

FAFEN Parliament Monitor

Senate  
of Pakistan  
98th Session

(October 28 – November 8, 2013)

Free and Fair Election Network  
[www.fafen.org](http://www.fafen.org)

### Abbreviations

ANP	Awami National Party
BNP-A	Balochistan National Party (Awami)
IND	Independent Member
JUI-F	Jamiat Ulema-e-Islam (Fazal-ur-Rahman)
MQM	Muttahida Qaumi Movement
NP	National Party
PML	Pakistan Muslim League
PML-F	Pakistan Muslim League (Functional)
PML-N	Pakistan Muslim League (Nawaz)
PO	Point of Order
PPPP	Pakistan Peoples Party Parliamentarians



This report is based on direct observation of Senate proceedings conducted by **PATTAN Development Organization**, a member organization of FAFEN

## Executive Summary

The 98th session of the Senate was marked by a boycott by opposition benches over a dispute with the Interior Minister, low attendance of Senators and ministerial absence as the House left more than three - fourth of the agenda items listed on the Orders of the Day unaddressed.

The Senate held 10 sittings, starting from October 28 to November 8, 2013, which lasted 14 hours and 22 minutes. On average, each sitting spanned an hour and 26 minutes, with a delay of 72 minutes.

With the exception of MQM, the opposition benches boycotted the session over the alleged misconduct of the Federal Minister for Interior. The opposition alleged that during one of the question hours, the Interior Minister had provided inaccurate information to the House on the killings in terrorists' attacks and urged him to withdraw his statement.

The Senate continued to meet in the absence of the opposition. However, it left 76% agenda on the Orders of the Day unaddressed. The House did not take up eight resolutions, five calling attention notices, nine Motions under Rule 218, three Motions under Rule 60 and a standing committee report.

Since the Senate Secretariat does not make public the attendance of Senators, FAFEN conducts a headcount at the start and end of each sitting. On average 19 legislators were present at the outset of each sitting while 26 were there at the adjournment. The quorum was visibly lacking at various stages and was pointed out four times, once by an ANP and thrice by PPP Senators.

Ministerial absence was also observed during the session. Only 32 starred questions (requiring oral replies) out of 248 (13%) appearing on the agenda were taken up and responded to by the relevant ministry. Additionally, legislators asked 81 supplementary questions.

The Chairman presided over 70% (10 hours and a minute) of the session while the remaining time 24% (three hours and 26 minutes) was chaired by the Members of the Panel of Presiding Officers. The Leader of the House attended 10 sittings while the Leader of the Opposition attended three sittings before he joined the opposition's boycott.

The parliamentary leader of MQM attended nine sittings, followed by JUI-F party head (eight), ANP (four), BNP (two) and a single sitting by the PML leader. The Senators belonging to PML-F and PkMAP (single member parties) attended five and one sittings, respectively.

Comparatively, Senators' participation improved in the session as 70 lawmakers (68%) took part in the session. Twenty-six percent lawmakers only submitted agenda on the Orders of the Day, 19 % took part in assembly debates while 22% (both) tabled and debated agenda.

The Emigration (Amendment) Bill, 2013 was the only bill which was introduced and sent to the relevant Standing Committee for further deliberation. The bill aims at providing protection to the properties of Pakistanis residing overseas "from Qabza Mafia and individual persons" in their absence.

Additionally, the Senate unanimously passed a resolution recommending the federal government to take effective steps to eradicate child labour in the country. The resolution was moved by a MQM Senator.

A total of 87 Points of Order were raised that consumed 25% (three hours and 39 minutes) of the session time. However, none of them attracted the Chairs' formal ruling. Unless the Chair gives a formal ruling on a Point of Order, it does not lead to any assembly output.

### Parliament Watch and Reforms

The Parliament Watch and Reforms (PWR) takes forward the unique direct observation of the Parliament by Free and Fair Election Network (FAFEN). Based on the findings and recommendations of direct observation of parliament, PWR works on a reform agenda which contributes to foster a stable and close relationship between the elected representatives and their constituents. Apart from observing the proceedings of the National Assembly and the Senate, for the first time in Pakistan's Parliamentary history, PWR plans to start observing the proceedings of the 13 key Standing Committees of the Upper and Lower Houses of the Parliament.

FAFEN directly started observing the proceedings of the National Assembly in late 2008. This unique intervention produced a valuable asset of information on the performance of the Lower House and its Members.

In late 2011 the direct observation was extended to the Senate and the four provincial assemblies.

### Recommendations:

FAFEN believes this report will be a valuable contribution to creating more informed citizenry and an increasingly responsible Parliament. On the basis of its ongoing observation, FAFEN recommends:

1. Senate sittings should be open to citizen observers who apply for accreditation through a standardized process. FAFEN takes this opportunity to reiterate its request for permanent accreditation to observe all assemblies' proceedings.
2. The Senate Secretariat should publically share the records of actual time spent by Members on the floor of the House. FAFEN has made repeated attempts to get the attendance document of the Members but to no avail. Based on FAFEN's observation low attendance of Members was observed during the session with 19 Senators, on average, present at the start, 26 at the adjournment and 30 (maximum members) at a time during a sitting.
3. The Chair should ensure that quorum is maintained throughout the proceedings. No vote should be allowed, especially on legislation, without a quorum. The issue of lack of quorum has persisted for a long time. As observed during the session, the quorum, lacking on various occasions, was pointed out four times.
4. All relevant ministers (or a designated representative of each ministry or the cabinet) must be present during the question hour at each sitting. All questions must be responded to within a stipulated time frame. Transcripts of all questions – including the ones that the Secretariat finds inadmissible – and responses should be made available to members and public. Out of 248 starred questions on the 98th session's agenda, 216 were not taken up.
5. The Senate Secretariat should design a more practical agenda for the Orders of the Day for both government and private members' days. More days should be allotted to private members for the accommodation and consideration of their agenda.
6. The Zero Hour – last half an hour of a sitting, a parliamentary tool to discuss public issues – is not enough to address such matters in detail due to time limitation. A full-day sitting should be allotted to issues related to constituencies at least once a session.
7. Efforts should be made to find out why nearly 70% Senators on average remained away from the session and necessary measures should be undertaken to encourage them to attend the sittings.

## 1.0 Session Duration and Members' Participation

This section deals with the session duration, attendance and participation of Senators and maintenance of quorum (1/4th of the total membership-26). It also reviews the presence of key members-the Chairman, Deputy Chairman, Leader of the House, Leader of the Opposition and the parliamentary leaders - and the time they spent on the floor of the House.

### 1.1. Session Time

The session spread over 10 sittings from 28 October till November 8, 2013 lasted 14 hours and 22 minutes. On average each sitting was spread over an hours and 26 minutes. The third sitting, lasting two hours and 31 minutes, was the longest while the fifth sitting spanning 39 minutes - the shortest.

All ten sittings, on average were delayed by 72 minutes exceeding the previous sessions delay time (average 45 minutes). The ninth sitting was the most delayed falling two hours and 15 minutes behind schedule.

The House observed two breaks consuming 55 minutes - 6% of the session time.

**Table 1.1: Detail of the Session**

Sitting No.	Date	Delay	Hours	Minutes
1st	Monday, October 28	45	2	11
2nd	Tuesday, October 29	46	1	57
3rd	Wednesday, October 30	29	2	31
4th	Thursday, October 31	36	0	50
5th	Friday, November 1	82	0	39
6th	Monday, November 4	75	1	53
7th	Tuesday, November 5	108	1	11
8th	Wednesday, November 6	103	0	46
9th	Thursday, November 7	135	1	35
10th	Friday, November 8	63	0	49
<b>Total</b>		<b>Average Delay 72 Minutes</b>	<b>14 hours and 22 Minutes</b>	

## 1.2 Senators' Attendance

Since the Senate Secretariat does not make Senators' attendance record public, the FAFEN observer conducts a headcount of legislators at the beginning, at the end and the time when maximum members are present in each sitting. The presence of the Chairman, Deputy Chairman, the Leader of the House and the Leader of the Opposition during proceedings is also documented.

On average 19 Senators were present at the outset, 26 at the end and 30 at the time of maximum attendance during each sitting. Out of four minority Senators in the House, on average two attended each sitting.

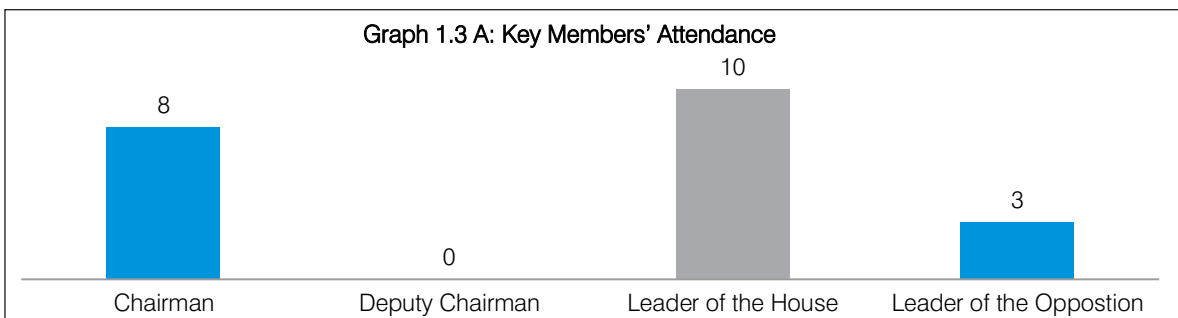
Interestingly the quorum, visibly lacking on various occasions, was called four times by opposition members observing the session boycott. The PPP senators called the quorum thrice while an ANP lawmaker also pointed it out. The proceedings resumed after a recount on two such occasions while the proceedings adjourned on two occasions wherein the quorum was found lacking on a members' recount.

**Table 1.2: Senators Attendance**

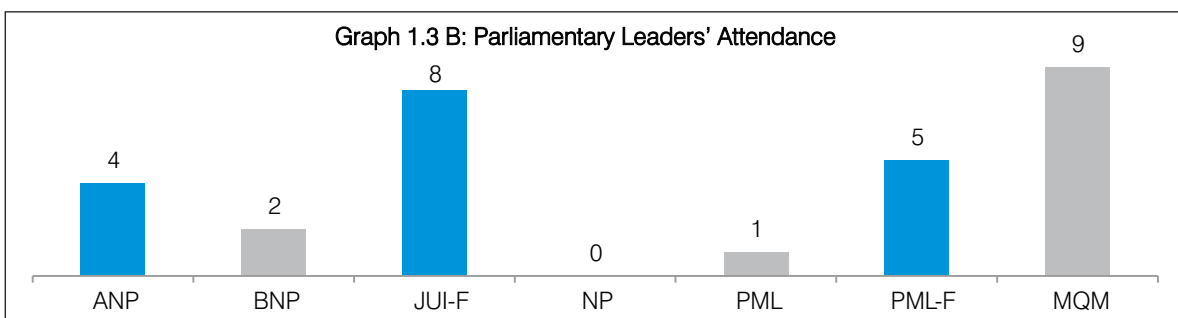
Sitting No.	Senators at the outset	Senators at the end	Maximum Senators present	Minority Members present
1st	30	40	50	3
2nd	30	40	45	4
3rd	40	40	48	2
4th	7	19	19	2
5th	21	25	25	0
6th	6	14	26	1
7th	19	17	25	0
8th	18	25	25	2
9th	18	22	22	2
10th	2	18	18	2
<b>Average</b>	<b>19</b>	<b>26</b>	<b>30</b>	<b>2</b>

## 1.3. Key Members' Attendance

The Leader of the House attended 10 sittings while the Leader of the Opposition attended three. The Chairman presided over the proceedings for 70% of the session time (601 minutes), while 24% of the proceedings were chaired by the members of a Panel of Presiding Officers. The remaining time – 6% was consumed by breaks taken during the proceedings.



The parliamentary leader of MQM, following the previous sitting's trend of attending maximum sittings, was present in nine sittings, followed by JUI-F party head (eight), ANP (four), BNP (two) and a single sitting by the PML leader. The senators belonging to PML-F and PkMAP (single member parties) attended five and one sittings, respectively.



## 1.4 Senators' Participation

FAFEN observes senators' participation against three categories; members who only submit agenda on the Orders of the Day, those who only debate it and members who both submit agenda and take part in the on-floor discussions.

Although senators' participation improved in comparison to the previous sessions, however, 33 senators out of total strength of 103 sitting members did not participate in the session. Out of 70 participating lawmakers 27 only submitted agenda on the Orders of the Day, 20 took part in the on - floor debates while 23 did both.

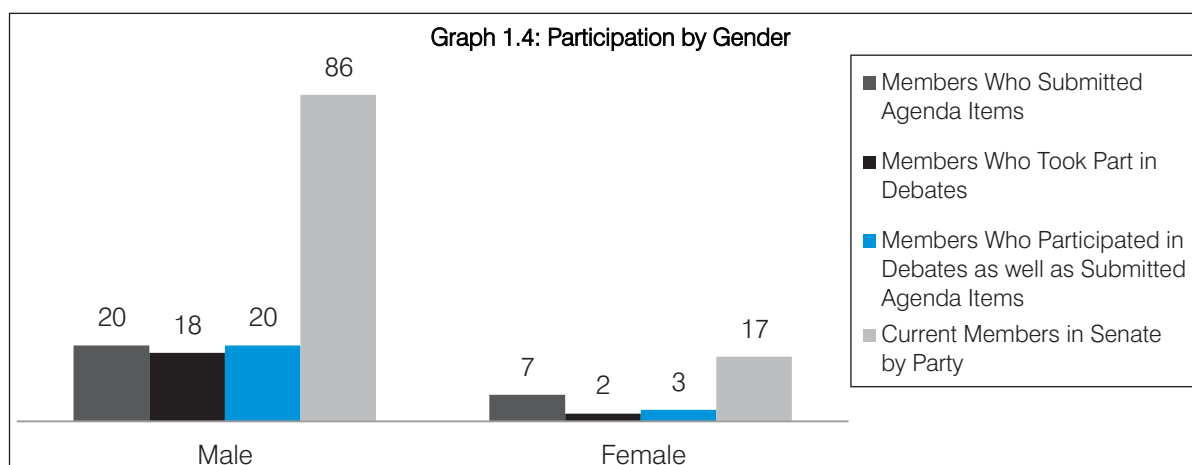
In terms of party wise participation trends observed in the previous sessions were repeated. Of the larger parties in the house 21 PPPP lawmakers (54% of total 39) were the most active in both submitting and participating agenda, followed by 14 PMLN lawmakers (88% of 16) who more actively debated agenda and nine ANP senators (total 12) took equal part in all categories of participation.

Seven of eleven independent senators actively tabled agenda while four MQM, five JUI-F and two BNP-A members also participated in the session. All parliamentarians belonging to single member parties – NP, PML-F, PkMAP - also participated in one way or the other.

Table 1.4: Senators' Participation

Sr. No.	Party	Members Who only Submitted Agenda Items	Members Who Took Part only in Debates	Members Who Participated in Debates as well as Submitted Agenda Items	Percentage of Members Who Submitted only Agenda Items	Percentage of Members Who only Participated in Debates	Percentage of Members Who Submitted Agenda Items And Participated in Debates	Current Members in Senate by Party
1	ANP	3	2	4	25%	17%	33%	12
2	BNP-A	1	0	1	25%	0%	25%	4
3	IND	4	2	1	36%	18%	9%	11
4	JUI-F	2	2	1	33%	33%	17%	6
5	MQM	1	2	1	14%	29%	14%	7
6	NP	0	1	0	0%	100%	0%	1
7	PML	3	1	1	60%	20%	20%	5
8	PkMAP	0	0	1	0%	0%	100%	1
9	PML-N	5	7	2	31%	44%	13%	16
10	PPPP	8	2	11	21%	5%	28%	39
11	PML-F	0	1	0	0%	100%	0%	1
Total		27	20	23	26%	19%	22%	103

There are 17 female and 86 male senators in the Upper House. Although more male lawmakers (58, 67%) participated subject to their larger strength in the House, a higher percentage – (12, 71%) of female lawmakers participated in the session. Male members demonstrated more interest in submitting as well as debating agenda while the female lawmakers keenly contributed to the assembly business on the Orders of the Day.



Each of the four provincial assemblies elect twenty three members from their respective provinces to the Senate. Currently there are 22 members representing all provinces except Sindh – 21 lawmakers. Members hailing from Punjab dominated the participation (18 members), followed by 14 each from Balochistan and KP, and 12 from

Sindh. Punjab lawmakers spoke actively during the debates, those from Sindh and KP both tabled and debated agenda while the Baloch members more actively contributed to assekmby agenda.

All four minority members participated in the session by engaging more in the assembly debates.

**Table: Participation by Region**

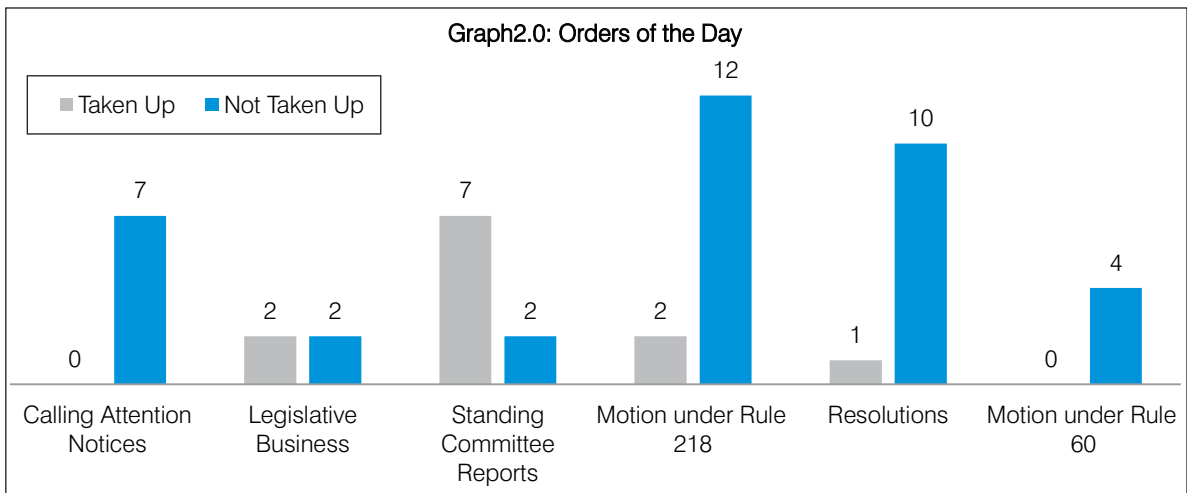
Sr. No.	Province	Members Who Submitted Agenda Items	Members Who Took Part in Debates	Members Who Participated in Debates as well as Submitted Agenda Items	Percentage of Members Who Submitted Agenda Items	Percentage of Members Who Participated in Debates	Percentage of Members Who Submitted Agenda Items And Participated in Debates	Current Members in Senate by Province
1	Balochistan	7	4	3	32%	18%	14%	22
2	FATA	3	1	1	38%	13%	13%	8
3	ICT	3	0	0	75%	0%	0%	4
4	KP	6	2	6	27%	9%	27%	22
5	Punjab	5	8	5	23%	36%	23%	22
6	Sindh	2	3	7	10%	14%	33%	21
7	Minority	1	2	1	25%	50%	25%	4
<b>Total</b>		<b>27</b>	<b>20</b>	<b>23</b>	<b>26%</b>	<b>19%</b>	<b>22%</b>	<b>103</b>

## 2.0 Orders of the Day

The Orders of the Day are the agenda items listed for the consideration of the Senate for a sitting. The items include question hour, bills, resolutions, calling attention notices, privilege motions etc. The Orders of the Day were available to Senators as well as uploaded on the official website of Senate ([www.senate.gov.pk](http://www.senate.gov.pk)) for each sitting.

The House left 76% (37 items) of the agenda on the orders of the day unaddressed. A Parliamentary norm, the agenda of the private members days (first and sixth sittings) was ambitiously set. The entire regular agenda of the 4th, 5th, 7th, 8th, 9th and 10th sittings falling on government business days was not taken up on the account of the opposition boycott leading to low attendance.

During the session a single bill was introduced, a resolution adopted, two motions under rule 218 taken up and six reports presented before the house.



## 3.0 Representation, Responsiveness and Government Oversight

This section reviews legislators' efforts to represent the interests of their constituents through calling attention notices (CANs) and to monitor government's performance during question hour. It also includes various motions and matters of public importance on the Orders of the Day.

### 3.1 Question Hour

Question hour is a means of government oversight where the senators can submit questions addressed to any ministry or department (foreign affairs, interior, law and justice etc.) seeking information regarding its area of

expertise and/or performance. Senators can submit starred questions (requiring both oral and written answers) or un-starred (requiring written answers only).

Senators submitted 252 questions - 248 starred and four un-starred. Only 32 starred questions (13%) were taken up on the floor and given answers by the relevant ministry/department. Additionally, 81 supplementary questions were asked to get further clarity on the answers. Arguably, the questions not taken up by the House could be on the account of the opposition's boycott, the absence of the relevant ministers and/or the mover of the question was not present.

Question hour was not held on the private members' days (Mondays in Senate) during the first and sixth sittings.

**Table 3.1 A: Details of Starred Question**

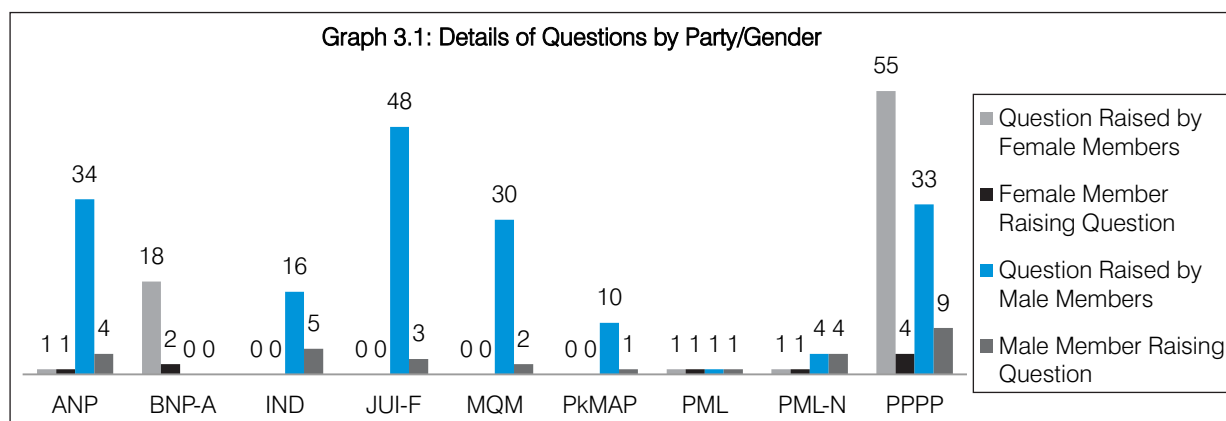
Sittings No.	Starred Questions on the agenda	Starred Questions taken up	Starred Questions not taken up	Supplementary Questions
1st	Private Member's Day			
2nd	38	9	29	32
3rd	38	8	30	17
4th	23	0	23	0
5th	23	1	22	3
6th	Private Member's Day			
7th	42	11	31	19
8th	25	0	25	0
9th	10	2	8	8
10th	49	1	48	2
<b>Total</b>	<b>248</b>	<b>32</b>	<b>216</b>	<b>81</b>

The male senators tabled more questions however a higher ratio of female lawmakers of their total strength submitted questions. Nine out of 17 female (53%) senators asked 76 questions while 29 of 86 (34%) of their male colleagues asked 176 questions. Male lawmakers from all parties except BNP-A submitted questions on the agenda while female lawmakers of ANP, BNP-A, PML-N, PML and PPPP did the same. The Minority lawmakers tabled 23 questions on the agenda.

Of the parties submitting questions on the agenda, PPPP tabled 88 questions, JUI-F (48), ANP (35), MQM (30), BNPA (18), IND (16), PkMAP (10), PML-N (five) and two questions were tabled by senators belonging to PML.

In terms of province-wise submission of questions lawmakers from KP and Sindh submitted 67 and 64 questions, respectively. Lawmakers from Balochistan forwarded 44 questions, Punjab (39), FATA (14) and one questions was submitted by lawmakers from Islamabad Capital Territory (ICT).

**Graph 3.1: Details of Questions by Party/Gender**



A bulk of the questions (60%, 151) went to seven of the 30 ministries/ departments receiving questions. A maximum 29 questions were addressed to the Ministry of Interior and Narcotics Control, followed by Water and Power (26), Overseas Pakistanis and Human Resource Development (24), Petroleum and Natural Resources (22), Finance, Revenue, Economic Affairs, Statistics and Privatization (18), and 16 questions each for the Ministries of Communications and Cabinet Division.



Table 3.1B: Ministry-Wise Submission of Questions

Sr. No.	Ministry Concerned	Count of Questions
1	Interior & Narcotics Control	29
2	Water and Power	26
3	Overseas Pakistanis and Human Resource Development	24
4	Petroleum & Natural Resources	22
5	Finance, Revenue, Economic Affairs, Statistics and Privatization	18
6	Communications	16
7	Cabinet Division	16
8	National Health Services, Regulations and Coordination	9
9	Aviation Division	9
10	Railways	8
11	States & Frontier region	7
12	Law, Justice and Human Rights	6
13	Foreign Affairs	6
14	Education, Trainings and Standards in Higher Education	5
15	Ports and Shipping	5
16	Defence	5
17	Prime Minister's Office	4
18	Establishment Division	4
19	Commerce and Textile Industry	4
20	Planning and Development	4
21	Information Technology and Telecommunications	4
22	National Food Security and Research	4
23	Capital Administration and Development Division	4
24	Parliamentary Affairs	3
25	Information, Broadcasting and National Heritage	3
26	Housing and Works	3
27	President Secretariat	1
28	Climate Change Division	1
29	Industries and Production	1
30	Inter Provincial Coordination	1
<b>Total</b>		<b>252</b>

### 3.2. Calling Attention Notices (CAN)

This section highlights the efforts of Senators in raising the matters of public interest through calling attention notices. Under rule 64 (Chapter XI) of the Rules of Procedure and Conduct of Business, a senator may call the attention of a minister to any matter of urgent public importance and the minister may make a brief statement or ask for time to make a statement at a later hour or date provided that no more than one notice is allowed a senator per sitting.

All five calling attention notices on the agenda, four sponsored by PPPP and one by an independent member, were not taken up by the house. Three CANs were directed to the Ministry of Water and Power and a single each to Information and Broadcasting and Inter-Provincial Coordination.

The CANs were regarding India's plan to construct Hydropower Projects on western/Pakistani rivers, irregularities in appointment of employees in LESCO and GEPCO, regulation of media coverage of terrorism, non-implementation of the decision taken by Council of Common Interests (CCI) and a proposed water distribution mechanism which may deprive people of Southern Punjab of their water rights from River Indus.

### 3.3 Motion under Rule 218

Under rule 218, a minister or a member may give notice of a motion that any policy, situation, statement of any other matter may be taken into consideration.

The House debated two out of eleven Motions under Rule 218 tabled by a PPPP senator. In the previous session none of six such motions were taken up. The taken up motions demanded of the House to debate the situation arising out of non-payment of compensation to decree holders of land acquired for AFV Ranges in Nowshera for the last several decades and the procedure laid down regarding appointment of judges in the superior courts.

The performance of the government, preservation and enhancement of the independence of Judiciary, performance of Pakistan Steel Mills and Railways, increasing cyber-crimes, rigging in Elections 2013 are some subjects left unaddressed during the session.

**Table 3.3: Motion under Rule 218**

Sitting No.	Motion Under Rule 218	Party	Status
1st	This House may discuss the situation arising out of non-payment of compensation to decree holders of land acquired for AFV Ranges in Nowshera for the last several decades	PPPP	Debate by the House
	This House may discuss the procedure laid down regarding appointment of Honorable Judges in the superior courts	PPPP	Debate by the House
	This House may discuss the overall performance of the Government with particular reference to the security and protection of the minority citizens in the country as required under Article 25 of the Constitution of the Islamic Republic of Pakistan	PPPP	Not Taken UP
	The House may discuss the steps being taken by the Government to provide speedy and inexpensive justice in the country	MQM	Not Taken UP
	The House may discuss the overall performance of Pakistan Steel Mills with particular reference to losses being suffered by it	JUI-F	Not Taken UP
	The House may discuss the increasing incidents of Cyber Crimes in the country and the steps being taken by the Government to control the same	PPPP	Not Taken UP
	This House may discuss the working and recent pronouncements of the Council of Islamic Ideology	PPPP	Not Taken UP
6th	This House may discuss the situation arising out of non-shifting of headquarters of the State Bank of Pakistan from Karachi to Islamabad	ANP	Not Taken UP
	This House may discuss the measures for preserving and enhancing the independence of Judiciary	ANP PPPP PML BNPA	Not Taken UP
	The House may discuss the overall performance of Pakistan Railways	MQM	Not Taken UP
	The House may discuss the alleged irregularities / rigging in Elections 2013	PPPP	Not Taken UP

### 3.4 Motion under Rule 60

A Motion under Rule 60 provides for the Chairman to allow half-an-hour discussion on a matter which in his opinion is of sufficient public importance and has recently been the subject of a question. Three such motions on the agenda, two asking for details of suo moto actions taken by each High Court of the country since 2009 and 2010 and another regarding policy of supply of natural gas to provinces/areas were left unaddressed. The earlier two motions were submitted by a PPPP lawmaker and the latter by an ANP lawmaker.

## 4.0 Parliamentary Output

Lawmaking is one of the most important functions of the Parliament. This section evaluates the presentation, introduction, passage and subject matter of bills, ordinances, resolutions and parliamentary reports tabled during the session.

### 4.1 Bills/Ordinance

A single government bill the Emigration (Amendment) Bill, 2013 was introduced and sent to the concerned committee. The bill aims to provide protection to the properties of Pakistanis residing overseas "from Qabza Mafia and individual persons" in their absence.

Four ordinances on the agenda, three on anti-terrorism and one on surveying and mapping, were not presented. The PPPP has tabled a resolution against the Protection of Pakistan Ordinance, 2013 stating that the legislation in its current form cannot be accepted. However, all four ordinances have been laid in the Lower House.

Table 4.1: Details of Bills/Ordinances

Sr. No.	Sitting No.	Government Bill /Ordinance	Status
1	1st	The Emigration (Amendment) Bill, 2013	Introduced
2		The Surveying and Mapping Ordinance, 2013	Not Presented
3	10th	The Anti-terrorism (Amendment) Ordinance, 2013	Not Presented
4		The Anti-terrorism (Amendment) Ordinance, 2013	Not Presented
5		The Protection of Pakistan Ordinance, 2013	Not Presented

## 4.2 Resolutions

The House expresses its opinion, makes recommendations or conveys a message on important issues through resolutions. It can also commend, urge or request action upon a situation under consideration by the government.

Only one of nine resolutions on the agenda was adopted during the session. Through the adopted resolution the House called upon the government to take effective steps to eradicate child labour in the country. Six lawmakers – four male and two female - sponsored the resolutions on the agenda. Independently, the PPPP lawmakers tabled four resolutions while two resolutions each were tabled by JUI-F and MQM senators. A joint resolution by PPPP and an independent member was also tabled.

The resolutions left unaddressed were regarding government service quota, unemployment, construction of new water reservoirs, Judges holding dual nationality, water dispute with India, revival of industrial sector, draught in Rohi (Cholistan) and disapproval of the Protection of Pakistan Ordinance.

Table 4.2: Resolutions

Sr. No.	Resolutions	Party
1	This House recommends that the quota in government services reserved for the province of Punjab be allocated on regional basis (North Punjab and South Punjab) in order to guarantee due share of the people of South Punjab in those services	PPPP IND
2	This House recommends that effective steps be taken to overcome unemployment in the country	JUI-F
3	This House recommends that the Government may take immediate steps for construction of new water reservoirs in order to meet the shortage of water in the country.	MQM
4	This House recommends to the government to publish the names of the Judges of the superior judiciary who have dual nationality	PPPP
5	This House recommends that effective steps be taken to eradicate child labour in the country	MQM
6	The House recommends that the government may take effective steps for uplift of industrial sector in the country	JUI-F
7	The House calls upon the government to include all water disputes of Pakistan with India in the composite dialogue, or in any other talks or dialogue process that is revived or initiated with India	PPPP
8	The House recommends that the federal government may take effective steps for saving lives of human beings and livestock facing drought in Rohi (Cholistan)	PPPP
9	This House disapproves the Protection of Pakistan Ordinance, 2013	PPPP

## 4.3. Committee Reports

Six standing committee reports were presented before the House on the failure of ministries to reply to questions, legislative scrutiny and performance of the government organizations and committees.

One report each was laid by the Standing Committees on Foreign Affairs, Kashmir Affairs and Gilgit Baltistan, Information and Broadcasting, Finance, Revenue, Economic Affairs, Statistics and Privatization, Rules of Procedures and Privileges, Human Rights and Parliamentary Affairs.

Table 4.3: Reports

Sitting No.	Report	Name of Committee
1st	Report on the visit of delegations from China and Poland	Foreign Affairs, Kashmir Affairs and Gilgit Baltistan
2nd	The Right to Information Act 2013	Information and Broadcasting
	The 2 <sup>nd</sup> biannual monitoring on the implementation of National Finance Commission (NFC) Award	Finance, Revenue, Economic Affairs, Statistics and Privatization
3rd	The Special Report on Rules of Procedure	Rules of Procedures and Privileges
	The special report on human rights	Human Rights
	The annual report of Federal Public Service Commission for the year 2012	Parliamentary Affairs
9th	Report of the committee on its visit to Turkey from 1-7 December, 2013	Foreign Affairs, Kashmir Affairs and Gilgit Baltistan

## 5.0 Order and Institutionalization

This section reviews points of order, questions of privileges and instances of protests, walkouts and boycotts during the session.

### 5.1. Points of Order

A point of order is raised to address an apparent breach in the rules of the parliamentary procedures while the House business is under way. In Senate, members can speak about national or regional issues of public importance during the zero hour near the adjournment of a sitting.

However Senators spoke on 67 points of orders – seven per sitting -for three hours and 39 minutes of the session. However, none of the Points of Order raised attracted the Chairs' formal. Unless the Chair gives a formal ruling on a Point of Order, it does not lead to any assembly output. No points of order were raised during the fourth session whereon the opposition started its seven day boycott.

A total of 32 lawmakers raised 79 issues while speaking on points of order. Three females belonging to BNP-A, MQM, PPPP spoke on a single point of order each while 29 male lawmakers highlighted 73 issues. More issues were highlighted by the leading government and opposition parties - eight PPPP and seven PML-N lawmakers raised 19 issues each.

**Table 5.1A: Points of Order**

Sitting No.	Points of Order	Time Consumed (Min.)
1st	13	35
2nd	16	39
3rd	4	9
4th	0	0
5th	2	2
6th	13	25
7th	3	20
8th	12	46
9th	3	42
10th	1	1
<b>Total</b>	<b>67</b>	<b>219</b>

A bulk of points of order - 64% - were on criticism of the government (20), law and order (nine), child rights and employment (five each), and business of the house and drone attacks (four each).

The members criticized the interior minister for supplying inaccurate figures in the killings resulting from terrorism and asked of him to get his reply verified. The government benches criticized the opposition on their reaction to the above matter and their subsequent boycott of the session resulting in low address of agenda and wastage of state resources.

On points of order regarding law and order senators criticized the kidnappings in Balochistan, killing of MQM leader in police custody in Karachi and emphasized on the need to set up a monitoring team for the Karachi operation. The senators debated the pros and cons of the quota system in employment and alleged irregularities in termination of PIA employees while speaking on employment related issues.

Lawmakers, while speaking on child rights, spoke about child labour and molestation cases in the country. They linked these issues with unemployment, lack of education and poverty. They asked of the government to curb child smuggling to U.A.E from Southern Punjab, implementation of laws on children's rights and mobilization of media to broadcast awareness campaign to overcome the issue of Child Labour.

However, the much hyped issues of energy and power and drone attacks were less discussed on points of order.

**Table 5.1B: Issues raised on Points of Order**

Issues	Count of Issues
Criticism on government	20
Law and order	9
Employment	6
Child rights	5
Business of the House	4
Drone attacks	4
Kalabagh dam	4
Privatization	3

Issues	Count of Issues
Discipline of the House	2
Fatiha prayer	2
Foreign affairs	2
LG elections	2
Real estate	2
Agriculture	1
Ministerial absence	1
Minority related affairs	1
National security	1
Natural calamity	1
Print media	1
Provincial autonomy	1
Missing persons	1
Baluchistan related affairs	1
Energy and power	1
Inflation	1
Visa and Passport	1
NADRA related issues	1
Aviation	1
<b>Total</b>	<b>79</b>

## 5.2 Protests/Walkout/Boycotts

Twelve protests were recorded during the session including four walkouts a protest and a seven day boycott of the entire opposition; MQM did not participate in any of the protests. During the first sitting two separate token walkouts were observed by ANP and PPPP lawmakers (backed by the opposition) on kidnappings in Balochistan and the proposal to privatize the Pakistan Steel Mills respectively. The PPPP lawmakers protested for 10 minutes on the absence of the Minister for Water and Power.

During the third sitting the entire opposition walked out twice lasting once when the Federal Interior Minister gave an allegedly inaccurate reply to killings in terrorist attacks and the second time when the minister refused to withdraw his answer. The protesting opposition parties boycotted the remaining session - nearly 70% of the proceedings. The boycott was called off on the day the session prorogued.

**Table 5.2: Protests/Walkout/Boycotts**

Sitting No.	Party	Reason	Time (Min.)	Protest/Walkout/Boycott
1st	ANP and entire opposition except MQM	Over the spate of kidnappings in Balochistan	5	Walkout
	PPPP and entire opposition except MQM	Over proposal to privatize the Pakistan Steel Mills	5	Walkout
2nd	PPPP	Against the absence of Minister for Water and Power	10	Protest
3rd	All opposition except MQM	Over a wrong reply to question from Minister for Interior	74	Walkout
		Unparliamentarily attitude of the Interior Minister		Walkout
4th	Entire opposition except MQM	Due to the alleged misconduct of the Federal Interior Minister in the previous sitting	The opposition did not attend these sittings	Boycotted the sitting
5th				
6th				
7th				
8th				
9th				
10th				

## GLOSSARY

### **Adjournment Motion**

A motion to adjourn the business of the house for the purpose of discussing a definite matter of recent and urgent public importance.

### **Amendments**

A motion to amend an earlier motion before that earlier motion is put to the assembly for its decision.

### **Assent**

Refers to the power of the President to assent the bill passed by the house or return the same to the house for reconsideration.

### **Chairperson**

In relation to a sitting, any person who is presiding at that sitting.

### **Calling Attention Notice**

A Senator who wishes to raise a matter of sufficient public importance can call attention of the minister to such matter by giving notice in writing. The Chairman would select one of them but not more than two notices in a week for a statement by the minister.

### **Chair**

The presiding officer at a meeting of the house or a committee.

### **Chamber**

The place where the Senate meets to transact its business.

### **Deputy Chairman**

When the office of Chairman is vacant or Chairman is absent or is unable to perform his functions due to any cause the Deputy Chairman acts as the Chairman of the house.

### **Election**

The process of choosing a representative by vote.

### **Leader of the Opposition**

"Leader of the Opposition" means a senator who, in the opinion of the Chairman, is the leader of the majority of opposition senators for a certain time period.

### **Legislation**

The process of crafting law.

### **Legislative Process**

The processes by which bills are approved by assembly.

### **Member**

A member of the assembly and for purposes of moving or opposing a bill, an amendment, a motion or a resolution, includes a minister.

### **Member-in-Charge**

In the case of government bill, a minister or a parliamentary secretary acting on behalf of the government and in the case of a private member's bill, the member who has introduced it or any other member authorized by him in writing to assume charge of the bill in his absence.

### **Minister**

May refer to the Prime Minister, a Federal Minister or a Minister of State, or a Parliamentary Secretary in respect of any function delegated or entrusted to him by a minister.

### **Motion**

A proposal made by a member or a minister relating to any matter, which may be discussed by the house and includes an amendment.

### **Mover**

The mover of a bill, a resolution, a motion or an amendment of a bill, a resolution or a motion and in the case of a government bill, a resolution, a motion or an amendment, a minister or a Parliamentary Secretary acting on behalf of the government.

### **Opposition**

The party or parties who do not belong to the governing party.

### **Orders of the Day**

"Orders of the Day" means the list of business to be brought before the house on any day.

### **Point of Order**

A member can raise a point of order relating to the interpretation or enforcement of the rules or such articles of the constitution as regulate the business of the Senate, and are in the cognizance of the Chairman. A point of order can also be raised in relation to the business before the Senate at the moment.

### **Private Member**

A member who is not a minister or a Parliamentary Secretary.

### **Private Member's Bill**

A proposed law introduced by a private member.

### **Proceedings**

The actions taken by the house or by a committee, the most important parts of the proceedings are the decisions that are taken.

### **Quorum**

Quorum is the minimum number of members of Senate necessary to conduct the business of the assembly. (one-fourth of the house)

### **Question Hour**

A time fixed under the rules for asking and answering questions.

### **Resolution**

A motion for the purpose of discussing and expressing an opinion on a matter of general public interest.

### **Starred question**

A question that requires an oral answer in addition to a written reply.

### **Senate**

The upper house of Majlis-e-Shoora (parliament) known by that name.

*We wish to extend our acknowledgment to the Senate Website for material contributions presented in the Glossary.*

*Disclaimer: This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of FAFEN and can in no way be taken to reflect the views of the European Union. This Session Report is based on direct observation of the Senate proceedings conducted by PATTAN Development Organization; a member organization of FAFEN. Errors and omissions excepted. Please contact House 145, St 37, F-10/1, Islamabad - 051-8466232*



# About FAFEN

Free and Fair Election Network (FAFEN), established in 2006, is a coalition of 42 leading civil society organizations working to strengthen all forms of democratic accountabilities in Pakistan. Governed by Trust for Democratic Education and Accountability (TDEA), FAFEN's key achievements include:

- Observed the public display of Pakistan's 2007 draft electoral rolls and conducted the country's first statistically-valid voters' list audit
- Deployed 18,829 trained, neutral Election Day observers nationwide to monitor the February 18, 2008, General Elections
- Fielded 264 long-term observers nationwide and published 19 pre-election reports
- Conducted 260 simultaneous Parallel Vote Tabulations (PVTs)- the largest PVT effort in the world
- Conducted a Constituent Aspirations Survey in December 2008 with 3,124 respondents regarding attitudes and beliefs of people living in the constituencies
- Observed Gilgit-Baltistan 2009 General Elections and 2010-2012 By-Elections in various constituencies of the Punjab, Balochistan and Khyber Pakhtunkhwa
- Implements a unique methodology to observe and report on legislative proceedings and performance under a Parliament Watch Project
- Monitors public institutions across Pakistan and issues monthly reports on the state and performance of educational, health and other local institutions as well as reports on prices, crimes, incidence of disease, caseload in lower courts, and political and electoral violence

FAFEN continues to implement robust programs in-between elections related to monitoring parliamentary affairs, connecting constituents to their elected representatives, monitoring the performance of public and elected institutions and advocating electoral and democratic reforms. FAFEN is also monitoring political and electoral violence and promoting active citizenship through ongoing civic education activities across the country. FAFEN is currently implementing Supporting Transparency, Accountability and Electoral Processes (STAEP) in 200 National Assembly constituencies in 119 districts across Pakistan.



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