

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON MARITIME AFFAIRS ON THE PAKISTAN NATIONAL SHIPPING CORPORATION (AMENDMENT) BILL, 2021

I, Chairman of the Standing Committee on Maritime Affairs, have the honour to present this report on the Bill to amend the Pakistan National Shipping Corporation Ordinance, 1979 (XX of 1979) [The Pakistan National Shipping Corporation (Amendment), Bill, 2021] (Govt. Bill) referred to the Standing Committee on 04th February, 2021.

2. The Committee comprises of the following:-

1.	Mir Amer Ali Khan Magsi	Chairman
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 meeting held on 11-03-2021. 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 28th 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 Pakistan National Shipping Corporation Ordinance, 1979

WHEREAS, it is expedient to amend the Pakistan National Shipping Corporation Ordinance, 1979 (XX of 1979), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act shall be called the Pakistan National Shipping Corporation (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of section 2, Ordinance XX of 1979. – In the Pakistan National Shipping Corporation Ordinance, 1979 (XX of 1979), hereinafter called as the said Ordinance, in section 2, after clause (e), the following new clause shall be inserted, namely:-

“(ea) “division concerned” means the division to which business relating to this Ordinance stands allocated;”.

3. Amendment of section 13, Ordinance XX of 1979.- In the said Ordinance, in sections 13, in sub-section (2), for the words “Federal Government”, wherever occurring, the words “division concerned” shall be substituted.

4. Amendment of section 14, Ordinance XX of 1979.- In the said Ordinance, in section 14, for the words “Federal Government”, wherever occurring, the words “Prime Minister” shall be substituted.

5. Amendment of section 15, Ordinance XX of 1979.- In the said Ordinance, in section 15, in sub-section (1), in the proviso, for the words “Federal Government”, the words “Prime Minister” shall be substituted.

6. Amendment of section 17, Ordinance XX of 1979.- In the said Ordinance, in section 17, in clause (g), for the words “Federal Government”, the words “Prime Minister” shall be substituted.

7. Amendment of section 18, Ordinance XX of 1979.- In the said Ordinance, in section 18,-

- (a) in sub-section (1), for the words “Federal Government”, the words “Prime Minister” shall be substituted;
- (b) in sub-section (3), for the words “Federal Government”, the words “Prime Minister” shall be substituted; and
- (c) in sub-section (6), for the words “Federal Government”, the words “Prime Minister” shall be substituted;

8. **Amendment of section 19, Ordinance XX of 1979.**- In the said Ordinance, in section 19, in clause (a), for the words "Federal Government", the words "division concerned" shall be substituted.

9. **Amendment of section 20, Ordinance XX of 1979.**- In the said Ordinance, in section 20, in sub-section (1), for the words "Federal Government", the words "Prime Minister" shall be substituted.

10. **Amendment of section 29, Ordinance XX of 1979.**- In the said Ordinance, in section 29, for the words "Federal Government", the words "division concerned" shall be substituted.

11. **Amendment of section 30, Ordinance XX of 1979.**- In the said Ordinance, in section 30, in sub-section (4), for the words "Federal Government" and "Government", wherever occurring, the words "Minister concerned with the maritime affairs" shall be substituted.

12. **Amendment of section 32, Ordinance XX of 1979.**- In the said Ordinance, in section 32, for the words "Federal Government", the words "division concerned" shall be substituted.

13. **Amendment of section 38, Ordinance XX of 1979.**- In the said Ordinance, in section 38, for the words "Federal Government", the words "Minister concerned with maritime affairs" shall be substituted.

14. **Amendment of section 40, Ordinance XX of 1979.**- In the said Ordinance, in section 40,-

(a) for the words "Federal Government", the words "Minister concerned with maritime affairs" shall be substituted; and

(b) for the word "it", the word "him" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Pakistan National Shipping Corporation (PNSC) was established under the PNSC Ordinance, 1979. The ibid Ordinance confers powers to the Federal Government which are meant to be disposed off at Ministry's level. In terms of the Honourable Supreme Court decision in Al-Mustafa Impex Case, the Federal Government has been defined as the Federal Cabinet. Hence, disposal of routine matters in Pakistan National Shipping Corporation take lengthy procedure and loss of government exchequer for presenting the cases before the Federal Cabinet. The powers of the Federal Government envisaged in the ibid Ordinance have been specified in the proposed Pakistan National Shipping Corporation Ordinance, 1979 (Amendments) Bill, 2020.

2. In view of above, it is, therefore, proposed that amendments may be passed in Pakistan National Shipping Corporation Ordinance, 1979 for smooth running of Official Business of Pakistan National Shipping Corporation, Karachi.

Sd/-

Syed Ali Haider Zaidi
Minister of 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

پاکستان قومی جہاز رانی کارپوریشن (ترمیمی) بل، ۲۰۲۱ء پر قائمہ کمیٹی برائے بحری امور کی رپورٹ۔

میں، چیئر مین قائمہ کمیٹی برائے بحری امور ۳ فروری، ۲۰۲۱ء کو قائمہ کمیٹی کے سپرد کردہ پاکستان جہاز رانی کارپوریشن آرڈیننس، ۱۹۷۹ء (نمبر ۲۰ مجریہ ۱۹۷۹ء) میں مزید ترمیم کرنے کے بل [پاکستان قومی جہاز رانی کارپوریشن (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 گمسی
رکن	۲۔ جناب محمد یعقوب شیخ
رکن	۳۔ رانا محمد قاسم نون
رکن	۴۔ جناب نعیم 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 کیسول کھیل داس
رکن	۱۸۔ جام عبدالکریم بخار
رکن	۱۹۔ جناب عبدالقادر ٹیل
رکن	۲۰۔ جناب کمال الدین
رکن	۲۱۔ سید علی حیدر زیدی

وزیر برائے بحری امور

۳۔ کمیٹی نے ۱۱ مارچ، ۲۰۲۱ء کو منعقدہ اپنے اجلاس میں منسلکہ الف کے طور پر قومی اسمبلی میں پیش کردہ بل پر غور کیا۔ کمیٹی سفارش کرتی ہے کہ پیش کردہ بل کو قومی اسمبلی منظور کرے۔ تاہم جناب عبدالقادر ٹیل اور جناب کیسول کھیل داس، اراکین قومی اسمبلی کی جانب سے دیا گیا اختلافی نوٹ منسلکہ ب پر ہے۔

دستخط /

(میر عامر علی خان گمسی)

چیئر مین

قائمہ کمیٹی برائے بحری امور

دستخط /

(طاہر حسین)

سیکرٹری

اسلام آباد، ۲۸ مئی، ۲۰۲۱ء