

HOUSE OF FEDERATION

FAFEN PARLIAMENT MONITOR

253rd Session

Sep 26 - Oct 7, 2016



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EXECUTIVE SUMMARY

The Senate took up heavy agenda during eight sittings held between September 26, 2016 and October 7, 2016. It passed two bills, adopted seven resolutions, and witnessed introduction of 20 legislative proposals that were referred to the relevant committees.

With an average of 18% Senators present at the start and 22% at the end of each sitting, the session transacted most of the agenda, appearing on the Orders of the Day. A maximum of 69 (68%) members, on average, attended the session along with the presence of three minority Senators.

On average, each sitting started two minutes behind the schedule and lasted three hours and 11 minutes. The Prime Minister did not attend any of the sittings. An effective system of governance is the one where elected Head of the Government is engaged in the parliamentary interventions on a regular basis. Sub-rule (2A) of Rule 61 of the Rules of Procedure and Conduct of Business in the Senate states that the Chief Executive shall attend the Prime Minister's Zero Hour (last hour of the sitting) at least once a week when the Senate is in session.

On the other hand, the Chairman attended the entire sittings and presided over 85% of the session's time. The Deputy Chairman attended two sittings but did not preside over any sitting. Nine percent of the proceedings' time was presided over by Members of the Panel of Presiding Officers while six percent time was consumed in breaks.

The Leader of the House remained present in all the sittings and attended 78% of the session's time, while the Opposition Leader attended seven sittings and consumed 32% of the session's time.

The parliamentary leaders of BNP-M and PML-N attended the entire sittings, followed by PkMAP & PML-F (7 each), MQM & PTI (6 each), NP (5), ANP, PML & JI (4 each), JUI-F & PPPP (3 each) and BNP-A (2). Minister for Finance Ishaq Dar and Senator Aurangzeb Khan did not attend any of the sittings.

The House passed two government bills, including the Special Economic Zones (Amendment) Bill, 2016 and the State Life Insurance Corporation (Re-organization and Conversion) Bill, 2016.

Besides, 20 bills were introduced in the House, including the Police Order (Amendment) Bill, 2016; the Islamabad Prohibition of Sheesha Smoking Bill, 2016; the Pakistan Penal Code (Amendment) Bill, 2016 (Insertion of new sections 320A and 337JJ); the Islamabad Restriction on Employment of Children Bill, 2016; the Islamabad Registration (Amendment) Bill, 2016; the Pakistan Penal Code (Amendment) Bill, 2016 (Amendment in section 364A); the Trafficking in Persons Bill, 2016; the Smuggling of Migrants Bill, 2016; the Panama Papers Inquiries Bill, 2016, the

Partnership (Amendment) Bill, 2016, the Protection of Economic Reforms (Amendment) Bill, 2016, the Corporate Rehabilitation Bill, 2015, the Plant Breeders' Rights Bill, 2016; the National Command Authority (Amendment) Bill, 2016; the Central Law Officers Amendment) Bill, 2016; the Legal Practitioners and Bar Councils (Amendment) Bill, 2016; the Code of Civil Procedure (Amendment) Bill, 2016; the Islamabad High Court (Amendment) Bill, 2016; the Civil Courts (Amendment) Bill, 2016 and the Companies (Appointment of Legal Advisers) (Amendment) Bill, 2016.

Two bills, the Islamabad Capital Territory Private Educational Institutions (Registration and Regulation) (Amendment) Bill, 2016 and the Right to Information Bill, 2016 were dropped. The House deferred the National Authority for International Law and Commitments Bill, 2016 while the Political Parties Order (Amendment) Bill, 2016 was withdrawn by the mover.

The House adopted seven resolutions during the session. Moved by Leader of the House, a supplementary resolution was adopted to condemn Indian atrocities in the Occupied Kashmir. The House adopted six more resolutions to condemn anti-Pakistan statements of Altaf Hussain; construct low-cost housing units; stop brain drain from the country; felicitate Pakistan Team for getting top position in Test Cricket rankings; give incentives to local car manufactures in order to boost up production of low priced vehicles and construct 250 km long highway along the coast from Sir Creek to Karachi.

Moreover, two resolutions were dropped due to the absence of relevant lawmakers, while one was deferred and the other was withdrawn by the mover.

The House witnessed presentation of 12 reports by chairpersons of various committees while one report presented by the Committee of the Whole was adopted. Following Motions under Rule 194 (1), the extension in time period was granted for submission of two reports while one motion was not taken up.

The Senate debated six out of 14 Motions under Rule 218 that dealt with the present state of relations between Pakistan and India; the procedure laid down by the Ministry of Housing and Works for acquiring land from private sector to develop its housing schemes; the plight of Pakistani labourers in Saudi Arabia; the situation arising out of transparency concerns on the loan of \$ 408 million taken by the Government of Pakistan from Switzerland-based financial group; multiple problems being faced by agricultural sector in the country and the need to protect the rights of Tax Filers in the country.

Six motions under Rule 218 were not taken up while

two more were deferred. The House approved the Motion of Thanks to the President of Pakistan for his address to both the Houses assembled together on June 1, 2016.

Under Rule 278, the House approved an amendment to the Rules of Procedure and Conduct of Business in Senate 2012. The amendment empowered the committees to hold public hearing for seeking input from citizens at large in relation to any matter under its consideration.

The House discussed a Motion under Rule 60 regarding the names of the persons / firms who obtained loans of Rs 5 million or above from the National Bank of Pakistan during the last five years.

Six Adjournment Motions appeared on the Orders of the Day of which four were not admitted by the Chair while one was dropped due to the absence of the mover and other was withdrawn.

The House took up seven CANs regarding non-regularization of 200 contractual employees of PCSWR for the last 10 years; failure of the Ministry of Commerce to increase exports by 35 billion; decision of the Government to roll back Pakistan Textile City project at Port Qasim Karachi; the emergence of new circular debt of Rs. 250 to 300 billion at present; the mismanagement in the affairs of EOBI, illegal sale of Government-owned residential quarters in Karachi and the non-establishment of Passport Offices in Districts Musakhel, Ziarat and Harnai despite recruitment of staff for these offices.

Two CANs were not taken up by the House regarding refusal of Ministries of Water and Power and Finance to extend the relief of Rs. 228 billion, recommended by NEPRA, to the electricity consumers and reduction of 50% in the funds of Federal Flood Commission. Another CAN by the Federal Government for the maintenance and strengthening of river embankment despite the fact that the warning of floods has been issued by the Pakistan Metrological Department.

Another CAN about non-completion of electrification schemes in three villages was dropped due to absence of mover.

Human rights issues were highlighted through various interventions during the session. A bill – the Trafficking in Persons Bill, 2016 – was introduced to ensure protection of the rights of women and children. Similarly, the Smuggling of Migrants Bill, 2016 was introduced to protect rights of Pakistani migrants and save them for being blackmailed by unscrupulous smugglers.

Other parliamentary interventions were used to condemn Indian brutalities and gross human rights violations in Occupied Kashmir by Indian forces; urge the international community to immediately take notice of the grave human rights violations in the occupied Jammu and Kashmir; protect

democratic rights of the people; discuss fundamental and constitutional rights of people; the non-availability of legal aid to under-trial prisoners and the enforced disappearances and mutilated bodies being found in Balochistan.

A Privilege Motion of an ANP lawmaker was admitted and forwarded to the relevant committee. It was against the Chief Secretary Balochistan, Chief Secretary Khyber Pakhtunkhwa (KP), Chief Secretary FATA, Senior Member BOR Balochistan, Senior Member BOR KP, Secretary Communications, Government of Pakistan and CEO, FWO, who were formally invited to attend the meeting of SSC on Communications but they did not attend the meeting.

A point of personal explanation was raised by a PkMAP lawmaker regarding a news item published in a section of the press about blackmailing of State Minister for Information Technology by Standing Committee on Less Developed Areas. The Chair asked the Leader of the House to look into the matter.

A total of 83 out of 130 (64%) Starred Questions were taken up on the floor of the House, while Senators raised another 176 Supplementary Questions. Of these, 17 were related to the Ministry of Interior and Narcotics Control; Ministry of Communication (14), Ministries of CADD and Finance (11 each) and Ministry of Commerce (10).

The lawmakers raised 31 Points of Public Importance that consumed 121 minutes of the session's time.

Two PPPP lawmakers pointed out quorum separately in 2nd and 3rd sittings of the session that led to the adjournment of the sitting.

The entire opposition boycotted the proceedings during 3rd sitting against the provincial government's move to stop Leader of the Opposition in the National Assembly from attending a rally in Lahore.

1

SESSION DURATION, MEMBERS' ATTENDANCE

This section deals with the session's duration and attendance of Senators. 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.

TOTAL SITTINGS

8

SESSION TIME

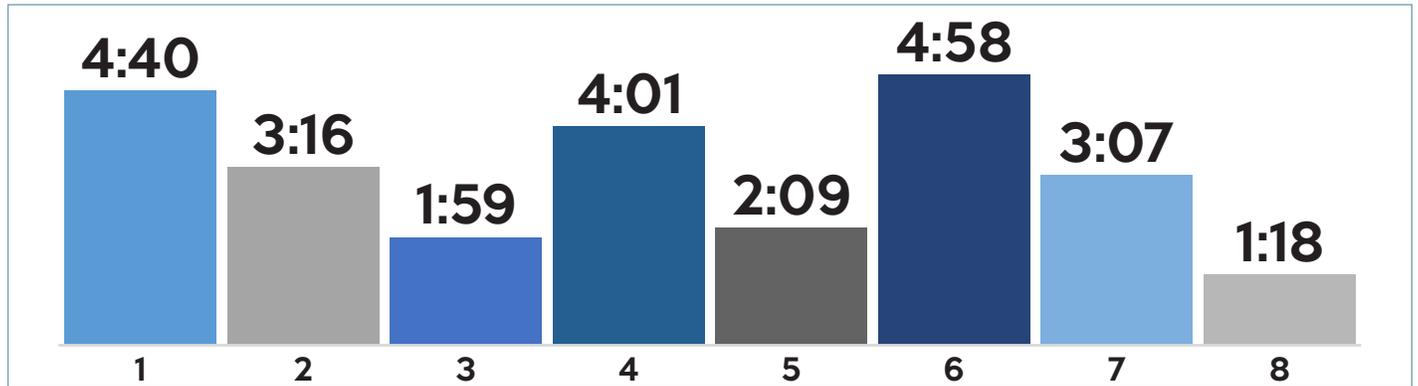
28h00m

AVERAGE SITTING TIME

3h11m

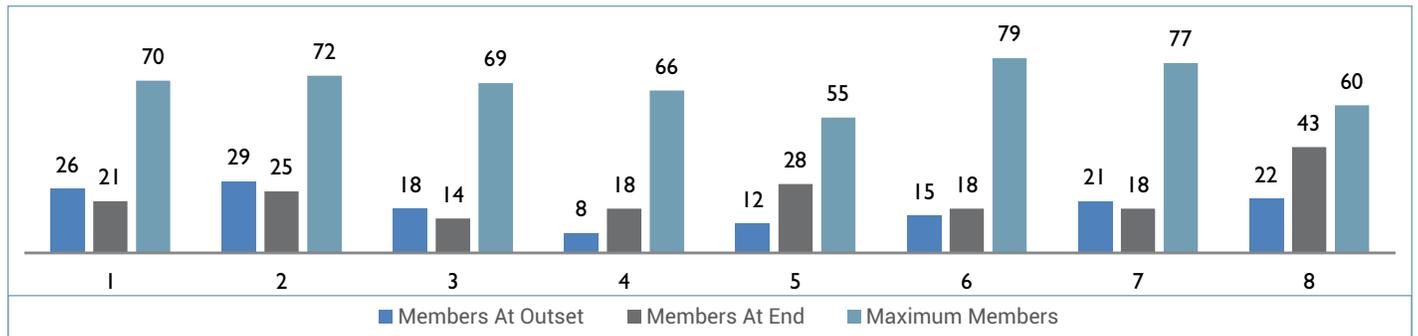
SITTING DATE, DURATION AND ATTENDANCE

On average, each sitting started two minutes behind the schedule and lasted three hours and 11 minutes.



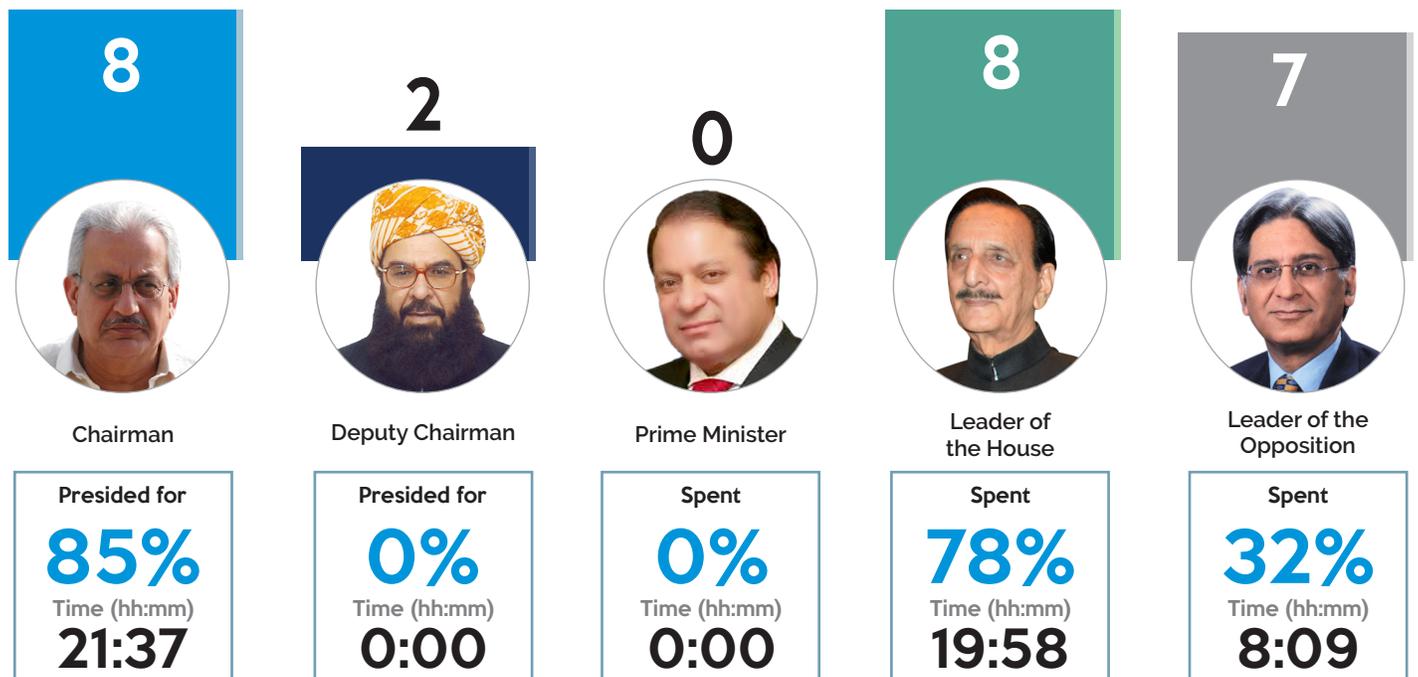
AVERAGE MEMBERS ATTENDANCE

With an average of 18% Senators present at the start and 22% at the end of each sitting. A maximum of 69 (68%) members, on average, attended the session along with the presence of three minority Senators.



KEY MEMBERS ATTENDANCE

The Prime Minister did not attend any of the sittings. On the other hand, the Chairman attended the entire sittings and presided over 85% of the session's time.



*Nine percent of the proceedings' time was presided over by Members of the Panel of Presiding Officers while six percent time was consumed in breaks.

PARLIAMENTARY LEADERS ATTENDANCE

The parliamentary leaders of BNP-M and PML-N attended the entire sittings, followed by PkMAP & PML-F (7 each), MQM & PTI (6 each), NP (5), ANP, PML & JI (4 each), JUI-F & PPPP (3 each) and BNP-A (2). Minister for Finance Ishaq Dar and Senator Aurangzeb Khan did not attend any of the sittings.



MUSHAHID ULLAH KHAN



8

PML-N | attended



JEHNZEB JAMALDINI



8

BNP-M | attended



USMAN KAKAR



7

PkMAP | attended

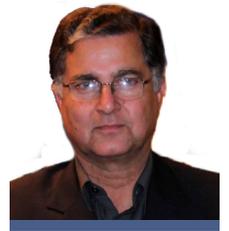


MUZAFFAR SHAH



7

PML-F | attended



NAUMAN WAZEER



6

PTI | attended

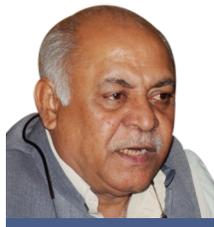


TAHIR MASHHADI



6

MQM | attended



HASIL BIZENJO



5

NP | attended



SIRAJ UL HAQ



4

JI | attended



ILYAS BILOUR



4

ANP | attended



MUSHAHID HUSSAIN



4

PML | attended



TALHA MEHMUD



3

JUI-F | attended



SAEED GHANI



3

PPPP | attended



ISRAR ULLAH ZEHRI



2

BNP-A | attended

2

REPRESENTATION, RESPONSIVENESS AND GOVERNMENT OVERSIGHT

This section highlights the efforts of legislators to represent the interests of their constituents through sharing their views during debate on various motions and matters of public importance on Orders of the Day.

QUESTIONS

130

CANs

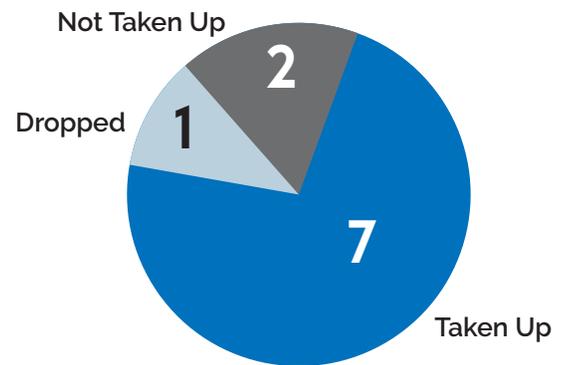
10

ADJOURNMENT
MOTIONS

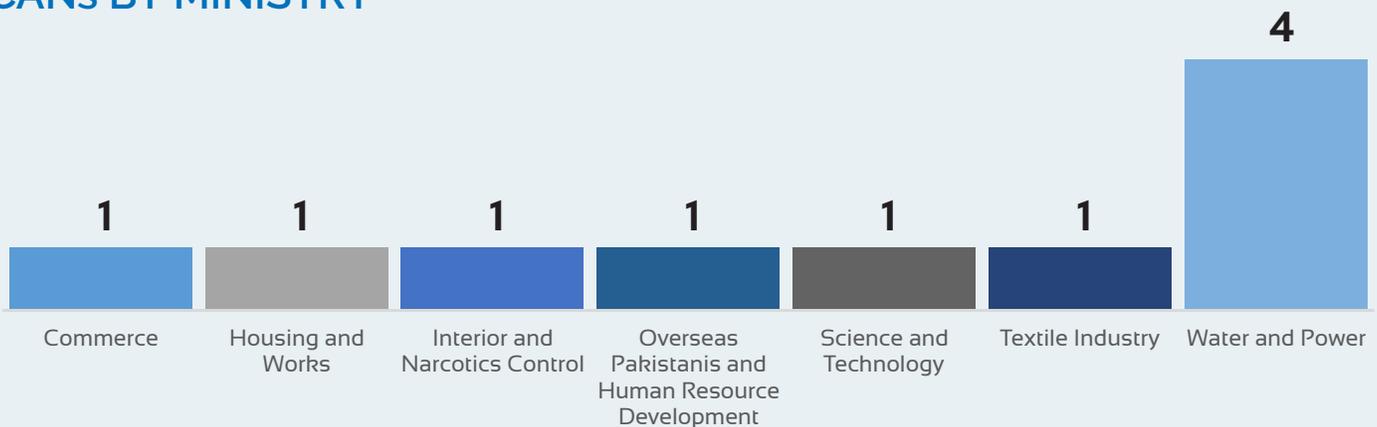
6

CALLING ATTENTION NOTICES

As per Rule 64, a member 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. The House cannot debate the ministerial statement at the time it is made.



CANs BY MINISTRY



SUBJECT OF TAKEN UP CANs

Taken Up

- The non-regularization of two hundred contractual employees of Pakistan Council of Research in Water Resources (PCRWR) for the last ten years
- Failure of the Ministry of Commerce to increase exports by 35 billion
- The decision of the Government to roll back Pakistan Textile City project at Port Qasim, Karachi
- The emergence of new circular debt of Rs. 250 to 300 billion at present
- The mismanagement in the affairs of EOBI which is seemingly at the verge of collapse due to wrangling between the Federal Government and Provincial Governments over its ownership
- The illegal selling of Government owned residential quarters situated in old Federal residential colonies in Karachi by their occupants in collaboration with the officers and inspectors of PWD, South Zone and Estate Office
- The non-establishment of Passport Offices in Districts Musakhel, Ziarat and Harnai whereas the staff has been recruited for the said offices and the non-functioning of Passport Offices in various districts of Balochistan including Qilla Saifullah, causing serious problems to the people of the province

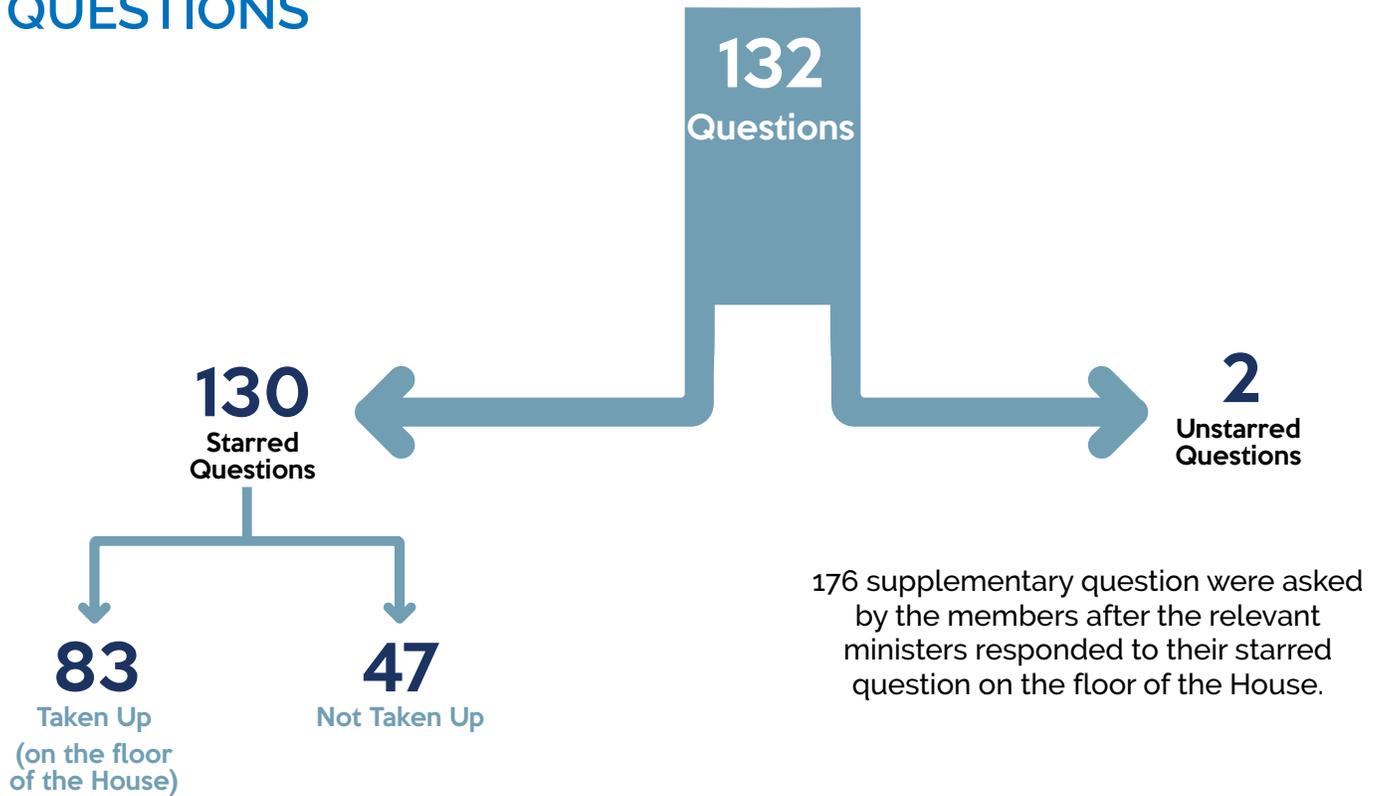
Not Taken Up

- The refusal of Ministries of Water and Power and Finance to extend the relief of Rs. 228 billion, recommended by NEPRA, to the electricity consumers
- The reduction of 50% in the funds of Federal Flood Commission by the Federal Government for the maintenance and strengthening of river embankment despite the fact that the warning of floods has been issued by the Pakistan Metrological Department

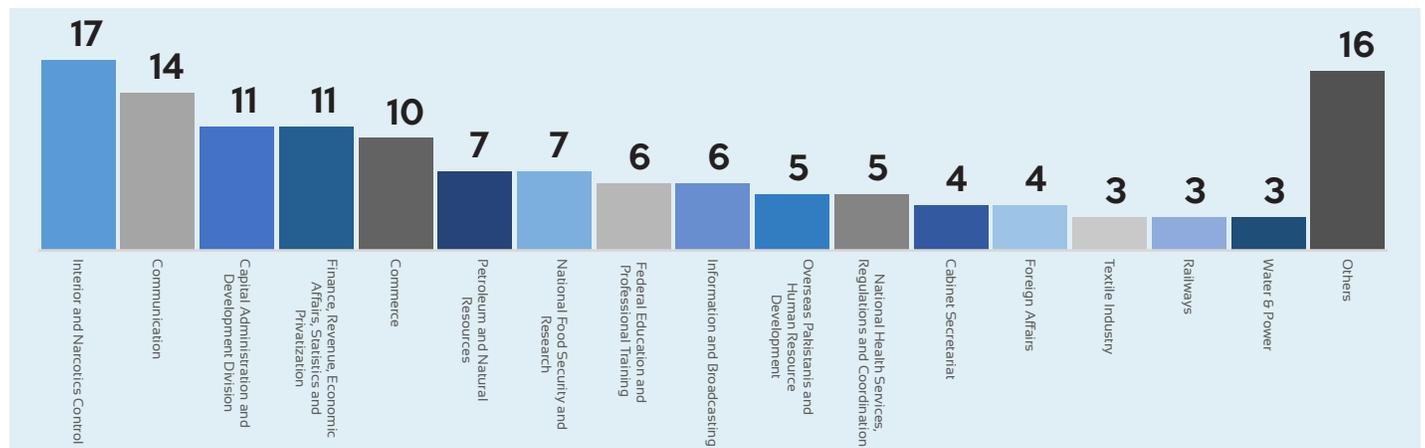
Deferred

- The non-completion of electrification schemes for the villages Jam Khaskhali, Muhammad Khaskhali and Mohalla Munger Khan Palijo

QUESTIONS



QUESTIONS (BY MINISTRY)



QUESTION OF PRIVILEGE

A Privilege Motion of an ANP lawmaker was admitted and forwarded to the relevant committee.



Advocate Muhammad Daud Khan Achakzai

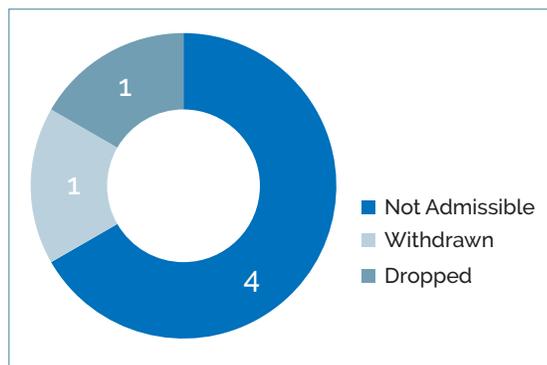
Privilege Motion under Rule 70 (ii) of the Rules of Procedure and Conduct of Business in the Senate, 2012, against the Chief Secretary, Balochistan, Chief Secretary, KPK, Chief Secretary, FATA, Senior Member BOR, Balochistan, Senior Member BOR, KPK, Secretary Communication, Government of Pakistan and CEO, FWO, who were formally invited to attend the meeting of SSC on Communication but the said officers did not attend the meeting



ANP

ADJOURNMENT MOTIONS

Six Adjournment Motions appeared on the Orders of the Day of which four were not admitted by the Chair while one was dropped due to the absence of the mover and other was withdrawn.



SUBJECT OF ADJOURNMENT MOTION

Not Admissible

- The detrimental consequences of introduction of new amnesty scheme after every two years by the Government due to which the black money holders are getting richer day by day and the lack of punishment mechanism in this regard
- The submission of a Bill by two Members of American Congress with the objective to get declared Pakistan as a State which supports terrorism
- The devastations of floods / rains in the Country particularly in Khyber Pakhtunkhwa where recently twenty six people lost their lives and the non-utilization of billions of dollars aid given for the victims of floods in the year, 2010

- The decision of the Government to impose an additional surcharge of 70 paise per unit on power consumers of Punjab and Sindh for the next twenty five years

Dropped

- The destruction of record of oil consumption at Nandipur Power Plant by setting the same at fire

Withdrawn

- The continuous killing of innocent Kashmiris at the hands of Indian forces and the unrest created by India on LOC

MUR 194 SUB-RULE (1)

STATUS OF MOTIONS

Extension granted

- [Ministry: Housing and Works](#)

The time for presentation of Report of the Standing Committee on the subject matter of starred question No.121, asked by Senator Sardar Muhammad Azam Khan Musakhel, on 27th July, 2016, regarding the number of members of the executive Committee of the Federal Government Employees Housing Foundation which approved purchase of land for Housing Scheme, Phase IV, Bhara Kahu, Islamabad during the year, 2009, referred to the Standing Committee for consideration and report, be extended for a further period of thirty working days with effect from 27th September, 2016, in order to enable the Committee to extensively deliberate on the referred matter

- [Ministry: Interior and Narcotics Control](#)

The period for presentation of report of the

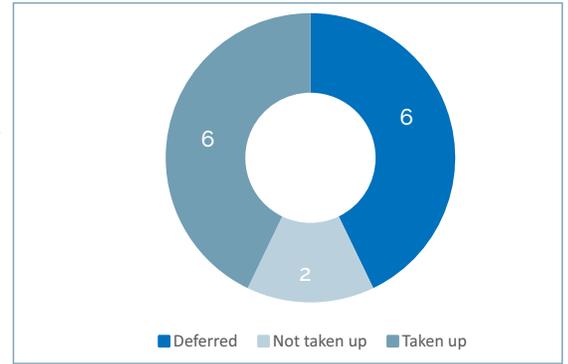
Committee on the murder of Prof. Dr. Shahid Nawaz, Cardiologist of PIMS, moved by Senator Lt. Gen. (R) Abdul Qayyum, on 15th June, 2016, may be extended for a further period of thirty working days with effect from 29th September, 2016, in order to enable the Committee to finalize its report.

Not taken up

- [Ministry: Interior and Narcotics Control](#)
- The period for presentation of report of the Committee on the murder of Prof. Dr. Shahid Nawaz, Cardiologist of PIMS, moved by Senator Lt. Gen. (R) Abdul Qayyum, on 15th June, 2016, may be extended for a further period of thirty working days with effect from 29th September, 2016, in order to enable the Committee to finalize its report

MOTION UNDER RULE 218

The Senate debated six out of 14 Motions under Rule 218 that dealt with the present state of relations between Pakistan and India; the procedure laid down by the Ministry of Housing and Works for acquiring land from private sector to develop its housing schemes; the plight of Pakistani labourers in Saudi Arabia; the situation arising out of transparency concerns on the loan of \$ 408 million taken by the Government of Pakistan from Switzerland-based financial group; multiple problems being faced by agricultural sector in the country and the need to protect the rights of Tax Filers in the country.



SUBJECT OF TAKEN UP MOTIONS

- The present state of relations between Pakistan and India especially after the recent statements made by the Indian Prime Minister regarding Pakistan
- The procedure laid down by the Ministry of Housing and Works for acquiring land from private sector to develop its housing schemes and make suggestions to bring transparency in acquiring land and developing such schemes
- The plight of Pakistani labourers in Saudi Arabia
- The situation arising out of transparency concerns on the loan of \$ 408 million taken by the Government of Pakistan from Switzerland-based financial group, Credit Suisse without competitive bidding
- The House may discuss the multiple problems being faced by agricultural sector in the country
- This House may discuss the need to protect the rights of Tax Filers in the country

MOTION OF THANKS



Sheikh Aftab Ahmed

This House expresses its deep gratitude to the President of Pakistan for his address to both the Houses assembled together on 1st June, 2016



PML-N

MOTION UNDER RULE 60



Dr. Jehanzeb Jamaldini
BNP-M

The names of the persons / firms who obtained loans of Rs. 5 Million and above from the National Bank of Pakistan during the last five years

3

PARLIAMENTARY OUTPUT

This section deals with the output of the Upper House in terms of legislation, resolutions and standing committee reports appearing on the Orders of the Day during the session

REPORTS/PAPERS
ON AGENDA

13

RESOLUTIONS
ON AGENDA/
SUPPLEMENTARY

11

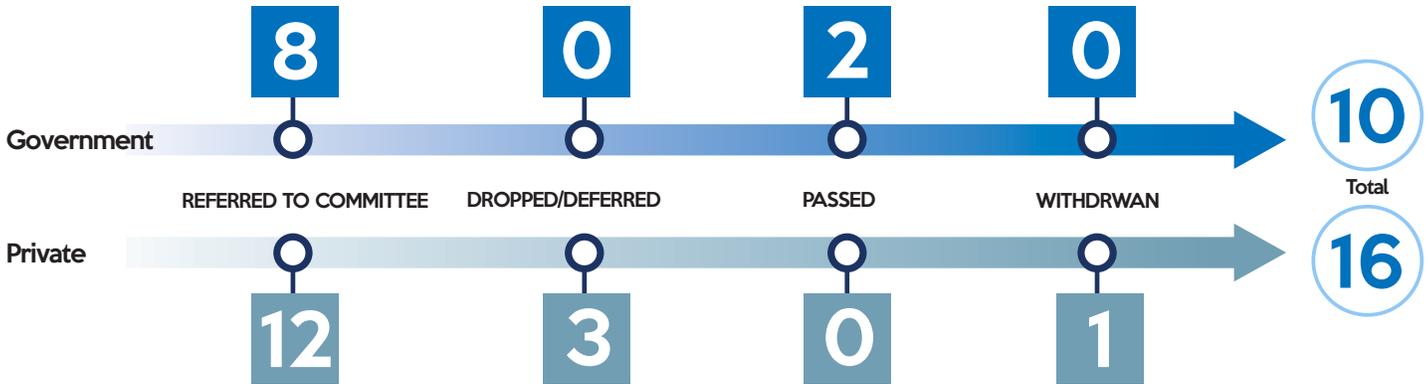
BILLS
ON AGENDA

26

LEGISLATION

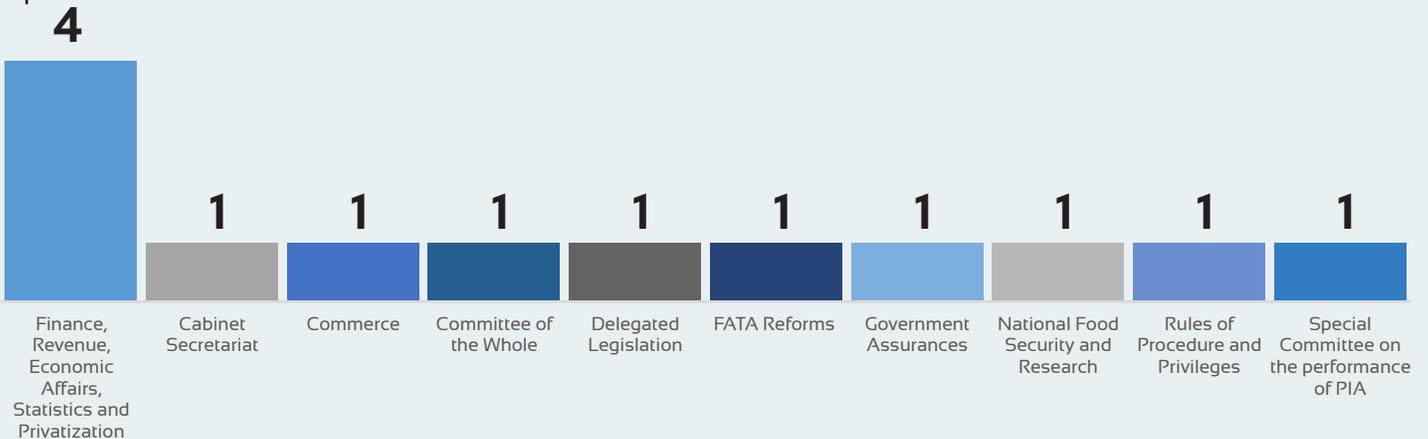
The House passed two government bills, including the Special Economic Zones (Amendment) Bill, 2016 and the State Life Insurance Corporation (Re-organization and Conversion) Bill, 2016.

STATUS OF BILLS



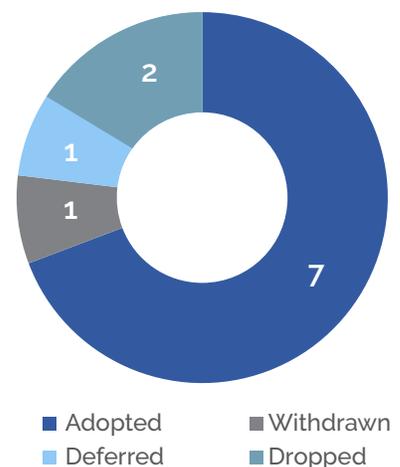
REPORTS

The House witnessed presentation of 12 reports by chairpersons of various committees while one report presented by the Committee of the Whole was adopted. Following Motions under Rule 194 (1), the extension in time period was granted for submission of two reports while one motion was not taken up.



RESOLUTION

The House adopted seven resolutions during the session. Moved by Leader of the House, a supplementary resolution was adopted to condemn Indian atrocities in the Occupied Kashmir. The House adopted six more resolutions to condemn anti-Pakistan statements of Altaf Hussain; construct low-cost housing units; stop brain drain from the country; felicitate Pakistan Team for getting top position in Test Cricket rankings; give incentives to local car manufactures in order to boost up production of low priced vehicles and construct 250 km long highway along the coast from Sir Creek to Karachi.



4

ORDER AND INSTITUTIONALIZATION

This section documents the details of Matters of Public Importance, quorum and also about walkouts observed during the session.

MATTERS OF PUBLIC
IMPORTANCE

31

WALKOUT

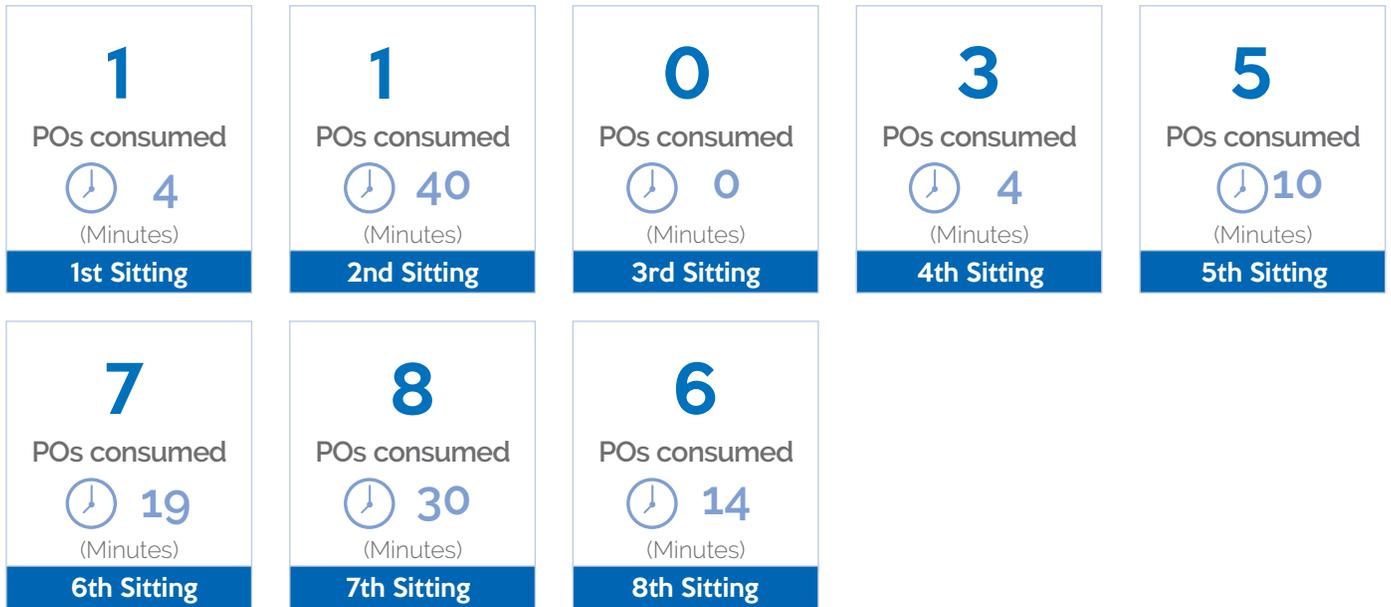
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QUORUM

2

MATTERS OF PUBLIC IMPORTANCE

According to sub-Rule 1 of Rule 61, last hour of the sitting shall be utilized as Prime Minister's Zero Hour to take up matters of urgent public importance. Similarly, sub-Rule 2 says that a member may raise a matter after giving a notice, in writing, to the Secretary, one hour before the commencement of sitting of the Senate to be taken up in Prime Minister's zero hour.



WALKOUT

3rd Sitting

► Walkout (Entire Opposition)

Reasons: Protest against provincial government's move to stop the Leader of the Opposition in the National Assembly from attending a rally in Lahore

QUORUM



2nd Sitting

► **Karim Ahmed Khawaja (PPPP)**
Speaker's Action: Adjournment of sitting



3rd Sitting

► **Sherry Rehman (PPPP)**
Speaker's Action: Adjournment of sitting

About FAFEN

- FAFEN is one of the most credible networks of civil society organizations working for strengthening citizens' voice and accountability in Pakistan since 2006.
- FAFEN has harnessed information technology for real-time monitoring, facilitation and technical backstopping of partners for effective and result-based program delivery.
- FAFEN is the only civil society group to have been invited by the Judicial Commission to present the evidence of illegalities and irregularities documented through the course of General Elections 2013 Observation. The systemic and procedural issues identified by FAFEN have been acknowledged by the commission in its detailed findings.
- FAFEN's recommendations for electoral reforms have contributed to the work of Parliamentary Committee for Electoral Reforms.
- FAFEN's advocacy for parliamentary transparency, accountability and reforms has shaped public discourse on parliamentary reforms. Improved citizens' access to parliamentary information including daily public release of parliamentarians' attendance records can be directly attributed to FAFEN's work.
- FAFEN deployed 18,000 and 40,000 non-partisan and trained observers for the systematic observation of general election 2008 and 2013, respectively, largest citizens' observation ever undertaken in Pakistan.
- FAFEN's evidence and recommendations for reforms have improved the quality of public and political discourse on elections, its issues and need for reforms. Leading political parties and media houses extensively use FAFEN's election findings and analysis to build a case for reforms.
- With more than 17,300 followers on Twitter and around 65,000 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

www.openparliament.pk | www.parliamentfiles.com



Free and Fair Election Network
www.fafen.org