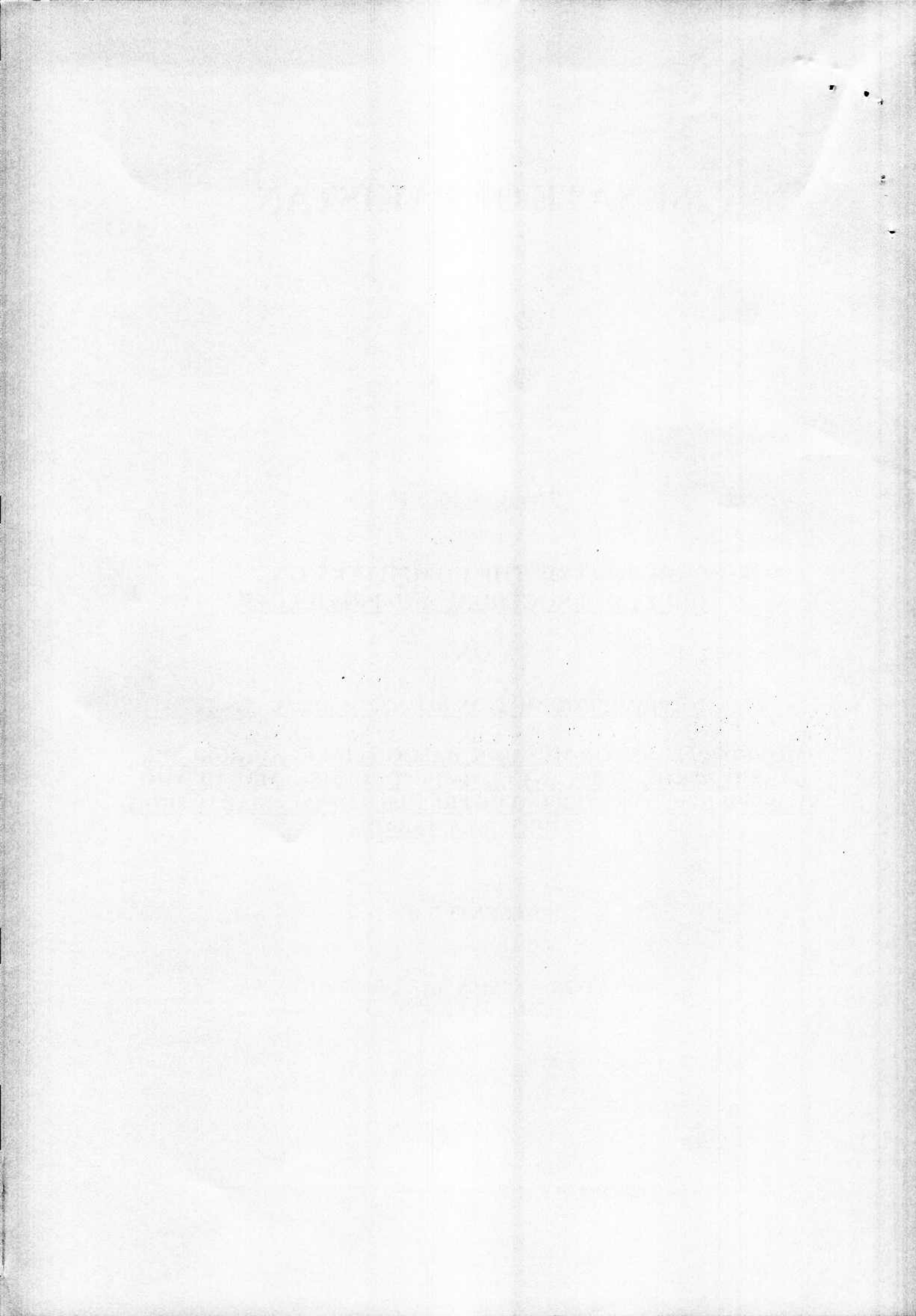
ON

PRIVILEGE MOTION NO. 2(303)/2020-M

MOVED BY SENATOR MUSADIK MASOOD MALIK AGAINST MR.  
DANISH ZAKIR, ASSISTANT COMMISSIONER, ISLAMABAD WHO  
STOPPED HIM TO ENTER IN THE PREMISES OF ISLAMABAD HIGH  
COURT, ISLAMABAD.

PRESENTED BY

SENATOR AYESHA RAZA FAROOQ  
CHAIRPERSON



## SENATE SECRETARIAT

**Subject: REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON PRIVILEGE MOTION NO. 2(303)/2020-M**

I, Chairperson of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on Privilege Motion No. 2(303)/2020-M moved by Senator Musadik Masood Malik in the House on 18<sup>th</sup> September, 2020 against Mr. Danish Zakir, Assistant Commissioner, Islamabad who stopped him from entering into the premises of Islamabad High Court, Islamabad.

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

1.	<b>Senator Ayesha Raza Farooq</b>	<b>Chairperson</b>
2.	Senator Syed Shibli Faraz	Member
3.	Senator Mian Raza Rabbani	Member
4.	Senator Syed Muzafar Hussain Shah	Member
5.	Senator Dr. Asif Kirmani	Member
6.	Senator Pervaiz Rasheed	Member
7.	Senator Dilawar Khan	Member
8.	Senator Nighat Mirza	Member
9.	Senator Walid Iqbal	Member
10.	Senator Dr. Sikandar Mandhro	Member
11.	Senator Muhammad Ali Khan Saif	Member
12.	Senator Manzoor Ahmed Kakar	Member
13.	<u>Minister for Parliamentary Affairs</u>	<u>Ex. Officio Member</u>

3. The facts of the instant case are that during sitting of the Senate held on 18<sup>th</sup> September, 2020, Senator Musadik Masood Malik moved the instant Privilege Motion stating that he had gone to the Islamabad High Court, Islamabad to witness the proceedings of a case but he was stopped by an Assistant Commissioner named Mr. Danish Zakir and despite telling him that he was a Senator, the Assistant Commissioner did not allow him to enter the premises on the pretext that he had orders from high-ups. Senator Musadik Masood Malik further informed the House that on his inquiry about imposition of Section 144 Cr.P.C, the Assistant Commissioner had replied in the negative; but denied him entry.



4. After hearing the Member, the Honorable Chairman Senate of Pakistan referred the matter to the Senate Committee on Rules of Procedure and Privileges for consideration and report.

5. The Privilege Motion was set down in the agenda of the meeting of the Committee held on 20<sup>th</sup> October, 2020 which was attended by the following:-

1.	<b>Senator Ayesha Raza Farooq</b>	<b>Chairperson</b>
2.	Senator Syed Muzafar Hussain Shah	Member
3.	Senator Pervaiz Rasheed	Member
4.	Senator Dr. Sikandar Mandhro	Member
5.	Senator Muhammad Ali Khan Saif	Member
6.	Senator Manzoor Ahmed Kakar	Member
7.	Senator Mian Raza Rabbani	Member
8.	Senator Walid Iqbal	Member
9.	Senator Dr. Asif Kirmani	Member
10.	Senator Musadik Masood Malik	Member
11.	Mr. Ali Muhammad Khan (Minister for Parliamentary Affairs)	Ex. Officio Member

6. Senator Musadik Masood Malik narrated the whole incident as to how he was arbitrarily stopped from entering the Islamabad High Court, Islamabad.

7. The Deputy Commissioner, Islamabad and the Assistant Commissioner (the officer complained against) were present in the meeting. At the outset, both the officers tendered their unconditional apology for the inconvenience caused to the Honorable Senator. The Deputy Commissioner informed the Committee that on the day when the unfortunate incident took place, there were reports of special branch and the district intelligence committee that some miscreants might create havoc in the court premises and may also cause contempt of the court during its proceedings. He stated that the Registrar Islamabad High Court had given clear directions to the district administration to only allow the parties as per the cause list to enter the court premises. He further stated that Section 144 Cr.P.C was also invoked that day but unfortunately the Assistant Commissioner had failed to brief the Honorable Senator about imposition of Section 144 Cr.P.C on the day. The officer complained against also admitted that he did not tell the Honorable Senator that Section 144 Cr.P.C was invoked on that day as he was not aware of the same.



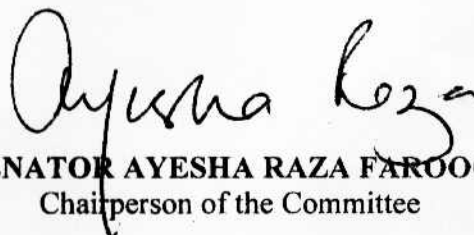
8. The Committee expressed displeasure and questioned why the concerned Officer had not communicated the imposition of Section 144 Cr.P.C to the Honorable Senator. Senator Mian Raza Rabbani expressed his surprise at the ignorance of an officer who despite leading a force to maintain law and order was not aware of the fact that section 144 Cr.P.C was imposed on that day. He found it beyond his understanding of how a commanding officer who had to command a force was not aware of his powers and duties, and expressed his dismay at the situation.

9. However, keeping in view the unconditional apology tendered by the young officers, the Committee unanimously suggested for the Mover to accept the same, and he acceded to the suggestion of the Committee very gracefully.

10. In view of the apology tendered by the officer, the matter was disposed of by the Committee with the recommendation that the same may be disposed of by the House as well.



(MUHAMMAD AZAM)  
Secretary Committee



(SENATOR AYESHA RAZA FAROOQ)  
Chairperson of the Committee

