



House of the Federation

## **SENATE OF PAKISTAN**

**REPORT NO. 26**

**REPORT OF THE STANDING COMMITTEE ON HUMAN RIGHTS**

**ON**

***“The National Commission on the Rights of Child  
(Amendment) Bill, 2023”***

***Presented by:***

**SENATOR WALID IQBAL  
CHAIRMAN**

**STANDING COMMITTEE ON HUMAN RIGHTS**

# SENATE SECRETARIAT

Subject: REPORT OF THE STANDING COMMITTEE ON HUMAN RIGHTS.

I, Chairman of the Standing Committee on Human Rights, have the honour to present this report on "The National Commission on the Rights of Child (Amendment) Bill, 2023" introduced by Senator Prof. Dr. Mehr Taj Roghani, in the Senate sitting held on 3<sup>rd</sup> April, 2023. The Bill, upon introduction, was referred to the Standing Committee for consideration and report.

2. The composition of the Standing Committee is as follows:-

1.	Senator Walid Iqbal	Chairman
2.	Senator Prof. Dr. Mehr Taj Roghani	Member
3.	Senator Dr. Mohammad Humayun Mohamand	Member
4.	Senator Seemee Ezdi	Member
5.	Senator Syed Faisal Ali Subzwari	Member
6.	Senator Quratul Ain Marri	Member
7.	Senator Kamran Michael	Member
8.	Senator Mushahid Hussain Sayed	Member
9.	Senator Abida Muhammad Azeem	Member
10.	Senator Muhammad Tahir Bizinjo	Member
11.	Senator Irfanul Haq Siddiqui	Member
12.	Senator Falak Naz	Member
13.	Senator Syed Waqar Mehdi	Member
14.	Minister for Human Rights	Ex-officio Member

3. The Standing Committee on Human Rights considered the Bill in its meeting held on 7<sup>th</sup> June, 2023, under the Chairmanship of Senator Walid Iqbal. The following Honorable Senators were present at the time of consideration of the Bill:-

1.	Senator Walid Iqbal	Chairman
2.	Senator Prof. Dr. Mehr Taj Roghani	Member/Mover
3.	Senator Dr. Mohammad Humayun Mohamand	Member
4.	Senator Seemee Ezdi	Member
5.	Senator Abida Muhammad Azeem	Member
6.	Senator Falak Naz	Member

4. Senator Prof. Dr. Mehr Taj Roghani, Member-In-Charge of the Bill, briefly explained that the purpose of constitution of a National Commission on the Rights of Child (hereinafter referred as 'NCRC') has been to preserve and protect the rights of children in

Pakistan. The heal of a child is the most important right, which should be taken care of at all costs. Through this Act, a National Commission has been established, consisting of members from all over Pakistan with experience in the field of children rights, but does not include a medical doctor, with experience in the field of pediatrics. Hence, this amendment has been brought to include a child specialist in the current composition of this Commission. Senator Prof. Dr. Mehr Taj Roghani, as the Mover of the bill, emphasized the crucial role of including a pediatrician within the Commission, underscoring its necessity in addressing the specific healthcare needs of children and also shared some hands on experiences in this regard.

5. The Ministry of Human Rights did not support the Bill in its present form for the following reasons,-

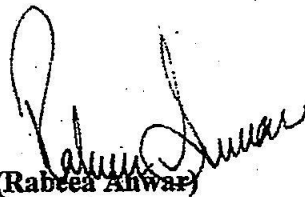
- i. Amendment with regard to reducing number of NCRC members from six to five by removing seat of member FATA practically redundant due to the fact that since the enactment of the law no member from FATA has been appointed since 25<sup>th</sup> Amendment to the Constitution had already been passed.
- ii. Amendment with regard to reducing representation of women, from two to one is not supported on the ground that such a reduction would result in dilution of women's representation in the Commission and would go against the spirit of the original law.
- iii. Amendment with regard to inclusion of one member having medical background (specialized in pediatrics) with at least ten years' experience in the field of child rights is not supported due to following reasons:-
  - a) There is already no bar on a specialist in pediatrics from being made a member of the Commission.
  - b) In view of the limits already provided (provincial representation, women's representation, minorities representation) the selection of members would become complex.
  - c) A serving professional would not be willing to be appointed to a full time job.

6. Ms. Ayesha Raza Farooq, Chairperson of the NCRC, supported the spirit of amendment with regard to inclusion of a pediatrician in the composition of the Commission, however, she informed the Committee that there are provisions in the National Commission on the Rights of Child Act, 2017, allowing appointment of experts and consultants to provide expert input which, may relate to variety of areas and subjects. The said provisions can be utilized rather than narrowing the scope to the inclusion of pediatrician only. This position was also endorsed by the Secretary, Ministry of Human Rights.

7. The Committee and the Member-in-Charge of the Bill took note of clause (3) of section 14 of the National Commission on the Rights of Child Act, 2017, which provides that *"The Commission may appoint consultants, researchers, experts, advisers, officers, and other*

staff members on such terms and conditions, on a criteria as may be prescribed" and agreed with the contentions submitted by the Chairperson NCRC and Secretary, Ministry of Human Rights with regard to already available enabling provision for appointments of experts and consultants in the law. Accordingly, the Committee while agreeing with the need to include specialists in the composition of Commission on case to case basis including but not limiting to pediatricians, psychiatrist, psychologists, educationists and such other experts, as may be deemed appropriate for the betterment of a child, directed the NCRC and the Ministry of Human Rights to suitably amend the Rules notified in pursuance of section 22 of the National Commission on the Rights of Child Act, 2017, to provide for mandatory appointments of experts as consultants in various fields dealing with the child health and other rights, as soon as practicable, but not later than one hundred and twenty days.

9. Accordingly, the Committee recommends that "The National Commission on the Rights of Child (Amendment) Bill, 2023", as introduced in the Senate may not be passed by the Senate. (Copy of Bill as introduced in the Senate is annexed as "A").



(Rabeeha Anwar)  
J.S/Secretary Committee



(SENATOR WALID IQBAL)  
Chairman Standing Committee on Human Rights

**INTRODUCED ON 03.04.2023.**

**[AS INTRODUCED IN THE SENATE]**

**A  
BILL**

*further to amend, the National Commission on the Rights  
of Child Act, 2017*

**WHEREAS** it is expedient further to amend the National Commission on the Rights of Child Act, 2017 (XXXII of 2017) for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title and commencement.** - (1) This Act may be called the National Commission on the Rights of Child (Amendment) Act, 2023.

(2) It shall come into force at once.

**2. Amendment of Section 3, Act XXXII of 2017.**- In the National Commission on the Rights of Child Act, 2017 (XXXII of 2017), in section 3, in sub-section (2), in the table, in the corresponding entry at serial no. (h), for the expression in the second column, the following shall be substituted, namely: -

"five members, one from each Province and the Islamabad Capital Territory, out of which one member shall be from women, one from minorities and one from medical profession with specialization in pediatrics, all having experience of not less than ten years of work in the field of child rights;"

**STATEMENT OF OBJECTS AND REASONS**

The purpose of constitution of a National Commission on the Rights of Child has been to preserve and protect the rights of children in Pakistan. The health of a child is the most important right, which should be taken care of at all costs. Through this Act, a National Commission has been established, consisted of members from all over Pakistan with experience in the field of children rights, but does not include a medical doctor, with experience in the field of pediatrics. Hence, this amendment has been brought to include a child specialist in the current composition of this Commission.

2. This Bill is aimed to achieve the above-said objective.

**SENATOR PROF. DR. MEHR TAJ ROGHANI  
MEMBER-IN-CHARGE**