

SENATE OF PAKISTAN

SENATE DEBATES

Tuesday, July 20, 2004

The Senate of Pakistan met in the Senate Hall (Parliament House) Islamabad, at forty five minutes past six in the evening with Mr. Chairman (Mr. Mohammedmian Soomro) in the Chair.

Recitation from the Holy Quran

اعوذ بالله من الشيطان الرجيم

بسم الله الرحمن الرحيم

يٰٓاَيُّهَا اَنْ تَكْ مَثَقَالِ حَبَّةٍ مِنْ خَرْدَلٍ فَتَكُنْ فِى صَخْرَةٍ اَوْ فِى

السَّمَوٰتِ اَوْ فِى الْاَرْضِ يٰٓاَيُّهَا اَنْ تَكُنْ لَطِيفٌ خَبِيرٌ ۝ يٰٓاَيُّهَا اَقِمِ

الصَّلٰوةَ وَاْمُرْ بِالْمَعْرُوفِ وَانْهَ عَنِ الْمُنْكَرِ وَاصْبِرْ عَلٰى مَا اَصَابَكَ اِنْ

ذٰلِكَ مِنْ عَزْمِ الْاُمُوْر ۝

ترجمہ: (تمہارے لئے یہ بھی کہا کہ) بیٹا اگر کوئی عمل (بالفرض) رائی کے

دانے سے برابر بھی (جھومنا ہو اور ہو بھی کسی ہتھر کے اندر یا آسمانوں میں

(مخفی ہو) یا زمین میں خدا اس کو قیامت کے دن لا موجود کرے گا۔ کچھ

شک نہیں کہ خدا باریک بین (اور) خبردار ہے۔ بیٹا ناز کی پابندی رکھنا اور)

لوگوں کو) اچھے کاموں کے کرنے کا امر اور بری باتوں سے منع کرتے رہنا
اور جو مصیبت تجھ پر واقع ہو اس پر صبر کرنا۔ بیشک یہ بڑی ہمت کے کام
ہیں۔

(سورہ لقمان آیت ۱۴ تا ۱۷)

QUESTIONS AND ANSWERS

جناب چیئرمین: بسم اللہ الرحمن الرحیم۔ اللہم صلی علی محمد و علی آل

محمد۔

We may now take up questions, question No.1 Dr. Aziz-ullah Satazkai.

1. *Dr. Azizullah Satazkai: (Notice received on 16-04-2004 at 1.28 p.m.)

Will the Minister for Commerce be pleased to refer to the Senate Starred Question No. 93 replied on 13th April, 2004 and state the names, addresses and date of delivery of vehicles to 41 persons whom vehicles have been delivered so far by Toyota Motors (Indus Motors Company Ltd.)?

Mr. Humayun Akhtar Khan: Indus Motor Company Ltd. has informed that they have issued PFIs (Proforma Invoices) to ten disabled persons against the purchase authorizations of the Ministry of Commerce (List is placed at Annex-I). Such authorized persons are entitled to concessionary price that the Company will recover through custom duty refund/adjustment. However, they have received no orders from the disabled persons against the PFIs issued by them.

PFi ISSUED UNDER DISABLED PERSON SCHEME

S. No.	Customer Name	Organiza- tion	Address	Vehicle	Price	PFi issued on
					Rs.	
1.	Col. (Retd.) Abdul Waheed Bhatti	NADRA HQ	Sector G-5/2, Islam- abad	Corolla GLI	851,000/-	26-Jan-04
2.	Major (Retd.) Salah Uddin		33-A Army Flats, Stadium Road, Peshawar Cantt.	Corolla XLI	780,000/-	18-Mar-04
3.	Mr. Sajid Ali Shah C/o Islamabad Motor	Sajid Elec- tric Store.	Chaa. Bazaar, Bannu. N.W.F.P.	Corolla XLI	780,000/-	18-Mar-04
4.	Major (Retd.) Nabeel Hassan	Civil Aviation Authority	Allama Iqbal Int'l Airport, Lahore.	Corolla GLI	851,000/-	15-Apr-04
				Corolla XLI	780,000/-	15-Apr-04

S. No.	Customer Name	Organization	Address	Vehicle	Price	PFI issued on
5.	Ms. Amtul Zara C/o Islamabad Motors		C/o Mr. Shahjahan, H. # 243-A, Street 17, F-10/2, Islamabad	Corolla XLI	Rs. 780,000/-	16-Apr-04
6.	Mr. Zaigham Rehman Meer	Air Headquarters	Air Headquarters, Chaklala, Rawalpindi	Cuore Automatic	420,000/-	28-Apr-04
7.	Brig. (Retd.) Muhammad Saddiq Khan C/o Frontier Motors		Abbottabad	Cuore Automatic	420,000/-	28-Apr-04
8.	Mr. Mohammad Hasnain	Javed Brothers	123-Nishtar Chowk, Qaswer Gardazi Road, Multan	Cuore Automatic	420,000/-	29-Apr-04
9.	Mr. Amjad Ali	The Bank of Khyber	Head Office, Credits 24 The Mall, Peshwar Cantt.	Cuore Automatic	420,000/-	29-Apr-04
10.	Lt. Col. (Retd.) M. Pervez Khan		192 SUH, Lane 10, Askari Colony, L-Block Gulberg III, Lahore.	Cuore Automatic	420,000/-	29-Apr-04

Mr. Chairman: Any supplementary?

سینیئر ڈاکٹر عزیز اللہ سانگرنی، عزت مآب! میں نے وزیر تجارت صاحب سے سوال نمبر ۱ پوچھا تھا کہ اب تک 41 افراد کو جو گاڑیاں دی ہیں، ان کے نام پتے اور گاڑیوں کی delivery کی تاریخ کیا ہے؟ وزیر صاحب نے جواب دیا ہے کہ معذور افراد کو دی گئی ہیں۔ میں وزیر صاحب سے یہ گزارش کرتا ہوں کہ معذور سے ان کی مراد کیا ہے اس کی وضاحت کریں اور معذور کی تعریف کی جانے کہ معذور کس کو کہا جاتا ہے؟

جناب چیئرمین، اس کی تو medical definition ہے

classified, may Minister would like.

جناب ہمایوں اختر خان (وفاقی وزیر برائے تجارت)، جناب! بنیادی طور پر جو handicapped ہیں، physical disability جو ہے جس کے لئے ایک ہاتھ میں خرابی ہو اور

مانگ میں خرابی ہو۔

جناب چیئرمین، لیکن گاڑی چلا سکے، آنکھیں ٹھیک ہوں۔

جناب ہمایوں اختر خان، ہاں جی۔ اس کے لئے ایک خاص گاڑی ہوتی ہے، اس میں
خاص gadgets ہوتے ہیں، بنیادی تو یہی definition ہے۔ ورنہ معذوری کی اور بھی بڑی
definitions ہیں لیکن گاڑی کے سلسلے میں physical disability جو گاڑی چلانے میں دقت
ہو، اس کو cover کرنے کے لئے یہ scheme ہے جی۔

Mr. Chairman: Mr. Ishaq Dar.

Senator Muhammad Ishaq Dar: Thank you Mr. Chairman. Mr.

Chairman! it was the policy till 2002 that the import of vehicles for the
special citizens who are disabled those are allowed. So, the Government
changed into the local manufactured, you know, cars are good but sir, the
honourable Minister given a reply on 19th of February, if I am not wrong,
sir, it was question No. 93 you know, 41 people were issued, the total
number of persons given authorisation to purchase locally manufactured
vehicles from Indus Motors till date is 41. Sir, after lapse of few months,
we have now seen that only 9 cars have been given to the disabled people
and this is the general complaint sir that you know, the people who are
authorised by the Ministry of Commerce to get such vehicles. These
companies are not entertaining, although the saving is very meagre when
they were entitled to import, the saving was running in 3, 4 lacs. Now,
saving is only about 60, 70 thousand. So, will the Minister of Commerce
take up the matter with the Indus Motor and ensure that those who are
authorised by the Ministry of Commerce are guaranteed within certain

time framework to be given the special vehicles. Thank you.

Mr. Chairman: Minister for Commerce.

جناب ہمایوں اختر خان، members جو بتا رہے ہیں، وہ 41 کی list تھی جس میں ساری companies covered تھیں۔ یہ نام تو صرف Indus Motors Company کے مانگے گئے تھے، اس لئے وہ کم ہو گئی ہے۔ اس میں basic duty concession یہ ہے کہ security کی duty جو 35% ہے، وہ ہم 10% پر کر دیتے ہیں اور وہ پھر car company کو refund مل جاتا ہے جو اس disabled person کو pass on ہو جاتا ہے۔ بنیادی طور پر جو صرف automatic گاڑی ہوتی ہے، وہ ان لوگوں کو ملتی ہے، باقی gadgetry تو خود اس میں fit کرواتے ہیں، وہ companies نہیں کرتیں۔ ابھی تک ہماری knowledge میں کوئی delays جو disabled لوگوں کو پیش ہوں وہ نہیں آئے لیکن ان کا بنیادی سوال تھا کہ پہلے 41 تھے، اب کم ہو گئے ہیں، وہ یہ تھیں کہ وہ 41 ساری companies cover کرتے تھے، یہ صرف Toyota Company cover ہو رہی ہے۔

Senator Muhammad Ishaq Dar: This was question 93, part b(1) the total number of persons given authorization to purchase locally manufactured vehicles from Toyota Indus Motors (Indus Motors Company Ltd.) till date is 41. If honourable Minister wants, I can give him a copy, I am on by relying on his earlier reply to this House.

Mr. Chairman: Mr. Hamayun Akhtar Khan.

جناب ہمایوں اختر خان، جب ہمارے پاس آ کر کوئی authorization لے گیا تو کوئی guarantee نہیں کہ وہ پھر اس کو avail کرنے کے لئے موٹر کمپنی کے پاس گیا، نہیں وہ ایک علیحدہ مسئلہ ہے لیکن ہمارے پاس اس وقت کسی قسم کی کوئی complaint نہیں ہے کہ disabled لوگوں کے لئے گاڑیوں میں delay ہو رہا ہے۔

جناب چیئرمین، نہیں جو 41 ہیں اس کی آپ نے authorization issue کی اور

اس کے against delivery دی یہ دس سال سے ریکارڈ پر ہے۔

جناب ہمایوں اختر خان، ہم نے اس کے against دیا ہے۔

Mr. Chairman: 41 of the authorizations issued.

Mr. Humayun Akhtar Khan: This does not necessarily mean that they all go and try to purchase a car.

Senator Muhammad Ishaq Dar: I am sorry sir, I have been dealing with this process. No body would under go, a disabled person under going a lengthy procedure of Ministry of Commerce, applying, appearing before the medical board then for interviews.

پکار لگا کر پھر آپ مجھے permission دیتے ہیں do you think he was just wasting
this time sir. میری گزارش یہ ہے کہ

let's not make it a controversial issue. Honourable Minister should just simply bound these companies under a time framework of 90 days, 120 days, they want the Ministry of Commerce issue them authorization and they apply, they must be given the vehicle.....

Mr. Chairman: I think that can be done and he has checked earlier.

Mr. Humanyun Akhtar Khan: Sir, we have absolutely not a single complaint by a disabled person who have been provided certification for a delay in obtaining a car. When we receive one we will certainly help that person to obtain the car.

Senator Muhammad Ishaq Dar: In this very House a gentleman is sitting who had to give up and had been mugging around for

months and now since he knows that the question is here that's why the Indus Motors has provided him a car. Sir, this is the reality, why we are making it personal.

کہ جی کسی غریب disabled آدمی کی مدد کر دے تو کوئی بری بات ہے۔ جناب میں گزارش یہ کر رہا ہوں کہ time bound کر دیں، ایک سال میں disables کے لئے 40 گاڑیاں کیا ہیں۔

Mr. Chairman: Is it possible to time bound it? I think take it up. The point is well taken and the Minister will look into it.

Mr. Humayun Akhtar Khan: Sir, I will certainly talk to the motor car company, we keep helping people.

جو disabled نہیں بھی ہیں ان کو گاڑی جلدی مل جائے۔ جو disabled ہیں ان کی ہم انشاء اللہ ضرور مدد کریں گے۔

جناب چیئرمین، جی سائیکلٹی صاحب۔

سینیئر ڈاکٹر عزیز اللہ سائیکلٹی، جناب! اسلام آباد اور لاہور مقصد یہ ہے کہ تقریباً یہاں ہیں، یہ وزیر صاحب کے پاس آئیں یا اور جو لوگ disabled تھے ان کی منظور نہیں کی گئی؟ جناب چیئرمین، جی منسٹر صاحب۔

جناب ہمایوں اختر خان، درخواست تو پورے پاکستان میں جہاں سے بھی آجائے اسکیم ساروں پر apply کرتی ہے، وہ تو ہمارے control میں نہیں ہوتا۔

Col. (Retd.) Abdul Waheed اس میں سینیئر ڈاکٹر عزیز اللہ سائیکلٹی،

Bhatti، میجر اور برگینڈیر میرے خیال میں اس کے علاوہ 5 یا 7 لوگ یہ ہیں، یہ صرف فوجیوں کے لئے ہوتی ہے یا عام آدمی کے لئے بھی ہوتی ہے؟ اس کی ذرا وضاحت کر دیں۔

جناب چیئرمین، نہیں نہیں اور بھی نام ہیں، کافی نام ہیں، پانچ کے بعد چھ نام اور ہیں۔ جی منسٹر صاحب۔

جناب ہمایوں اختر خان، نہیں جناب اس قسم کی کوئی distinction نہیں ہے۔

کوئی بھی citizen of Pakistan اس اسکیم کو avail کر سکتا ہے۔

جناب چیئرمین، ٹھیک ہے۔ جی۔ میرا خیال ہے کوئی pending نہیں ہے،

applications آئیں گی تو اس کو ضرور process کر لیتے ہیں۔ جی بخاری صاحب۔

سینیئر سید سجاد حسین بخاری، جناب! میں یہ گزارش کرنا چاہ رہا تھا کہ اس facility کو بڑھانا چاہیے کیونکہ دنیا بھر میں جو disabled لوگ ہیں ان کو حکومتوں نے بہت زیادہ مراعات دے رکھی ہیں۔ ہماری حکومت کو بھی یہ کرنا چاہیے جبکہ یہ تو جو اچھے بھلے کام کرنے والے ہیں ان کو بھی کام نہیں کرنے دے رہے لیکن کم از کم جو disabled ہیں ان کے لئے تو facilities میں اضافہ ہونا چاہیے۔ یہی میری گزارش تھی۔

جناب چیئرمین، شکریہ۔ سوال نمبر 2 مسز رخسانہ زبیری۔

2. *Mrs. Rukhsana Zuberi: (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Finance and Revenue be pleased to state whether there is any proposal under consideration of the State bank of Pakistan to fix certain upper limits for profit taking by private-sector Banks?

Mr. Shaukat Aziz: No.

Mr. Chairman: Any supplementary? Mrs. Rukhsana Zuberi.

سینیئر انجینئر رخسانہ زبیری، جناب! میں نے یہ پوچھا تھا کہ State Bank of Pakistan کی کیا کوئی ایسی پالیسی ہے کہ وہ اس پروگرام پر عمل کر رہے ہیں کہ جہاں پر profit making کے لئے upper limit ہو، انہوں نے جواب دیا ہے، نہیں۔ میں on a supplementary یہ جاننا چاہتی ہوں کہ private sector banks نے ریکارڈ منافع کیا ہے اور بہت high dividends pay کئے ہیں، which is a very positive sign. میں پوچھنا یہ چاہتی ہوں کہ کیا ایک health competition, health working market environment کے لئے public sector banks کا کوئی ایسا پروگرام ہے جس میں وہ quality اور service

میں بھی private bank کے برابر آسکیں، ان کو competition دے سکیں اور وہ عوام کو بہتر packages دے سکیں۔ شکریہ۔

جناب چیئرمین، اب تو پرائیویٹ بنک ہی ہو گئے ہیں، گورنمنٹ کا تو کوئی ایک آدھ ہو گا۔ جی منسٹر صاحب۔

جناب شوکت عزیز، جناب چیئرمین! آپ کی اجازت سے '85% of the banking system private hands میں ہیں۔ یہ پالیسی کافی سالوں سے چل رہی تھی، جو ہماری نظر میں صحیح پالیسی تھی اور ہم نے اس کو آگے بڑھایا کہ بنکوں کی نجکاری کی جائے تاکہ وہ نجی شعبے کے طور پر کام کریں اور اپنی service کو بہتر کریں اور اپنی کارکردگی کو بہتر کریں۔ جو ان کے customers ہیں ان کو بہتر طریقے سے services دیں۔ جناب چیئرمین! اگر آج آپ دیکھیں تو یہ بجا فرمایا ہے کہ ان کی profitability اور performance بہتر ہو رہی ہے۔ یہ صحیح کہا گیا ہے۔ but service level اور competition بہت بڑھ گیا ہے اور انشاء اللہ اور بڑے کا کیونکہ جب بنکوں میں یا کسی بھی ادارے میں نجی شعبہ آتا ہے تو ایک spirit of competition develop ہوتی ہے۔ جب spirit of competition ہوتی ہے تو اس کی pricing میں بھی، پھر demand and supply کو دیکھیں تو rates کم ہوتے ہیں۔ وہ ہم آج دیکھ رہے ہیں۔ اس کے علاوہ customers service پر بھی بڑا emphasis دیا جا رہا ہے اور پچھلے کچھ سالوں میں بنکوں نے service بڑھانے کے لئے جو automation پر خرچ کیا ہے۔ جناب چیئرمین! جیسا کہ آپ کو علم ہے online network پر اور اب ATMs لگ رہے ہیں۔ Automations میں دیگر بہتریاں لائی جا رہی ہیں تاکہ service کو بہتر کیا جائے۔ بنکوں سے متعلق اگر کوئی اور detail چاہیے تو میں بتا دیتا ہوں۔

سینیٹر انجینئر رخسانہ زبیری، جناب! پھر یہ بتا دیں کہ 85 percent Banks are

private and 15 percent are in public 15 percent market میں

ہے سکتا ہے؟ اگر 15 percent کی capability کو آپ extend کریں اور

''میں تو بہتر نہیں، کیونکہ competition ہو رہی ہے۔

جناب چیئرمین، وہ تو کہہ رہے ہیں کہ کر رہے ہیں بلکہ automation بھی لا رہے ہیں اور technology بھی لا رہے ہیں۔

Senator Eng. Rukhsana Zuberi: Sir, I would like to know

کہ کیا اس طرح کا on a war footing کا پروگرام ہے ان public sector کے بنکوں کو improve کرنے کے لئے تاکہ لوگوں کو بہتر مراعات مل سکیں؟

جناب شوکت عزیز، جناب چیئرمین! public sector Banks کو بھی بہتر کرنے کا بالکل پروگرام ہے۔ ایک بینک سے آپ بھی واقف ہیں اور اس کا نام National Bank of Pakistan ہے اس میں کافی re-organization, re-structuring اور automation ہو رہی ہے۔ ان کی کارکردگی بھی سب کے سامنے ہے۔ Results speak themselves۔ یہ بینک ان علاقوں میں ہیں جہاں State Banks نہیں ہیں۔ State Bank کی بہت محدود branches ہیں۔ یہ ملک کی treasury کا کام بھی دیتا ہے۔ Taxes collection وغیرہ اور دیگر جو facilities ہیں وہ یہ فراہم کرتے ہیں۔ تو National Bank کے لئے پورا پروگرام ہے۔ ان کی automation اور stream lining of procedure ATM، جاری ہے۔ جو آپ نے ہی شروع کی ہیں۔

Mr. Chairman: Mr. Baloch.

Senator Sanaullah Baloch: Thank you, Mr. Chairman.

جناب! میں محترم وزیر صاحب سے یہ سوال پوچھنا چاہوں گا کہ جو public sector کے Banks ہیں کیونکہ private sector کو تو پابند نہیں بنایا جا سکتا لیکن جو public sector کے banks ہیں وہ تھوڑے سے reluctant ہیں کچھ صوبوں میں loaning کے سلسلے میں۔ وہاں پر کافی مشکلات پیش آتی ہیں اور آپ کو یہ معلوم ہوگا۔ شوکت عزیز صاحب ہمارے مہربان ہیں اور ملک کے وزیر اعظم بننے جا رہے ہیں۔ انہوں نے ملائیشیا اور دوسری جگہوں کا experience دیکھا ہے کہ جب تک public sector کے Banks loaning کا سلسلہ پسماندہ علاقوں میں تیز نہیں کرتے۔ وہاں لوگوں کا معیار زندگی بہتر نہیں ہو سکتا۔ میں آپ کو مثال دوں۔ جس طرح بلوچستان

کے بارے میں کہا جا رہا ہے کہ law and order کا issue ہے۔ یہ واحد صوبہ ہے اگر پاکستان کی پوری تاریخ دیکھی جائے تو وہاں پر آپ کو loan defaulters کوئی نظر نہیں آئے گا۔ صوبہ بلوچستان کا کوئی سردار اور کوئی وڈیرہ ایسا نہیں ہے جس نے اپنے loans write off کئے ہیں۔ تو لہذا ایسے صوبے کو کیوں encourage نہیں کیا جاتا؟ public sector کے جو Banks ہیں ان کو پابند بنایا جائے کہ وہ اپنا ۱۰ فیصد یا ۱۵ فیصد جو loanings ہیں وہ ان مخصوص صوبوں میں کریں تاکہ وہاں کا جو development indicators index ہے وہ کم از کم اوپر اٹھے۔

جناب چیئرمین، یہ تو ایک نئی بات ہے۔

جناب شوکت عزیز، مناء صاحب سے میں اکثر اتفاق کرتا ہوں اور آج بھی اتفاق کر رہا ہوں کہ regional lending کو بڑھانا چاہیے ان صوبوں میں خاص طور پر جو پسماندہ علاقے ہیں۔ private sector and public sector کے دونوں بینکوں کو ہم encourage کر رہے ہیں۔ اس میں بہتری بھی آئی ہے۔ National Bank کا جہاں تک تعلق ہے انہوں نے بھی اپنی lending میں اضافہ کیا ہے۔ آج وہ سوال regional lending کا نہیں تھا ورنہ میں اعداد و شمار لے آتا۔ لیکن میں یہ کہوں گا کہ National Bank نے بھی کافی lending بڑھائی ہے۔ اس کے علاوہ جو دیگر سرکاری ادارے ہیں وہ بھی lend کر رہے ہیں اور اس میں ہمیں ابھی balance اور بہتر کرنا ہے۔ ان کا point بالکل صحیح ہے اور ہم اس پر لگے ہوئے ہیں کہ اس کو بہتر کیا جائے۔

جناب چیئرمین، سید ہدایت اللہ شاہ۔

سینیٹر سید ہدایت اللہ شاہ، جناب چیئرمین! public sector کے بنکوں کو جو private کیا جا رہا ہے یا بعض کارخانوں کو۔ میرا سوال اگرچہ اس سے تھوڑا سا مختلف ہے۔ حکومت جب بنکوں کو private کر رہی ہے وہاں پر جو سرکاری ملازم ہوتے ہیں وہ عدم تحفظ کا شکار ہو جاتے ہیں۔ کیا حکومت اس کے لئے کوئی ضابطہ یا نظام بنا رہی ہے کہ وہاں جو ملازمین ہیں ان کو تحفظ حاصل ہو؟ اس بارے میں وزیر صاحب کوئی وضاحت ہو تو فرمادیں۔

جناب چیئرمین، یہ تو آپ نے نیا سوال کیا ہے۔ وزیر خزانہ۔

جناب شوکت عزیز، جناب چیئرمین! ممبر صاحب کا اشارہ نجکاری پر ہے۔ جن بنکوں میں نجکاری ہوئی ہے۔ نجکاری ہو یا نہ ہو، اگر کوئی بنک restructure کر رہا ہے تو اکثر بنکوں نے Voluntary separation schemes شروع کی ہیں۔ voluntary کا مطلب یہ ہوا کہ زبردستی نہیں ہے۔ اگر کوئی جانا چاہے تو ان کو پیسج مل جاتا ہے۔ بہت لوگوں کی یہ خواہش ہوتی ہے کہ وہ کچھ اور career pursue کریں۔ تقریباً ہر بنک نے یہ scheme introduce کی ہے اور کافی لوگوں نے اس کو لیا بھی ہے۔ یہ available ہے۔ اس کے علاوہ جو چاہے نجی شعبے میں ہو، چاہے سرکاری شعبے میں ہو، ہر ادارہ یہ چاہتا ہے کہ اس کے ملازمین بہتر perform کریں اور ان کو بہتر فوائد ہوں۔ اگر ملازمین motivated ہوں گے تو بنک بھی اچھا چلے گا۔ تو وہ General management کا principle ہے جو ہر جگہ استعمال کیا جا رہا ہے۔

Mr. Chairman: Q. No.3 Mrs. Rukhsana Zuberi.

3. *Mrs. Rukhsana Zuberi: (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Finance and Revenue be pleased to state the number of cases of bogus refund claims of the sales Tax registered during the last three years?

Mr. Shaukat Aziz: Cases of bogus refund claims of the sales tax registered during the last three years are as under:

Particulars	YEARS			Grant Total
	2001-02	2002-03	2003-04	
No. of Cases	320	124	18	462
Amount Involved	119.512	33.211	147.273	299.996

سینیئر انجینئر رضوانہ زبیری، جناب! میں نے یہ پوچھا تھا کہ Bogus sales tax

claims میں کتنے cases register ہونے ہیں۔ اس کی جو تفصیل آئی ہے اس میں پہلے سال میں ۲۲۰ تھے، اور تیسرے سال میں یہ reduce ہو کر ۱۸ ہو گئے ہیں۔ which is something like 4 per cent جو خرابی تھی اس کا صرف چار فیصد رہ گیا ہے۔ اس کا مطلب ہے کہ واقعی سسٹم اتنا اچھا ہو گیا ہے کہ لوگ refund نہیں لے سکتے یا یہ ہے کہ انہیں یہ چننا چل گیا ہے کہ خلاف ورزی کرنے کے بعد جو جزا و سزا کا implementation وہ اتنا کم ہے کہ it worth is it? That is my question

Mr. Chairman: Any comment.

جناب شوکت عزیز، جی، جناب چیئرمین! سوال سیز فیکس کے bogus refunds کا تھا۔ یہ ایک بہت پیچیدہ مسئلہ ہے جس میں ہم نے کافی پالیسیاں بدل کر ہم نے automation stop system لگایا ہے۔ اب refund اس کے ذریعے جا رہے ہیں لیکن جو صحیح اقدام ہم نے کیا ہے، جو ابھی ہم نے بجٹ میں پاس کیا ہے جس میں سینٹ کا بھی بڑا رول تھا، اس میں یہ کیا ہے کہ پہلے ہمارے سیز فیکس کے چار ریٹس تھے 23%, 20%, 18% and 15%، یہ جو differences ہوتے تھے اس کی ایک وجہ تھی کہ flying invoices جسے کہتے ہیں، وہ generate ہوتی تھیں تو اس سے bogus refund کے claims بہت پڑتے تھے۔ اب چونکہ ملک میں ایک ہی 15% rate رائج ہو گیا ہے تو اب وہ incentive flying invoices کا نہیں رہا وہ 3% or 5% بچانے کے لئے لوگ flying invoices کرتے تھے۔ اسی کی وجہ سے bogus refunds کی زیادہ claims ہوتی تھیں۔ ایک تو ہم نے automation سے کافی اس کو streamline کر لیا تھا۔ checks and balances رکھے تھے لیکن اب جو latest budget میں جو حال ہی میں pass ہوا ہے ہمیں امید ہے کہ یہ bogus claims اور کم ہو جائیں گے۔ ظاہر ہے ہر معاشرے میں ایسے لوگ ہوتے ہیں جو غلط کام کرنے کی کوشش کرتے ہیں۔ وہ trend اور کم ہو جانے کا۔ تھوڑا بہت شاید ہو گا لیکن ہم نے کافی اس میں پیشرفت کی ہے۔

Mr. Chairman: Q.No.4 Ch. Muhammad Anwar Bhinder.

سینیئر پروفیسر غفور احمد، جناب ایک ضمنی سوال، سوال نمبر ۲ پر ہے۔

جناب چیئرمین، اسی پر؛

سینیئر پروفیسر غفور احمد، جی ہاں۔

جناب چیئرمین، فرمائیے۔

سینیئر انجینئر رخسانہ زبیری، جناب چیئرمین! میں آپ کی توجہ دلانا چاہوں گی۔

جناب چیئرمین، پروفیسر غفور صاحب کو سوال کرنے دیں۔ آپ نے کر لیا ہے۔

سینیئر پروفیسر غفور احمد، جو bogus cases 2003-2004 میں تین سو بیس

سے کم ہو کر اٹھارہ ہو گئے لیکن amount بہت بڑھ گیا ہے۔ 119 amount سے بڑھ کر 147

ملین ہو گئے ہیں اس کی کیا وجہ ہے؟

جناب چیئرمین، وزیر خزانہ۔

جناب شوکت عزیز، جو یہ bogus refund لے رہے تھے ان کی aspirations

بڑھ گئی تھیں تو وہ پکڑے گئے۔ جب یہ پکڑے گئے تو ہمارے نئے کمپیوٹر سسٹم میں یہ بھی ہے

8020 Rule کے جو بڑی amounts کے claims ہیں ان پر ہم نے زیادہ focus کیا۔

پروفیسر غفور صاحب نے بجا فرمایا ہے کہ amounts بڑھ گئی ہیں لیکن ہم نے یہ بڑے refunds

کو target کیا تو اس لئے وہ سامنے آئے اور انشاء اللہ امید ہے کہ اس میں کمی آئے گی۔ کیونکہ

ابھی جیسے میں نے بتایا کہ چونکہ flying invoices کا incentive اب کم ہو گیا ہے تو

bogus refunds کا incentive بھی نسبتاً کم ہو جائے گا۔

Mr. Chairman: Q.No. 4 Ch. Muhammad Anwar Bhinder.

(interruption)

جناب چیئرمین، آپ کا تو سوال پہلے ہو گیا تھا۔

سینیئر انجینئر رخسانہ زبیری، پروفیسر صاحب کے بعد آپ نے سوال کا کہا تھا کہ

کیجئے گا تو یہ میرا بہت ہی اہم سوال ہے۔

جناب چیئرمین، بھنڈر صاحب، ان کا ابھی پچھلے سوال پر ضمنی سوال ہے۔

سینیٹر انجینئر رخسانہ زبیری، میں honourable Minister کی توجہ دلانا چاہوں گی ایک کیس پر، جو صاحب پکڑے گئے پچھلے دنوں، انہوں نے پچاس کمپنیاں بنائی ہوئی تھیں۔ ان کے ڈرائیور کے نام سے ایک کمپنی تھی، ان کے بیٹے کے نام سے ایک کمپنی تھی، ان کے دھوبی کے نام سے ایک کمپنی تھی اور انہوں نے تقریباً پچاس کروڑ گورنمنٹ سے bogus claims کے through refunds حاصل کئے۔ میں یہ پوچھنا چاہتی ہوں کہ یہ کیسے ممکن ہوا، ان کے ہاں اتنے stringent requirements ہیں کہ وہ جگہ پر آکر دیکھتے ہیں، certificate بھی اسی جگہ پر آتا، 'there has to be a proper office' وغیرہ وغیرہ۔ How could it be possible and this is just one case and there may be so many others

18 ہیں اس میں ایک ایک میں may be 50, 50 are there.

جناب شوکت عزیز، جناب چیئرمین! ہمیں department کو داد دینی چاہیے کہ انہوں نے اتنا بڑا case پکڑا۔ دوسری بات یہ ہے جیسا کہ میں نے عرض کیا، اب آگے جاتے ہوئے، ظاہر ہے اس میں ہمارے لوگ بھی ملے ہوتے ہیں۔ جب ایسے cases ہوتے ہیں تو دونوں طرف سے ہی حرکت ہوتی ہے اور اسی لیے غلط کام ہوتا ہے۔ میں نے جیسے ابھی عرض کیا جناب! اب کیونکہ 23, 20, 18 کے rates ختم ہو گئے ہیں تو اب incentive کم ہو گیا ہے۔ بہر حال وہ جو اگر کوئی کوشش کرے گا fraud کرنے کی تو اب ہم نے کافی control لگانے ہیں اور جیسے ابھی کہا گیا کہ یہ بڑا case تھا، یہ پکڑا گیا and we are very alert کہ اگر کوئی ایسی unusual movement ہو رہی ہے تو computer اب اس کو pick up کرتا ہے اور پھر ہم action لیتے ہیں۔

جناب چیئرمین، کھوسہ صاحب۔

سینیٹر سردار محمد لطیف خان کھوسہ، جناب! اس case میں جو private اور departmental لوگ involve تھے، اس میں کتنی criminal prosecutions کی گئیں، کتنے لوگوں کو sack کیا گیا، کتنے لوگوں کو punish کیا گیا اور کتنا exchequer amount

retrieval کروایا گیا

جناب شوکت عزیز، جناب چیئرمین! یہ facts مجھ سے نہیں مانگے گئے تھے۔ اگر وہ اجازت دیں تو میں اس کی detail لے آؤں گا۔ بالکل آپ پوچھ لیں میں detail آپ کی خدمت میں پیش کر دوں گا۔

Mr. Chairman: Question No.4, Ch. Muhammad Anwar Bhinder sahib.

4. *Chaudhary Muhammad Anwar Bhinder: (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the income and expenditure of the House Building Finance Corporation during financial year 2001-2002;*
- (b) *the profit earned or loss suffered by the said Corporation during the said period;*
- (c) *the number of employees of the Corporation with grade-wise break-up and the amount paid to them as salary and allowances during that period;*
- (d) *the functions of the Corporation; and*
- (e) *the grant received by the Corporation from the Federal Government during the said period?*

Mr. Shaukat Aziz: (a) Income and expenditure of HBFC during financial year 2001-2002 is as under:—

	Income	Expenditure
2001	1,258,278,018	933,554,605
2002	1,836,037,918	702,912,668

(b) Profit earned by the Corporation during the period 2001 and 2002 is as under:—

	<u>2001</u>	<u>2002</u>
Profit before tax	Rs. 1,276,073,793	Rs. 653,987,590

(c) List is attached at Annex-I.

(d) (I) Makes investment in collaboration with partners for construction/ purchase of houses or for the purchase or development of land, on which houses are to be constructed or if so directed by the Federal Government for repairs or reconstruction of houses damaged by usage or by normal calamities.

(II) Undertaking housing projects, including acquisition of land, planning and development of sites and construction of houses/flats for disposal by sale.

(e) No grant has been received from the Federal Government during the said period.

Annex-I

**NUMBER OF EMPLOYEES OF THE HBFC WITH GRADE WISE BREAK-UP
AND THE AMOUNT PAID TO THEM AS SALARY & ALLOWANCES
DURING THE YEAR 2001-2002**

YEAR 2001			YEAR 2002	
Office Cadres	Number	Pay	Number	Pay
Managing Director	1	650,000	1	1,608,000
Dy. Managing Director	1	449,000	1	856,000
Executive Directors	2	1,597,000	4	2,328,000
General Manager	7	6,195,000	9	4,695,000
Chief Managers	14	6,283,000	13	5,271,000
Managers	36	13,771,000	78	17,245,000
Assistant Managers	803	96,679,000	760	169,383,000
Total -A	864	125,624,000	866	201,387,000

Staff	Number	Pay	Number	Pay
Superintendent	-	62,272,000	-	-
Sr. Assistant	86	11,979,000	82	11,435,000
Accounts Assistant	61	7,715,000	63	7,816,000
Assistant	38	5,880,000	38	5,921,000
Drivers	45	7,087,000	44	6,706,000
Naib Qasid	256	26,351,000	251	24,410,000
Sanitary worker	03	479,000	03	289,000
LEAVE ENCASHMENT	-	916,000	-	544,000
Total-B	489	122,679,000	481	57,122,000
Grand total A&B	1353	248,303,000	1347	258,509,000

Mr. Chairman: Any supplementary? Bhinder sahib.

سینئر چوہدری محمد انور بھنڈر، جناب والا میں نے اس سوال میں House Building Finance Corporation کی کارکردگی کے متعلق استفسار کیا اور یہ پوچھا تھا کہ ان کی income کیا ہے اور ان کے expenditure کیا ہیں اور profits کیا ہیں؟ اس کے متعلق میں سب سے پہلے تو یہ پوچھنا چاہتا ہوں کہ ایک ارب کے profits تھے، ایک ارب 27 لاکھ کے سن

2001ء میں۔ پھر سنہ 2002ء میں یہ 65 کروڑ رہ گئے لیکن بہر حال 65 کروڑ یا ایک ارب کے profits اتنے ضرور ہیں کہ وہ جو یتیم بچے رہ گئے ہیں اور بیوائیں رہ گئی ہیں ان کے لیے اتنا بڑا profit کمانے کے پیش نظر کیا ان کے قرضوں میں کوئی سہولت نہیں دی جاسکتی؟

جناب شوکت عزیز، جناب چیئرمین! اس بحث میں ہم نے House Building Finance Corporation کے لیے 'سینیٹ میں بھی ہم نے عرض کیا تھا' ایک relief package دیا تھا تاکہ وہ لوگ جن کے پرانے loans ہیں اور وہ pass due ہیں 'ان کو ہم concession دے کر clear کریں اور اکثر different packages آتے ہیں جو different clients, customers کے لیے relief مہیا کرتے ہیں۔ House Building Finance Corporation ہمارے ملک میں ایک بہت اہم role اب ادا کر رہی ہے۔ اس میں کافی ہم نے restructuring کر کے اس کی کارکردگی کو بہتر کیا ہے اور یہ بالکل مشرعی نظام پر چل رہی ہے۔ یہ ایک ادارہ ہے حکومت کا جو مشرعی نظام پر چل رہا ہے اور اس میں ہماری پوری کوشش ہے کہ جو لوگ مکان خریدنا چاہیں یا بنانا چاہیں یا renovate کرنا چاہیں ان کو آسان terms پر قرضے دیتے ہیں یا ان کے ساتھ profit and loss sharing basis پر participation کرتے ہیں۔ وہ کر رہے ہیں اور اگر بھنڈر صاحب کی specific proposals ہیں تو میں ان سے لے لوں گا اور اس پر پھر coordinate کروں گا۔

سینیئر چوہدری محمد انور بھنڈر، جناب والا! میرا دوسرا سوال یہ تھا کہ یہ ذرا آپ ملاحظہ فرمائیں صفحہ 4 پر 'officers cadre میں Managing Director کی تنخواہ ایک سال سنہ 2001ء میں -/650,000 روپے تھی جو سنہ 2002ء میں -/1,608,000 روپے ہو گئی یعنی اس کا increase 1,600,000/- تک پہنچا اور اسی طرح Deputy Managing Director کا 449,000/- سے -/856,000 روپے تنخواہ کی مد میں اضافہ ہوا۔ ان تنخواہوں کا اضافہ lower grades میں تو نہیں ہے۔ یہ صرف دو آدمیوں کے لیے اتنا اضافہ کیوں ہے؟

جناب چیئرمین، میرے خیال میں contract پر نئے لوگ لے ہوں گے۔ جناب شوکت عزیز، بالکل صحیح۔ ایسا ہی کرتے ہیں۔

جناب چیئرمین، جیسے banking reforms کے تحت باقی بنکوں میں کیا آپ نے، وہاں پر بھی یہی ہوا ہے۔

جناب شوکت عزیز، جی ہاں۔

جناب چیئرمین، جی مناء اللہ۔

سینیئر مناء اللہ بلوچ، شکریہ۔ جناب چیئرمین! میری ایک اور چھوٹی سی گزارش ہے،

suggestion ہے کہ اس وقت House Building Finance Corporation ملک کے ان

اداروں میں سے ایک ہے جو سب سے زیادہ شرح منافع پر لوگوں کو قرضے فراہم کر رہا ہے۔ ایک

تو یہ ہے کہ اس کا covering area, urban area ہے 'rural area' نہیں ہے۔ پاکستان میں

اس وقت لاکھوں کی تعداد میں لوگ مکانات سے محروم ہیں۔ ہم یہ کہتے ہیں کہ ہم مختلف بنکوں

سے منافع تو کما رہے ہیں 'House Building Finance Corporation کے تحت high

interest rate پر loan دینے کی بجائے شرح منافع کم کیا جائے۔ اگر ایک غریب مکان تعمیر

کرتا ہے، تو اس سے صرف 2% service charges لے کر اسے مکان بنانے کے لئے پیسہ

دے دیں تاکہ پاکستان میں کم از کم لوگ چھوٹیڑیوں کی بجائے ملکی چھتوں کے نیچے رہنا شروع

کر دیں کیونکہ ہر جگہ منافع غوری ریاست کے اصولوں اور روح کے منافی ہوتی ہے۔

جناب چیئرمین: شوکت عزیز صاحب۔

جناب شوکت عزیز: جناب والا! House Building Finance Corporation

کے بارے میں جیسے میں نے پہلے عرض کیا ہے کہ اس کو restruct and revamp کیا گیا

ہے اور اس کا main focus, low and middle income housing پر ہے۔ اب ہم نے

House Building Finance Corporation کو کہا ہے کہ وہ چھوٹے شہروں اور دیہی علاقوں

میں بھی قرضے دے اور اس میں participate کرے۔ یہ ادارہ زیادہ تر low and middle

income کے لوگوں کو قرضے دیتا ہے۔ یہ high income میں deal ہی نہیں کرتا ہے کیونکہ

ان کی loan limits ایسی ہیں کہ اس کے تحت لوگوں کو بھی وارا کھاتا ہے۔ ان کی

suggestion اچھی ہے۔ ہم اس پر focus کر رہے ہیں۔ اس کے بارے میں اگر آپ کچھ

ماہ کے بعد پوچھیں گے کہ اس کا کیا ہوا ہے تو ہم آپ کو statistics بھی دے دیں گے۔
جناب چیئرمین: جناب اسحاق ڈار صاحب۔

Senator Muhammad Ishaq Dar: Thank you Mr. Chairman.

As is evident from the reply (d), part (II), one of the functions or rather major function of the H.B.F.C., is undertaking housing projects, including acquisition of land, planning and development of sites and construction of houses/flats for disposal by sale. Would the honourable Minister tell us whether there was any activity under this function, H.B.F.C., undertook any such project? What is the latest status and when it was completed?

جناب شوکت عزیز: میں معزز رکن کی خدمت میں عرض کرتا ہوں کہ زیادہ تر individual loans ہیں اور کچھ housing projects میں builders سے مل کر قرضے دیتے ہیں۔ جب مکان بکنا ہے یا پلاٹ بکنا ہے تو end financing کرتے ہیں جو ساری دنیا کا اصول ہے اور یہی وہ کر رہے ہیں۔ کچھ projects میں انہوں نے construction finance بھی دی ہے mortgage it is the main activity. Sir, main activity is end financing, ہے بھی کہتے ہیں۔

جناب چیئرمین: اکرم صاحب۔

سینیٹر محمد اکرم: جناب چیئرمین! میرا سوال زیادہ مختلف نہیں تھا۔ بلاشبہ House Building Finance Corporation کی performance قابل تعریف ہے۔ میں یہ جانتا چاہ رہا تھا کہ جس طرح میرے بھائی نے پوچھا ہے کہ کوئی ایسی سکیم زیر غور ہے کہ جس سے low income والے بے گھر لوگوں کو آسان terms پر accommodate کیا جاسکے؟

جناب چیئرمین: وزیر خزانہ۔

جناب شوکت عزیز: جیسے میں نے ابھی عرض کیا ہے کہ ہم low cost housing focus کر رہے ہیں اور آپ کو علم ہے کہ نجی شعبے میں کافی سکیمیں ہیں، جہاں housing

development ہو رہی ہے۔ ہم دیکھ رہے ہیں کہ پھوٹے پھوٹے قصبوں میں بھی House Building Finance Corporation کی demand ہے۔ satellite towns بن رہے ہیں۔ یہ کام total private sectors میں ہو رہا ہے۔ پہلے لوگ خود زمین خریدتے ہیں اور پھر House Building Finance Coporation سے قرضے لیتے ہیں۔ میں ایک چیز اور کہتا ہوں کہ House Building Finance Corporation کے علاوہ اب Commercial Banks بھی اس area میں بڑی تیزی سے آ رہے ہیں اور mortgage finance and construction finance میں بہت اچھا اضافہ ہو رہا ہے۔ اس لئے House Building Finance Corporation کا ایک evenue ہے، باقی اب Commercial Banks بھی housing finance میں کافی تیزی سے آ رہے ہیں۔

جناب چیئرمین: سوال نمبر 5، چوہدری محمد انور بمبندر۔

سینیٹر انجینئر رخسانہ زبیری، جناب والد

جناب چیئرمین: اس پر تین supplementary questions ہو چکے ہیں۔

5. *Chaudhary Muhammad Anwar Bhinder: (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Commerce be pleased to state:

- (a) *the income and expenditure of the Trading Corporation of Pakistan during financial year 2001-2002;*

- (b) *the profit earned or loss suffered by the said Corporation during the said period;*
- (c) *the number of employees of the Corporation with grade-wise break-up and the amount paid to them as salary and allowances during that period;*
- (d) *the functions of the Corporation; and*
- (e) *the grant received by the Corporation from the Federal Government during the said period?*

Mr. Humayun Akhtar Khan: (a) Income and expenditure of Trading Corporation of Pakistan (TCP) for the year 2001-2002:

Income	Rs. 351.842 million
Expenditure	Rs. 277.264 million

- (b) Profit during the year 2001-2002:

Profit before taxation	Rs. 74.578 million
Profit after taxation	Rs. 10.566 million

(c) (i) List of employees with grade-wise break-up is attached as Annex. 'A'.

(ii) Amount paid as salary and allowances during the year 2001-2002 was Rs. 79.901 million.

(d) The functions of the Corporation are attached as Annex. 'B'.

(e) No grant was received by TCP during the year 2001-2002. In fact TCP has never received grant from the Federal Government.

STATEMENT SHOWING GRADE-WISE STRENGTH OF
TCP FOR THE YEAR 2001-2002

A. Permanent/Regular Employees:

Sr. No.	Name of Posts	No. of Employees	TCP's Grade	Equivalent Government Grade	Remarks
1	2	3	4	5	6
01.	Chairman	1	—	22	On Deputation
02.	Directors	3	—	20	On Deputation
03.	General Managers	6	IX	19	Including one Deputationist
04.	Managers	2	VIII	18	—
05.	Deputy Managers/P.S.	25	VII	17	—
06.	Assistant Executives	23	VI	16	Including one Deputationist
07.	Stenographers	7	VI	16	—
08.	Security Supervisor	1	VI	16	—
09.	Assistant	30	V	11	—
10.	Stenotypist	13	V	11	—
11.	Telex Operator	1	V	11	—
12.	Clerk-cum-typist/Junior Clerk	23	IV	8	—
13.	Receptionist/Gestetner Opr/ Drivers/Dak Rider.	17	IV	8	—
14.	Asstt. Tel. Opr./Electrician/Asstt. Gestatner.	5	III	5	—
15.	Daftry	3	II	3	—
16.	Messenger/Chowkidar/Farash/Cleaner	33	I	1	—
Total:		193			

Temporary/Contract/Retainees and Daily Wagers:

Sr. No.	Name of Posts	No. of Employees	TCP's Grade	Equivalent Government Grade	Remarks
1	2	3	4	5	6
01.	Temporary/Contract Employee	155	I—IX	—	—
02.	Retainees	26	I—IX	—	Retainees of (Defunct) RECP & CEC.
03.	Daily wagers	74	I—IX	—	—
Total:		255			

SUMMARY

A.	Regular/Permanent employees	=	193
B.	Temporary/Contract. Retainees and Daily wagers	=	255
Grand Total:			448

Annexure-‘B’

TRADING CORPORATION OF PAKISTAN (PVT.) LIMITED,
KARACHI

Functions of TCP:

The Government of Pakistan set-up Trading Corporation of Pakistan Limited (TCP) as a private limited company in July, 1967 under Companies Act 1913, in its sole ownership and under the administrative control of the Ministry of Commerce. It was the first move by the Government to introduce State Trading in the country. The creation of TCP was meant to achieve the following objectives:—

- (i) To act as a counterpart of State Trading Organizations in the Socialist countries for items assigned to TCP under the Import Policy.
- (ii) To achieve economies of scale by handling bulk transactions, to secure advantages of price, freight and port-handling expenses, and to prevent leakage of foreign exchange through such malpractice as over/under invoicing, etc.

- (iii) To stabilize market conditions and to neutralize effect of high market prices resulting from unwarranted escalation by private importers and, ipso facto, act as a check to the disparity between import prices and scarcity prices.

2. In January, 1995 the Federal Cabinet assigned following new role to TCP:—

A. Imports:

- (i) Import of essential commodities in emergent conditions as in the past;
- (ii) Import of S.B. Oil under future PL-480 Program and CC Credit;
- (iii) Import of Palm Oil from Malaysia under Malaysian credit;
- (iv) Import of Industrial raw materials and other selected bulk items;
- (v) Utilization of Credit Facilities.

B. Exports:

- (i) Export of some important selected items of Public Sector Corporations, agencies, etc.;
- (ii) Challenging exports through TCP to various markets under credit line given by the Government to expand business in areas such as Commonwealth of Independent States (CIS)/Central Asian Republics (CAR)/Malaysia, African countries, etc.;
- (iii) Export of Pakistani products to new/non-traditional markets by way of giving concessions/incentives by Government to prospective buyers for capturing new market;
- (iv) To perform innovative role of undertaking export of non-traditional items to non-traditional markets on experimental basis;
- (v) To undertake and develop export of fresh fruits/vegetables and minerals in collaboration and on partnership basis with the private sector.

C. Counter Trade

To undertake Counter Trade to find out new markets and to promote exports, particularly to the countries facing cash constraints.

D. Inspection of rice

TCP undertakes inspection of brown rice being exported to European Union and has been issuing Authenticity Certificates since August, 2002 (earlier done by the RECP).

Mr. Chairman: Any Supplementary question?

سینیئر چوہدری محمد انور بھنڈر، جناب والا! میں نے اس سوال میں Trading Corporation of Pakistan کے بارے میں استفسار کیا تھا اور میں نے یہ معلوم کرنا چاہا تھا کہ اس کی income, expenditure اور profit کی کیا position ہے۔ یہ جواب کے حصہ (a) and (b) میں دی گئی ہے لیکن اس میں جو amount paid as salary and allowances during the year 2001-2002 ہے، وہ 79.901 million ہے۔ کیا یہ رقم صرف employees کو pay کی جاتی ہے اور یہ بہت زیادہ نہیں ہے جس کی وجہ سے اس کا profit کم ہوا ہے؟

جناب چیئرمین: وزیر تجارت۔

جناب ہمایوں اختر خان، جناب چیئرمین! یہ ٹریڈنگ کارپوریشن ۱۹۶۷ء میں بنی تھی اور اس کا اس وقت کافی broad scope تھا 'Public Sector Import, Export کی کافی activities خود کرتا تھا۔ اس کے بعد ۱۹۹۰ء میں اس کی activities کافی curtail کر دی گئیں کیونکہ گورنمنٹ کی deregulation کی پالیسی شروع ہو گئی۔ آٹھ نو سال یہ loss میں چلی لیکن ۱۹۹۹ء کے بعد TCP نے بانڈز ۲۰ سال کے لیے دے دیئے جس کی گورنمنٹ نے گارنٹی دے دی۔ ۱۹۹۹ء کے بعد یہ کارپوریشن profitably چل رہی ہے۔ اس کارپوریشن میں ہم نے ۱۹۹۲-۹۳ میں golden hand shakes کی ہیں پھر ۱۹۹۷ء میں 'جس کے تحت voluntarily کئی لوگ ریٹائر کیے گئے ہیں لیکن کچھ سٹاف ابھی بھی available ہے۔ اس کے علاوہ جو Rice Export Corporation تھی اور Cotton Export Corporation تھی وہ بھی اسی میں merge کر دی گئیں اور اس میں بھی ہم نے کافی cut backs کیے تو ہماری مسلسل کوشش ہے کہ اس کو زیادہ trim کیا جائے جو بھی limited activity اس کی رہ گئی ہے اس کے مطابق لیکن ابھی باطل

profitably چل رہی ہے اور اس کے reserves بھی کافی بن گئے ہیں۔ میری نظر میں تو اس وقت یہ ایک healthy corporation کے طور پر چل رہی ہے۔

سینیٹر چوہدری محمد انور بھنڈر، سیکنٹری، جناب والا! میں یہ دریافت کرنا چاہتا ہوں

کہ profit before taxation 74.57 million تھا - Profit after taxation 10.566 ہے اور

اس کے مقابلے میں میں نے جو عرض کیا ہے کہ pay and allowances and salaries

ہیں وہ 79.901 million ہیں تو اگر ۱۰ ملین ہی profit ہو تو ۹۰ کی heavy employment اس

کا کیا جواز ہے۔

(اس مرحلے پر اذان مغرب کی آواز دی سنائی)

Mr. Chairman: We will finish this answer before we disperse for prayers.

جناب ہمایوں اختر خان، دیکھیے میں بالکل یہ کہتا ہوں کہ یہ کوئی direct private

sector corporation کی طرح نہیں چل رہی، کارپوریشن کے کافی مسائل تھے کیونکہ اس کا

scope limited کر دیا گیا تھا۔ ایک ادارہ گورنمنٹ نے فیصلہ کیا تھا کہ وہ رکھے گی۔ اب جو کائن

کسان سے اٹھائی جاتی ہے اس کی price مقرر کی جاتی ہے اس کو maintain کرنے میں یہ

کارپوریشن استعمال ہوتی ہے اور جب کبھی commodities کو buffer stock رکھنا یا export

کرنا یا import کرنا ہو تو اس وجہ سے یہ ادارہ ہم نے رکھا ہوا ہے۔ لیکن اہم بات یہ ہے کہ 1999

کے بعد یہ ادارہ profitable ہو گیا ہے اب پرائیویٹ سیکٹر کے مقابلے میں ہماری کچھ مجبوریاں

ہیں، ہمارے پاس اپنا surplus staff ہے، نکالا نہیں جاسکتا۔ آر ای سی پی، سی اے سی کا بھی

salary bill اس وجہ سے high ہے۔ ہماری مجبوریاں ہیں، ہم لوگوں کو ویسے ہی نہیں نکال سکتے۔

لوگوں کی pensions ہیں اور میڈیکل requirements ہیں اس وجہ سے تو ہوا figure high

ہے۔

But the important thing is that it is now, since 1999, a profitable organization.

Senator Muhammad Ishaq Dar: Sir, I just want to dwell to advocate that 79 million is included into 77 million. I am just adding to Mr. Bhinder and there is no relevance with the profit before or after taxation.

سینیٹر چوہدری محمد انور بھنڈر، جناب یہ بتایا گیا ہے کہ TCP undertakes

inspection of brown rice being exported to European Union. جناب کوآئی کے

متعلق میں یہ عرض کروں گا کہ کیا وزیر صاحب اس کے متعلق مطمئن ہیں کیونکہ عام طور پر یہ معلوم ہوا ہے اور یہ پایا جاتا ہے کہ کوآئی کی صحیح طور پر inspection اور correctly inspection نہیں ہوتی جس کی وجہ سے ہم پاول کی مارکیٹ باہر lose کر رہے ہیں۔

جناب ہمایوں اختر خان، نہیں جی، rice کی مارکیٹ ہم باہر lose نہیں کر رہے۔

کی export بڑھی ہے۔ دوسری بات یہ ہے کہ یہ authenticity certificate دیتا ہے، یہ کوآئی check نہیں کرتا ہے۔ کوآئی recheck ان کی اپنی association ہے یہ کیونکہ brown rice پر duty abatement 250 Euro کی ہمیں حاصل ہے۔ وہ صرف باسیتی کے لئے available ہے۔

اس کا ایک authenticity certificate issue کرتا ہے It is not a quality assurance certificate.

Mr. Chairman: But rice exports have been increased overall.

Mr. Humayun Akhtar Khan: They have increased.

Mr. Chairman: I think we will disburse for prayer and then as decided earlier the rest of the answers be taken as read. Wasim sahib agreed?

پھر ایک سوال کریں گے باقی سارا ہے گا۔

I think when you agreed let us avoid by that. Question hour will be over then.

Senator Wasim Sijjad (Leader of the House): O.K.

Mr. Chairman : Rest of the answers taken as read. It

I think what we had agreed let - کرنا ہے ' جانا ہے - wait کو سب پھر was agreed

so - کیونکہ ایسے agreement کا کوئی قاعدہ نہیں ہے - us avoid by that Bloch sahib

we will reconvene now at 7.45 p.m.

7. *Mr. Sanaullah Baloch: (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Commerce be pleased to state:

(a) *the quantity of sea-food being exported from the country annually; and*

(b) *the amount spent so far out of Export Development Fund in the coastal areas of Balochistan to promote Fish-Industry?*

Mr. Humayun Akhtar Khan: (a) The quantity of sea-food exported from the country during last five years is as under:—

1998-1999	79108 M.T.
1999-2000	89852 M.T.
2000-2001	82045 M.T.
2001-2002	84452 M.T.
2002-2003	93214 M.T.

(b) No amount has been spent so far out of Export Development Fund in the coastal areas of Balochistan to promote Fish-Industry. However, in the Trade Policy 2003-04 it has been decided to develop shrimp farming facility and fish processing, hatcheries and canning plants in Balochistan. EPB is working in collaboration with the Government of Balochistan for developing shrimp farming and fish processing facilities in Balochistan.

Question Hour is over. The remaning answers and their question are placed on the table of the House.

8. *Mr. Sanaullah Baloch: (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Commerce be pleased to state:

- (a) the names, place of domicile and country of posting of the commercial councilors presently posted abroad indicating also the posting period in each case; and
(b) the criteria adopted for the posting of the said councilors?

Mr. Humayun Akhtar Khan: (a) the requisite information is at Annex-I.

(b) the criteria is given at Annex-II.

Annex-I

LIST OF OFFICERS POSTED IN TRADE MISSIONS ABROAD

Sr. No.	Name and Designation	Station	Date of Joining the Mission	Domicile	Posting period
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AMBASSADOR

1.	Dr. Manzoor Ahmad	Geneva	07-11-2002	NWFP	02 years
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MINISTER (BS-20)

1.	Economic Minister	Brussels			(Vacant)
2.	Mr. Ashraf M. Hayat	Washington	29-08-02	Sindh (U)	03 years
3.	Mr. Nasim Qureshi	Geneva	10-10-00	Punjab	03 years

CONSUL GENERAL (BS-19/20)

1.	Mr. Azmat Ali Ranjha	Hong Kong	06-05-99	Punjab	03 years
2.	Mr. Ijaz Ahmed	Sydney	11-11-2002	Punjab	03 years
3.	Mr. Mohammad Riaz	Istanbul	01-09-2002	NWFP	03 years
4.	Mr. Arif Ahmed Khan	Montreal	09-01-2001	Punjab	03 years

COMMERCIAL COUNSELLOR (BS-19)

1.	Mr. Muhammad Aslam	New York	23-02-99	Punjab	03 years
2.	Mr. Shahid Mahmood	Beijing	30-09-2002	Punjab	03 years
3.	Mr. Khalid Mahmood	Seoul	20-12-2000	Sindh	03 years
4.	Mr. Fawad Hasan Fawad	Frankfurt	23-09-2002	AJ&K	03 years
5.	Mrs. Nig'hat Mehroze Chishti	Tokyo	16-12-01	NWFP	03 years

6.	Ms. Sumaira K. Aslam	Bangkok	23-08-02	Punjab	03 years
7.	Mr. Muhammad Saleem	Jeddah	17-09-98	AJ&K	03 years
8.	Mr. Mohammad Jehanzeb Khan	Paris	22-09-2002	NWFP	03 years
9.	Mr. Mohammad Ayub	Tehran	17-12-2002	Punjab	03 years
10.	Mr. Tariq Bajwa	Los Angeles	15-02-99	Punjab	03 years
11.	Mr. Azhar Ali Chaudhry	Rome	23-01-2003	Punjab	03 years
12.	Agha Zafar Mehdi Shah	Madrid	29-10-2000	Balochistan	03 years
13.	Mr. Najeeb R. Abbasi	Dubai	09-11-2001	NWFP	03 years
14.	Mrs. Anjum Assad Amin	Stockholm	26-08-2002	Punjab	03 years
15.	Mr. Syed Habib Ahmad	Geneva	01-01-99	Punjab	03 years
16.	Mr. Saifdar Ali Sohail	Nairobi	08-01-2001	Punjab	03 years
17.	Mr. S. Anjum Bashir	London	22-09-2001	Punjab	03 years
18.	Mr. S.M. Tahir	Kabul	09-08-2002	Punjab	03 years
19.	Economic Counsellor	Geneva			(Vacant)
20.	Commercial Counsellor	Mexico			(Vacant)

COMMERCIAL SECRETARY (BS-18)

1.	Mr. Mujeeb Ahmad Khan	Geneva	31-10-01	Sindh (U)	03 years
2.	Mr. Waqar Ahmad Shah	Dhaka	19-04-99	NWFP	03 years
3.	Mr. Qamar Sarwar Abbasi	Tashkent	26-09-2002	AJ&K	03 years
4.	Mr. Zahid Javed Yaqoob	Johannesburg	08-02-99	Punjab	03 years
5.	Mr. Musaddiq Ahmad Khan	Kuala-Lumpur	23-10-2002	NWFP	03 years
6.	Mrs. Sarah Saeed	The Hague	21-08-2002	Punjab	03 years

Annex-II

No. 3(3)/2001-Admn. II

GOVERNMENT OF PAKISTAN

MINISTRY OF COMMERCE

GUIDELINES FOR SELECTION OF TRADE OFFICERS

Following criteria for posting abroad has been approved by the Prime Minister:—

- (i) In order to ensure greater professionalism and expertise the bar on second posting of non-Commerce & Trade (C&T) Group officers be removed. However, there would be a minimum gap of three years (at home) before they become eligible for a second posting. Further, during this three year period they must serve on a relevant post in the Ministry of Commerce and Industry, CBR (Customs), EPB, BOI or the Ministry of Finance.
- (ii) The existing eligibility coverage for non-C&T officers is too broad. Only those non-C&T officers may be eligible who have recent experience of working on a relevant post in a relevant Ministry/Department (e.g. Commerce, Finance, EPB, BOI, CBR). Thus, experience of working, say in Ministry of Commerce, in the Administration/Accounts Wing, shall not make one eligible.
- (iii) In addition to technical/professional job requirements, the selection process should seek out aptitudes and traits such as interpersonal and communication skills assimilation ability, E.Q., and representational aspects.
- (iv) Computer literacy and driving ability should be a necessary pre-requisite.
- (v) Strongest possible emphasis be placed on pre-assignment training. It should normally be for a period of three months, divided into general and 'post-specific' training. During this period the selectees may also be attached to the major exporting units that are relevant to the country that the officer is being posted to.
- (vi) Linguistic competence cannot be over-emphasized for a Trade Officer. For all non-English speaking countries selectees will be given basic

language training at the National University of Modern Languages, to be developed further in the post.

- (vii) Ministry of Commerce will ensure that the Trade Offices are properly equipped and adequate 'where withal' provided to them.
- (viii) A directory of the competent officers who have already worked against commercial posts abroad with positive results be maintained by the Ministry of Commerce for re-utilization of their services on recommendations of the SSB and with the approval of the competent authority.
- (ix) Performance targets (both physical and financial) be assigned to each officer for evaluation/monitoring, periodically-say bi-annually.

2. The above criteria has been approved by the Prime Minister.

9. ***Mr. Sanaullah Baloch:** (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Commerce be pleased to state:

- (a) *the amount provided to each province out of Export Development Fund during the current financial year; and*
- (b) *the amount available in the said fund at present?*

Mr. Humayun Akhtar Khan: (a) The EDF funds are not provided to the Provinces. The funds are provided to the project irrespective of the Province in which it is located, as approved by the EDF Board.

(b) The amount available at present in EDF account is Rs. 808 million. Funds committed for various projects approved by the EDF Board amount to Rs. 1137 million, which are released to the projects on need basis.

10. ***Dr. Azizullah Satakezai:** (Notice received on 16-04-2004 at 1.30 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the details of special grants announced by the Government for Balochistan during the last and current year; and*

(b) the amount of the said grants released so far and the time by which the remaining amount will be released?

Mr. Shaukat Aziz: (i) the following grants have been provided to Balochistan during 2002-03 and 2003-04:—

Rs. in Million

2002-03

Name of Grant	Allocation	Amount Released
Special Grant (Subvention)	4804.788	4804.788
Welfare Schemes in Mari/Bugti/Mengal Tribes	47.500	47.500
Grant for families of Shimshi Village	5.000	5.000
Grants under Khushhal Pakistan Program	317.101	317.101
Grant for Zulfaida Jalal Road	153.000	153.000
Grant for Quetta Water Environmental Project	73.000	73.000
Grant for Greater Quetta Water Supply	214.200	214.200
Grant for Police Department	102.000	102.000
Grant under Devolution Transition Fund	66.265	66.265
Grant for Kirthar Canal	5.000	5.000
Total:	5787.854	5787.854

2003-04

Name of Grant	Allocation	Amount Released
Special Grant (Subvention)	4804.788	4404.389
Grant for Greater Quetta	300.000	250.000

Water Supply - Main		
Gawadar Area Development	300.000	0.000
Project		
Total:	5404.788	4654.389

ii. The entire allocation for the year 2002-03 stands released. As regards current financial year, against the allocation of Rs.5404.788 million, a sum of Rs.4654.389 million has been released. Releases on account of Special Grant/Subvention are required to be made in 12 equal installments on the last working day of each month. The balance allocation will be released on the last working day of remaining one month. As regards Gawadar Area Dev. Project, due to none receipt of approved projects, the amount could not be release so far. Apart from above, following un-budgeted grants have also been provided to Balochistar Province.

Grant for Construction of Water Tanks at Killi Malik yar	14.000
Grant for Installation of Tube Well at Karez Noth Mastung	1000.000
Grant to DCO Lasbella for Execution of Development Work in Bella City	20.000
Construction of Black Topped Road from Umrani Shakh to Kot Allah Bakhsh Umrani	4.038
Construction of Embroidery Centre at Kharan Balochistan	5.000
Construction of Zubaida Jalal Road	42.200
Grant for purchase of Wheat for distribution amongst the drought affected people of Balochistan	16.719
Black Topped Roads in Balochistan	400.000
Umrani Shakh Fateh Abad Road	104.000
Grant for Residential School Quetta	50.000

Grant for purchase of Vehicles for newly appointed Provincial Ministers	30.000
Grant for Road from Manjhoo Shori to Slarkot	7.170

Total: 1693.127

11. ***Dr. Muhammad Ali Brohi:** (Notice received on 16-04-2004 at 1.30 p.m.)

Will the Minister for Finance and Revenue be pleased to state the amount of outstanding loans against Pakistan as on 1st June, 2003 indicating also the names of the lending countries and financial institutions?

Reply not received.

13. ***Mr. Muhammad Akram:** (Notice received on 16-04-04 at 1.30 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

(a) *the details of duties levied on the vehicles of various make and power brought in Pakistan under gift schemes; and*

(b) *whether there is proposal under consideration of the Government to reduce the said duties, if so, its details?*

Reply not received.

14. ***Mr. Muhammad Akram:** (Notice received on 16-04-2004 at 1.30 p.m.)

Will the Minister Incharge of the Establishment Division be pleased to state the names, place of domicile and BPS, if any, of the persons presently debarred from future employment under Government indicating also the reasons for the same?

Minister Incharge of the Establishment Division: (a) A total of 2038 persons are presently debarred from future employment under Government mainly due to reasons of misconduct, inefficiency, corruption, absence from duty and conviction in the court of law/NAB. (Annex-I).

(b) BPS-wise break-up of the above mentioned 2038 debarred persons is at Annex-II.

(c) their Domicile wise break-up is at Annex-III, and

(d) their Ministries/Divisions/Province-wise break-up is at Annex-IV

The above position is based on the information sent by all Ministries/Divisions and provincial governments except Ministry of Communications and Government of NWFP from whom information has not been received so far.

(Annexures have been placed on the Table of the House as well as Library).

15. ***Mr. Muhammad Akram:** (Notice received on 16-04-2004 at 1.30 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

(a) *the estimated worth of smuggled items in the country during the last five years; and*

(b) *the estimated revenue loss suffered by the Government because of smuggling?*

Mr. Shaukat Aziz: (a) It is difficult to estimate the quantum of goods smuggled into the country as these goods are not documented. However, Customs has seized smuggled goods including vehicles used in smuggling valued at Rs. 10.3 billion in the last 5 years.

(b) Presently, maximum Customs Tariff @ 25%, Sales Tax @ 15% and withholding tax @ 6% is chargeable on goods other than vehicles. Had the customs not seized goods worth Rs. 10.3 billion, revenue loss as per these maximum rates of taxes would have been approximately Rs. 4,224 billion for the last five years.

16. ***Professor Muhammad Ibrahim Khan:** (Notice received on 16-04-2004 at 1.45 p.m.)

Will the Minister for Finance and Revenue be pleased to state whether it is a fact that the State Bank has announced to cancel the licences of money-changers country wide from 30th June, 2004, if so, the reasons thereof?

Mr. Shaukat Aziz: Money chagers were licensed to deal in exchange of Foreign Currency Notes and Coins. A policy decision was taken in 2001 to replace

the Money Changers by establishment of Exchange Companies with the objective to provide corporate culture to the money changing/remittance business to counter Hawala business and to bring financial discipline in this area. Accordingly, an Ordinance, No. XXX, was promulgated on 20th July 2002 amending Foreign Exchange Regulations Act, 1947, Rules and Regulations were framed thereunder in consultation with representatives of Forex Association of Pakistan (a representative body of Authorized Money Changers).

19. ***Prof. Ghafoor Ahmad:** (Notice received on 16-04-2004 at 1.45 p.m.)

Will the Minister for Commerce be pleased to state:

- (a) *worth of imports during July, 2002 to February, 2003 and July, 2003 to February, 2004;*
- (b) *worth of exports during July, 2002 to February, 2003 and July, 2003 to February, 2004;*
- (c) *total gaps during first eight months in the fiscal years 2002-2003 and 2003-2004;*
- (d) *whether trade gap has increased in 2003-2004 as compared with 2002-2003, if so, the reasons and steps taken to reduce the same?*

Mr. Humayun Akhtar Khan:

(a)	<i>Imports (Million US \$)</i>
July, 2002 to February, 2003	7759.3
July, 2003 to February, 2004	9093.8
(b)	<i>Exports (Million US \$)</i>
July, 2002 to February, 2003	6920.4
July, 2003 to February, 2004	7877.5

(c)	<i>Total gaps first eight months (Million US \$)</i>
July, 2002 to February, 2003	-838.9
July, 2003 to February, 2004	-1216.3

(d) Yes, trade gap has increased to US \$ 1216.3 million during July—February, 2003-2004 from US \$ 838.9 million during July—February, 2002—2003.

Reasons

Because of expansion of economic activities in the country the import of machinery, chemical and metal group have increased significantly which led to increase trade deficit during July—February, 2003-2004.

Rising unit values for some major imports have also been responsible to increase the import bill that led to increase the trade deficit during July—February, 2003-2004.

Low tariff rate have discouraged smuggling and brought the previously smuggled goods into import regime.

Steps taken to increase exports/reduce trade gap

The Trade Policy for 2003-2004 speaks of the policy initiatives to achieve export led-growth and to prepare the country to meet the post-2004 challenges, by decreasing cost of doing business in Pakistan and making Pakistani products competitive both in quality and price and supporting Pakistani exporters in their marketing efforts. The main elements of the policy initiatives are as follows:—

- Reducing cost of doing business.
- Increasing market access.
- Technology and skills up-gradation.
- Social, Environmental and Security Compliance.
- Encouraging export oriented foreign investment.
- Region-specific strategy.
- Country and business image building.
- Capacity building of exporters.
- Incentivization of exporters.

- Value addition.
- Providing a measure of competition to the informal channel.
- Increasing efficiency of the domestic industry by gradually exposing it to foreign competition.

20. ***Prof. Ghafoor Ahmad:** (Notice received on 16-04-2004 at 1.45 p.m.)

Will the Minister for Finance and Revenue be pleased to state the extent of U.S. Aid received during the last two years, indicating also the conditions for its release, if any?

Mr. Shaukat Aziz: An amount of US \$ 989.88 million has been provided as grant assistance by the U.S. Government during the last two years for poverty alleviation in Pakistan.

Years-wise break-up of this grant is as follows:

(US \$ Million)

2001-2002	678.88
2002-2003	311.00
Grand Total:	989.88

The above mentioned amount is utilized in the areas of budgetary support, health, education and other social sector projects.

Years-wise detail is given below:

2001-02

Year	Amount	Project
2001-02	US\$ 600 million	Budgetary Support in the F.Y 2001-02
	US\$ 73.88 million	Border Security Project
	US\$ 5 million	Child Labour Elimination Project
TOTAL	US\$ 678.88 million	

2002-03

Year	Amount	Project
2002-03	US\$ 34.52 million	Law Enforcement, Area Development and Demand Reduction Project
	US\$ 36.85 million	Strategic Objective Grant Agreement (SOGA) for Education out of a total of US\$ 100 million
	US\$ 200 million	For debt write-off
	US\$ 5 million	Strategic Objective Grant Agreement (SOGA) for Economic Growth, out of a total of US\$ 53 million
	US\$ 15.71 million	Strategic Objective Grant Agreement (SOGA) for Health out of a total of US\$ 115.70 million
	US\$ 8.92 million	Strategic Objective Grant Agreement (SOGA) for Governance out of a total of US\$ 38 million
	US\$ 10 million	Agriculture Commodities under the Food for Progress Act (Beef Tallow)
TOTAL	US\$ 311 million	

22. *Syed Hidayatullah Shah: (Notice received on 17-04-2004 at 3.10 p.m.)

Will the Minister for Finance and Revenue be pleased to state whether it is a fact that annual increment is not granted to the Government employees who are appointed in higher scale in other departments after 31st May, if so, whether there is any proposal under consideration of the Government to do away with this practice?

Mr. Shaukat Aziz: Yes, a Government employee can get annual increment only on the 1st day of December following the completion of at least six months in higher scale at the relevant stage of that scale, since the introduction of uniform National Pay Scales scheme w.e.f. 1st March, 1972. Normally annual increment is earned by a Government employee on 1st December, of each year on completion of 1 year service in the relevant pay scale. Minimum 6 months service in a scale in the relevant calendar year is taken as full year for the purpose of annual increment. Government employees who are promoted after 31st May have less than 6 months service in a higher pay scale, therefore they are not entitled to annual increment in the higher pay scale.

There is no proposal under consideration of the Government to review this policy.

23. ***Mr. Muhammad Amin Dadabhoy:** (Notice received on 20-04-2004 at 12.25 p.m.)

Will the Minister for Finance and Revenue be pleased to state the rate of interest being charged by ZTBL and other Commercial Banks on the loans given to industrialists and agriculturists?

Mr. Shaukat Aziz: (a) The effective rate of mark-up charged by ZTBL on its loans to farmers 11% after incorporating the rebate of 3% on timely payment by the borrowers. The rate is being reduced for new loans as announced in the budget speech.

- (i) All New Agricultural loans—9% per annum:

—This could further be reduced to 8% w.e.f. 1st January, 2005 on timely repayment.

- (ii) On going Loans:—

—Tractors and Tube Wells 9% per annum.

—Other loans prior to 1st July, 2004 11—14% per annum.

(b) Mark-up rates are Market driven and are determined by the Board of Directors under the supervision of SBP. The government as a policy do not interfere in determining the rates.

- (i) Rate of mark-up on Industrial/Corporate Financing are as follows:—

Name of the Bank	Rate (%) per annum
National Bank of Pakistan	4—11
Habib Bank Limited	4—11
United Bank Limited	2—14
Muslim Commercial Bank Limited	1.60—13.80
Allied Bank of Pakistan Limited	3—10

(ii) Rate of mark-up on Agricultural Financing:—

Name of the Bank	Rate (%) per annum
National Bank of Pakistan	11
Habib Bank Limited	11.45
United Bank Limited	6.00—10.00
Muslim Commercial Bank Limited	11.00 - 12.00
Allied Bank of Pakistan Limited	10 - 11.00

24. ***Mr. Muhammad Amin Dadabhoy:** (Notice received on 20-04-2004 at 12.25 p.m.)

Will the Minister for Privatization be pleased to state:

(a) *the names of the country which is the biggest Investor in Pakistan indicating the extent of the investment; and*

(b) *the sectors/fields where the said investment has been made?*

Mr. Abdul Hafeez Shaikh: (a) The name of the biggest Investor and extent of investment is as follows:

Country	Million \$	
	2002-2003	July 03 to March 2004
Switzerland	3.1	201.7
U.K.	219.4	75.7

(b) Sectors are as follows:

Sector	Million \$			
	Switzerland		UK	
	2002-2003	2003-2004	2002-2003	2003-2004
Financial Business	0.2	198.9	76.2	30.33
Oil and Gas	0	0.053	39	14.94
Chemicals	0.24	0.96	75.5	7.1
Transport	0	0	6.3	0.151
Trade	0.015	0.001	2.6	1.8

Million \$

Sector	Switzerland		UK	
	2002-2003	2003-2004	2002-2003	2003-2004
Power	0.017	0	7.3	7.8
Food	2.2	0	.017	0.821
Others	0.43	1.786	12.5	12.76
Total:	3.1	201.7	219.4	75.7

26. ***Mr. Muhammad Sarwar Khan Kakar:** (Notice received on 03-05-2004 at 2.35 p.m.)

Will the Minister for Finance and Revenue be pleased to state whether the special programme launched by the Government in Balochistan namely "Drought Emergency Rehabilitation Assistance (DERA)" will continue during financial year 2004-2005, if not, its reasons?

Reply not received.

27. ***Mrs. Rukhsana Zuberi:** (Notice received on 06-05-2004 at 9.50 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the details of special investment schemes for widows and pensioners; and*
- (b) *the steps taken by the Government to facilitate them to receive their profit/income conveniently?*

Mr. Shaukat Aziz: (a) Government has recently launched a saving scheme, namely Bahbood Savings Certificates (BSCs) for widows and senior citizens aged 60-years and above. Another scheme, Pensioners' Benefit Account (PBA) has also been introduced for retired officials of the Federal Government, Provincial Governments, Azad Government of the State of Jammu and Kashmir, Armed Forces, Semi-Government and autonomous bodies and in case of death, the pensioners' eligible member of the family can operate the account under the said scheme. Maturity period of both the schemes is ten years and offer monthly profit @ 10.08% p.a. with a maximum investment limit of Rs. one million. These schemes are exempt from compulsory deduction of Zakat.

(b) The Government is keen to improve the environment of National Savings Centres (NSCs). The NSCs are being shifted to better and spacious places/buildings with improved furnishing. A scheme to automate the National Savings Centres is also being implemented.

It has been announced in the budget speech for the year 2004-2005 to transform National Savings Organization into a Corporation to be known as "Pakistan Savings" to be run on commercial basis. It will improve the quality of services as well as cater for broader national coverage than at present.

30. ***Mr. Rehmatullah Kaker Advocate:** (Notice received on 07-05-2004 at 11.50 a.m.)

Will the Minister for Finance and Revenue be pleased to state:

(a) *whether it is a fact that SME Bank has announced a Voluntary Separation Scheme (VSS) for its employees, if so, the number of VSS announced so far, the number of employees opted for VSS and amount paid to them in each scheme; and*

(b) *the monetary benefits achieved by the bank through the said schemes?*

Mr. Shaukat Aziz: (a) Yes; SME Bank Ltd. announced its first Voluntary Separation Scheme (VSS) in December 2003 for its regular employees:

No. of Employees who opted for VSS is 712 and the amount paid to them is Rs. 1,743 million.

(b) Annual saving in salary = Rs. 221 million.

31. ***Syed Hidayatullah Shah:** (Notice received on 11-05-2004 at 2.35 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

(a) *the percentage of increase recommended by the last pay and pension committee in the salaries of Government employees;*

(b) *the percentage of the said increase made so far and the reasons for not implementing the said recommendations in toto; and*

(c) *whether there is any proposal under consideration of the Government to increase the salaries of Government Employees in the forthcoming budget?*

Mr. Shaukat Aziz: (a) The Pay and Pension Committee recommended increase in the Pay Scales by 75% in two phases. The increase in the range of 50—60% was recommended in the 1st phase while the balance in 2nd phase which was not a time bound commitment.

(b) The detail of the increases so far made is as under:

BPS 1—16	BPS 17—22	
50%	60%	Through revision of pay scales w.e.f. 1-12-2001.
25%	20%	Special Additional Allowance previously granted w.e.f. 1-7-1999 was allowed to continue at frozen level in the revised basic pay scales scheme 2001.
15%	15%	Special Relief Allowance w.e.f. 1-7-2003.
15%	15%	Ad-hoc Relief w.e.f. 1-7-2004.
105%	105%	

Besides the above increases in pay, the Government has also made increase in the Medical Allowance at 133% and in Conveyance Allowance at more than 75% in respect of the Government servants.

No balance increase is, therefore, due as the recommendations of the Pay and Pension Committee stand fully implemented.

(e) An increase @ 15% of basic pay has already been allowed to the Government servants in the Budget 2004-2005.

32. ***Professor Khurshid Ahmed:** (Notice received on 11-05-2004 at 3:10 p.m.)

Will the Minister for Finance and Revenue be pleased to state the incentives and facilities available to the Pakistani expatriates to keep their foreign exchange in local banks and the extent of these facilities utilized during the last four years?

Mr. Shaukat Aziz: State Bank of Pakistan encourages the expatriate Pakistanis to send their foreign exchange earnings through normal banking channel to be converted and paid to the beneficiaries in Pakistan in Pak Rupees. A number

of incentives have been provided to the senders of these Home Remittances. However, non-resident expatriate Pakistanis can also send and retain the foreign exchange in their Foreign Currency Accounts (FE-25) at any bank branch in Pakistan whether local or foreign.

Tax Admissibility.—In terms of Protection of Economic reforms Act, 1992 (XII of 1992), non-resident foreign currency holders enjoy immunity against any enquiry from the Income Tax Department or any other taxation authority as to the source of funding of the foreign currency accounts. Moreover, Non-Resident PCAs are exempt from deduction of Tax and Zakat as declared in protection of Economic Reforms Act, 1992. Further, provision 3 of Foreign Currency Accounts (Protection) Ordinance 2001 states:

"No person holding a foreign currency account shall be deprived of his right to hold or operate such account or in any manner be restricted temporarily or permanently to lawfully sell, withdraw, remit, transfer, use as security or take out foreign currency therefrom within or outside Pakistan.

The commercial banks where the expatriate Pakistanis hold their foreign currency accounts, retain the foreign currency with themselves.

33. ***Professor Khurshid Ahmed:** (Notice received on 11-05-2004 at 3.10 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the names of the banks and the currency in which the foreign exchange reserves of Pakistan were kept by the State Bank of Pakistan during the last two years and the profit earned thereon; and*
- (b) *the change in the value of the said currency vis-a-vis Pak. rupee during the said period?*

Mr. Shaukat Aziz: (a) State Bank as per prudence manages the foreign exchange reserves with the sole objective of ensuring security and safety. As a large volume of trade is denominated in US dollars therefore most of the reserves are held in US dollar. The reserves with SBP are invested in short-term time deposits ranging from 1—6 months with highly reputable international commercial banks, besides certain balances kept with Federal Reserve Bank of New York, Bank of England, Bank of Japan etc. in order to meet day to day requirements. At present these reserves are being invested at the prevailing interest rate corresponding to the aforementioned period. To avoid inherent risks the central bank ensures that funds are not concentrated with only a few banks or in one geographical region. Names of

the Banks with which these reserves are invested and their location is classified as none of the Central banks all over the world discloses such information.

The profit earned by the State Bank of Pakistan during the last two years on Foreign Exchange Reserves placed in International market is as under:

Fiscal year ended	In PKR (million)	Eqv. US \$ million (approx)
30-6-2002	4,323,007	72.021
30-6-2003	6,356,729	109.963
Total:	10,679,736	181.984

(b) The value of US dollar *vis-a-vis* Pak rupee at fiscal year end during the said period were:

	<u>June 2002</u>	<u>June 2003</u>
USD/PKR	60.04	57.80
34. *Professor Khurshid Ahmed: (Notice received on 11-05-2004 at 3.10 p.m.)		

Will the Minister for Finance and Revenue be pleased to state the loss suffered by the state Bank of Pakistan in kurb-buying of dollars from 2001 to 2004 with year-wise break-up?

Mr. Shaukat Aziz: State Bank of Pakistan incurred a transactional loss of Rs. 1956 million during 2001-2002 as a result of buying dollars from the kurb market. Purchases from the kurb market ceased from May, 2002 due to significant build up of country's reserves. However, in overall terms, the SBP had earned a net profit of Rs. 28.5 billion which was transferred to the Federal Government.

36. *Mr. Muhammad Amjad Abbas: (Notice received on 13-05-2004 at 12.35 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

(a) *the average rates of interest being charged by the Government banks on loans to textile industry, ginning and agriculture sectors separately; and*

- (b) whether there is any proposal under consideration of the Government to reduce the difference of interest rates on loans, if so, when?

Mr. Shaukat Aziz: (a) At present two banks i.e., National Bank of Pakistan (NBP) and Zarai Taraqiati Bank (ZTBL) are in the public sector. The interest rates of NBP are pegged with Karachi Inter Bank Offered Rate (KIBOR). Those are:—

S. No.	Sector	Mark up Rates—Range
1.	Textile	KIBOR + 1.5% TO KIBOR + 3.5% with a floor of 3.5% and ceiling of 11% Per annum.
2.	Ginning	KIBOR + 2% TO KIBOR + 3.5% (Range 6% Per annum and 11% Per annum).
3.	Agriculture	11% Per annum for Production, Development and Non-Farm Credit.

The effective mark-up rate being charged by ZTBL on its agricultural loans to farmers is 11% after incorporating the rebate of 3% on timely payment by the borrowers. The rate for new loans is being reduced as announced in the budget speech.

- (b) In line with government policy of deregulation/liberalization, banks are free to determine their rates of mark-up on loans based on market conditions and under supervision of State Bank of Pakistan. The Government, as a matter of policy does not interfere in operational matters of the banks.

37. ***Professor Muhammad Ibrahim Khan:** (Notice received on 13-05-2004 at 1.25 p.m.)

Will the Minister for Finance and Revenue be pleased to state whether it is a fact that the National Bank of Pakistan has recently released a loan of Rs. 3 billion in favour of Instaphone and Mobilink Mobile Phone companies without any guarantee, if so, the terms and conditions of the loan?

Mr. Shaukat Aziz: Rs. 3.7 billion financed by NBP to these companies are fully secured against the assets of the companies. Terms and conditions cannot be disclosed to maintain confidentiality of bank and client contract.

39. *Dr. Nighat Agha: (Notice received on 18-05-2004 at 9.00 a.m.)

Will the Minister for Finance and Revenue be pleased to state whether it is a fact that Khushhali Bank is charging 14% to 16% mark up rate on loans, if so, whether there is any proposal under consideration of the Government to reduce the same?

Mr. Shaukat Aziz: Khushhali Bank is offering its fully non-collateralized services at around 20% mark-up applicable on the basis of reducing balance. As for reduction in the mark-up, Khushhali bank is fully alive to passing on all permissible benefits to the clients. The Bank, therefore, intends to consider reduction in mark-up upon achieving desired self-sustainability and the Board of Directors is evaluating several new products with relatively lower prices.

41. *Mr. Ilyas Ahmad Bilour: (Notice received on 22-05-2004 at 1.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the time by which the next meeting of the National Finance Commission will be held; and*
- (b) *whether it is a fact that the next provincial allocations will be made on the basis of old NFC award?*

Mr. Shaukat Aziz: (a) The next meeting of the Commission would be held later this year.

(b) The 6th NFC could not finalize its recommendations during financial year 2003-04, therefore, the existing (5th) NFC award, which have been given effect through Distribution of Revenues and Grants-in Aid Order, 1997, (P.O. No. 1 of 1997), will remain operative.

42. *Mr. Ilyas Ahmad Bilour: (Notice received on 22-05-2004 at 1.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state the steps taken by the Government to simplify the existing tax system?

Mr. Shaukat Aziz: *Sales Tax.*—The Government has taken a number of measure to simplify the existing tax system. These measures include the following:—

- (i) Simplification of procedures for registration, return filing, refund, record keeping etc.

- (ii) Introduction of simplified schemes for payment of tax by different categories of tax payers like retailers, steel melters and re-rollers.
- (iii) Waiver of 3% further tax on supplies of yarn of APTMA in order to reduce the pressure to issue flying invoices.
- (iv) Initiation of consultation proceeding before making any significant change in law and procedure.
- (v) Printing of sales tax pamphlets.
- (vi) Holding of seminars and educational meeting with different groups and association of taxpayers to explain legal procedure.

Further measures underway include:—

- (i) Publication of a Sales Tax Guide in simple language for the benefit of tax payers.
- (ii) Consolidation of sales tax rules and procedure.
- (iii) Reduction in the number of SROs.

Central Excise

1. In order to facilitate the taxpayers, adjustment of central excise duty paid on raw material/semi-finished goods, imported or locally produced, against the central excise duty payable on finished goods has been allowed by simply entering the amount of duty paid in Account Current Ledger (ACL) and no other documentation is required for the purpose.
2. In the past, under the Central Excise law, it was mandatory to print the retail price on goods liable to central excise duty on retail price basis but now this condition has been relaxed and the manufacturers or importers are required only to indicate the retail price. Besides, the penalty for non-compliance of this condition has also been reduced from 100% to 40% *ad val.*
3. All the excisable units except cigarette and cement are working on self-clearance system. No staff is posted in factory premises for clearance of excise dutiable goods.

4. Under the Central Excise law the manufacturers of excise dutiable goods and service providers were required to obtain central excise licence after payment of specified fee and were also required to renew the same every year on payment of prescribed fee. To simplify the system further, requirement of renewal of central excise licence has been dispensed with.
5. Earlier the manufacturers were required to maintain raw material account and submit a monthly return for the same. Now this system of maintenance of raw material account has been dispensed with.
6. In order to minimize documentation, a number of prescribed returns, clearance documents have also been dispensed with.
7. Collectorate of Large Taxpayers Unit has been set up in Karachi in order to facilitate the large taxpayers.
8. The manufacturers have also been allowed to maintain computerized record.

Customs

Pakistan Customs have taken following steps for simplifying the existing tax system:

- (1) Introduction of a Single Documents for Goods Declaration.
- (2) Electronic filing clearance of Goods Declaration (GDs);
- (3) Automation of refund claims;
- (4) Introduction/implementation of EASY/ELF (Express Lane Facility);
- (5) Computerized/automated Data Processing;
- (6) Automated allocation for examination at sheds.
- (7) Increased timings for receipt and delivery of GDs upto 1700 Hrs.
- (8) Creation of Model Collectorate at Karachi;
- (9) CCTV cameras at Airports to monitor performance of Customs Staff;

- (10) Web-site;
- (11) Industrial premises can be declared to be places for loading/unloading;
- (12) Condition of indigenization has been withdrawn from all sectors except auto parts.
- (13) All formalities of surveys and submission of indemnity bonds, consumption installation certificates have been done away with

Income Tax

Federal Government being conscious of the problems faced by the taxpayers, have taken various steps to simplify the existing tax procedure. Some of these steps are:—

- (i) Wealth tax was abolished with effect from 01-07-2001 in respect of assessment year 2001-2002.
- (ii) Basic threshold for non-corporate taxpayers, has been raised from Rs. 80,000 to Rs. 100,000.
- (iii) Tax on corporate taxpayers, particularly private companies and banking companies, is being reduced 2% and 3% respectively every year to bring it down to 35% by the tax year 2007.

In order to reduce contact between the taxpayers and taxation officers. Universal Self Assessment Scheme, has been introduced, which is effective July 1, 2003 across the Board. Under this scheme the declared income shall be accepted and the assessment is treated to have been made on the date of filing of return.

43. * **Mr. Ilyas Ahmad Bilour:** (Notice received on 22-05-2004 at 1.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state whether audit of the National Highway Authority accounts is carried out regularly, if not, its reasons?

Mr. Shaukat Aziz: Yes, statutory audit of National Highway Authority is being carried out regularly by the Director General Audit (Works) on annual basis. In addition to the statutory audit, financial audit of NHA is conducted regularly by a firm of Chartered Accountants. Another firm of Chartered Accountants prepare the revenue accounts.

45. * Mr. Farhat Ullah Babar: (Notice received on 25-05-2004 at 12.30 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *whether it is a fact that the Swiss Company SGS has recently entered into an agreement/contract with the Government of Pakistan, if so, the date on which the same was signed;*
- (b) *the terms and conditions of the said agreement/contract;*
- (c) *whether it is a fact that a contract was also previously signed with the said company, if so, when; and*
- (d) *the present status of the previous contract?*

Mr. Shaukat Aziz: (a) An agreement/contract between the Government of Pakistan with the M/s SGS (Swiss Company) is under consideration of Government of Pakistan.

(b) M/s. SGS have, however, offered a free of charge Valunet Service in respect of 3600 transaction during the first year (pilot test) and for the following year at a reduced fee of US \$ 200 per transaction giving a discount of 20% on the fee of US \$ 250 per transaction. The Central Board of Revenue has constituted a Committee to examine the possibility of implementation of this offer in the Pilot Test period wherein the value verification services shall be free of charge.

(c) It is correct that a contract of Pre-shipment inspection was signed between Government of Pakistan and M/s. SGS/Coteena. This agreement was signed on 29-09-1994.

(d) The previous agreement signed on 29-9-1994 was terminated in March 1997.

46. * Dr. Muhammad Ismail Buledi: (Notice received on 02-06-2004 at 11.05 a.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the unnumber of posts lying vacant in Customs department at present with province-wise break-up and the time by which these posts will be filled in; and*
- (b) *the number of the persons appointed as Custom Inspectors in Balochistan during the last two years?*

Mr. Shaukat Aziz: Total 1852 posts in BS-1 to 21 are lying vacant in the customs Department at present. As desired, province-wise break up is detailed at Annex-I. However, the appointments against position in Grade-15 and below have been held in abeyance and frozen in view of current CBR restructuring/ reform process.

(b) Total 17 persons were appointed as Inspector in Balochistan during the last two years. Detail may be seen at Annex-II.

ANNEX-I

STATEMENT SHOWING THE VACANT POSTS OF BS-1 TO 21 OFFICERS OF CUSTOMS & EXCISE GROUP

Name of the Ministry Division / Corporation / Autonomous Body	Status	BPS	Total No. of vacant posts at present allocated for direct recruitment	Time by which vacant posts will be filled	Reasons / Justification
Central Board of Revenue	Attached Deptt.	21	01	-	-
-do-	-do-	20	Nil	-	-
-do-	-do-	19	Nil	-	-
-do-	-do-	18	Nil	-	-
-do-	-do-	17	15	Establishment Division will intimate the time for filling up the subject posts on the basis of CSS Examination 2003.	A requisition has been sent Establishment Division on 05-2004.

Designation along with BPS	Punjab	Sindh	NWFP	Balochistan	FATA	AJK	Total	The time in which Post will be filled
Superintendent (BS-16)	29	12	-	-	-	-	41	100 % promotion and will be filled in future.
Principal Appraiser (BS-16)	8	16	-	-	-	-	24	-do-
Principal Appraiser (Valuation) (BS-16)	-	3	-	-	-	-	3	-do-
Superintendent Preventive Service (BS-16)	-	5	-	-	-	-	5	-do-
Stenographer (BS-15)	10	7	2	1	-	-	20	The appointment against position in Grade-15 below have been held in abeyance and frozen in view of current CBR restructuring/reform process.
Deputy Superintendent (BS-14)	25	-	15	-	-	-	40	-do-
Inspector Preventive Officer (BS-14)	2	1	1	-	-	-	4	-do-
Appraiser (BS-14)	8	7	-	2	-	-	17	-do-
Valuation Officer (BS-14)	3	2	1	1	-	-	7	-do-
Auditor (BS-14)	45	21	11	14	1	1	93	-do-
Senior Intelligence Officer (BS-14)	3	-	-	-	-	-	3	-do-

Designation along with BPS	Punjab	Sindh	NWFP	Balochistan	FATA	AJK	Total	The time by which Post will be filled
Data Processing Supervisor (BS-14)							0	do
Sub-Data Control Supervisor (BS-14)	1						1	do
Key Punch Supervisor (BS-14)							0	do
Office Superintendent (BS-13)	10	2					12	do
P. T. Instructor (BS-13)				1	1		2	do
Subedar Major (BS-13)	1						1	do
Stenotypist (BS-12)	50	16	4	1			71	do
Inspector (BS-12)	49	23	5				77	do
Intelligence Officer (BS-12)	8	12	1	1			22	do
Data Coder (BS-12)	3						3	do
Preventive Officer (BS-11)	34	26	8	2	3	1	74	do
Examiner (BS-11)	22	11	1	1	1	1	39	do
Dog Handler (BS-11)	7	1					8	do
Assistant (BS-11)	6						6	do
Library Assistant (BS-11)	2						2	do
Draftsman (BS-11)		1					1	do
DEO/KPO (BS-10)	26	13	6				45	do
Head Clerk (BS-10)	24	6	7	7			44	do
Data Control Assistant (BS-10)	7						7	do
World Processing Operator (BS-10)	1						1	do
M.L. Driver (BS-8)		3					3	do
UDC/Cashier (BS-7)	74	37	15	7	1		134	do
Radio Operator (BS-7)		1					1	do
Telephone Operator (BS-7)	2	2					4	do
Wireless Operator (BS-7)	1	2		2			5	do
Telex Operator (BS-7)	1	1					2	do
Typing Pool (BS-7)	3						3	do
Computist (BS-7)		1					1	do
Caretaker (BS-7)	1						1	do
LDC (BS-5)	79	32	23	5	1		140	do
Typist (BS-5)	2	1	1				4	do
Havaldar (BS-5)	2	27		9			45	do
Compuider (BS-5)		1					1	do
Store Keeper (BS-5)		1					1	do
DR (BS-4)	2	2	1				5	do
Driver (BS-4)	34	10	10				54	do
M. B. Driver (BS-4)				5			5	do
Machine Operator (BS-4)	1						1	do

Designation along with BPS	Punjab	Sindh	NWFP	Balochistan	FATA	AJK	Total	The time by which Post will be filled
Motor Mechanic (BS-4)	1	2					3	do
Machine Mechanic (BS-4)		1					1	do
Head Tindal (BS-4)		6					6	do
Coast Gaslit (BS-4)	2	1					3	do
D.M.O (BS-4)		3					3	do
Drum Master (BS-4)	1						1	do
Sepoy (BS-3)	130	72	15	321	2	2	542	do
Driver Mechanic (BS-3)		1					1	do
Record Sorter (BS-3)	1	8	1				9	do
Draftsman (BS-2)	12	3					19	do
Sukhani (BS-2)		2					2	do
Left Operator (BS-2)		1					1	do
Lab Attendant (BS-2)	9	5	2	1	1		18	do
Lady Searcher (BS-2)	1		4				5	do

Naib Qasid (BS-1)	15	7				22	
Farash (BS-1)	6	22				28	do
Chowkidar (BS-1)	9	6				15	do
Carpenter (BS-1)		1				1	do
Hamal (BS-1)		3				3	do
Mali (BS-1)	6	12	1	1		20	do
Laskar (BS-1)		5				5	do
Greaser (BS-1)		2				2	do
Water Carrier (BS-1)		1		7		8	do
Camal Man (BS-1)				2		2	do
Topaz (BS-1)		1				1	do
Cleaner (BS-1)				1		1	do
Instrumentalist (BS-1)		1				1	do
Sweeper (BS-1)						1	do
TOTAL	794	484	141	385	11	5	1834

ANNEX-II

LIST OF INSPECTORS APPOINTED DURING THE LAST TWO YEARS IN BALUCHISTAN

S. No.	Names of Inspector	District/ Domicile	Qualification	Date of Appointment	Remarks
1	Mr. Muhammad Anwar	Jaffarabad	B. A	08.09.2003	For contract basis
2	Mr. Masood Akhtar	Jaffarabad	B. A	08.09.2003	Do
3	Mr. Saleem Akhtar	Jaffarabad	MPA	08.09.2003	Do
4	Mr. Ahmed Nawaz	Kaloi	B. Sc	08.09.2003	Do
5	Mr. Zafar Ali Jamali	Jaffarabad	B.A/B.E	08.09.2003	Do
6	Mr. Faiz Muhammad	Jaffarabad	M.A	08.09.2003	Do
7	Mr. Jameel-ur-Rehman	Quetta	BE (Eng.)	15.09.2003	Do
8	Mr. Manzoor Ali Jamali	Jaffarabad	B. Sc (Hon)	15.09.2003	Do
9	Mr. Fida Hussain	Jaffarabad	M. A. (Econ)	15.09.2003	do
10	Mr. Ghulam Hussain	Jaffarabad	B.A	15.09.2003	do
11	Mr. Salahuddin	Jaffarabad	B.A	15.09.2003	do
12	Mr. Liaquat Ali	Naseerabad	B.A	15.09.2003	do
13	Haji Zahir Ali	Kharan	M.A. / L.I.B	15.09.2003	do
14	Mr. Muhammad Yousaf Notazai	Chaghi	M. Sc	15.09.2003	do
15	Mr. Fareed Ahmed	Jaffarabad	B.A	18.12.2003	do
16	Mr. Fazal Hussain	Jaffarabad	M.A. (Econ)	18.12.2003	do
17	Mr. Rasool Bakhsh	Bolan	B.A	18.12.2003	do

47. * Dr. Muhammad Ismail Buledi: (Notice received on 11-06-4 at 12.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the amount spent on the printing of budgetary documents during the last two years with year-wise break-up; and*

- (b) *the names of the printing press from where the said documents were got printed?*

Mr. Shaukat Aziz: (a) The amount spent on the printing of budget documents during last two years is as under:—

(i)	Budget documents	
	2002-2003	Rs. 2,894,746
	2003-2004	Rs. 4,569,878
(ii)	Economic Survey	
	2001-2002	Rs. 2,268,512
	2002-2003	Rs. 2,394,984

(b) The budget documents were got printed from the Printing Corporation of Pakistan Press, Islamabad.

†183. ***Mrs. Rukhsana Zuberi:** (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister Incharge of the Establishment Division be pleased to state whether there is any proposal under consideration of the Government to establish a body which could ensure equal employment opportunity for all?

Minister Incharge of the Establishment Division: No proposal to establish a body to ensure equal employment opportunities for all is under consideration of the Government because this is guaranteed under Article 27(1) of the Constitution.

††277. ***Syed Murad Ali Shah:** (Notice received on 02-06-2004 at 11.40 a.m.)

Will the Minister for Economic Affairs be pleased to state:

(a) *the grant provided by USA for the development of legislative institutions in Pakistan during the last year; and*

(b) *the mode of utilization of the grant?*

†Transferred from the Law, Justice and Human Rights Division.

††Transferred from the Foreign Affairs Division.

Mr. Shaukat Aziz: (a)

USAID Contribution	2003	2004	2005
Improved Representation National and Responsiveness of Provincial Legislatures.	\$ 5.0 m	\$ 5.0 m	\$ 4.0 m

The Programme focuses in three areas; legislative training (Pakistan Institute for Legislative Development and Transparency); civil society development (the Researchers, Citizen's Commission for Human development, All Women Advancement and Resource Development, Integrated Research and Development Organization, Consumer Rights Commission of Pakistan); and media and out reach (International Foundation for Election Systems);

(b) In October, 2003, USAID competitively awarded a three year \$ 14 million grant to the Pakistan Legislative Strengthening Consortium, a Consortium of Pakistan and international NGOs to help support legislative governance in Pakistan. The selection of the Consortium was made by a committee established by USAID with representatives from DFID (U.K. High Commission) and Government of Pakistan. A formal request was made by the USAID to the Chairman, Senate and Speaker, National Assembly, to jointly nominate an officer, well-versed in legislative matters, as GOP representative for the Selection Committee. In response to this, National Assembly and Senate jointly nominated a GOP representative for the said Committee.

In regard to the procedure for utilization of said grant it is submitted that an implementation plan is provided by the Consortium to USAID which on acceptance releases the money to M/s World Vision; an international NGO that provides overall coordination and distribute funds to the following partners:—

- (1) Pakistan Institute for Legislative Development and Transparency (PILDAT).
- (2) The Researchers, Citizen's Commission for Human Development.
- (3) Integrated Research and Development Organization.
- (4) Consumer Rights Commission of Pakistan.
- (5) International Foundation for Election Systems.

USAID provide quarterly disbursement to M/S World Vision.

†282. ***Mr. Ilyas Ahmad Bilour:** (Notice received on 30-06-2004 at 11.25 a.m.)

Will the Minister for Population Welfare be pleased to state the time by which the head office of the Family Planning Association will be shifted from Lahore to Islamabad?

Mr. Muhammad Raza Hayat Haraj: There is no plan to shift their headquarter to Islamabad.

283. ***Chaudhry Muhammad Anwar Bhinder:** (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the income and expenditure of the Small Business Finance Corporation during financial year 2001-2002;*
- (b) *the profit earned or loss suffered by the said Corporation during the said period;*
- (c) *the number of employees of the Corporation with grade-wise break-up and the amount paid to them as salary and allowances during that period;*
- (d) *the functions of the Corporation; and*
- (e) *the grant received by the Corporation from the Federal Government during the said period?*

Mr. Shaukat Aziz: (a) SBFC existed till 31st December 2001 and the SME Bank came into being on 1.1.2002 as a consequence of merger of SBFC and RDFC. Details of income and expenditure of SBFC/SME Bank during 2001-2002 are given as under:—

†Transferred from the Health Division.

(Rs. in million)

	SBFC July 1 to Dec 31 2001	SME Bank Jan 1 to June 30 2002
Income	732	832
Expenditure	728	330
(b) Profit/(loss) after Tax	(396)	42
(c) No. of employees	1,013	1,182

Grade-wise breakup of these employees is annexed.

Amount paid as Salary & Allowance Rs. 160 million Rs. 184 million

(d) The Corporation used to provide short & medium term financial assistance to small businessmen.

(e) Nil.

Annex.I

GRADE-WISE BREAKUP OF EMPLOYEES OF SBFC/SME BANK

Grade wise No. of employees
of SBFC as on 31.12.2001 are
as follows:-

Gradewise No. of employees of
SME Bank as on 30.6.2002 are
as follows:-

	SBFC 31-Dec-2001	SME Bank 30-Jun-2002
SEVP	-	1
EVP	-	4
SVP	1	5
VP	6	17
AVP	31	48
OG-I	57	60
OG-II	98	125
OG-III	183	185
Clerical Staff	354	360
Non-clerical Staff	283	231
Contractual	-	101
Daily Wagers	-	21
Deputationist	-	24
	1,013	1,182

284. ***Chaudhry Muhammad Anwar Bhinder:** (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the income and expenditure of the Pakistan Industrial Credit and Investment Corporation during Financial years 2001-2002;*
- (b) *the profit earned or loss suffered by the said Corporation during the said period;*
- (c) *the number of employees of the Corporation with grade-wise break-up and the amount paid to them as salary and allowances during that period;*
- (d) *the functions of the Corporation; and*
- (e) *the grant received by the Corporation from the Federal Government during the said period?*

Mr. Shaukat Aziz:

(Rupees in thousand)

(a)	Income	1,756,685
	Expenses	1,374,993
(b)	Profit after taxation	450,899

2001-2002	
No of Employees	Salary & Allowances

		Rs.(000)
(c)	Executives	88 46,798
	Officers	148 31,417
	Clerical & Non-clerical	157 19,559
	On contract	44 10,399

Total:	437 108,173
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(d) **Functions**

- * Long Term Financing;
- * Working Capital Financing;
- * Lease Financing;
- * Industrial Leasing;
- * Auto leasing;
- * Medical Equipment Leasing;
- * Merchant banking;
- * Commercial Banking (through its subsidiary);
- * Capital Market. Money market operations;
- * Mutual Fund;
- * Housing Finance;
- * Small Business loan;
- * Management Institute;
- * Sale of Sick Units.

(e) Nil.

285. ***Chaudhry Muhammad Anwar Bhinder:** (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the total currency in circulation as on 30-6-2000, 30-6-2001 and 30-6-2002;*
- (b) *the total currency notes printed during 1999-2000, 2000-2001 and 2001-2002 indicating also their denomination; and*
- (c) *the percentage of increase or decrease in circulation and printing of currency notes during each of the said year over the last year?*

Mr. Shaukat Aziz: (a) The total currency in circulation was as under:—

(Rs. in million)

30-6-2000	373,739
30-6-2001	393,114
30-6-2002	458,375

(b) Total currency notes worth of Rs. 334 billion were printed by Pakistan Security Printing Corporation as under:—

(Figures in million)

Year	Denomination	No. of Pieces	Value Rs.
1999-2000	Rs. 5	800	4,000
	10	500	5,000
	50	40	2,000
	100	100	10,000
	500	50	25,000
	1000	70	70,000
	Total:	1,560	116,000
2000-2001	5	800	4,000
	10	500	5,000
	50	40	2,000
	100	120	12,000
	500	40	20,000
	1000	60	60,000
	Total:	1,560	103,000
2001-2002	5	800	4,000
	10	500	5,000
	50	60	3,000
	100	130	13,000
	500	60	30,000
	1000	60	60,000
	Total:	1,610	115,000

(c) The percentage increase of currency notes in circulation over the last year is as under:—

2000	—	22.41% increase (over 1999 circulation)
2001	—	5.18% increase
2002	—	16.60% increase.

The percentage increase/decrease in printing of currency notes (by value) is as under:—

1999-2000	—	0.87% increase (over printing of 1999)
2000-2001	—	11.21% decrease
2001-2002	—	11.65% increase.

286. ***Mr. Sanaullah Baloch:** (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the revenue collected by the Government from each province during the last financial year; and*
- (b) *the income and expenditure estimates during the current year with province-wise break-up?*

Mr. Shaukat Aziz: (a) Province-wise tax collection for the year 2002-03 is given below:—

Rs. in Million

Punjab	170,029
Sindh	263,184
NWFP	19,009
Balochistan	8,405

Total: 460,627

(b) The province-wise break up of the income and expenditure (estimates) for 2003-04 is as under:—

Rs. in million

	Punjab	Sindh	NWFP	Balochistan	Total
Total Income	149435.5	90914.6	51459.8	24642.5	316452.4
Expenditure	160552.5	104279.0	59205.4	33279.5	357316.4

287. ***Mr. Sanaullah Baloch:** (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Commerce be pleased to state the details of funds and projects Financed out of the Export Development Fund-up to December, 2003 with province-wise break-up?

Mr. Humayun Akhtar Khan: The Export Development Fund (EDF) was established in September 1992 and between September 1992 and December 2003, an amount of Rs. 4.3 billion was provided to EDF by the Finance Division.

The amount released to the EDF institutes/projects during the above period was Rs. 3.7 billion. Province-wise break-up based on location of projects, is as under:—

	<u>Rs. Billion</u>
Sindh	1.315
Punjab	0.676
NWFP	0.046
Balochistan	—
Misc.	1.699
Total :	<u>3.736</u>

288. ***Mr. Sanaullah Baloch:** (Notice received on 16-04-2004 at 1.29 p.m.)

Will the Minister for Commerce be pleased to state:

- (a) *the amount provided by the Ministry out of Export Development Fund to support the export of fruits from Balochistan; and*
- (b) *the amount provided to Balochistan and other provinces out of EDF in the current budget?*

Mr. Humayun Akhtar Khan: (a) The EDF Board has sanctioned an amount of Rs. 6.35 million for setting-up of an Apple Treatment Plant in Balochistan, and Rs. 15 million for renovation of Model Date Factory at Turbat and setting-up of a Dates marketing/Collection Point near the Factory. Besides, the Board also approved meeting the operational deficit of the Apple Treatment Plant for first 5 years of its operation to ensure sustainability of the project.

(b) A lump-sum provision is made for EDF in the annual budget by the Finance Division. No Province-wise budget allocation is made under EDF by the Finance Division. During the financial year 2003-2004, the budgeted amount was Rs. 700 million for all the provinces.

289. ***Mr. Muhammad Akram:** (Notice received on 16-04-2004 at 1.30 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the rate of profit presently being paid to the account holders of various nationalized commercial banks in the country; and*

(b) *whether there is any proposal under consideration of the Government to increase the said profit, if so, its details?*

Mr. Shaukat Aziz: (a) National Bank of Pakistan (NBP) is the only public sector bank. NBP paid profit on PLS Saving Accounts during 2002 and 2003 are as follows:—

(i) January—June 2002	3.30%
(ii) July—December 2002	2.70%
(iii) January—June 2003	1.50%
(iv) July—December 2003	1.20%

(b) The banks are free to determine their rates of profit on PLS Saving Accounts and other deposits. The Government as a matter of policy does not interfere in operational matters of banks under prevailing free market environment in the financial sector.

290. ***Mr. Muhammad Akram:** (Notice received on 16-04-2004 at 1.30 p.m.)

Will the Minister for Commerce be pleased to state the quantity and worth of tea imported during the last two years and the names of countries from where the same was imported?

Mr. Humayun Akhtar Khan: The quantity and worth of tea imported during the last two years (2002-2003 and 2003-2004) is given below:—

(a) Year	Quantity (MT)	Value (Rs. Million)
2002-2003	108147.0	10095.0
*2003-2004	118425.0	11334.0

The major sources of imports, (countries) from where Pakistan imported tea during the last two years are as under:—

Kenya, Indonesia, Sri Lanka, Republic of Tanzania, Rwanda, Bangladesh, China, India, Viet Nam, United Kingdom, Burundi, South Africa, Singapore, malawi and others countries.

*Provisional as country-wise imported becomes available with FBS after a gap of 2 months.

291. ***Mr. Muhammad Akram:** (Notice received on 16-04-2004 at 1.30 p.m.)

Will the Minister Incharge of the Establishment Division be pleased to state:

- (a) *the places where CSS examinations are held in the country with province-wise break-up; and*
- (b) *whether there is any proposal under consideration of the Government to set-up more centres for the said purpose, if so, where?*

Minister Incharge of the Establishment Division: (a) The Province-wise break-up of the places where CSS Examination is held is as under:—

<u>Place</u>	<u>Province</u>
1. Islamabad	Capital City
2. Lahore	Punjab
3. Karachi	Sindh
4. Peshawar	NWFP
5. Quetta	Balochistan

(b) No.

292. ***Syed Hidayatullah Shah:** (Notice received on 16-04-2004 at 1.30 p.m.)

Will the Minister Incharge of the Cabinet Division be pleased to state:

- (a) *the names of deputationists in Frequency Allocation Board who were given extension in their deputation period during 2000; and*
- (b) *the names of deputationists in the said board whose deputation period was terminated during the said year indicating also the reasons therefor?*

Minister Incharge of the Cabinet Division: (a) The names of deputationists in the Frequency Allocation Board who were given extension in their deputation period during 2000 are given at Annex-A.

(b) The names of deputationists in the FAB whose deputation period was terminated during the said year indicating the reasons are given at Annex-B.

Annex-A

S#	Name of Officer / Official & Designation	Original Period of Deputation	Extended Period	Reasons for granting Extension
1.	Lt Col (now retired) Abdul Hameed Asghar (Director) (BPS-19)	02 years 08-12-1998 to 07-12-2000	01 year 08-12-2000 to 07-12-2001	The services of the officer were acquired from the Pakistan Army on deputation to be posted as Director National Frequency Management & Monitoring System (NFMMS) a World Bank aided Project of vital National importance. He was trained locally and abroad in Germany & Australia for the Technical Operations of the NFMMS Project. In view of his expertise and experience gained during his stay, his deputation was extended for a period one year in the interest of service, however he was repatriated on 25-10-2001 on receipt of his transfer orders from the GHQ vide letter No. 0354/16306/MS-2B/169 dated 15 th of October 2001.
2.	Major (now retired) Kh Sohail Anwar Divisional Engineer (BPS-18)	02 years 18-12-1998 to 17-12-2000	01 year 18-12-2000 to 17-12-2001	The officer was posted as Divisional Engineer Regulations & Coordination in the NFMMS Project. In view of on the job training and the local and abroad training on the technical operation of the Project by M/s Rhode & Schwarz, in Germany, his deputation was extended for a period one year in the interest of service. He was later repatriated on the 5 th of January 2002 after completion of his extended period of deputation.
3.	Mr. Shamim Akhtar (Assistant) (BPS-11)	02 Years 18-12-1998 to 17-12-2000	18-12-2000 to date.	The services of the official were acquired on deputation from the Directorate of Foreign Audit Islamabad in view of acute dearth of qualified staff and ban on recruitment imposed by the Federal Government. The official has remained posted in the Finance Wing and has remained responsible for conducting internal audit and coordination with Banks.
4.	Mr. Ozair ul Haq (Assistant) (BPS-11)	02 Years 17-09-1998 to 16-09-2000	(one year & three months) 17-11-2000 to 25-01-2002	The services of the official were acquired on deputation from the Directorate of Foreign Audit Islamabad in view of acute dearth of qualified staff, and ban on recruitment imposed by the Federal Government. The official has remained posted in the Spectrum Planning & Management Wing and has remained responsible for maintenance of relevant record. He was later repatriated after having nearly completed his extended period of deputation after induction of qualified staff on open merit.

5.	Mr. Muhammad Hanif Arain Assistant (BPS-11)	02 Years 27-08-1998 to 26-08-2000	01 year	Being a new department the services of the official were acquired on deputation from the Department of Auditor General of Pakistan in view of acute dearth of qualified staff and ban on recruitment imposed by the Federal Government. The official has remained posted in the Finance Wing and has remained responsible for maintenance of relevant record of Finance & Accounts.
6.	Mr. Amjid Miskeen Assistant (BPS-11)	02 Years 27-08-1998 to 26-08-2000	27-08-2000 to date	Being a new department the services of the official were acquired on deputation from Department of Auditor General of Pakistan in view of acute dearth of qualified staff and ban on recruitment imposed by the Federal Government. The official has remained posted in the General Administration Wing.
7.	Mr. Muhammad Ameer Assistant (BPS-11)	02 Years 01-08-1998 to 31-07-2000	01 year 01-10-2000 to 31-07-2002	Being a new department the services of the official were acquired on deputation from Department of Auditor General of Pakistan in view of acute dearth of qualified staff and ban on recruitment imposed by the Federal Government. The official remained posted in the General Administration Wing till his repatriation on the 21 st of December 2000 after having induction of staff on open merit.
8.	Mr. Muhammad Naeem Akhtar LDC (BPS-05)	(02 years) 26-08-1998 to 25-08-2000	01 year 26-08-2000 to 25-08-2001	Being a new department the services of the official were acquired on deputation from the Enemy Property Cell for Pakistan, Ministry of Communications Islamabad in view of acute dearth of qualified staff and ban on recruitment imposed by the Federal Government..
9.	Mr. Babar Hussain Naib Qasid (BPS-11)	(02 years) 20-10-1998 to 19-10-1998	02 years 20-10-2000 to 19-10-2002	Being a new department the services of the official were acquired on deputation from the Enemy Property Cell for Pakistan, Ministry of Communications Islamabad in view of acute dearth of qualified staff and ban on recruitment imposed by the Federal Government. He was later repatriated on completion of extended period of deputation.

Annex-B

	Official's Name	Period of deputation	Date of termination of deputation	Reasons for not granting extension
1.	Mr. Mehboob Ali Vice Chairman (BPS-20)	02 years 23-06-1998 to 22-06-1998	1 st of June 2000	Repatriated to the PTCL on the 1 st of June 2000 by the Establishment Division Govt of Pakistan vide its Notification No. 1/115/98-B.6 dated the 1 st of June 2000.
2.	Syed Sharifat Mehdi Director (BPS-19)	02 years 25-05-2000 to 24-05-2002	6 th of October 2000	Repatriated to the PTCL at his own request.

3.	Mr. Abdul Rashid Divisional Engineer (BPS-18)	(Period not mentioned) 30-12-1996 to 20-12-2000	21-12-2000	On arrival of officers on deputation from the Armed Forces his services were no more required and he was repatriated to the PTCL.
4.	Mr. Muhammad Ishaq Satti Accounts Officer (BPS-17)	22-06-1998 to 20-12-2001	21-12-2000	Repatriated after assumption of charge by department's own officer as Deputy Director (Finance).
5.	Mr. Muhammad Ameer Assistant (BPS-11)	02 Years 01-08-1998 to 31-07-2000	21-12-2000	After induction of fresh candidates on open merit his services were no more required.
6.	Mr. Ghulam Mustafa Assistant (BPS-11)	Two years 16-09-1998 to 15-09-2000	18-09-2000	After induction of fresh candidates on open merit his services were no more required.
7.	Mr. Aziz Ahmed UDC (BPS-07)	(03 years) 20-01-2000 to 19-01-2003	21-12-2000	After induction of fresh candidates from open merit his services were no more required.
8.	Mr. Muhammad Hanif Driver (BPS-04)	02 years 23-12-1999 to 22-12-2001	13-12-2000	Repatriated to PTCL at his own request.
9.	Mr. Nazir Ahmed Driver (BPS-04)	02 years 23-02-1999 to 22-02-2001	30-05-2000	Repatriated on request of his Parent Office i.e. Pakistan Telecom Authority HQs Islamabad

293. ***Prof. Ghafoor Ahmad:** (Notice received on 17-04-2004 at 10.20 a.m.)

Will the Minister for Finance and Revenue be pleased to state:

- the categories of Pakistanis and foreign nationals who are exempted from payment of Income tax and reasons for such exemption; and*
- the names of foundations and hospitals in the country which are also exempted from payment of income tax?*

Reply not received.

294. ***Prof. Ghafoor Ahmad:** (Notice received on 17-04-2004 at 10.20 a.m.)

Will the Minister for Finance and Revenue be pleased to state:

- the number of persons who filed their income tax returns for the financial year 2002-2003 with province-wise break-up;*

(b) the amount of tax paid by taxpayers in each province and the federal capital Islamabad territory, separately, for the said period; and

(c) the steps taken by the Government for broadcasting the income tax net?

Mr. Shaukat Aziz: (a) Income tax department does not maintain data of taxpayers on provincial basis. Income Tax Administration has been divided into live regions and a Large Taxpayers Unit at Karachi. These five Regions have been further sub-divided in 32 Zones, each headed by a Commissioner of Income Tax. Region-wise break-up of the number of taxpayers filing returns for the financial year 2002-2003 (tax year 2003) and the amount of tax paid by them and the number of steps taken by the Government to broaden the tax net are detailed, as under, against each question:—

<u>Region</u>	<u>No. of persons Filed returns</u>
Northern	258589
Eastern	179623
Central	218174
Southern	343171
Corporate	18213
Large Taxpayers Unit	500
Total:	1018280

<u>(b) Region</u>	<u>Amount of tax paid By above persons</u>
Northern	3682.827 (m)
Eastern	1403.055 (m)
Central	265.803 (m)
Southern	660.437 (m)
Corporate	704.340 (m)
Large Taxpayers Unit	3076.422 (m)
Total amount paid With returns:	9792.884 (m)

(c) Broadening of tax base in one of the main objectives of the ongoing reforms process of CBR and accordingly the same is at top priority agenda of the Government. With aim to give due emphasis to the objective, current year (2003-2004) has been declared "the year of Broadening of Tax Base".

In order to repose confidence and facilitate the taxpayers, a Universal Self-Assessment System has been launched through Income Tax Ordinance, 2001 for the tax year 2003 which is expected to promote voluntary compliance thereby resulting in broadening of tax base.

The old income tax law with inherent complications and cumbersome procedures has been replaced by the Income Tax Ordinance, 2001, ensuring simplicity and easy understanding for the general public. CBR has also established a Facilitation and Tax Education Wing (FATE), headed by a Member with the purpose to develop a strong and well coordinated communications programme promoting the development of greater compliance and a user friendly, supportive interface between the CBR and corporate and individual taxpayers.

The number of taxpayers five years back in 1999 was 1.005 (m) which rose to 2.023 (m) upto 30-4-2004 through sustained efforts of the CBR and voluntary filing of returns. CBR has been assigned a target of booking new taxpayers upto 0.30 (m) in the current financial year. A strategy has been devised to achieve the target of booking of new taxpayers by nominating the dedicated zones, ranges, circles and focusing the efforts on the utilization of information available from following sources:—

- (i) External survey conducted in the 2000 for the Documentation of National Economy;
- (ii) Available data of Industrial/commercial electricity and gas consumers;
- (iii) Available data of motor vehicles owned by individuals having engine capacity of 1000cc and above; and
- (iv) Data regarding property ownership.
- (v) Data in respect of telephone subscribers and mobile phone users.

As a result of above measures and efforts CBR has surpassed the assigned targets of booking of new taxpayers.

295. *Prof. Ghafoor Ahmad: (Notice received on 17-04-2004 at 10.20 a.m.)

Will the Minister for Privatization be pleased to state:

- (a) *the names of the banks privatized during the period 1st January, 2000 to 31st March 2004;*
- (b) *the amount received from the said privatization; and*
- (c) *the percentage of Directors nominated by the Government on the Board of Directors of the said banks indicating also their names, educational qualifications, experience and place of domicile in each case?*

Dr. Abdul Hafeez Shaikh: (a) United Bank Limited (UBL) and Habib Bank Limited (HBL) were privatised during the period 1st January 2000 to 31st March 2004.

(b) **UBL.**—The amount received from sale of 51% shares of UBL was Rs. 12.35 billion of which amount 85% was in foreign exchange.

HBL.—The successful bid was for Rs. 22.409 billion for 51% shares. 100% of the amount is to be received in foreign exchange. At the applicable exchange rate (PKR 57.4694=US \$ 1) equals US \$ 389.929,249. As per approved bid conditions initially a minimum of 26% share holding has been sold and amount received of US \$ 198,787,460/-. Of the total balance stake of US 191,141,789/-, US \$ 95,570,895/- plus interest of LIBOR+250 bps would become due in the first year following privatisation while the remaining US \$ 95,570,895 plus interest of LIBOR+250 bps would be paid by the second year following privatisation.

(c) The percentage of Government nominated directors on Habib Bank Limited (HBL) is 50% and United Bank Limited (UBL) 43%. The name, educational and experience of each director is annexed (A and B).

(Annexures have been placed on the Table of the House as well as Library).

296. *Mrs. Rukhsana Zuberi: (Notice received on 06-05-2004 at 19.50 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the amount allocated for annual development plan from 1st July, 2003 with province-wise break-up;*
- (b) *the quarterly release of the said fund to the provinces; and*

(c) the actual utilization of funds by the provinces on quarterly basis?

Reply not received.

297. *Mr. Ilyas Ahmad Bilour: (Notice received on 22-05-2004 at 1.05 p.m.)

Will the Minister for Privatisation be pleased to state the number of consultants having international repute appointed during the financial year 2002-2003 to prepare investment strategy in the country?

Dr. Abdul Hafeez Shaikh: Nil.

298. *Mr. Ilyas Ahmad Bilour: (Notice received on 22-05-2004 at 1.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state the action taken on the proposal of the State Bank of Pakistan to the Ministry of Finance to restore the facility of financing imports by placing National Savings Certificates as collateral with the commercial banks?

Mr. Shaukat Aziz: State Bank of Pakistan did not furnish any proposal to the Ministry of Finance to restore the facility of financing imports by placing National Savings Certificates as collateral with the Commercial Banks.

299. *Mr. Ilyas Ahmad Bilour: (Notice received on 22-05-2004 at 1.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *whether it is a fact that the Lahore High Court has placed the names of Directors of six forex brokerage companies on E.C.L. and froze their accounts in August, 2003, if so, its reasons;*
- (b) *whether it is also a fact that the State Bank of Pakistan and the Ministry of Finance did not monitor the functioning of these companies, if so, its reasons;*
- (c) *whether it is further a fact that these companies were accepting huge deposits from people and paying them profits without the permission of the State Bank of Pakistan;*
- (d) *the steps being taken by the Government to refund the deposits to the people; and*

- (e) *the name of agency mainly responsible for its failure to detect the illegal activities of the said companies?*

Mr. Shaukat Aziz: (a) The Honourable Lahore High Court has directed to place the names of directors of twelve so called forex companies on ECL and also to freeze their accounts for the reasons that these companies were found involved in the collection of deposits from the public in an unlawful and unauthorized manner.

(b) Certain private companies and unregistered firms started raising deposits from general public promising high rate of return and as soon as their fraudulent activities came to the notice of regulatory authorities immediate action was taken by the SBP and SECP in accordance with law.

(c) It is a fact that these companies started raising deposits at high rate of profit in an unauthorized and unlawful manner. Having noticed their fraudulent activities, SBP and SECP took timely action against the unscrupulous people.

(d) The Honourable Lahore High Court has ordered 12 such companies to refund ill gotten money to the investors but the companies were applying delaying tactics. In order to expedite refunds, the cases of all such companies have been referred to NAB, which has already completed its process in some cases where refund claims have been invited. Remaining companies are still under investigation by NAB.

(e) No failure can be attributed to any agency. Rather it is first time that due to timely action by the State Bank of Pakistan and the Securities and Exchange Commission of Pakistan these unscrupulous people were forced to close their unauthorized activities which were about to proliferate in the country.

300. ***Dr. Muhammad Ismail Buledi:** (Notice received on 11-06-2004 at 12.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

(a) *the number of persons appointed in Customs Department since 2002 with province-wise break up; and*

(b) *the procedure adopted for the said appointments?*

Mr. Shaukat Aziz: Details of officers/officials appointed in Customs Department since 2002 with province-wise break-up and the procedure adopted for the appointments is placed at Annex-I.

Annexure-I

STATEMENT SHOWING THE DETAILS OF PERSONS APPOINTED IN THE CUSTOMS DEPARTMENT SINCE, 2002
WITH PROVINCE-WISE BREAK-UP AND PROCEDURE ADOPTED IN THE APPOINTMENTS

Grade	Year	Punjab	Sindh (Rural)	Sindh (Urban)	NWFP	Balochistan	FATA	AJK	Total	Procedure adopted in the appointments
BS-21	2002	-	-	-	1	-	-	-	1	Appointment was made after the approval of the then Chief Executive of Pakistan. The condition of open advertisement for the contract appointment was relaxed by the then Chief Executive of Pakistan.
BS-17	2002	16	4	2	5	1	2	-	30	All the appointments were made on the recommendations of Federal Public Service Commission through Competitive Examination.
BS-17	2003	11	2	1	3	-	-	1	18	do
BS-17	2004	8	2	1	2	1	-	-	15	do
BS-16	2003	1	-	-	-	-	-	-	1	Appointment was made on contract basis for two years on the directives of Prime Minister.
BS-14	2003	-	Sindh 4	-	-	3	-	-	7	5 persons were appointed on contract basis for a period of one year under Prime Minister's Directives.
										1 person was re-employed on contract basis for a period two years under Prime Minister's Directive after superannuation.
BS-12	2003	-	11	-	-	17	-	-	28	1 person was appointed on contract basis for a period of one year under Prime Minister's Directive and subsequently his appointment has been regularized on permanent basis.
BS-11	2003	-	-	-	-	5	-	-	5	Appointments made on contract basis for a period of one year under Prime Minister's Directives
BS-3	2003	-	2	-	2	2	-	-	6	do 4 persons were appointed on contract basis for a period of one year under Prime Minister's Directives.
										1 person was appointed against deceased quota for a period of two years on the directions of Honourable Wafaqi Mohtasib Secretariat.
										1 person was appointed on the contract basis for a period of two years under Prime Minister's Directive.
Total:		36	29	11	13	29	1	3	111	

**PERSONS RECRUITED IN THE CUSTOMS, SALES TAX AND
CENTRAL EXCISES DEPARTMENT SINCE, 2002**

Grade	Year	Punjab	Sindh	NWFP	Balochistan	FATA	AJK	Total	Remarks
BS-14	2003	-	4	-	3	-	-	7	5 persons were appointed on contract basis for a period of one year under Prime Minister's Directives. 1 person was re-employed on contract basis for a period two years under Prime Minister's Directive after superannuation.
BS-12	2003	-	11	-	17	-	-	28	1 person was initially appointed on contract basis for a period of one year under Prime Minister's Directive and subsequently was regularized on permanent basis. All persons were appointed on contract basis for a period of one year under Prime Minister's Directives.
BS-11	2003	-	-	-	5	-	-	5	All persons were appointed on contract basis for a period of one year under Prime Minister's Directives.
BS-3	2003	-	2	2	2	-	-	6	5 persons were appointed on contract basis for a period of one year under Prime Minister's Directives.
Total:		0	17	2	27	0	0	46	1 person was appointed against decreased quota for a period of two years on the directions of Honourable Wajid Ali Mohsinib Secretariat.

Re-checked and confirmed

(Signature) 12/1/04
12/1/04
(Saleem Akhtar)
Second Secretary (M.IV)

301. ***Dr. Muhammad Ismail Buledi:** (Notice received on 11-06-2004 at 12.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) the number of persons appointed in Income Tax Department since 2002 with province-wise break-up; and*
- (b) the procedure adopted for the said appointments?*

Mr. Shaukat Aziz: Details of officers/officials appointed in Income Tax Department since 2002 with province-wise break-up and the procedure adopted for the appointments is placed at Annex-A.

Annexure-A

STATEMENT SHOWING THE DETAILS OF PERSONS APPOINTED IN THE INCOME TAX DEPARTMENT SINCE, 2002 WITH PROVINCE-WISE BREAK-UP AND PROCEDURE ADOPTED IN THE APPOINTMENTS

Grade	Year	Punjab	Sindh (Rural)	Sindh (Urban)	NWFP	Balochistan	FATA	AJK	Total	Procedure adopted in the appointments
BS-17	2002	22	4	4	7	-	2	1	40	All the appointments were made on the recommendations of Federal Public Service Commission through Competitive Examination. All persons were appointed on the basis of Honourable Sindh High Court's decision.
BS-17	2003	24	5	3	5	-	3	-	42	
BS-17	2004	29	6	4	7	1	3	-	50	
BS-11	2003	-	-	Sindh 26	-	-	-	-	26	
BS-10	2003	1	-	-	1	-	-	-	2	Appointed against deceased quota after the approval from Establishment Division Prime Minister's Secretariat.
Total:		76	52	52	20	3	8	1	160	
EPS										
Year										
2002										
2003										
2004										
BS-5		-	-	-	2	-	-	-	2	These appointments were made by the Directorate General of Income Tax (Training & Research), Lahore in order to cope with increased work load due to large batches of Probationers and commencement of Capacity Building Programs for BS-17 to BS-19 officers of Income Tax Group an International Hostel has been constructed at DOT (Income Tax) Lahore. To make the Hostel and mess operational it was necessary to appoint suitable ancillary staff on temporary basis to perform duties in the Hostel/mess. The vacancies were advertised in two leading Newspapers. A large number of applications were received. The eligible candidates were called for test/interview. The Departmental Selection Committee conducted open tests and interviews in a transparent manner. These appointments will be reviewed and incumbents will be replaced by the permanent staff found in excess of departmental need as a result of reform/restructuring of the department.
BS-4		-	1	-	5	-	1	-	7	
BS-1		-	1	-	32	-	31	-	64	
Total:		-	2	-	39	-	32	-	73	

302. ***Dr. Muhammad Ismail Buledi:** (Notice received on 11-06-2004 at 12.05 p.m.)

Will the Minister for Finance and Revenue be pleased to state:

(a) *the number of persons appointed in Zari Taraqiati Bank Limited (ZTBL) since 2002 with province-wise break-up; and*

(b) *the procedure adopted for said appointments?*

Mr. Shaukat Aziz: (a) 47. Province-wise break-up of the above employees is at Annex-I.

(b) Two persons i.e. a Typist and a Naib Qasid have been appointed in compliance to the court's orders. The third one who was on deputation from Federal Bank for Cooperatives was absorbed in the Bank with the approval of Board of Directors.

The appointment on contract were made as per prescribed procedure i.e. the posts were advertised in the press. Short-listing of applicants was made and the candidates were interviewed by the Bank's selection committee and final selection was made on merit. Appointments on deputation were made after getting NOC from concerned parent departments of the employees on standard terms and conditions of deputation circulated by the Establishment Division.

ANNEX-I

**PROVINCE WISE BREAK UP OF APPOINTMENTS
MADE IN ZTBL SINCE 1-1-2002**

S.No.	Province	Regular	Contract	Deputation
1	Federal Area	-	05	-
2	Punjab	03	32	08
3	Sindh	-	04	-
4	Baluchistan	-	-	-
5	N.W.F.P	-	03	02
Total		03	44	10

303. ***Ms. Agha Pari Gul:** (Notice received on 21-06-2004 at 11.00 a.m.)

Will the Minister Incharge of the Establishment Division be pleased to state whether there is any proposal under consideration of the

Government to relax the upper age limit for those who could not apply for Government Jobs due to ban imposed by the Government on fresh recruitments in the past?

Minister Incharge of the Establishment Division: A five years' general relaxation in the upper age limit has already been allowed to cater for the needs of candidates who had become over aged due to ban on recruitment. However, no proposal for further relaxation in the upper age limit is presently under consideration of the Government.

304. ***Syed Hidayatullah Shah:** (Notice received on 21-06-2004 at 3.45 p.m.)

Will the Minister for Finance and Revenue be pleased to state whether it is a fact that the Zarai Taraqiati Bank Ltd. (ZTBL) has recently changed the procedure for recovery of loans from the defaulters, if so, its details?

Mr. Shaukat Aziz: ZTBL has not made any change in its existing procedure for recovery of loans from the defaulters. The arrest of the defaulters for recovery of Bank's loans as arrears of land revenue has however, been discontinued in light of announcement made by the Honourable President of Pakistan during Farmers' Convention held at Islamabad on 10-6-2004 and budget speech of the Federal Minister for Finance in the National Assembly on 12-6-2004.

305. ***Professor Khurshid Ahmed:** (Notice received on 22-06-2004 at 11.15 a.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the names and other particulars of members of public whose efforts and services toward the enhancement of tax collection and identification of tax leakage were appreciated by the Income Tax Department since December, 1998; and*
- (b) *whether it is also a fact that on 30th April, 2004 the Income Tax Southern Region Karachi under its letter No. JUD-3/ZF/4041 had conveyed appreciation to a member of public, if so, the details thereof?*

Mr. Shaukat Aziz: (a) Various persons provided information about the Income Tax leakage since 1998. Out of the same, information only from 30 persons could lead to actual detection of concealment of income on the basis of which income tax assessments were finalized. Their services were appreciated by issuing

rewards wherever it became due. The names and particulars of these persons are Annexed.

(b) No such letter bearing No. Jud-3/ZF/4041 was issued on 30th April, 2004.

**LIST OF INFORMERS WHO HAVE BEEN PAID REWARD
ON ACCOUNT OF TAX EVASION**

2.// Name of Region/Informer

EASTERN REGION, LAHORE

- 1 Mr. Ahmad Saeed, 78-Samanabad, Lahore.
- 2 Mr. Muhammad Khawar Malik, Said Melha Bazaar, I/G Lohari Gate, Lahore.
- 3 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.
- 4 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.
- 5 Mr. Tassadaq Hussain, Main Bazar, Gowalmandi, Lahore.
- 6 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.
- 7 Syed Naseer Haider, 100 Moon Colony, Samanabad, Lahore.
- 8 Syed Naseer Haider, 100 Moon Colony, Samanabad, Lahore.
- 9 Syed Naseer Haider, 100 Moon Colony, Samanabad, Lahore.
- 10 Mr. Shahid Nawaz, Mozang, Lahore.
- 11 Syed Naseer Haider, 100 Moon Colony, Samanabad, Lahore.
- 12 Mian Aziz Ahmad, Jalani Street, Jinnah Part, Shiekhupura.
- 13 Mr. Shaukat Ali & Shahid Nawaz, Wara Glawan, Manga Mandi, Lahore.
- 14 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.
- 15 Syed Naseer Haider, 100 Moon Colony, Samanabad, Lahore.
- 16 Mr. M. Iqbal Zakki, 194-Anarkali, Lahore.
- 17 Mr. Muhammad Hanif Tahir, Main Samanabad, Lahore.
- 18 Mian Hassan Mahmood, Chunian, Kasur.
- 19 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.
- 20 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.
- 21 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.
- 22 Mr. Wali Bahadur, Code No.07, 3-Muslim Block, A.I.Town, Lahore.
- 23 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.
- 24 Mr. Shaukat Ali, Wara Glawan, Manga Mandi, Lahore.

SOUTHERN REGION, KARACHI

- 25 Major (R) Muhammad Tariq Toor, 359-G-1, Johar Town, Karachi.
- 26 Mr. Muhammad Junaid Talat, 7, Ground Floor, Dadakhoy Centre, Main Shahr-e-Faisal, Karachi-75530.

NORTHERN REGION, ISBD

- 27 Raja Muhammad Ashraf, 237-Rewaz Garden, Lahore.
28 Mr. Mukhtar Ahmad Kiani, Z-526, Plot No 69, Dhoke Palla, Rawalpindi

CENTRAL REGION, MULTAN

- 29 Mr. Muhammad Hadayatullah, C/o Bismillah Medicose Galli Baba Taj
Adda Gulmory, Rahimyarkhan.
30 Mr. Javed Iqbalpuri, 5-Civil Line, Jhang, Sackdar.

306. ***Professor Khurshid Ahmed:** (Notice received on 22-06-2004 at 11.15 a.m.)

Will the Minister for Finance and Revenue be pleased to state the details of the CBR Communication No. 7(4) and Income Tax Circular No. 18/2000?

Mr. Shaukat Aziz: Board's letter bearing No. 7(40) S. Asst/99 dated 30-8-1999 was issued to the Regional Commissioner of Income Tax, Southern Regional, Karachi clarifying the position of the taxability or otherwise, of salary income of Pakistani Seamen employed abroad foreign flagships. Since the above letter was mis-construed and mis-interpreted by certain quarters, a detailed clarification was considered necessary. The matter was considered at length in the Board and after having the opinion of Ministry of Law and Justice, circular No. 18 of 2000 dated 20-7-2000 was issued to regulate the taxability of such seamen. Through this circular it was clarified that the salary of Pakistani seamen working abroad foreign flagship shall be subjected to tax after determination of their residential status under the provisions of section 2(4) read with sections 11 and 12(1) of the repealed Income Tax Ordinance, 1979. Since, the residential status of Pakistani seamen can only be determined after the expiry of the income year, therefore, through the above said circular it was further clarified that no withholding shall be made by the shipping agents under the provisions of section 50(1) of the said Ordinance.

307. ***Mrs. Kalsoom Perveen:** (Notice received on 28-06-2004 at 11.50 a.m.)

Will the Minister for Population Welfare be pleased to state:

- (a) *the names and location of the projects of population welfare under way in Balochistan;*
(b) *the amount spent on the said projects during the last five years;*

(c) the amount allocated for the said projects in budget 2004-2005; and

(d) the number of people being benefited from the said projects?

Mr. Muhammad Raza Hayat Haraj: (a) The Population Welfare Program Balochistan is an on-going activity which:

* Administration Organization:

(i) Provincial Office	1
(ii) District Office, (name and Location at F/A)	26
(iii) Tehsil Office, (Name and Location at F/B)	18
* Family Welfare Centre, (Name and Location at F/C)	128
* Reproductive Health Services Centre, (At F/D)	6
* Male mobilizer (outlet)	250
* Involvement of Health Outlets of Health Department	650
* Registered Medical Practitioners (RMPs)	770
* Hakeems/Homoeopaths	250

These components are established in all the 27 District of Balochistan Province.

The detail of amount spent on various component during the last 5 year is given as under:-					
(Rs. in million)	1999-2000	2000-01	2001-02	2002-03	2003-04
➤ Administration Organization	50.025	39.080	41.091	43.060	48.026
i. Provincial Office	11.961	10.603	11.601	12.786	13.362
ii. Divisional H.Q	2.019	6.315	3.763	-	-
iii. District Office	26.116	19.164	22.815	27.207	31.258
iv. Tehsil Office	2.929	2.998	2.912	3.067	3.206
➤ Family Welfare Centre	24.485	22.606	30.921	34.666	39.295
➤ Mobile Service Unit	3.874	2.712	3.501	3.493	14.836
➤ Reproductive Health Services Centre	5.352	4.781	5.600	5.439	6.842

➤ VBFPW	22.651	20.445	6.082	7.794	7.592
➤ Communication Strategy	0.903	0.921	1.748	0.754	1.184
➤ PLDs	0.055	-	0.747	0.097	1.486
➤ RMPs	0.157	-	0.385	0.136	0.333
Total	107.502	90.545	90.075	95.439	119.594

The allocation for various components of Population Welfare Program, Balochistan during the year 2004-05 is given as under:

➤ Administration Organization	77.620
i. Provincial Office	24.026
ii. Divisional H.Q	44.000
iii. District Office	9.600
iii. Tehsil Office	
➤ Family Welfare Centre	87.800
➤ Mobile Service Unit	3.600
➤ Reproductive Health Services Centre	19.348
➤ VBFPW	23.350
➤ Communication Strategy	7.300
➤ PLDs	1.000
➤ RMPs	1.000
Total	251.518

During the last 5 years, the outlets of Population Welfare Department, Balochistan have attended 721807 clients of Family Planning and 646580 patients of General Ailments.

DISTRICT SET UP

S.No.	Name of District	Headed by
1.	Quetta	District Population Welfare Officer B-19.
2.	Naseerabad	District Population Welfare Officer B-19.
3.	Jaffarabad	District Population Welfare Officer B-19.
4.	Loralai	District Population Welfare Officer B-19.
5.	Khuzdar	District Population Welfare Officer B-19.
6.	Turbat (Kechi)	District Population Welfare Officer B-19.
7.	Sibi	District Population Welfare Officer B-18.
8.	Pishin	District Population Welfare Officer B-18.
9.	Chagai	District Population Welfare Officer B-18.
10.	Zhob	District Population Welfare Officer B-18.
11.	Killa Saifullah	District Population Welfare Officer B-18.
12.	Mastung	District Population Welfare Officer B-18.
13.	Kachhi	District Population Welfare Officer B-18.
14.	Kalat	District Population Welfare Officer B-18.
15.	Lasbella	District Population Welfare Officer B-18.
16.	Panjgur.	District Population Welfare Officer B-18.
17.	Jhal Magsi	District Population Welfare Officer B-18.
18.	Barkhan	District Population Welfare Officer B-17.
19.	Kohlu	District Population Welfare Officer B-17.
20.	Dera Bugti	District Population Welfare Officer B-17.
21.	Gawader	District Population Welfare Officer B-17.
22.	Killa Abdullah	District Population Welfare Officer B-17.
23.	Awaran	District Population Welfare Officer B-17.
24.	Kharan.	District Population Welfare Officer B-17.
25.	Musakhel	District Population Welfare Officer B-17.
26.	Ziarat	District Population Welfare Officer B-17.

LIST OF TEHSILS WHERE POPULATION
WELFARE OFFICES ARE ESTABLISHED.

1. PANJPAI.
2. BOSTAN.
3. KHANOZAI.
4. GULISTAN
5. HARNAI
6. MUSLIM BAGH.
7. DUKI
8. MUSAKHEL.
9. MAIWAND
10. SORAB
11. UTHAL
12. PASNI
13. MAND
14. MACH
15. BHAG
16. USTA MOHAMMAD
17. DALBANDIN
18. WADH

LIST OF FAMILY WELFARE CENTRE IN BAI OCHISTAN PROVINCE.

S.No.	Name of Programme District	Nos. of FWC	Location of Family Welfare Centre.
1.	QUETTA	16	1. F.W Centre, Kili Almo 2. F.W Centre, Tughi Road. 3. F.W Centre, Alamdar Road 4. F.W Centre, Mecongry Road 5. F.W Centre, Killa Kasi 6. F.W Centre, Joint Road 7. F.W Centre, Kaichi Baig. 8. F.W Centre, Ahmed Khan Zai. 9. F.W Centre, Hudda. 10. F.W Centre, Kuchlek. 11. F.W Centre, Nawar Killi 12. F.W Centre, Samungli 13. F.W Centre, Panjpai. 14. F.W Centre, Killi Kirani 15. F.W Centre, Killi Kamao 16. F.W Centre, Setallite Town.
2.	PISHIN	8	1. F.W Centre, Pishin 2. F.W Centre, Bostan. 3. F.W Centre, Khanozi 4. F.W Centre, Manzaki 5. F.W Centre, Karbala 6. F.W Centre, Malik Yar 7. F.W Centre, Barshor 8. F.W Centre, Yaroo.
3.	CHAGHI	5	1. F.W Centre, Noshki 2. F.W Centre, Dalbandin 3. F.W Centre, Chaghi 4. F.W Centre, Nokandi 5. F.W Centre, Ahmed Wal
4.	KHARAN	4	1. F.W Centre, Kharan 2. F.W Centre, Basima 3. F.W Centre, Nag 4. F.W Centre, Killi Sarawan
5.	LORALAI	6	1. F.W Centre, Loralai-I 2. F.W Centre, Mekhtar 3. F.W Centre, Loralai-II 4. F.W Centre, Duki 5. F.W Centre, Durgai 6. F.W Centre, Nasiran
6.	MUSA KHAIL	3	1. F.W Centre, Musa Khail 2. F.W Centre, Drak 3. F.W Centre, Rarashan
7.	BARKHAN	6	1. F.W Centre, Barkhan 2. F.W Centre, Rakan 3. F.W Centre, Rakni 4. F.W Centre, Narkot 5. F.W Centre, Basti Wadera Ahmed Khan Karamdani Begho 6. F.W Centre, Haji Ghost

8.	KOHLU	2	1. F.W Centre, Kohlu
9.	ZIARAT	5	2. F.W Centre, Killi Markozai 3. F.W Centre, Ziarat 4. F.W Centre, Kach 5. F.W Centre, Tandwani 6. F.W Centre, Sanjavi
10.	KILLA ABDULLAH	4	1. F.W Centre, Killa Abdullah 2. F.W Centre, Chaman 3. F.W Centre, Old Chaman 4. F.W Centre, Mezi Adda
11.	ZHOB	5	1. F.W Centre, Zhob-I 2. F.W Centre, Zhob-II 3. F.W Centre, Appozai 4. F.W Centre, Karotabad 5. F.W Centre, Gani Mahallah
12.	KILLA SAIFULLAH	5	1. F.W Centre, Killa Saifullah 2. F.W Centre, Muslin, Isagh 3. F.W Centre, Kanniethar Zai 4. F.W Centre, Nasai 5. F.W Centre, Akhtar Zai
13.	SIBI	10	1. F.W Centre, Sibi 2. F.W Centre, Luni 3. F.W Centre, Allahabad 4. F.W Centre, Talli 5. F.W Centre, Harnai 6. F.W Centre, Dehpal 7. F.W Centre, Marghazani 8. F.W Centre, Bakhtiarabad 9. F.W Centre, Leiri 10. F.W Centre, Khiarwah
14.	KACHI	4	1. F.W Centre, Dhadar 2. F.W Centre, Mach 3. F.W Centre, Bhag 4. F.W Centre, Marghazani
15.	JAFFARABAD	5	1. F.W Centre, Dera Allahyar 2. F.W Centre, Usta Mohammad 3. F.W Centre, Gandakha 4. F.W Centre, Manjhipur 5. F.W Centre, Sohbatpur
16.	NASEERABAD	4	1. F.W Centre, D.M. Jamali 2. F.W Centre, Hameed Khoso 3. F.W Centre, Daulat Ghari 4. F.W Centre, DM Jamali Ward III
17.	KALAT	4	1. F.W Centre, Kalat 2. F.W Centre, Sorab 3. F.W Centre, Mangochar 4. F.W Centre, Gidar
18.	MASTUNG	5	1. F.W Centre, Mastung 2. F.W Centre, Pringabad 3. F.W Centre, Kkhad Kocha 4. F.W Centre, Kirdakab 5. F.W Centre, Kanak

19.	KHUZDAR	5	1. F.W Centre, Khuzdar 2. F.W Centre, Karan 3. F.W Centre, Naal 4. F.W Centre, Karakli 5. F.W Centre, Hakeemabad
20.	AWARAN	3	1. F.W Centre, Awaran 2. F.W Centre, Mashkey 3. F.W Centre, Jhal Jao
21.	DERA BUGTI	1	1. F.W Centre, Dera Bugti
22.	LASBELIA	4	1. F.W Centre, Belto 2. F.W Centre, Uthal 3. F.W Centre, Windar 4. F.W Centre, Hub
23.	TURBAT	5	1. F.W Centre, Tubat 2. F.W Centre, Mand 3. F.W Centre, Buleda 4. F.W Centre, Shahi Tump 5. F.W Centre, Sahi
24.	PANJGUR	4	1. F.W Centre, Panjgur 2. F.W Centre, Khudabeklan 3. F.W Centre, Tusp 4. F.W Centre, Garani Khan
25.	GAWADAR	3	1. F.W Centre, Pasni 2. F.W Centre, Gawadar 3. F.W Centre, Ormera
26.	JHAL MAGSI	2	1. F.W Centre, Gandawa 2. F.W Centre, Jhal Magsi

D. Nazam-ul-Haq

REPRODUCTIVE HEALTH SERVICE CENTRES

1. Civil Hospital, Quetta.
2. Fatima Jinnah Hospital, Quetta.
3. BMC Complex Hospital, Quetta.
4. DHQ Hospital, Sibi.
5. DHQ Hospital, Khuzdar.
6. DHQ Hospital, Loralai.
7. DHQ Hospital, Naseerabad. (Under Construction)

LIST OF MOBILE SERVICE UNITS IN POPULATION WELFARE DEPARTMENT
BALUCHISTAN

S. No.	Location of Mobile Service Unit
1.	MSU Quetta-I
2.	MSU Quetta-II
3.	MSU Chaghi-I
4.	MSU Chaghi-II
5.	MSU Pishin-I
6.	MSU Pishin-II
7.	MSU Killa Saifullah-I
8.	MSU Killa Saifullah-II
9.	MSU Khuzdar-I
10.	MSU Khuzdar-II
11.	MSU Sibi-I
12.	MSU Sibi-II
13.	MSU Dera Bugti
14.	MSU Loralai
15.	MSU Killa Abdullah
16.	MSU Turbat
17.	MSU Lasbella
18.	MSU Jhal Magsi
19.	MSU Jaffarabad
20.	MSU Zhob
21.	MSU Panjgur
22.	MSU Awaran
23.	MSU Kharan
24.	MSU Kachhi at Dhadar
25.	MSU Ziarat
26.	MSU Naseerabad
27.	MSU Mastung
28.	MSU Kohlu
29.	MSU Barkhan
30.	MSU Musa Khail
31.	MSU Gawadar
32.	MSU Kalat

308. *Professor Muhammad Ibrahim Khan: (Notice received on 03-07-2004 at 9.00 a.m.)

Will the Minister for Finance and Revenue be pleased to state the details of public representation received by the Chairman CBR for the implementation of Secretariat Instructions in terms of providing necessary know how and training to the Regional Commissioner of Income Tax Southern Regional Karachi, since January, 2004 and the action taken thereon?

Mr. Shaukat Aziz: One representation was received from Mr. Mohammad Juned Talat in the office of Chairman, CBR on 17-04-2004 on the subject. Subsequently his two more representations repeating the earlier one, were received in June and July, 2004 which were acknowledged by the CBR vide letter No. 7(1)/C(Fate)/2004 dated 22-6-2004 (Annex-I). Mr. Juned Talat was also given personal hearing by the Chairman, CBR on 16th July, 2004. The training of Secretariat Instructions is imparted to all the officers by the Civil Services Academy at the time of their entry into civil service.

GOVERNMENT OF PAKISTAN

REVENUE DIVISION

(Central Board of Revenue)

C. No. 7(1)/C(FATE)/2004

Islamabad, the 22nd June, 2004.

To: Mr. Muhammad Juned Talat,
7-Ground Floor, Dadabhoy Centre,
Main Shahra-e-Faisal,
Karachi.

SUBJECT:—*Implementation on the Secretariat Instructions.*

Please refer to your letter dated 14th June, 2004 on the above subject. The undersigned is directed to inform that your letter dated 22nd April, 2004 on the subject "CIT Zone D Karachi makes a Mockery of Finance Minister and RCIT" has been duly received in Chairman CBR's Office on 26th April, 2004.

Sd/-
(KHAWAR SAEED AKHTAR)
Chief (FATE)
Tele: 9219544.

309. ***Dr. Muhammad Said:** (Notice received on 03-07-2004 at 9.00 a.m.)

Will the Minister for Finance and Revenue be pleased to state the details of public complaints received by the Chairman CBR against the Income Tax Commissioners since January, 2004 and the action taken thereon?

Mr. Shaukat Aziz: Most of the complaints received in CBR against its officers of different grades are anonymous and without particulars of the complainant. Only one complaint against the Income Tax Commissioner has been received since January, 2004 till today which is being processed in the Central Board of Revenue.

310. ***Dr. Muhammad Said:** (Notice received on 03-07-2004 at 9.00 a.m.)

Will the Minister for Finance and Revenue be pleased to state the details of public representation for granting of audience received by the office of Finance Minister since January, 2004 and the action taken thereon?

Mr. Shaukat Aziz: The Office of the Finance Minister is a public office and open to the Public Representatives. The public Representatives frequently visit the Finance Minister's Office and meet him. They also present their grievances to the Minister, which are sent to the relevant quarters for consideration. A proper follow-up is kept on these cases.

Public Representatives often meet the Finance Minister without prior appointment as such it is not possible to indicate the details of Public Representatives that have met the Finance Minister from January, 2004.

311. ***Professor Muhammad Ibrahim Khan:** (Notice received on 03-07-2004 at 9.00 a.m.)

Will the Minister for Finance and Revenue be pleased to state:

- (a) *the names of functionaries of Income Tax Department who received a cash reward for detection of evasion of tax since October, 1999 indicating also the amount of cash reward granted in each case;*
- (b) *the names of functionaries of that Department who received a cash reward for meritorious services during the said period indicating also the amount of cash reward granted in each case;*
- (c) *the amount of the evaded tax and the recovery made by the Department during the said period; and*

(d) *the amount of cash reward paid to the functionaries of the said Department during that period?*

Mr. Shaukat Aziz: The information is being collected from the field formation and will be submitted on the next *Rota Day*.

(وقفہ نماز مغرب کے بعد اجلاس کی کارروائی زیر صدارت جناب چیئرمین، جناب محمد میاں سومرو دوبارہ شروع ہوئی)

جناب چیئرمین، السلام علیکم۔

LEAVE OF ABSENCE

Mr. Chairman: We will now take up the leave applications.

ڈاکٹر نکست آغا سرکاری دورے پر ملک سے باہر جا رہی ہیں اس لئے انہوں نے مورخہ ۲۳ جولائی تا ۵ اگست کے لئے ایوان سے رخصت کی درخواست کی ہے۔ کیا رخصت کی درخواست منظور ہے؟
(رخصت منظور کی گئی)

جناب چیئرمین، پروفیسر ساجد میر ملک سے باہر ہیں اس لئے انہوں نے مورخہ ۱۹ اور ۲۰ جولائی کے لئے ایوان سے رخصت کی درخواست کی ہے۔ کیا رخصت کی درخواست منظور ہے؟
(رخصت منظور کی گئی)

جناب چیئرمین، مولوی آغا محمد نے ذاتی مصروفیات کی بناء پر مورخہ ۱۹ اور ۲۰ جولائی کے لئے ایوان سے رخصت کی درخواست کی ہے۔ کیا رخصت کی درخواست منظور ہے؟
(رخصت منظور کی گئی)

جناب چیئرمین، ڈاکٹر عبداللہ ریاض نے ذاتی مصروفیات کی بناء پر حالیہ مکمل اجلاس کے لئے ایوان سے رخصت کی درخواست کی ہے۔ کیا رخصت کی درخواست منظور ہے؟
(رخصت منظور کی گئی)

Mr. Chairman: We come to item No. 3, relating to the Bill, Mr. Muhammad Raza Hayat Hiraj, Minister of State for Law, Justice, Human Rights and Parliamentary Affairs, on his behalf Minister for Petroleum, Mr. Nouraz Shakoore will move. You would not take up a point of order because it has been decided among the Leaders.

کیا ہے؟

Senator Engr. Rukhsana Zuberi: Sir, a notice is to be given before this Bill is moved.

Mr. Chairman: You see, unless decided by the Chair.

آپ کے سامنے Rule 110 ہے، اس کو پڑھ لیں، اس میں clear ہے۔

Senator Engr. Rukhsana Zuberi: Have you allowed it?

Mr. Chairman: Yes, that is why, it is on the agenda.

LEGISLATION

BILL FURTHER TO, AMEND POLITICAL PARTIES ORDER,

2002.

Ch . Nouraiz Shakoor Khan (Federal Minister for Petroleum): Sir, I beg to move that Bill further to amend the Political Parties Order, 2002 [The Political Parties Order (Amendment) Bill, 2004], as passed by the National Assembly, be taken into consideration.

Mr. Chairman: It has been moved that the Bill further to amend the Political Parties Order, 2002 [The Political Parties Order (Amendment) Bill 2004], as passed by the National Assembly, be taken into consideration.

Senator Mian Raza Rabbani: Sir, my humble submission to you is that the Bill cannot be taken into consideration immediately today for the simple reason that a very important requirement under the Rules of Procedure has not been met. I would like to draw your attention sir to the fact that the Political Parties Order 2002 finds mention at serial No.33 of

the 6th Schedule of the Constitution. Serial 33 the Political Parties Order 2002, Chief Executive's Order No.18 of 2002. What does the 6th Schedule say "laws not to be altered, repealed or amended without the previous sanction of the President".

Now sir, I would take you to Rule 84 (2) of the Rules of Conduct of Business and Procedure in the Senate and Rule 84 (1) states " a Minister may introduce Bill after giving to the Secretary a written notice of his intention to do so".

Now, we come to Rule 84 (2) which is the relevant Rule. "The notice shall be accompanied by a copy of the Bill" which it is, "together with the statement of the objects and reasons signed by the Minister", which I am sure is there. Now, we come to the operative part, "if the Bill is a Bill which under the Constitution requires recommendation, previous sanction or consent of the President or the Government for its introduction, the notice shall, the word used is "shall", the notice shall be accompanied by such recommendation, previous sanction or as the case be, consent". So, the consent or the permission of the President has not been circulated with the notice that the honourable Minister gave to the Senate Secretariat.

And here sir, I would like to draw your attention to Kaul, I would first take you to page 572, it says " amendments requiring President's recommendation, in certain cases amendments to Bill cannot be moved in the House or in the committee without the recommendation of the President. If a Member desires to move such an amendment, he has to

annex to the notice given by him the recommendations conveyed through a Minister and the notice is not treated as valid until this requirement is complied with. The notice is not treated as valid until and unless this requirement is complied with. Members, generally, apply to the Secretariat for obtaining recommendation of the President on thier behalf. A copy of the member's letter alongwith the copy of the amendment requiring recommendation is forwarded to the Ministry concerned for obtaining the requisite recommendation. This is in terms of a Private Members Bill. The order of the President, granting/withholding, of recommendation is communicated to the Secretariat by the Minister concerned which then is published in the Bulletin.

Now, sir, I would take you again on this very point to page 912 of *Kaul* and 912 says; "Every recommendation of the President for introduction or consideration of a Bill is printed alongwith the Bill for the information of Members. The letter from the Minister concerned to the Secretary General conveying the recommendation is reproduced verbatim in the Bill after the statement of objects and reasons. In cases where the recommendation is not received in time for being printed alongwith the Bill, it is published in the Bulletin." Here also the letter of recommendation is reproduced in extenso. The recommendation of the President for consideration of a Bill which is introduced in the *Rajia Sabha* and it is transmitted to the *Lok Sabha* after having been passed by that House is published in the Bulletin for the information of the members. So, regardless of the fact, if the honourable Leader of the House or the

Minister Incharge takes the plea that this is a Bill which originates from the National Assembly and then comes to the Senate even in that case *Kaul* has very clearly stated that the permission or the sanction is to be published and circulated amongst the members.

Sir, I would also draw your attention to *May's* Parliamentary practice and this is the 12th edition and at pages 630 and 631, similar procedure where the consent of the Queen is required for legislation, particularly, in terms of the privileges and laws affecting the Crown itself, it is given that the permission in extenso has to be printed, the permission or the sanction has to be circulated amongst the members. Therefore, I would most humbly submit to you, sir, that according to our laws, according to our rules of procedure, 84(2) is clear that the sanction has to be circulated, the permission has to be circulated and I have sighted to you two examples from *Kaul* which also prove very clearly that regardless of the fact that whether the Bill originates in the National Assembly or the Bill has been transmitted to the Senate, the prior approval or sanction or permission of the President has to be circulated amongst the members till such time the Bill cannot be taken into consideration. I have also shown to you through Parliamentary Practice in the United Kingdom which we consider to be the Mother of Parliaments: the House of Commons and the House of Lords, that a similar practice is prevailing over there.

Therefore, I would most humbly request you to kindly direct the Secretariat. We do not want to place undue impediments. We can take the notice as of from tomorrow. Kindly direct the Secretariat today to circulate

the permission or the sanction of the President to amend the Political Parties Order 2002 because it is under the 6th Schedule. Therefore, once that is done, we can take the Bill into consideration tomorrow.

Mr. Chairman: Mr. Wasim Sajjad.

Senator Wasim Sajjad: Sir, it is a very good development that the learned Mr. Raza Rabbani has finally acknowledged the validity of the 17th Amendment to the Constitution and the President's Powers under the 17th Amendment. It is a very happy development and I am grateful to him for finally acknowledging that we have a Constitution which have been amended by the 17th Amendment and Schedule 6 does contain the Political Parties Order, 2002. I think, we are grateful to him that this matter has now settled. He is also right in saying that when a Bill is introduced under the 6th Schedule, it is contained in the list of those bills when the previous sanction of the President is required. And I must inform the House that in terms of the 6th Schedule and the powers of the President, the previous sanction of the President was obtained and the Bill was introduced in the National Assembly after obtaining the previous sanction of the President. I think, you are aware of that. My learned friend has referred to Rule 84 and if your honour will see sir, Rule 84 is contained under the head "Legislation" and it relates to bills originating in the Senate....

(At this time the House was benighted due to the breakdown of electricity for about three minutes.)

{Proceeding after electric failure }

Senator Wasim Sajjad: Sir, this complete break down, in my memory, has never happened in the last so many years. I think something needs to be done about it and I think the Chairman should take notice of it.

Mr. Chairman: I think the administration may check it out and ensure that it will not happen again.

Senator Wasim Sajjad: Sir, I was referring to the rule which was referred to by Mr. Raza Rabbani. This rule appears under the head "Bills originating in the Senate" and it is Rule 84 under that head. So, if a Bill is originated in the Senate, if the previous sanction of the President is required then Rule 84 says that that should be appended with the Bill together with the statement by the Minister. This Bill which is now coming up before this honourable House is a Bill which is being moved under Rule 108, under the heading "Bills originating in the Assembly and transmitted to the Senate" and all these rules are self-contained. We cannot read the one here and one there. If you will notice sir, it says, "when a Bill originating in the Assembly has been passed by it and it is transmitted to the Senate, the Secretary shall as soon as may be cause it to be circulated amongst the members and then at any time after the Bill has been so circulated any Minister in the case of a Government Bill and in any other case, any member may give notice of its intention to move the Bill that the Bill be taken into consideration". Now if we compare 109 to 284(2), Mr. Chairman! you will notice a difference that there, when the

notice is given, the Minister has to make some statement and the previous sanction of the President has to be appended. When the Bill is moved under 109 it is omitted and when between two rules there is a difference, it means that the difference of intention. Otherwise there will be no difference in language. So, the entire procedure for bills originating in the Senate and the procedure for bills originating in the Assembly and transmitted to the Senate is a different. There are other differences also for example if a Bill originates in the Senate and it is introduced automatically it goes to the Standing Committee. Here one has to move an amendment to send it to the Standing Committee. So there are vital differences between the two and once again I would like to remind your honour sir, that this Bill when it was moved in the National Assembly, previous sanction of the President was obtained. It was circulated and the House was informed and as a matter of fact it is also correct that the previous sanction of the President has been obtained for this Bill and all requirements of the Constitution have been made in moving this Bill. So, this point of order has no relevance.

Senator Mian Raza Rabbani: Mr. Chairman sir, I most humbly submit that I don't doubt for a moment the contention of the honourable Leader of the House that the previous sanction of the President has been taken but what I am pointing out to is from the rules and from the precedents in India and in the UK, where a Bill originating in the other House and being transmitted to the other House or in our case originating

in the National Assembly and even in the National Assembly the permission was not circulated but any way that is a question that should have been addressed by the National Assembly but even there the prior sanction was not circulated. Here I would disagree with the honourable Leader of the House when he says that 109 and 84(2) do not have a nexus. Sir, the nexus between 109 and 84(2) is there and it is a requirement as has been shown through Parliamentary Procedure and Practice that when once a Bill is transmitted to the other House, it is for the members' information. The Senate cannot take it for granted that the National Assembly must have seen this matter because if the Senate were to take it for granted that the National Assembly must have looked into this matter and there has been a lapse in the National Assembly also because there neither this point was taken nor was the sanction circulated. So, how can the Senate be expected to take it for granted that the prior sanction is there. Heavens are not going to fall if we follow what is there in the rules and what is there in precedents of India and the UK and we have been following Kaul for the last so many years in this House and it has been extensively quoted in the rulings of the Chairmen of the Senate and the Speakers of the National Assembly. Therefore, I would most humbly request you to direct the Secretariat to circulate amongst the members the prior sanction and the matter can be taken up tomorrow.

Mr. Chairman: Rabbani Sahib, the other practices are fine but if our own rules are clear when it says: Bill originating in the Senate that

Rule 84 refers to and the other is, it has already transmitted if the House now look at it, it should have been raised there. I think the point that the Leader of the House has raised is valid. Any other comment on it. I think we have settled this issue.

Senator Farhat Ullah Babar: Point of Order.

Mr. Chairman: Procedural therwise let's go on with the thing

سینیٹر فرحت اللہ بابر: میرا علیحدہ point of order ہے Bill move کرنے کے

متعلق ہے۔ جناب والا یہ Bill چوہدری نوریز شکور صاحب نے move کیا ہے اور Order of the Day میں move کرنے والے وزیر برائے Law and Parliamentary Affairs محمد رضا حیات ہراج صاحب ہیں۔

and he is also moving the Bill further to amend the Political Parties Order be passed. So, there is a conflict between the two and I would like to draw your attention to Rule 2 which says that " Member Incharge" means, in the case of a Government Bill a Minister and in any other case a Member who has introduced the bill or the Member authorised by him in writing to assume charge of the Bill.

لیکن یہ جو documents یہاں پر آئے ہیں اس میں move کرنے والے چوہدری نوریز شکور صاحب ہیں اور legislative business میں محمد رضا حیات صاحب ہیں۔ کوئی تحریری intimation نہیں ہے کہ نوریز شکور صاحب کو یہ کہا گیا ہو کہ وہ move کریں۔ میرا خیال یہ ہے کہ جب تک تحریری intimation نہیں آتی آپ اس کو take up نہ کریں اور تحریری intimation آنے کا انتظار کریں۔

سینیٹر وسیم سجاد: رضا ربانی صاحب لاہ منسٹر رہے ہیں He can guide us very

well on this.

Senator Mian Raza Rabbani : A minister who has given notice. It means a minister.....

Senator Wasim Sajjad : A minister is a minister.

Senator Mian Raza Rabbani : Sir, can you ask the honourable minister not to fire from the hip, the floor is with me. Sir, here the term "a minister" means minister who has given notice, because otherwise it would be an open handed thing. A minister means minister who has given notice, it can be Ch. Noraiz Shakoor, it could be Mr. X, Mr. Z but once notice has been given, he is the Minister then whose name should appear on the Order of the Day. Why is the name of Mr. Raza Hayat Hirraj who has already informed the Senate, that he is not going to be available for the entire session, why is his name appearing on the Order of the Day? Why is not the name of Mr. Noraiz Shakoor appearing who has already given a notice of his intention to move for the introduction and consideration of the Bill and for the passage.

Senator Wasim Sajjad: Sir, this is a parliamentary system of government in which all ministers function under the doctrine of ministerial responsibility and each minister is responsible for all the functions of the government. It is for this reason sir, the Minister has been defined in the Rules. It says "Minister" means the Prime Minister or a Federal Minister, or a Minister of State and Member incharge also means in the case of a Government Bill, a minister, it does not say "the Minister", it says "a minister"

کوئی

minister and if it's a Member who has introduced the Bill, then it is the Member, or member of either side. So, in the case of minister in Parliamentary system, any minister is responsible and we have been following this practice for years. That is why because even when Mr. Raza Rabbani was the Law Minister, there were numerous occasions when Bill moved by Mr. Raza Rabbani was taken up by some other minister and no objection was ever taken on that. That is why I thought we will get his advice but some how it means Mr. Raza Rabbani is not willing to give correct advice.

Senator Ch. Muhammad Anwar Bhinder : I may remind my learned brother that there were so many occasions when we were sitting on that side, that instead of the other Members, honourable Minister Mr. Raza Rabbani use to file all the Bills as a Minister of the Federal Government.

Mr. Chairman : I think it is a Government Bill and they have a collective responsibility, any minister can move it, so, for that matter, if it was non minister then we will probably require it in writing, when it is a Member, not a minister. So, it is clear on that account.

Senator Muhammad Ishaq Dar: Sir, it is procedural Point of Order.

Mr. Chairman: Yes.

Senator Muhammad Ishaq Dar: Thank you Mr. Chairman. Sir

, under Rule 111 of the Rules of Procedure and Conduct of Business in the Senate, I beg to move an amendment that the Bill be referred to Standing Committee.

Mr. Chairman: It needs a written notice. Does it not need a notice?

Senator Muhammad Ishaq Dar: No, it does not sir, it has been moved. That's the only time we have come to know that.

Mr. Chairman: So, we put it to the House.

Senator Wasim Sajjad: It needs notice but we are not objecting. Let him move it.

یہیٰ notice ہونا چاہیے، باقاعدہ motion ہونا چاہیے، In writing ہونا چاہیے لیکن ہم move کرنے پر اعتراض نہیں کرتے، چلیں کر دیں۔

Senator Muhammad Ishaq Dar: Sir, I beg to move that under Rule 111 that the Bill be transferred to the Standing Committee. I have already moved and it is allowed under the rules and Leader of the House has no objection. So, it may be referred to the Committee.

Mr. Chairman: Now, do you want to put it to the House or...

Senator Muhammad Ishaq Dar: Obviously, it will be but Sir, I will have a couple of minutes. There should not be any urgency. One of the biggest blame on various governments of past is that the legislative business has been bulldozed in this country. Sir, what is the hurry. It can be referred to the Committee. The committees has given very good inputs, in Finance Committee, in Commerce Committee. Sir, what is the rush.

جناب ایک دن اور لگ جائے گا۔

Mr. Chairman: I think we should put it to the House. Let us take sense of the House.

Senator Muhammad Ishaq Dar: Obviously, it is your prerogative.

Seantor Wasim Sajjad: Although it is not under the Rules but.

Mr. Chairman: The amendment moved by Mr. Muhammad Ishaq Dar for referring this Bill to the standing committee. It is put to the floor.

(The amendment was rejected).

Mr. Chairman: I think let us get on with, we have agreed.

سینیٹر محمد اسحاق ڈار: نمبر count کرا لیں جناب۔

Mr. Chairman: I think it is obvious.

کافی ہے، ہو گیا ہے

I think let us move on with the speeches now and as agreed with the Parliamentary leaders

منہ صاحب آپ وہاں موجود تھے جب یہ سارا decide ہوا ہے۔

Senator Sanaullah Baloch: Mr. Chairman, under Rule 88(2)A read with 112I move an amendment to the motion that this Bill be referred to elicit public opinion. Sir,

اس میں ہمارے ہاں جو Rules of Procedure ہیں اس کے تحت 88-A میں یہ واضح طور پر درج ہے کہ کوئی بھی بل جو عوامی مسائل سے متعلق ہو یا overall ملک کے سیاسی امور کو تبدیل

کرنے سے متعلق ہو اس کو مشترک کیا جانے کا اس کو عوامی اور public opinion لینے کے لیے مشترک کیا جانے کا اخبارات کے ذریعے سے اداروں کے ذریعے سے کیونکہ اس سارے سراج کو ہم سیاسی عناصر جو چلا رہے ہیں وہ اس ملک کی بہتری کے لیے عوام کی فلاح و بہبود کے لیے ہے اور اگر عوام کی رائے شامل نہیں ہوگی، کیونکہ جناب والا اس بل سے ہم یہ سمجھتے ہیں کہ overall اس ملک کی Federation اس سے متاثر ہو رہی ہے کیونکہ اس میں جو Political Parties Order 2002 ہے اس کے Article-9 کو جب آپ حذف کریں گے، ختم کر دیں گے تو اس کے تحت اس ملک کا صدر جو کبھی بھی پاکستان کی تاریخ میں نہیں ہوا، پاکستان کی اس 55 اور 56 سالہ تاریخ میں کبھی بھی یہ نہیں ہوا کہ پاکستان کا کوئی بھی President کسی political party کا Head بھی رہا ہو۔ اس کے تحت کل پاکستان کی اس federation کے president کو بھی یہ حق حاصل ہو جانے کا کہ وہ کسی political party کا head ہو اور جب پاکستان کا president کسی political party کا head ہو گا تو اس federation میں یہاں پر مساوات یہاں پر یکسانیت یہاں پر غیر جانبداری کہاں رہے گی۔

میرے خیال میں جناب والا! آپ overall اس federation کی روح کو مخ کرنے جا رہے ہیں۔ آپ نے 1973ء کے Constitution میں 85 میں 74، 73 کے بعد اور اس کے بعد ابھی 17th Amendment کے تحت ایل ایف او کے تحت آپ دن بدن ترمیم کر رہے ہیں اور وہ بھی صرف ایک دو افراد کی سولت کے لیے اور ایک دو افراد کی سولت پورے پاکستان کی federation کی spirit کو متاثر کر رہی ہے۔ لہذا جناب میری رائے ہے کہ Rule-88(2)A کے تحت اس کو عوامی رائے کے لیے مشترک کیا جانے اور دیکھا جانے کہ پاکستان کے عوام یہ accept کرنے کے لیے، یہ قبول کرنے کے لیے تیار ہیں کہ پاکستان کا President بھی کسی پارٹی کا head ہو۔ اس کو عوامی رائے کے لئے مشترک کیا جانے اور دیکھا جانے کہ پاکستان کے عوام یہ قبول کرنے کے لئے تیار ہیں کہ پاکستان کا صدر بھی کسی سیاسی پارٹی کا Head ہو۔ یہاں کے لوگ یہ برداشت کرنے کے لئے تیار ہیں کہ پاکستان کا وزیراعظم بھی بیک وقت وہ اپنی پارٹی کا مرکزی عہدہ رکھتا ہو اور اپنی پارٹی کے مرکزی عہدے کو اور Prime Minister کے عہدے کو ملا کر حکومتی اخراجات، جہاز کی سولت، سرکاری سہولیات protocol اور ساری

facilities لے۔ یہ تو جناب والا مذاق ہے۔ اس مذاق کو کم از کم اس طریقہ سے متعارف نہ کرائیں۔ ہماری رائے ہے کہ اس Rules and Procedures میں شامل ہے کہ اس کو عوامی رائے کے لئے مشتمل کیا جائے اور عوام کی رائے معلوم ہونے کے بعد اس bill کو اس ایوان میں پیش کر دیا جائے۔ جس کی اکثریت ہو اس کو قبول کر لیا جائے۔

Mr. Chairman: I think, public opinion comes through the public representatives.

I think that it put into۔ آپ جو فائدے ہیں عوامی رائے آپ ہی کے ذریعے ہی آنے گی۔
the House.

Senator Sanaullah Baloch: It is clearly sir.

Mr. Chairman: Lets put it into the House.

(مداخلت)

جناب چیئرمین، وہ سب بھی آجائیں گے۔ سب کو باری باری لے کر آئیں گے۔

I think Mr. Sanaullah Baloch's point you have all heard it is put to the House.

(Motion was not carried)

جناب چیئرمین، یہ تو ہو گیا۔ دوسرا ہے۔ We may refer to the Council of Islamic Ideology.

سینیٹر پروفیسر محمد ابراہیم خان، جناب! اس پر ہمیں بات کرنے کا موقع ملنا

چاہیے تھا۔

جناب چیئرمین، آپ جب تقریر کریں گے تو اس میں یہ آجائے گا جو آپ کہنا

چاہتے ہیں۔ آپ کا نام as speaker ہے۔ جو آپ کہنا چاہتے ہیں وہ اس میں کہہ دیجیئے گا۔

سینیٹر پروفیسر محمد ابراہیم خان، وہ تو بعد کی بات ہے۔ فی الحال اس مسئلے پر

بات کرنے دیں۔

جناب چیئرمین، اس پر بات کرنا چاہ رہے ہیں آپ۔

سینیٹر پروفیسر محمد ابراہیم خان، جناب! ہم نے notice دیا ہے۔

Mr. Chairman: They should be referred to Islamic Ideology.

for the purpose of یہ پہلے سے اس سے پہلے یہ
ascertaining of public opinion.

جناب چیئرمین، وہ تو ختم ہو گیا ہے۔ وہ تو ایوان نے کر دیا ہے۔ وہ تو جو مناء اللہ

بلوچ صاحب نے کہا تھا اس میں cover ہو گیا۔

سینیٹر پروفیسر محمد ابراہیم خان، جناب! ہم نے written notice دیا تھا ہمیں

موقع ملنا چاہیے۔

Mr. Chairman: Islamic Ideology. I put that to the House also

you want it.

سینیٹر پروفیسر محمد ابراہیم خان، جناب! پہلے ہم بات کرنا چاہتے ہیں۔ ہمیں

پیش کرنے دیں۔

جناب چیئرمین، پھر بولیں جی۔ ایک بولے۔ جی ابراہیم صاحب آپ بات کریں۔

سینیٹر پروفیسر محمد ابراہیم خان، اس میں دوسرے دوستوں کے بھی نام ہیں

ان کے

behalf...

جناب چیئرمین، لیکن issue تو وہی ہے ناں۔ آپ بات کر لیں۔ پھر کوئی اور آتا

ہے تو دیکھ لیں گے۔ آپ بولیں۔

Senator Prof. Muhammad Ibrahim Khan : I on my behalf

and on behalf of my friends Maulana Gul Naseeb Khan and other friends

from MMA we move that the Political Parties Amendment Bill 2004 be

referred to the Council of Islamic Ideology for advice as to either bill is or

is not repugnant to the injunctions of Islam.

Mr. Chairman: That its already part of the Constitution, so how can it be repugnant.

(مداخلت)

جناب چیئرمین، آپ brief statement کر لیں۔

سینیٹر پروفیسر محمد ابراہیم خان، جی۔ جناب چیئرمین! آئین کی رو سے پاکستان اسلامی جمہوریہ ہے اور practically بھی اور Islamic Ideology Council آئین پاکستان کے تحت قائم ایک ادارہ ہے اور یہ تقریباً تمام قوانین کا جائزہ لیتی رہی ہے اور یہ bill جو اس وقت ہمارے سامنے پیش ہوا ہے میری درخواست ہو گی کہ اس کو بھی Islamic Ideology Council کے پاس بھیجا جائے تاکہ اس کی رائے معلوم ہو اور یہ معلوم ہو جائے کہ اس وقت ہم جو کچھ کر رہے ہیں اس پر اسلام کے احکامات کیا ہیں؟ Political Parties کے بارے میں اور ملک کا انتظام چلانے کے بارے میں اور یہ کہ پارٹی کا سربراہ ملک کا سربراہ ہو سکتا ہے؟ نہیں ہو سکتا۔ اسلام کے احکامات اس بارے میں موجود ہیں قرآن و حدیث میں اس پر بحث ہے اور فقہاء اسلام نے بھی اس پر بہت کچھ لکھا ہے اس لئے یہ بات بہت ضروری ہے کہ معلوم کیا جائے اور اسلامی نظریاتی کونسل اس ایوان کو guide کرے کہ اس بارے میں اسلام کے احکامات کیا ہیں اور ان احکامات کی روشنی ہی میں ہم کسی فیصلے پر پہنچیں اور کسی نتیجے تک پہنچیں اور یہ بہتر صورت حال ہوگی۔ اس لئے میری درخواست ہو گی میرے دوسرے دوست بھی اس بات پر بولنا چاہتے ہیں ان کو بھی اجازت ملے اور اس کو اسلامی نظریاتی کونسل کے پاس بھیج دیا جائے۔

جناب چیئرمین، یہ تو پہلے بھی Constitution کا حصہ تھا۔

سینیٹر وسیم سجاد، جناب! اس کو put کریں گے، how many are

Rule-90 supporting this Motion and if they are less than two fifths

جی if they are less than two fifth rise then it cannot be taken up تو ان سے

پوچھیں کتنے support کر رہے ہیں، Rule-90 کے تحت۔

Mr. Chairman: I think, let us put it to the House.

بلیدی صاحب! باقی چیزیں اپنی تقریر میں کر لیجئے گا۔

سینیٹر ڈاکٹر محمد اسماعیل بلیدی، یہ واقعی اہم مسئلہ ہے اور ہم حیران ہیں کہ پاکستان میں اس کی اس وقت کیا ضرورت پڑی اور چند لوگوں کے لئے ایک آئین کو، ایک اصول کو پامال کرنے کے لئے اور مستقبل میں سب کے لئے ایک راستہ کھولنے کے لئے، کیونکہ اگر ایک وزیر اعظم یا صدر بیک وقت وہ President of political parties بھی ہو اور وہ وزیر اعظم کے عہدہ پر ہو تو یہ اس عہدے کو misuse کرنے کے لئے وہ اپنی party کی مجبوریاں ہیں، ممبروں کو خوش کرنے کے لئے، وزیر اعظم یقیناً جو حلف اٹھاتے ہیں کہ آئین کے مطابق میں انصاف کروں گا، اس سے کوئی انصاف کی توقع نہیں رکھی جاسکے گی۔ اس لئے میں سمجھتا ہوں کہ میں حیران ہوں کہ پہلے بھی ان کو کیا ضرورت ہوئی کہ بمسلم لیگ کا President تھا، اس کے علاوہ یہاں پر ان کو کوئی اور بندہ نہیں ملا کہ وہ اس کو وزیر اعظم بنائیں تو ایک دو بندوں کے لئے وہ اس آئین کو تبدیل کرنے اور اس کو bulldoze کرنے کے لئے emergency کے طور پر سینیٹ میں بھی پیش کیا گیا اور قومی اسمبلی کو بھی بلایا گیا۔ میں اس لئے کہتا ہوں کہ جیسا کہ ہمارے دوستوں نے کہا اس کو public opinion کے لئے بھی رکھا جانا چاہیے تھا کہ public کی کیا رائے ہے۔ چودہ کروڑ عوام کیا چاہتے ہیں، یہاں پر تو dictatorship کے طور پر ہر چیز کو bulldoze کیا جاتا ہے لیکن عام public سے رائے نہیں لی جاتی۔ جناب! اس لئے میں کہتا ہوں کہ ہمارا ایک forum اسلامی نظریاتی کونسل موجود ہے کیونکہ یہ ہمارا ملک چودہ کروڑ عوام پر مشتمل ہے اور پاکستان اسلام کے نام پر بنا ہے تو اس لئے اس بل کو وہاں بھیج دیا جائے تاکہ وہ اسلامی نکتہ نظر سے معلوم کریں کہ اس کی شرعی طور پر اجازت ہے یا نہیں ہے۔ میں سمجھتا ہوں کہ یہ ہونا چاہیے تھا کہ جو party کا صدر ہو گا، اس کو وزیر اعظم یا صدر یا minister نہیں ہونا چاہیے تھا تاکہ لوگ اس کو شک شبہ کی نگاہ سے نہ دیکھتے۔ لہذا، میری اپیل یہ ہے کہ MMA کی طرف سے ہم نے اس کو put کیا ہے کہ اس کو اسلامی نظریاتی کونسل کو بھیجا جائے۔

Mr. Chairman: I think, we will put it to the House. The amendment moved by Professor Muhammad Ibrahim and other senators with him that this Bill be referred to the Council of Islamic Ideology for advice as to whether the Bill is or is not repugnant to the injunction of Islam. Rise two fifths, oK if the members would rise please, those in favour may rise.

(اس موقع پر گنتی کی گئی)

Mr. Chairman: The numbers that rose in their seats are 23 as the required are just 40. So, it stands rejected.

(The amendment was rejected)

Mr. Chairman: Now, we shall move on with the speakers as agreed and I request the speakers to please adhere to the time frames and not be repetitive, we will strictly adhere to the time frames. The first speaker for today is Mian Raza Rabbani.

Senator Mian Raza Rabbani: Mr. Chairman! I am grateful to you for having given me the floor to initiate the debate on this Bill. Broadly speaking Mr. Chairman, there are basically two aspects to this Bill, one is the political aspect and the other is the legal aspect, I would very briefly try and cover both these aspects. But I would like to first begin with the legal aspect of the Bill.

Mr. Chairman! if you look at the history of this government, you will find that it has become a matter of every day practice that they fail to live within the limits that they prescribed for themselves. That is they fail

to remain within the parameters of the laws that they themselves draft, laws that they themselves promulgate and laws that they themselves amend they transgress. Sir, this is a very dangerous trend, where you have governments living purely on political expediency and wanting to amend the law as and when it suits their political convenience or as and when it suits them, they overwrite the law. I would like to draw your attention sir, to the fact that it appears that when such a situation is existing then there is essentially a law of the "*Jungle*" that is prevailing. And I would like to draw your attention to some of the major legislations that this government has done. Sir, could you kindly bring the House in order?

Mr. Chairman: Kindly hear the honourable Member, let's have order in the House. The Members are requested to please listen to the honourable Senator.

Senator Mian Raza Rabbani: Sir, I was talking about the major laws that this government has passed and then the subsequent amendments that this government has brought about in those laws. Sir, it would be recalled that the National Security Council Order 2001 was passed and then that law was amended because of political expediency. The Referendum Order, the infamous Referendum that took place, Order 2002 was promulgated and within one week of its promulgation, the Referendum Order 2002 was again amended. The Conduct of General Elections Order 2002 was promulgated and it was amended. The

Qualification to Hold Public Office Order 2002 was brought about with this specific purpose to bar Mohtarma Benazir Bhutto and Mian Nawaz Sharif from being elected Prime Minister for the 3rd time, but then when it suited the political expediency of this political party, when it became necessary for Mr. Jamali who had remained a Caretaker Chief Minister twice then one week before the ascertainment in the National Assembly, the Qualifications to Hold Public Office Order 2002 was amended to suit the political contingency that was occurring for this government.

Then sir, the LFO 2002 was promulgated it was a one man law and that was also subsequently amended. The NAB Ordinance which was promulgated and was political party specific it has been amended at least five times by this government to try and widen the net for its political opponents. So, that the process of political victimisation could continue. The Local Government Ordinances have been amended a number of times by this government. This shows the malafide intent. These number of amendments in these basic laws shows the malafide intent of the government in law making because it changes the laws and the rules of the game to suit its own political expediency. Sir, I would now move on the next point, and that is that if you look at the Law, the Law requires, "it shall come into force at once and shall be deemed to have taken effect on and from the 31st of December, 2003". Sir, what is being asked of the Senate today is that we should give retrospective effect. It is a bad law which seeks retrospective effect. The Superior Courts on a number of occasions have discouraged this practice. Parliaments throughout the

world have discouraged this practice, of passing retrospective legislation. And here sir, I would like to draw your attention to "Legislative Drafting" second edition by Mr. G. C. Thorton who says at page 110 on retrospective legislation, "Retrospective laws offend against the general principle that legislation intended to regulate human conduct or to deal with future acts and ought not to change the character of past transactions carried on upon the faith of the then existing law". He goes on to say, and it is a long thing but I am just reading out to you the pertinent portion from it, "Likewise it is manifestly unjust if a new enactment converts act wrongfully done"; and here an act had been wrongfully done, because members of the PML and members of the other political parties who are a combination of the ruling coalition, were holding the two offices and that is why you have the cut off date of the 31st of December 2003, they were holding the two offices, the office of a Minister or of a Chief Minister or that of the Prime Minister and a party office.

So, that is why retrospectivity is being given to condone a past act and to condone a past act of a limited coterie of people. If you go through this you would perhaps find that this law is specific to six people who in the past had violated the law, the law that had been given by them, the law that had been laid down by them, the law that had been passed by them, that law they violated. And he goes on to say sir, "Likewise it is manifestly unjust if a new enactment converts an act wrogfully then at the time, into a legal act, in such a way that a person injured by that act is deprived". Then he further goes on to say sir, that "Prof. Good Heart

suggests that retrospective civil legislation fails to be judged in relation to two principles: first the law should as far as is reasonably possible be certain and stable and secondly law ought to be general in character and not subject to alteration in regard to particular individuals, retrospectivity is being given for a particular individual".

A forward cover is being given, the removal of section 9 is to facilitate the rigging of the election of Mr. Shaukat Aziz so that the Prime Minister and the two Chief Ministers of Sindh and Punjab can take part in the election campaign. And it can be said that their taking part in the election campaign with all their perks and privileges of government office but it would be done under the cloak and cover of a party office. And here it says very clearly (a) that past acts should not be condoned of the individuals and (b) that the law should not be such as it should relate to particular individuals only and then it further goes on to say sir, and this is as far as we are concerned "For the Legislator it is a matter of judging what is reasonable in the circumstances both for the individual and the State, if the proposals are patently unreasonable or shock their sense of justice, the draftsman must advise the sponsors of the proposals of this opinion.

Sir, this as I said earlier, has been done and this Government is in the habit of bringing about retrospective legislation. I would, also at this stage, sir, bring to your kind notice and through you to the notice of the Members of this House that the Ministry of which the Prime Minister in waiting is the Minister that Ministry has scant respect for the superior

courts. That Ministry has scant respect for the Supreme Court of Pakistan because they have brought about an amendment in the Sales Tax Act and that amendment is to section 6 (1A) of the Sales Tax Act and that amendment has been brought about to over ride the judgement of the Supreme Court and that amendment says that it would have been deemed as if this amendment had come about in 1969. Can you imagine the vast expanse of retrospectivity that is being given! Is this called good legislation sir? Sir, this clearly shows the mala fide intention, this is a six persons specific Bill. It is to cover their illegal acts and omissions in the past and to give them political cover for the future.

Sir, I would also now draw your attention to another aspect of this Bill and that is that this tends to happen when you do legislation in haste and I am absolutely astonished and surprised as to how the Law Ministry drafted this law and how the Minister for Law, I would not put it on the Minister incharge because he is merely carrying somebody else's baby, but how the Minister for Law allows this omission to go by.

Mr. Chairman: Please keep in mind the time frame.

Senator Mian Raza Rabbani: Yes sir. I am totally relevant. I will not transgress from that. I would bring your attention sir to section 2 of the Law and in section 2 in the title, the word used is "omission", omission of Article 9 and then subsequently in this section the word used is "omitted". I would most humbly like to place before you that here the word "omission" and "omitted" is not equivalent to the word "deletion" or

"deleted". In all such legislation, it reads "deletion of Article 9 and it should have read at the end that Article 9 shall be deleted. Why do I say sir? I would draw your attention to Black's Law Dictionary at page 979, it says, "omission" the neglect to perform what the law requires, the intentional or unintentional failure, to act which may or may not impose criminal liability depending upon the existence of a duty to act under the circumstances. This is how Black's Dictionary defines the word "omission" which they have used what sense the Draftsman is trying to make. I fail to understand. Yes, he may rely upon a single word in Oxford Dictionary which may come to his rescue to that extent but I am showing the good governance, I am showing what happens to legislation when it is done in haste. You are leaving such a big ambiguity that tomorrow if this matter is questioned or challenged, there could be an interpretation in the other respect.

I would now take you to May's Oxford Dictionary.....

Mr. Chairman: Please try to conclude.

Senator Mian Raza Rabbani: Sir, I am relevant on the matter.

Mr. Chairman: No, no. I don't disagree but you agreed to a time limit irrespective of the relevance.

Senator Mian Raza Rabbani: Sir, I am on the principles of the Bill. I have not given the political aspects.

Mr. Chairman: How much time do you want?

Senator Mian Raza Rabbani: I would take another five

minutes, sir.

Mr. Chairman: O.K. but then let us keep it to five minutes.

Senator Mian Raza Rabbani: I would then take you, sir, to Oxford Dictionary at Page 993 and here it says: "Omit" means fail to do, where he may. The main thing is fail to do or where he may take refuges, leave out. Leave out or fail to do. This is what Oxford says about the word "omission" or "omit". Then let me take you to Balentine Law Dictionary which defines again "omission": A leaving out, a failure to act, the failure to do something which ought to be done, not doing something required. This is Balentines Law Dictionary. Then I would take you to the Legal Thesaurus of William C. Brunt, who says: "omission" means breach, clearlessness, default, default in performance, delinquency, disregard, excluding failure. So, Sir, what is the actual essence in sense that we are trying to convey through this. I would most humbly request the honourable Leader of the House to reconsider and move an amendment. They themselves can move an amendment for improving the language of this Bill because here the terms omission, omitted are not equivalent to deletion or deleted. In conclusion, sir, I would just humbly like to state that what was the specific purpose of promulgating the PPO 2002. The sole purpose of promulgating PPO 2002 by General Musharraf was to keep Mohtarma Benazir Bhutto and Mian Nawaz Sharif out of the political arena, number one. Number two, to regiment the functioning of the political parties because prior to this the Political Parties Act 1962 was

present and the Political Parties Act 1962 was good law. If you go through the provision of the Political Parties Order 2002, this is a bad law. It puts political parties into shackles, it is a law which was promulgated with mala fide intent and now in conclusion to what is the purpose of deleting or omitting Article 9 of the PPO.

Sir, the intention and purpose is clear. The intention and purpose is to legalise the use of Government funds and influence and patronage for the election of Mr. Shaukat Aziz in the two constituencies at Thar and at Attock and sir, let me say in final conclusion that this is the third step in the massive rigging of the election of Mr. Shaukat Aziz. The first step that was taken by this Government in the rigging process was when on the floor of this House on the 7th of July, I pointed out that there is a notification dated the 13th of August, 2002 of the Election Commission of Pakistan which prohibits a Federal Minister, which prohibits a Chief Minister, which prohibits the Prime Minister from contesting an election until and unless he resigns and as a consequence of that the honourable Minister for Education who is sitting here, when she contested the elections, she resigned as a Minister and then went to contest the elections and I said this on the 7th and I am on record to have said on the 7th that this will now be rescinded and it was rescinded on the 8th of July, 2002 when the Election Commission issued another notification saying that the notification of the 13th August, 2002, does not hold the field, that was with mala fide intent because 2 days after that the scrutiny of Mr. Shaukat Aziz's nomination papers was to be held and this was done so as

to remove the obstacles in way of his scrutiny. The second step that has been taken is the allotment of symbol to the Pakistan Muslim League when it has been admitted by them on record that elections have not been held, that they will be holding election's after the Amendment to the P.P.O. , has been passed, then in flagrant violation of Articles 11, 12 and 13th of the Political Parties Order 2002. Under Article 14, it is mandatory for the Election Commission to get a certificate that elections have been held and until and unless that certificate is not produced a political party is not entitled to an election symbol. So, therefore under law, what the Election Commission has done is another matter but under the law of the land which exists today, under the law of the land which they promulgated, under the law of the land which they passed under the Seventeenth Constitution Amendment Bill, Constitution Amendment Act, Mr. Shaukat Aziz is essentially an independent candidate and it is the unfortunate destiny of Pakistan that you would have a Prime Minister who in law is an independent, being supported by a majority party. That is what the law provides for but the law has been over ridden over there again and finally the icing comes in the form of P.P.O. 2002, be amended through this legislation over here. Sir, on this basis we, in the Opposition oppose this amendment to the Bill. Thank you sir.

جناب چیئرمین: مولانا گل نصیب خان۔

سینیئر مولانا گل نصیب خان، جناب چیئرمین! شکریہ۔ اس وقت ایوان میں جس بل کے بارے میں اظہار خیال ہو رہا ہے کہ اس کے ممکنہ نقصانات کیا ہیں اور اس کے فوائد کیا

ہیں اس کے متعلق میں بھی عرض کرتا ہوں لیکن میں اتنی تفصیل میں نہیں جاؤں گا۔ اس وقت جس culture اور طریقہ کار کو اس ملک میں ترویج دی جا رہی ہے، یہ انتہائی خطرناک ہے۔ ملک میں قانون تھا کہ کوئی بھی ممبر کسی جماعت کے انتخابی نشان پر الیکشن لڑتا ہے تو انتخاب میں کامیابی کے بعد وہ اپنے نشان کو تبدیل نہیں کر سکتا اور پارٹی تبدیل نہیں کر سکتا۔ یہ قانون تھا لیکن جب حکمران طبقہ کو ضرورت پڑی تو اسے تبدیل کر دیا گیا۔ دوسری جماعتوں میں توڑ پھوڑ کر کے اپنی حکومت بنانے کے لئے حکمرانوں کو ضرورت پڑی تو انہوں نے اس قانون کو تبدیل کر کے دوسری جماعتوں کے لوگوں کو اپنی جماعت میں شامل کر کے حکومت بنائی۔ دوسرا قانون ہے کہ اگر کوئی آدمی عام انتخابات میں حصہ لیتا ہے تو وہ سینیٹ کے الیکشن میں حصہ نہیں لے سکتا۔ آخر وقت تک یہی قانون رہا لیکن جب حکمران طبقہ کو ضرورت پڑی کہ ایسے لوگ جو سینیٹ اور قومی اسمبلی سے باہر رہ گئے، ان کو پارلیمنٹ میں لایا جائے تو ان کے لئے ترمیم کی گئی اور ان کو سینیٹ میں لانے کی اجازت دی گئی اور قانون کو تبدیل کیا گیا۔ اس وقت آرٹیکل نمبر 9 کے مطابق کوئی بھی شخص جو سرکاری عہدہ رکھتا ہو یا وہ پارٹی لیڈر ہو تو وہ member نہیں بن سکتا لیکن جب حکمرانوں کو ضرورت پڑی تو اب اس کے لئے بل لارہے ہیں۔ تو یہی تہذیب اور یہی طریقہ کار اگر جاری رہا تو حکمران اپنے من پسند قوانین لا کر قوم پر مسلط کریں گے اور قلم کی انتہا ہوگی۔ میری گزارش ہے کہ اس ترمیم کو یہ ایک خاص پارٹی اور ایک خاص شخصیت اور حکمران کی اپنی ضرورت کی خاطر یہ بل لایا جا رہا ہے۔ ہم اس کی مخالفت کرتے ہیں اور قوم اور ملک کے لیے اس کو نقصان دہ سمجھتے ہیں۔ شکریہ جناب!

جناب چیئرمین، مسر اسحاق ڈار صاحب

Mr. Muhammad Ishaq Dar: Thank you Mr. Chairman, my learned colleagues Mr. Chairman, have thrown light on various aspects and I would not repeat as agreed. I will briefly submit sir, it is absolutely clear that this Bill is specific and it is a malafide intent. Mr. Chairman, when Article 9 of the PPO 2002 was introduced, it was propagated and it

was told to the public that it was in the best national interest and the public interest that one person should not hold two offices. We saw a regimentation of the political parties - a major political party had to create a new faction instead of PP, they have to make a *double pee, double pee* and another mainstream party PML(N) had to appoint a new President in order to meet the requirements at that time. Sir, this is the sad history of our country, I would not count dozens of various laws which were promulgated by this government and were repealed or amended subsequently when their own desire and their own agenda was already achieved and the same thing was no longer required by them. Sir, the PPO 2002 barred a person, obviously, as is clear in the law to hold an elected public office as well as a political party's office. It is a very good amendment. Although the two mainstream parties suffered a lot. We complied with the requirement. One thing is absolutely clear today that either the government and the people at the helm of affairs in this country were wrong then or they are wrong today. I think, if this thing was good at that time that means they are doing a bad thing today and if it was bad thing at that time, I think then one can say it is a good thing at this time. But it is the specific agenda and this PPO 2002 was made part of 17th Amendment in the Constitution and sir, the most disturbing fact is that it has now been introduced to take effect or deem to have taken effect with retrospective date of 31st of December 2003. Sir, it is a general principle that laws must not be introduced with retrospective effect and we have seen that this is with a specific goal that the people who have been

violating the PPO 2002 and who should take the normal course of law for that violation, this amendment is being introduced to condone them legally and then we say sir, that the previous government had been introducing laws with specific agenda but what is this sir. This is absolutely, it is the blatant form of that allegation which has been levelled in the past, against various political parties. Mr. Chairman, I think, the most disturbing part is that in PPO- II, the explanation given, and I would like to draw your kind attention, the original PPO-II was that the holders of elected public offices shall not hold any political party's office or where a holder of an elected public office was already holding a party office at the time of his appointment to a public office, he shall relinquish the party office before joining such public office and the explanation included sir, various offices, I will not repeat, the President of Pakistan.

Sir, we are a federation, we have seen in the past, people affiliated with various political parties after being sworn in as a President of Pakistan have been resigning from the political party office. Sir, that is the need because we are a federation. We have provinces and the President of Pakistan who is symbol of federation, who is supposed to represent not a political party but across the board, the entire nation, he or she who is the President of Pakistan cannot be dragged into as a member of a political party. I personally sir, humbly request that as proposed by Mr. Raza Rabbani if the treasury benches are willing to make an amendment from omission to deletion, they should at least cover this aspect that the President of Pakistan office is excluded at least for holding two offices.

These are the reasons sir, that we opposed and I obviously join my earlier two Senators as agreed. I will not repeat various points they have raised in opposing this Bill. Thank you Mr. Chairman.

Mr. Chairman: Mr. Anwar Bhinder.

Senator Ch. Muhammad Anwar Bhinder: Thank you very much, Mr. Chairman for giving me the floor. Sir, at the very outset I would very humbly submit that it had been argued by my learned brother that there have been frequent amendments in the laws, they have promulgated or the present government has promulgated and the frequent amendments have been made. Sir, this is not a new thing and it is not only for the first time that it has happened, I may recall sir, that in the year 1973 our Constitution came into existence and till 1977 in four years, sir, there have been seven Constitutional amendments and those Constitutional amendments were not amendments of the Laws. They were Constitutional amendments and the amendments according to this government were brought before the National Assembly as and when required. So, sir whenever you need a legislation the government brings the legislation and the enactments was made and they are subject to the decision of the National Assembly. They are subject to the decision of this House and the frequency of the amendments means that there is application of mind and whatever it is needed for the good of the people that is brought in through the legislation.

So, for this Bill it can not be objected that there are frequent

4 amendments or there are frequent changes or there are frequent amendments in Laws. Sir, this Bill contains only one clause and it relates to the omission of Clause 9 from the Chief Executive Order No 18 of 2002 and sir, this amendment has been opposed on different grounds but sir, I would very humbly submit and bring to the notice of this House that if you read the order of 2002, itself, there are many inconsistencies and there were inconsistencies between the clauses and I would like to point out those inconsistencies. Sir, if you read clause 5 of the original order that says that the membership of the political parties, every citizen not being in service of Pakistan shall have the right to form, to be a member of the political party or to be otherwise associated with a political party or to take part in the political activities, or to be elected as an office bearer of a political party. That is contained in Clause 5 that he has the right to become an office bearer of the political party but sir, in clause 9 it has not been said that notwithstanding anything contained in Article 5 or clause 5. Neither it has been in clause 9 notwithstanding anything contained in 5. So, sir Clause-5 which empowered any person to become the office bearer, that was negated in clause-9. Clause -9 said that no you cannot be an office bearer. So, that was in conflict with the provisions of 5 and if that was in conflict with the provision of Clause-5 that has to be clarified. Either clause-5 should have been omitted or clause-9 should have been omitted and in this case Clause-9 has been omitted.

So, sir, in order to harmonise the Bill, this clause was omitted but it has been said that it was maliciously done or that it was done with a

purpose but that is not there sir. It was inconsistent with Clause 5, so there was a need for amendment in this order.

Then sir, after clause-5, I would refer to clause-8 sir. If you read clause-8, it also says that selection for an elective office, the political parties shall make the selection of the candidates for elective offices including the membership of the Majlas-e-Shura through a transparent and democratic procedure, selection of candidate for every elected office that was to be done by the political party but an embargo was placed by virtue of clause-9 of the Bill. Now, that you cannot be office bearer or you cannot hold an elective office. That was also in contradiction to this clause-8 of the Bill.

Therefore, there was necessity of deleting either clause-9 or clause-8 and it has been chosen to delete clause-9 in order to harmonize the Bill and to make the provisions of the Bill consistent and not inconsistent with each other. So, if in any statute, there are inconsistencies in the provisions of the Bill then there is a lot of difficulties for the interpretation of the laws for the courts and in order to remove those inconsistencies, this Bill has been brought about.

Then sir, I would refer to clause-11, in clause-11, if you read sub-clause-2 of clause-11 that says that every member of a political party shall subject to the provisions of the parties constitution be provided with an equal opportunity of contesting elections for any party office including that of the party leader. So sir, this provision again entitles every person to hold the political office as well as to hold elective office. So, sir if you

keep in view this provision, the provision of clause-9 was also inconsistent with the provisions of clause 11(2), therefore, there was a necessity to harmonize the Bill and delete that provision of clause 9 so that there should not be mis-interpretation, there should not be inconsistencies and there should not be any confusion in applying the provisions of this Bill.

Then, I would very humbly say that there are no words "subject to the provision of this Act" in any clause. It has not been said that subejet to the provisions of clause so and so. So, the existence of the clause-9 in the present situation was inconsistent with the other provisions of the Bill. Therefore, it was necessary to bring in this Bill otherwise, there was no necessity. Then this order, i. e. the political parties Act, is in existence right from 1962 and right from 1962 till 2002 so many governments came and none opted for the inclusion of this provision in the political parties act and it was only in the year 2002 that this provision of clause-9 was inserted and in view of the fact that no government felt the necessity of including this provision except in 2002 it was rightly deleted sir, that this was not the requirement of the people, if this was included then it was rightly deleted sir, that this was not the requirement of any time, of the people, or any government. Then sir, if you read the preamble of the bill, this clause is inconsistent with the preamble of the bill. The preamble of the bill says that whereas it is intended to create a political environment conducive to the promotion of the federal and democratic system as enshrined in the Constitution and whereas

political parties play a pivotal role by infusing in the Constitution the federal, democratic and political culture and whereas the practice of democracy within the political parties will promote democratic governance in the country but sustaining democracy and whereas it is expedient to provide for the formation and regulation of political parties and whereas it is essential to revise, consolidate and enact the laws relating to political parties the matter connected therewith it is hereby enacted.

So, sir what is the preamble of the bill it says to promote the democracy. Is it to promote democracy sir, that a person who has the mandate from the people and who is elected to elected office and the person who has the mandate of his political party he should be debarred from holding two offices. No sir, that is not the principle of democracy. The principle of the democracy is whatever the people want, whatever the political workers want, that should be implemented that is the spirit of our Constitution, that is the spirit of the Law and that is the spirit of the democracy.

So, sir keeping in view those principles this clause has been omitted. Moreover sir, I would very humbly submit that this clause regulates the Constitution of the Political Parties, and if, this clause remains, it is violative of Article 17 (2) of the Constitution which gives the full entitlement to every citizen to form an association, to form a political party and become a member of a political party according to his will and according to his wishes. Then sir, much has been said about the

retrospectivity. This bill has been enforced with a retrospective effect, I would very humbly submit that this is not a new thing. So far as the legislation activity is concerned it is an established principle of democracy and legislation sir and there are so many bills in which retrospective legislation has been made. And sir, this retrospective legislation has been made during the regime of the Peoples Party and sir, I will submit to this House certain statutes in which the amendments were made with retrospective effect. First sir, I would submit the Central Excise and Salt Amendment Ordinance 1993. It says sir, " It shall come into force at once and shall be deemed to have taken effect on the 1st day of July, 1992 with retrospective effect. Then sir, I would submit Judges Leave, Pension and Privileges 3rd Amendment Order, 1993. It says in clause 1 sub clause(2), it shall come into force at once and shall be deemed to have taken effect on the 1st of July, 1990 and enforced up to the 1st of June, 1991. Sir, that is the prerogative of the Parliament legislate retrospectively if its thinks that it is in the interest of the People of Pakistan. Then sir, I would bring to your notice the other enactment and that is sir, the Bank Nationalization Amendment Ordinance, 1988 and sir, this says that this section shall come into force at once and the remaining provisions of this Ordinance shall come into force on such dates as the federal government may provide that is the prerogative of the National Assembly. Then sir, President's Ordinance No. 12 of 1988 and it says sir, " it shall come into force at once and shall be deemed to have been taken effect on the 14th day of August, 1988. Then sir, the two more legislative pieces and these are

Representation of Peoples Amendment Ordinance, 1989, it says, it shall come into force at once and shall be deemed to have taken effect on the 4th day of February 1989. It is the same language which has been used in this enactment.

Then sir, is finally this Suppression of Terrorist Activities Special Courts Ordinance, it says, sir, it shall come into force at once and shall be deemed to have taken effect on the 15th of October 1988. So, by producing these enactments, my humble submission was that to say that the legislature is going to enact this law with retrospective effect is not valid. The legislatures have been doing that, legislation has been with retrospective effect as and when required for the betterment of the people and in the interest of good legislation. Sir it is not a new thing nor it has been done for the first time in this Bill. The Parliament is sovereign, Parliament has the authority to do so. About the judgement it is to point out that there are so many enactments in which it has been said notwithstanding anything contained in any judgement of the Supreme Court or High Court. Sir, that language has been used, the legislature is supreme. So far as legislation is concerned, it has complete powers, it can nullify the effect of a Supreme Court judgement, it can nullify the effect of a High Court judgement, it can nullify the effect of any other statute and pass any legislation whatever it likes with retrospective or whatever effect it wants to give to a particular legislation. So, this is not a new thing and sir, my humble submission would be that there is no compulsion in this, it is not said that if the holder of two offices wants to resign, he is at liberty to

resign, it is not incumbent that he should resign from one office. The Indian leader chose not to become the Prime Minister, she was at liberty, she had done so. Similarly here if the leader of a political party does not want to become Prime Minister, well and good, if he wants to become Prime Minister, well and good. There is no harm and sir, if he commands the confidence of a political party and if he commands the confidence of the people of Pakistan then sir, there is no harm that he should be debarred by legislation and by such a legislation which is against the Constitution and will of the people. So, sir I would humbly submit that there is no harm in adopting and passing this Bill, there are no mala fides, there are no ill wills and this is in the interest of the people of Pakistan and I think, it is in the interest of democracy and it has established the supremacy of the Parliament. Sir, with these words, I support the Bill and I appeal to the House that it should be passed.

جناب چیئرمین، پروفیسر غفور احمد۔

سینیئر پروفیسر غفور احمد: بسم اللہ الرحمن الرحیم۔ جناب چیئرمین! ہماری یہ بدقسمتی رہی ہے کہ ملک میں بہت مرتبہ ایسا ہوا ہے کہ قانون سازی جمہوری اصولوں اور اعلیٰ اقدار کے بجائے وقتی مصلحتوں اور ذاتی مفادات کو پیش نظر رکھ کر کی جاتی رہی ہے۔ زیر غور اس Bill کی ایک نمایاں مثال ہے۔ Chief Executive نے 2002 میں Political Parties Order جاری کیا اور اس وقت یہ کہا گیا کہ وفاقی نظام کے لئے، جمہوریت کے لئے اور اعلیٰ اقدار کے لئے یہ بات ضروری ہے کہ فوری طور پر یہ order نافذ کیا جائے تاکہ ملک میں جمہوریت پروان چڑھ سکے۔ اس وقت مجھے یاد ہے کہ ہمارے روایتی دانشور، مبصرین اور تجزیہ نگاروں نے ہمارے سرکاری media پر اور اخبار کے کالموں میں، اپنے مضامین میں اس کی تعریف اور توصیف میں انبا

لگا دیئے اور شکر یہ ادا کیا کہ چیف ایگزیکٹو نے ایک بہت بڑی ضرورت کو پورا کیا ہے، ایک بہت بڑی خرابی کو دور کر دیا گیا ہے اور وہ خرابی یہ تھی کہ حکومتی عہدہ اور پارٹی کا عہدہ ایک ہاتھ میں جمع تھے اور ایک ہاتھ میں ان کا جمع ہونا ملک میں جمہوریت کے، عام مفاد کے خلاف تھا اس لئے یہ اقدام کیا گیا۔

جناب چیئرمین! آپ جانتے ہیں کہ اس وقت کچھ افراد پیش نظر تھے اور یہ کرنا منظور تھا کہ جیسے 88ء سے 99ء تک حکومتی عہدہ اور پارٹی کا عہدہ ایک ہاتھ میں جمع تھے، اس وقت ان کو اس سے علیحدہ کرنا منظور تھا اور 2002ء کا یہ فرمان جاری کیا گیا لیکن 2002ء کے اس فرمان کے جاری کرنے کے بعد اب یہ ہمارے سامنے Political Parties Bill آیا ہے جس پر ہم غور کر رہے ہیں۔ پہلی بات تو میں عرض کرنا چاہتا ہوں کہ Chief Executive نے جاری کیا تھا وہ اس وقت بھی نافذ العمل ہے، اس لئے کہ ابھی یہ Bill سینٹ سے منظور نہیں ہوا ہے لیکن جناب چیئرمین! آپ جانتے ہیں کہ اس وقت بھی اس قانون کی خلاف ورزی کرتے ہوئے ایسے افراد موجود ہیں کہ جن کے ہاتھوں میں دونوں عہدے جمع ہیں۔ سرکاری عہدہ بھی ان کے پاس ہے اور جماعتی عہدہ بھی ان کے پاس ہے لیکن حکومت وقت ان کے خلاف کوئی action نہیں لیتی اس لئے کہ ان کا تعلق سرکاری جماعت سے ہے، مگر ان جماعت سے ہے۔ اب یہ Bill یہاں ہمارے سامنے پیش کیا گیا ہے۔ میں آپ سے عرض کرتا ہوں کہ بالکل اس کے برعکس اب یہ کہا جا رہا ہے کہ اگر دونوں عہدوں کو جمع کرنے کو ختم نہیں کیا جائے گا، اگر اس بات کی اجازت نہیں دی جائے گی کہ دونوں عہدے ایک ہاتھ میں ہوں تو ملک میں جمہوریت کو بہت بڑا نقصان پہنچے گا اور یہ بات قومی مفاد کے خلاف ہو گی۔

جناب چیئرمین! جیسا مجھ سے پہلے کہا گیا ہے کہ اس قانون کے منظور ہونے کے بعد مملکت کا سربراہ یعنی ملک کا سربراہ بھی کسی جماعت کا سربراہ بن سکتا ہے۔ اگر آپ خود غور فرمائیں کہ صدر پاکستان کا تعلق اگر کسی ایک جماعت سے ہو گا تو ظاہر بات ہے اس کی تمام تر کوشش یہ ہو گی کہ جس جماعت سے اس کا تعلق ہے وہ آگے بڑھے اور تمام دوسری جو اپوزیشن جماعتیں ہیں انہیں bulldoze کر دیا جائے، کیا اس ملک میں اس طرح جمہوریت نشوونما پا سکتی ہے؟ کیا ملک میں اپوزیشن جماعتوں کو کام کرنے کے مواقع مل سکتے ہیں اور ظاہر بات ہے کہ یہ

ایک البیہ ہو گا کہ اگر ملک کا صدر کسی پارٹی کا صدر ہو اور سربراہ بھی ہو۔ جناب چیئرمین! جو بات کل خراب تھی، دونوں عہدوں کا ایک ہاتھ میں جمع کرنا غلط تھا، جمہوریت سے متصادم تھا، ملکی مفاد کے خلاف تھا آج وہی چیز مستحسن بن گئی، وہی چیز خوشگوار بن گئی، وہی چیز ملک کے مفاد میں بن گئی اور مجھے یقین ہے کہ اس قانون کی منظوری کے بعد وہی روایتی دانشور، مبصرین اور تجزیہ نگار پھر تعریضوں کے انبار لگا دیں گے کہ پارلیمنٹ نے بہت اچھا قانون پاس کیا ہے۔

جناب چیئرمین! ہم اس پارلیمنٹ کے ممبر ہیں، ہمیں اس بات پر فخر ہے اور ہم یہ بات جانتے ہیں کہ قانون سازی اس کے ہاتھ میں ہے لیکن صورتحال کیا ہے، اس وقت صورتحال یہ ہے کہ اکثریتی جماعت جو قانون چاہتی ہے وہ پاس کر سکتی ہے، یہ ان کا حق ہے، میں ان کے حق کو challenge نہیں کرتا لیکن میں یہ بات ضرور کہتا ہوں کہ اپوزیشن کی جانب سے اگر کوئی بات دلائل کے ساتھ کہی جائے کہ کیا بات ملک کے حق میں ہے اور کیا بات ملک کے مفاد کے خلاف ہے تو کم از کم اکثریتی پارٹی کا یہ فرض بنتا ہے کہ وہ ہماری بات سنے۔ میں آپ کی خدمت میں کھڑا ہوں، میں اپنی بات کہہ رہا ہوں لیکن مجھے اس کا پورا احساس ہے کہ میں وقت کا ضیاع کر رہا ہوں، میری کسی بات کا کوئی اثر نہیں پڑ سکتا۔ ظاہر ہے ان کے پاس اکثریت ہے، یہ جو قانون چاہیں گے، پاس کر دیں گے۔ جناب چیئرمین! میں آپ کو مبارکباد دیتا ہوں کہ اس Bill کی منظوری کے بعد قومی اسمبلی کا سپیکر اور ڈپٹی سپیکر، سینیٹ کا چیئرمین اور ڈپٹی چیئرمین اور صوبوں کے گورنر بھی پارٹیوں کے عہدے دار ہو سکتے ہیں۔ آپ خود غور فرمائیے کہ اگر ان عہدے داروں کے پاس پارٹیوں کا عہدہ بھی ہو گا تو کیا فی الحقیقت ملک میں جمہوریت پروان چڑھ سکتی ہے؟ میں یہ کہوں گا کہ اگر یہ بات کل غلط تھی تو آج درست نہیں ہو سکتی ہے۔ کل غلط تھی یا آج غلط ہے۔ اس لئے اگر پہلے اس Bill کو منظور کیا گیا تھا تو ہمارے خیال سے یہ بات ٹھیک تھی، اس لئے کہ حکومتی عہدہ ہونے کے بعد اگر پارٹی کا عہدہ بھی ہو تو ظاہر بات ہے کہ حکومت کا حامد یا اپنی پارٹی کو آگے بڑھانے کا خاص طور پر صدر پاکستان، وزیر اعظم، وزرائے اعلیٰ اور گورنرز، لیکن اگر یہ دونوں عہدے ایک ہاتھ میں جمع کر دیئے جائیں تو جناب چیئرمین! میرا خیال ہے کہ ہمارے ملک میں جمہوریت نہیں آئی ہے آئندہ بھی شاید ایسا ہی ہوگا۔ ہم اپنی بات کہتے رہیں گے لیکن ظاہر ہے کہ جو حکمران پارٹی چاہے گی وہی ہو گا لیکن حالات ملک میں بگڑ رہے ہیں۔

میں آپ سے کہتا ہوں کہ آج ملک میں غریب آدمیوں کے اپنے مسائل ہیں۔ لیکن ان کے سامنے جو مسئلہ ہے وہ یہ ہے کہ جس طرح انہیں گل Political Parties فرمان جاری کرنے میں عجلت تھی، اسی عجلت سے آج کام لیا جا رہا ہے۔ اسی عجلت سے دو دن کے اندر قومی اسمبلی سے اس bill کو منظور کرایا گیا۔ اسی عجلت کے ساتھ اسے سینیٹ میں بھی منظور کرانے کی کوشش کی جا رہی ہے۔ اس میں public کا کوئی مفاد نہیں ہے۔ public کا مفاد غربت دور کرنے، بیماری، جراثیم، بے روزگاری، صحت اور تعلیم کے مسائل حل کرنے میں ہے۔ اس میں ہم کوئی قانون سازی نہیں کر رہے ہیں۔ قانون سازی ایسے مسائل میں کر رہے ہیں جہاں ان کے اپنے مفادات ہیں۔ آج ان کا اپنا مفاد یہ ہے، پارٹی کا مفاد یہ ہے، حکمرانوں کا مفاد یہ ہے کہ حکومت کا عہدہ اور پارٹی کا عہدہ ایک آدمی کے ہاتھوں میں ہو تاکہ صوبوں اور مرکز میں اپنی من مانی کر سکیں اور پھر یہ بات کہیں کہ ہم عوام کی ترجمانی کر رہے ہیں۔ اگر آپ عوام کی ترجمانی کر رہے ہوتے تو ہم نے کہا تھا کہ آپ اسے مشہر کیجیے، عوام سے رائے لیجیے۔ وہ بات تو یہاں مسترد کر دی گئی۔ میں آپ کو یقین دلاتا ہوں کہ یہ عوامی مسئلہ نہیں ہے۔ عوام کے مسائل دوسرے ہیں جن پر حکمران جماعت توجہ نہیں دے رہی ہے۔ اس قانون کی منظوری کے بعد مجھے ڈر ہے جناب چیئرمین! کہ ہمارے ملک میں جو بھی جمہوریت پھلی پھولی ہے اس جمہوریت کا بھی میرے خیال میں خاتمہ ہو جانے کا۔ بہت شکریہ۔

جناب چیئرمین، ڈاکٹر خالد رانجھا۔

سینیٹر ڈاکٹر خالد رانجھا، جناب صاحب صدر! آج جو موضوع زیر بحث ہے وہ یہ ہے کہ اس طرف سے دوست یہ کہہ رہے ہیں کہ یہ جو ترامیم ہو رہی ہیں یہ نہیں ہونی چاہئیں کیونکہ یہ بدینتی پر مبنی ہیں اور ایک خاص سیاسی پارٹی کو فائدہ پہنچانے کے لئے ہیں۔ میں بڑے ادب سے کہوں گا کہ یہ جو political Parties Act ہے 1962 میں بنا تھا اور 2002 تک اس میں کوئی ۶ یا ۸ ترامیم ہو چکی تھیں۔ اس کا حلیہ بگڑ چکا تھا۔ ہر دور میں اس میں ترامیم ہوتی آئیں اور 2002 میں یہ سوچا گیا کہ let's recast this Law. اب ایک بات کو ذہن میں رکھنا چاہیے کہ قانون static نہیں ہے۔ Law is organic. حالات کے مطابق یہ بدلتا رہتا ہے اور اس ادارے

کو اختیار ہے کہ حالات کے مطابق 'ground realities' کے مطابق قانون میں ترمیم اگر محسوس کرے تو کی جائیں۔ ہمارے پاس Political Parties Act 2002 ہے۔ لیکن یہ کہنا کہ یہ کوئی صحیفہ تھا اس میں ترمیم نہیں ہونی چاہئیں۔ ترمیم کریں گے تو یہ غلط ہوگا، ترمیم کریں گے تو بدینتی پر مبنی ہوگا۔ میں سمجھتا ہوں یہ الزام درست نہیں ہے۔ پر آئیے آئین ملاحظہ کرتے ہیں۔ یہ ہے

Article 17 (3) "Every political party shall account for the sources of its funds in accordance with law".

کیا اس پر عمل ہو رہا ہے؟ نہیں۔

Every political party shall subject to law hold intraparty elections to elect its office bearers and party leaders.

تمام دوست جو یہاں بیٹھے ہوئے ہیں وہ اپنے دل پر ہاتھ رکھ کر گواہی دیں کیا کسی سیاسی پارٹی میں کوئی الیکشن ہوا ہے؟ الیکشن ہوتا ہے یا الیکشن کے متعلق پارٹی کے منشور میں، قانون میں کوئی ضابطہ ہے؟ ہم کیا شور ڈال رہے ہیں کہ پارٹی آفس کو ہم کیا تقدس دے رہے ہیں؟ آئیے اس آئین کی پاسداری کیجیے۔ تمام سیاسی پارٹیاں اپنے الائنس میں democratically elections hold کریں اور پھر وہاں پر office bearers democratically چنیں، جب وہ چُن پائیں گے تو پھر ان کے منہ سے بات اچھی لگے گی کہ ہاں جی یہ اتنا شفاف الیکشن ہم نے پارٹی میں کروایا ہے۔ وہ لوگ اہل تھے وہی لوگ Party office bearers ہیں تو یقیناً آج ہم شور ڈالتے آپھے لگتے۔ میں سمجھتا ہوں کہ سب سے بہتر بات یہ ہے اُس طرف سے یا اس طرف سے، میں کسی سیاسی پارٹی کی بات نہیں کرتا۔ میں ایک وکیل ہوں اور میں سمجھتا ہوں کہ آئین کی پاسداری ہونی چاہیے۔ جتنے بھی ہم دوست یہاں بیٹھے ہوئے ہیں۔ اپنے اپنے آئین کو آپ ملاحظہ کریں۔ دیکھیں ہم نے اس میں کوئی حق ڈالی ہوئی ہے۔ اگر حق ڈالی ہوئی ہے تو کیا ہم اس کو religiously follow کرتے ہیں۔ Are we holding transparent elections - مجھے یاد پڑتا ہے جب ۲۰۰۲ کا الیکشن ہو رہا تھا تو راتوں رات تمام سیاسی پارٹیوں کے office bearers نے election commission کو فہرستیں بھیج دیں کہ جی ہم نے الیکشن کرا لیا ہے۔ ہم پر اعتراض نہ کریں اور

ہمیں الیکشن لڑنے کی اجازت دی جائے کیونکہ requirement یہ تھی کہ تمام سیاسی پارٹیاں اس ملک میں آئین کی پاسداری کریں گی۔ خواہ مسلم لیگ ہے یا کوئی اور جماعت ہو، پیپلز پارٹی ہو یا کوئی اور جماعت ہو۔ میں سمجھتا ہوں کہ اس پر اعتراض کرنے سے پہلے صدق دل سے یہ گواہی دیں کہ ہاں جی ہماری سیاسی پارٹی نے یا کسی سیاسی پارٹی میں الیکشن شفاف اور صحیح ہوا ہے۔ اگر الیکشن ہوا ہے تو پھر میں سمجھتا ہوں کہ ہم یہ کہتے اور بحث کرنے میں حق بجانب تھے۔

دوسری بات میں آئین کے حوالے سے ذکر کروں گا کہ اسی اہم مسودے میں یہ لکھا ہوا ہے کہ کوئی سرکاری ملازم سیاسی پارٹی کا عہدیدار نہیں ہو سکتا اور کسی سیاسی پارٹی کی رکنیت نہیں لے سکتا۔ یہ پہلے سے موجود ہے۔ اب آئیے دیکھیں کہ سیاسی ملازم کی definition کیا ہے۔ وہ بھی اسی آئین میں دی ہوئی ہے۔ دفعہ ۲۶۲ اس میں تفصیل دی ہوئی ہے کہ کون کون سے لوگ ہیں جو service of Pakistan میں ہیں اور جن لوگوں کو مستثنیٰ کیا ہے service of Pakistan سے ان میں ذکر آتا ہے،

Speaker, Deputy Speaker, Chairman, Deputy Chairman, Prime Minister, Federal Ministers, Minister of State, Chief Minister, Provincial Ministers, Attorney General, Auditor General, Parliamentary Secretary, Chairman and Member of the Law Commission, Chairman and Members of Islamic Ideology Council, Special Adviser to Prime Minister, all Members of the National Assembly

تو میں گزارش کرتا ہوں کہ وہ لوگ جن پر ہم الزام لگا رہے ہیں کہ ہاں جی ان کے پاس پارٹی عہدہ نہیں ہونا چاہیے۔ وہی آئین کہہ رہا ہے کہ وہ سرکاری ملازم نہیں ہیں۔ ایک Governor کی بات ہو رہی تھی۔ یہ عدالت نے مسئلہ حل کیا کہ کیا گورنر ہونے کے بعد Is the man disqualified to contest election جناب سے بڑا اس کا گواہ کون ہو سکتا ہے۔ ہماری عدلیہ نے یہ فیصلہ دیا ہے کہ holding of the office of Governor is not holding an

office of the Pakistan تو میں گزارش یہ کر رہا تھا کہ اس قانون میں تو کوئی ایسی بات نہیں ہے جسے ہم یہ کہیں کہ یہ آئین سے انحراف کر رہے ہیں یا کوئی ایسی بات کر رہے ہیں جو قانون

سے متضاد ہے۔ میں سمجھتا ہوں کہ اصل بات کیا ہے؟ کیوں ضرورت محسوس ہوئی؟ پولیٹیکل پارٹی ایکٹ ۱۹۶۲ء میں اس کی ضرورت محسوس ہوئی۔ آج سے تقریباً چالیس بیالیس سال پہلے اس لئے کہ سیاسی پارٹیاں جن کے ہم سب ممبر ہیں وہ کسی 'قانون' ضابطے کے مطابق نہیں چلتیں۔ جیسے جیسے کسی کو وارا کھاتا ہے وہ کر لیتا ہے 'دھڑے بن جاتے ہیں' گروہ بندی ہو جاتی ہے۔ اس ملک میں democratic process کو جزیں پکڑنے کے لیے یہ قانون بنایا گیا تھا اور اگر اس قانون میں کوئی غامی رہ جاتی ہے تو یہ کیا بات ہے کہ جی ہاں اس غامی کو دور نہیں کر سکتے۔ میں سمجھتا ہوں 'یہ آج کہنا کہ اس قانون میں ترمیم بددیانتی پر مبنی ہے تو میں بڑے ادب سے کہوں گا کہ جب ہم court میں جاتے ہیں تو مجھے یہ کہنے کا اختیار ہے کہ عدالت نے جو فیصلہ کیا ہے وہ بددیانتی پر ہے۔ یہ مجھے اختیار ہے کہ کسی پہنچایت نے فیصلہ کیا ہے وہ بددیانتی پر ہے لیکن ہم پارلیمنٹ کے خلاف یہ لفظ استعمال نہیں کر سکتے۔ میں نے جیسے پہلے بھی گزارش کی کہ جب ہم بحث کرتے ہیں تو کم از کم اس لفظ کو ہم استعمال نہ کریں چونکہ قانون وہ کتاب ہے جو ربانی صاحب کے سامنے پڑی ہوئی ہے 'وہ بھی یہ کہتے ہیں کہ پارلیمنٹ کو آپ یہ نہیں کہہ سکتے کہ it is acting out of mala fide. جہاں تک بات تھی کہ کیوں اس کو retrospective بنا رہے ہیں؟ یہ اس مقصد کا حق ہے۔ کوئی پارلیمنٹ آئندہ پارلیمنٹ کو oppose نہیں کر سکتی اور کوئی قانون ایسا نہیں ہے جو ماورائے پارلیمنٹ ہو۔ یہ بڑی اچھی بات ہے۔ پہلے ہم شور کرتے تھے کہ یہ جو 6th schedule ہے اس کو ماورائے پارلیمنٹ کر دیا ہے۔ اگر آج اس کو پارلیمنٹ کے تابع لایا جا رہا ہے تو ہمیں خوش ہونا چاہیے کہ ایک راستہ کھلا ہے جس میں پارلیمنٹ کہہ سکتی ہے کہ 6th schedule کے جو بھی قوانین ہیں 'چند ایسے قوانین جن کی life 6 years ہے۔ دوسرے قوانین ہیں جن کے متعلق ہمیں پوچھنا پڑا ہے اور یہ آج سے نہیں' یہ 6th schedule بہت پرانا چلا آ رہا ہے۔ اس میں صدر صاحب سے ہمیں رعایت لینا پڑتی ہے۔ آج اگر اس قانون کو 'اس democratic process کو' اگر ہم محسوس کرتے ہیں کہ سیاسی پارٹیاں کس طریقے سے مضبوط ہوں گی 'سیاسی culture مضبوط ہوگا تو میں سمجھتا ہوں وہ عمل درست ہے۔ آج کے معروضی حالات کو مد نظر رکھتے ہوئے میں سمجھتا ہوں کہ یہ صحیح ترمیم ہے 'اسے ہمیں اپنانا چاہیے اور دوستوں کا صرف یہ کہنا کہ ہاں جی یہ کسی سیاسی پارٹی کو فائدہ پہنچانے کے لیے ہے۔

It pertains to all political parties. It was not meant for any single party. Therefore, I think, that we should support this amendment. Thank you very much, sir.

Mr. Chairman: Would you like to continue? O.K. then we adjourn to meet at 10.00 A.M. tomorrow. Now, it is adjourned to reconvene tomorrow at 10.00 A.M..

(The House was then adjourned to meet again tomorrow the 21st July, 2004

at 10.00 A.M..)
