

## NATIONAL ASSEMBLY SECRETARIAT

### REPORT OF THE STANDING COMMITTEE ON MARITIME AFFAIRS ON THE PORT QASIM AUTHORITY (AMENDMENT) BILL, 2021

I, Chairman of the Standing Committee on Maritime Affairs, have the honour to present this report on the Bill further to amend the Port Qasim Authority Act, 1973 (Act XLIII of 1973) [The Port Qasim Authority (Amendment) Bill, 2021] (Govt. Bill) referred to the Standing Committee on 4<sup>th</sup> December, 2019.

2. The Committee comprises of the following:-

1.	<b>Mir Amer Ali Khan Magsi</b>	<b>Chairman</b>
2.	Mr. Muhammad Yaqoob Shaikh	Member
3.	Rana Muhammad Qasim Noon	Member
4.	Mr. Faheem Khan	Member
5.	Mr. Saif Ur Rehman	Member
6.	Mr. Abdul Shakoor Shad	Member
7.	Mir Khan Muhammad Jamali	Member
8.	Mr. Jamil Ahmed Khan	Member
9.	Mr. Lal Chand	Member
10.	Mr. Usama Qadri	Member
11.	Ms. Shahnaz Naseer Baloch	Member
12.	Mr. Mohammad Aslam Bhootani	Member
13.	Mr. Azhar Qayyum Nahra	Member
14.	Mr. Qaiser Ahmed Sheikh	Member
15.	Ch. Muhammad Shahbaz Babar	Member
16.	Begum Tahira Bokhari	Member
17.	Mr. Kesoo Mal Kheeral Das	Member
18.	Jam Abdul Karim Bijar	Member
19.	Mr. Abdul Qadir Patel	Member
20.	Mr. Kamal Uddin	Member
21.	Syed Ali Haider Zaidi	Ex-officio Member
	Minister for Maritime Affairs	

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A in its meetings held on 22-1-2020, 26-2-2020, 25-9-2020 and 11-3-2021. The Committee recommends that the Bill as introduced may be passed by the National Assembly. However, note of dissent given by Mr. Abdul Qadir Patel and Mr. Khesoo Mal Khel Das, MNAs is placed at Annex-B.

Sd/-  
(TAHIR HUSSAIN)  
Secretary

Islamabad, the 28<sup>th</sup> May, 2021

Sd/-  
(MIR AMER ALI KHAN MAGSI)  
Chairman  
Standing Committee on Maritime Affairs

[AS REPORTED BY THE STANDING COMMITTEE]

A

Bill

*further to amend the Port Qasim Authority Act, 1973*

WHEREAS it is expedient further to amend the Port Qasim Authority Act, 1973 (XLIII of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.** - (1) This Act shall be called the Port Qasim Authority (Amendments) Act, 2021.

(2) It shall come into force at once.

2. **Amendment of section 2, Act XLIII of 1973.** - In the Port Qasim Authority Act, 1973 (XLIII of 1973), hereinafter referred to as the said Act, in section 2, after clause (r), the following new clause shall be inserted, namely:-

“(fa) “division concerned” means the Minister of the Division to which the business of the Authority stands allocated;”.

3. **Amendment of section 6, Act XLIII of 1973.** - In the said Act, in section 6, for the words “Federal Government”, the words “Prime Minister” shall be substituted.

4. **Amendment of section 7, Act XLIII of 1973.** - In the said Act, in section 7, for the words “Federal Government”, the words “Prime Minister” shall be substituted.

5. **Amendment of section 8, Act XLIII of 1973.** - In the said Act, in section 8, for the words “Federal Government”, the words “division concerned” shall be substituted.

6. **Amendment of sections 10, 11 & 12, Act XLIII of 1973.** - In the said Act, in sections 10, 11 & 12, for the words “Federal Government”, the words “division concerned” shall be substituted.

7. **Amendment of section 13, Act XLIII of 1973.**- In the said Act, in section 13,-

(a) in sub-section (2), in clause (j), in the proviso for the words “Federal Government”, the words “division concerned” shall be substituted; and

(b) in sub-section (4), for the words “Federal Government”, wherever occurring, the words “division concerned” shall be substituted.

8. **Amendment of section 14, Act XLIII of 1973.**- In the said Act, in section 14, for the words "Federal Government", wherever occurring, the words "division concerned" shall be substituted.

9. **Amendment of section 25, Act XLIII of 1973.**- In the said Act, in section 25, for the words "Federal Government", wherever occurring, the words "division concerned" shall be substituted.

10. **Amendment of section 26, Act XLIII of 1973.**- In the said Act, in section 26, for the words "Federal Government", wherever occurring, the words "division concerned" shall be substituted.

11. **Amendment of section 30, Act XLIII of 1973.**- In the said Act, in section 30, for the words "Federal Government", the words "division concerned" shall be substituted.

12. **Amendment of section 31, Act XLIII of 1973.**- In the said Act, in section 31, in sub section(2), for the words "Federal Government", the words "division concerned" shall be substituted.

13. **Amendment of section 32, Act XLIII of 1973.**- In the said Act, in section 32, in sub-section (1), for the words "Federal Government", wherever occurring, the words " Finance Division" shall be substituted.

14. **Amendment of section 51, Act XLIII of 1973.**- In the said Act, in section 51, for the words "Federal Government", the words "division concerned" shall be substituted.

15. **Amendment of section 56(I), Act XLIII of 1973.**- In the said Act, in section 56, for the words "Federal Government", wherever occurring, the words "division concerned" shall be substituted.

16. **Amendment of section 57, Act XLIII of 1973.**- In the said Act, in section 57, for the words "Federal Government", wherever occurring, the words "division concerned" shall be substituted.

17. **Amendment of section 63, Act XLIII of 1973.**- In the said Act, in section 63, for the words "Federal Government", wherever occurring, the words "division concerned" shall be substituted.

18. **Amendment of section 69, Act XLIII of 1973.**- In the said Act, in section 69, for the words "Federal Government", wherever occurring, the words "division concerned" shall be substituted.

19. **Amendment of section 70, Act XLIII of 1973.**- In the said Act, in section 70, for the words "Federal Government", wherever occurring, the words "division concerned" shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

Port Qasim Authority (PQA) was established under Port Qasim Authority Act, 1973 (Flag-A). The ibid Act confers powers to the Federal Government to carry out official business which are meant to be disposed of at Ministry's level. In terms of honorable Supreme Court decision in Al-Mustafa Impex case, the Federal Government has been defined as Federal Cabinet. Hence disposal of routine matters in Port Qasim Authority take lengthy procedure and loss of government exchequer for presenting the cases before the Federal Cabinet. The powers of Federal Government envisaged in the ibid Act have been specified in the proposed PQA Amendment Act, 2019 (**Flag-B**).

2. In view of above, it is therefore proposed that amendments may be passed in Port Qasim Authority Act, 1973 for smooth running of Official Business of Port Qasim Authority, Karachi.

**Syed Ali Haider Zaidi**  
Minister for Maritime Affairs

**NOTE OF DISSENT**

There is no clarity between the word big and small. It is totally up-to authority to define small and big. So conflict of interest is always there. It is the clear cut violation of the Mustafa impacts case 2016 of Supreme Court. Supreme Court says the authority is the cabinet.

Sd/-

**(KHESOO MAL KHEEL DAS)**

MNA (NA-339)

Sd/-

**(ABDUL QADIR PATEL)**

MNA (NA-248)

## قومی اسمبلی سیکرٹریٹ

پورٹ قاسم اتھارٹی (ترمیمی) بل، ۲۰۲۱ء پر قائمہ کمیٹی برائے بحری امور کی رپورٹ۔

میں، چیئر مین قائمہ کمیٹی برائے بحری امور ۲۴ دسمبر، ۲۰۱۹ء کو قائمہ کمیٹی کے سپرد کردہ پورٹ قاسم اتھارٹی ایکٹ، ۱۹۷۳ء (ایکٹ نمبر ۴۳ بابت ۱۹۷۳ء) میں مزید ترمیم کرنے کے بل [پورٹ قاسم اتھارٹی (ترمیمی) بل، ۲۰۲۱ء] (سرکاری بل) پر رپورٹ ہذا پیش کرنے کا شرف حاصل کرتا ہوں۔

۲۔ کمیٹی حسب ذیل اراکین پر مشتمل ہے:-

چیئر مین	۱۔ میر عامر علی خان گسی
رکن	۲۔ جناب محمد یعقوب شیخ
رکن	۳۔ رانا محمد قاسم نون
رکن	۴۔ جناب فہیم خان
رکن	۵۔ جناب سیف الرحمن
رکن	۶۔ جناب عبدالشکور شاد
رکن	۷۔ میر خان محمد جمالی
رکن	۸۔ جناب جمیل احمد خان
رکن	۹۔ جناب لال چند
رکن	۱۰۔ جناب اسامہ قادری
رکن	۱۱۔ محترمہ شہناز نصیر بلوچ
رکن	۱۲۔ جناب محمد اسلم بھوتانی
رکن	۱۳۔ جناب اظہر قیوم نہرا
رکن	۱۴۔ جناب قیصر احمد شیخ
رکن	۱۵۔ چوہدری محمد شہباز باہر
رکن	۱۶۔ بیگم طاہرہ بخاری
رکن	۱۷۔ جناب کیسومل کھیل داس
رکن	۱۸۔ جام عبدالکریم بھار
رکن	۱۹۔ جناب عبدالقادر ٹیل
رکن	۲۰۔ جناب کمال الدین
رکن	۲۱۔ سید علی حیدر زیدی
رکن بلحاظ عہدہ	وزیر برائے بحری امور

۳۔ کمیٹی نے ۲۲ جنوری، ۲۰۲۰ء، ۲۶ فروری، ۲۰۲۰ء، ۲۵ ستمبر، ۲۰۲۰ء اور ۱۱ مارچ، ۲۰۲۱ء کو منعقدہ اپنے اجلاسوں میں منسلکہ الف کے طور پر قومی اسمبلی میں پیش کردہ بل پر غور کیا۔ کمیٹی سفارش کرتی ہے کہ پیش کردہ بل کی قومی اسمبلی منظور دے۔ تاہم جناب عبدالقادر ٹیل اور جناب کیسومل کھیل داس، اراکین قومی اسمبلی کی جانب سے دیا گیا اختلافی نوٹ منسلکہ ب پر ہے۔

دستخط۔

(میر عامر علی خان گسی)

چیئر مین

قائمہ کمیٹی برائے بحری امور

دستخط۔

(طاہر حسین)

سیکرٹری

اسلام آباد، ۲۸ مئی، ۲۰۲۱ء