

# NATIONAL ASSEMBLY SECRETARIAT

## REPORT OF THE STANDING COMMITTEE ON HUMAN RIGHTS ON THE ISLAMABAD CAPITAL TERRITORY SENIOR CITIZENS BILL, 2019

I, Acting Chairperson of the Standing Committee on Human Rights have the honour to present this report on the Bill to provide for the well-being, comfort and dignity of the senior citizens residing in the Islamabad Capital Territory [The Islamabad Capital Territory Senior Citizens Bill, 2019] (Government's Bill) referred to the Committee on 07-11-2019.

2. The Committee comprises the following:-

1.	Mr. Bilawal Bhutto Zardari	Chairman
2.	Ms. Ghulam Bibi	Member
3.	Mr. Saif-ur-Rehman	Member
4.	Mr. AttaUllah	Member
5.	Ms. Ghazala Saifi	Member
6.	Ms. Rukhsana Naveed	Member
7.	Ms. Zille Huma	Member
8.	Ms. FouziaBehram	Member
9.	Ms. TashfeenSafdar	Member
10.	Ms. Shunila Ruth	Member
11.	Agha Hassan Baloch	Member
12.	Ms. ShaistaPervaiz	Member
13.	Mr. MohsinDawar	Member
14.	Mr. Abdul Rehman Khan Kanju	Member
15.	Ms. ZaibJaffar	Member
16.	Ms. Shaza Fatima Khawaja	Member
17.	Shazia Marri	Member
18.	Dr. MahreenRazzaq Bhutto	Member
19.	Mr. James Iqbal,	Member
20.	Dr. Shireen M. Mazari	Ex-Officio
	Minister for Human Rights	Member

3. The Committee considered the Bill as introduced in the National Assembly placed at "Annex-A", in its meetings held on 27<sup>th</sup> February, 2020, 18<sup>th</sup> August, 2020 and 24<sup>th</sup> February, 2021 and made the following amendments, therein:-

1. Clause 4

In clause 4:-

1) in Sub-clause (1),

- i) in paragraph (b), for the expression, "The Committee", the expression, "ICT Administration", shall be substituted.

ii) after paragraph (g), following new paragraphs, (h), (i) and (j) shall be inserted, and the remaining paragraph shall be renumbered accordingly;

- “ (h) One member of the National Assembly from the opposition to be appointed by the Speaker; Member
- (i) One member of the Senate from the opposition to be appointed by the Chairman Senate; Member
- (j) One representative from Poverty Alleviation and Social Security Division not below the level of Joint Secretary; and Member
- 2) In sub-clause (2), after the word, “amongst”, the expression “the relevant departments and from”, shall be inserted.

2. Clause 18

In clause 18, after sub-clause (2), following new sub-clauses (3) and (4), shall be inserted namely:-

“(3) In case of complaints related to negligence of private health sector, particularly related to loss of life, the Committee shall have the powers under sub-section 18(3) to enquire into such complaints and upon findings of negligence impose fine of minimum one million rupees on the responsible entity.

(4) The Committee shall, while enquiring into complaints under this Act, have all the powers of a civil court trying a suit under Code of Civil Procedure, 1908 in respect of the following matters, namely:-

- a) Summoning and enforcing attendance of witnesses and their examination on oath;
- b) Discovery and production of documents;
- c) Receiving evidence of affidavits;
- d) Requisitioning of public record or copy thereof from court or any office; and
- e) Any other matter which may be prescribed.”

3. Clause 26

After clause 26, following new clause 27, shall be inserted and remaining clauses shall be renumbered accordingly:-

“27. **Power to override other laws.**- The provisions of this Act shall have overriding effect notwithstanding anything contained in any other law for the time being in force.”

4. The Committee recommends that the Bill as amended and placed at “Annex-B” may be passed by the National Assembly.

-Sd/-  
(TAHIR HUSSAIN)  
Secretary

-Sd/-  
(SHAZIA MARRI)  
Acting Chairperson

Islamabad, the 26<sup>th</sup> February, 2021

## [TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A

## BILL

*To provide for the well-being, comfort and dignity of the senior citizens residing in the Islamabad Capital Territory*

**WHEREAS** it is expedient to establish a Fund to provide for the well-being, comfort, and dignity of the senior citizens residing in the Islamabad Capital Territory;

**WHEREAS** the Constitution of the Islamic Republic of Pakistan enjoins on the State to alleviate the sufferings of all citizens, irrespective of sex, caste, creed or race;

**AND WHEREAS** Pakistan being a member state of the United Nations has committed to fulfilling its international obligations which include following the UN Principles for Older Persons and Madrid International Plan of Action on aging;

Therefore it is hereby enacted as follows:

**PART - I  
PRELIMINARY**

1. **Short title, extent and commencement.** - (1) This Act may be called the Islamabad Capital Territory Senior Citizens Act, 2019.

- (2) It shall extend to the Islamabad Capital Territory.  
(3) It shall come into force.

2. **Definitions.**-(1) In this Act, unless there is anything repugnant in the subject or context, -

- (a) "Act" means the Islamabad Capital Territory Senior Citizens Act, 2019;  
(b) "Council" means the Islamabad Capital Territory Senior Citizens Council established under section 3;  
(c) "Court" means the District and Sessions courts of Islamabad as well as the Islamabad High Court;  
(d) "Chairperson" means the Chairperson of the Council;  
(e) "Controlling Ministry" means the Ministry and the relevant Department therein from where the Senior Citizen had retired;

- (f) "Fund" means the Senior Citizens Fund established under section 15;
- (g) "Indigent" means any senior citizen who is frail, sickly, or with disability, and without pension or permanent source of income, compensation or financial assistance from his relatives or from any other source to support his basic needs;
- (h) "Prescribed" means as prescribed under the Rules or Regulations;
- (i) "Regulations" mean the regulations made by the Council under section 26;
- (j) "Rules" mean the rules made under section 25;
- (k) "Senior Citizen" means an elderly person who has attained sixty years of age or more and is residing in the Islamabad Capital Territory;
- (l) "Welfare" includes all such services relating to the social, economic, boarding and lodging needs of the senior citizens as well as their legal protection as provided under this Act; and
- (m) "Welfare Packages or Grants" mean welfare and social security packages or grants announced for welfare of the senior citizens by the Government.

(2) The expressions, not defined in sub-section(1), shall have the same meaning as defined in any other relevant law or as generally used.

## PART-II SENIOR CITIZENS COUNCIL

3. **Establishment of the Council.**- (1) As soon as of the commencement of the Act, the Ministry of Human Rights shall establish a Council to be known as the Senior Citizens Council.

(2) The Council shall be an autonomous body corporate having its own seal and may enter into contracts and may acquire, purchase, rent, hold and enjoy moveable and immovable property of every description and may in all legal ways transfer or dispose of any moveable or immovable property or any interest vested in such property.

(3) The seal of the Council shall be kept in the custody of the Chairperson of the Council.

4. **Composition of the Council.**-(1) The Council shall consist of the following:

- |     |                                                                                                                                  |                                        |
|-----|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| (a) | Minister for Human Rights Division                                                                                               | Chairperson                            |
| (b) | Member of the Civil Society to be nominated by the Committee                                                                     | Member                                 |
| (c) | Chief Commissioner, ICT                                                                                                          | Member                                 |
| (d) | One representative not below the level of Joint Secretary of the Finance Division                                                | Member                                 |
| (e) | One representative not below the level of Joint Secretary of the National Health Services, Regulations and Coordination Division | Member                                 |
| (f) | One representative from Pakistan Bait-ul-Maal                                                                                    | Member                                 |
| (g) | Senior Citizen nominated by Human Rights Division                                                                                | Member                                 |
| (h) | Secretary Human Rights Division                                                                                                  | <i>Ex-officio Member cum Secretary</i> |

(2) The Council shall have the powers to co-opt members from amongst persons who are experts in their respective fields, for advice on particular matters under its consideration.

(3) The members of the Council, other than ex-officio members, shall be nominated for a term of three years which may be extended for another term of three years.

(4) If a member of the Council, other than ex-officio member, is unable to perform as member of the Council, he shall inform the Council and the Council after receiving such information, may cancel his or her membership.

(5) Any casual vacancy of a member, other than an ex-officio member, shall be filled in by a person nominated by the respective authority and the person so nominated shall hold the office for the unexpired period of the term of his predecessor.