

HOUSE OF FEDERATION

# FAFEN PARLIAMENT MONITOR

258th Session

Jan 9 - Jan 20, 2017



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# HR Issues Haunt Senate

- Upper House Transacts Heavy Agenda
- PM Remains Absent Throughout Session
- Four Bills Passed, Seven Resolutions Adopted

The human rights issues echoed in the Senate during 258th session as the lawmakers discussed kidnapping of the bloggers, alleged torture of a 10-year-old child-maid while the House passed a bill to ensure right of vote to women.

The House also witnessed introduction of the Transgender Persons (Protection of Rights) Bill, 2016 to protect the rights of marginalized community. The lawmakers also touched upon the fire incident at Gudnai ship-breaking yard and were informed about the site visit of Human Rights Committee.

The House was further informed about the steps being taken by the government to provide legal aid to those women prisoners who can't afford to hire a lawyer. In reply to a Starred Question, the House was told that the Law and Justice Commission of Pakistan had constituted District Legal Empowerment Committees (DLECs) in all districts of the country to provide free legal aid to deserving litigants.

Federal and State Ministers for Interior and Narcotics Control gave policy statements on the disappearance of rights activists. The Chairman also expressed his concern over the statements of the Foreign Offices of the United Kingdom and the United States over the issue of bloggers' kidnapping. Raza Rabbani said both these governments do not have any right to interfere in the internal matters of a sovereign country, as they never took notice of the gross violations of human rights, missing persons and extra-judicial killings in Palestine and Indian held Kashmir.

The House discussed the reported appointment of former Army Chief as the Chief of Islamic Military Alliance and its overall impact on the foreign policy. The Chair asked the Ministries of Foreign Affairs and Defense to brief the House on the subject, which they did.

In addition, the Senate took up heavy agenda during the course of 10 sittings held between January 9, 2017 and January 20, 2017. The House passed six bills, adopted seven resolutions, and witnessed introduction of eight legislative proposals, which were referred to the relevant committees.

With an average of 16 (15% of the total membership - 104) lawmakers present at the start and 20 (19%) at

the end of each sitting, the session transacted most of the agenda, appearing on the Orders of the Day. A maximum of 65 members, on average, attended the session along with the presence of two minority lawmakers.

Each sitting, on average, started two minutes behind the schedule and continued for three hours and nine 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 nine sittings and presided over 71% of the session's time. The Deputy Chairman attended seven sittings and chaired 21% of the proceedings time while three percent of the sittings were chaired by a Member of the Panel of Presiding Officers. Five percent time was consumed in breaks.

The Leader of the House remained present in all the sittings and attended 81% of the session's time, while the Opposition Leader attended six sittings and consumed 27% of the session's time.

Among the parliamentary leaders of political parties in the House, parliamentary leader of PKMAP attended all 10 sittings followed by PML-F and PML (9 each), JUI-F, PTI and PPPP (8 each), MQM, BNP-M (7 each), ANP and JI (6 each), PML-N (5), NP (4) and BNP-A (3).

The House passed four bills, including a Private Member's bill – the Representation of the People (Amendment) Bill, 2016 – which ensures right of vote for women while barring them from their right will be a criminal offence. Two other Private Members' bills passed by the House included the Oil and Gas Regulatory Authority (Amendment) Bill, 2015 and the National Counter-Terrorism Authority (Amendment) Bill, 2016 while one government bill titled Benami Transactions (Prohibition) Bill, 2016 was passed.

The session witnessed introduction of ten bills, including the Provincial Motor Vehicles (Amendment) Bill, 2016; the Pakistan Council for

Science and Technology Bill, 2016; the Pakistan National Accreditation Council Bill, 2016; the Transgender Persons (Protection of Rights) Bill, 2016; the Senate the National Accountability (Amendment) Ordinance, 2017; the COMSATS University Islamabad Bill, 2017; the Pakistan Penal Code (Amendment) Bill, 2016; the Ehtram-e-Ramazan (Amendment) Bill, 2017; the National School of Public Policy (Amendment) Ordinance, 2017 and the Corporate Rehabilitation Bill, 2017.

The Ordinances laid in the Senate in terms of paragraph (b) of clause 3 of Article 89 of the Constitution are deemed to be a bill introduced in the Senate. A bill – the Constitution (Amendment) Bill, 2016 (Amendment of Article 203F) – was rejected while another bill – the Pakistan Standards and Quality Control Authority (Amendment) Bill, 2016 – was withdrawn by the mover.

The House adopted seven resolutions during the reporting period. These were related to effective steps being taken to alleviate poverty; verification of domicile certificates of the persons belonging to Balochistan and working in various Ministries/ Divisions and Federal Government Department; legislation to provide for preferential treatment to women engaged in business and trade related activities; condemnation of the statement of Indian Prime Minister against Pakistan; urging the government to start evening and night shifts at dispensaries in the rural areas of Islamabad; providing interest free loans to farmers for installation of solar tube wells in the country and disapproving the NAB Ordinance.

Three resolutions regarding steps to control price hike and measures; stop incidents of forced conversion of Hindus to Islam and action against the persons involved in manufacturing and sale of substandard LPG cylinders were dropped due to the absence of movers.

The House deferred a resolution regarding condemnation of violence against Muslims of Syria and Burma on the request of mover.

The House debated an Adjournment Motion (AM) regarding the new amnesty scheme under consideration of the government. Two lawmakers – one each of PTI and MQM – and Minister for Law and Justice spoke on it for 14 minutes. As many as seven AMs were termed out of order and two each were dropped and withdrawn by their respective movers.

The House took up 13 Calling Attention Notices (CANs). These were about non-provision of nutrition and health services to children under five years of age; low pressure of gas in various areas of district Qallat, Balochistan; dilapidated condition of Bacha Khan International Airport, Peshawar; increase in local and foreign loans; open sale of petroleum products without license; death of five infants in

Khyber Agency after drinking polio drops; statement of Special Assistant to the Prime Minister on Foreign Affairs regarding Dr. Shakeel Afridi; out of turn allotment of plots by the Federal Government Employees Housing Foundation (FGEHF); issuance of special hunting permits to Qatri Prince for hunting Houbara Bustard; manufacturing of substandard LPG cylinders; renting out of an inn in Islamabad to NAB by CDA, high fee being charged by private educational institutions in Islamabad and granting of equivalence certificates to O and A level students by Inter Board Committee of Chairmen (IBCC).

Six motions under Rule 218 were also discussed which were related to lowering water table in the country; Indian violations on the Line of Control (LOC); making changes in the procedure laid down for CSS examination; resent status of Heavy Electrical Complex (HEC); increase in production and sale of low quality and non-duty paid cigarettes and high rate of unemployment in the country.

Four motions on controlling supply of unhygienic food by the Hotels in Islamabad, security situation in Islamabad, gap between demand and supply of electricity to Balochistan and services being provided by the government on Motorways and National Highways were dropped. Another motion regarding current political situation in the country was not taken up.

A Privilege Motion of ANP lawmaker was referred to the relevant committee. The members were informed that seven bills – the National Cyber Security Council Bill, 2014; the Constitution (Amendment) Bill, 2015 (Omission of Article 182); the Supreme Court (Number of Judges) (Amendment) Bill, 2016; the Prohibition of Smoking and Protection of Non-smokers Health (Amendment) Bill, 2016; the Constitution (Amendment) Bill, 2016 (Amendment of Article 28); the Islamabad Prohibition of Sheesha Smoking Bill, 2016 and the Civil Courts (Amendment) Bill, 2016 – have been received back from the standing committees and they can make a motion under Rule 100 for further consideration of these bills.

The House witnessed presentation of 24 reports of various committees of the House while seven motions were passed under Rule 194 (1) to extend presentation period of the reports on various interventions. The House adopted an amendment in Rule 182 of the Rules of Procedure and Conduct of Business in the Senate, 2012.

The House took up two motions under Rule 60 which were regarding the tests conducted by NTS for appointments against various posts in Utility Stores Corporation and a matter of public importance arising out of an answer to a Starred Question about names and addresses of the owner(s) of the service stations established at both

sides of the River Indus on Islamabad-Peshawar Motorway.

A total of 116 out of 245 (47%) Starred Questions were taken up on the floor of the House, while Senators raised another 249 Supplementary Questions.

Chairman Senate took notice of wrong reply to a Starred Question related to Civil Aviation Authority (CAA) and forwarded the matter to the Senate Committee on Privileges for action against responsible officials. He also informed the Upper House about receiving a letter at his home in Karachi showing Rs.100 million deposit in his account at SME Bank. He clarified that he has no account in the SME bank and stated that a letter has been written to President SME Bank and Director General Federal Investigation Agency (FIA) to investigate the matter.

The ministerial response on various issues was also witnessed during the session as Minister for Petroleum and Natural Resources made a statement on the shortage of gas in snow affected areas of Balochistan; Minister of State for Interior and Narcotics Control spoke about the incident of fighting between the students in Quaid-e-Azam University Islamabad while Minister for National Food Security and Research informed the House about the policy of government regarding withdrawal of subsidy on fertilizers.

Three instances of walkouts - one each in second, third and tenth sitting - were recorded for a total of 42 minutes. In the second sitting, the entire opposition walked out of the House for 32 minutes after terming the reply of Minister for Interior unsatisfactory on the disappearance of rights activists. The 3rd sitting witnessed walkout for five minutes against dilapidated condition of Bacha Khan International Airport, Peshawar while walkout in last sitting was witnessed for five minutes against the Chair for not allowing a PPPP lawmaker to raise a Supplementary Question.

# 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

**10**

SESSION TIME

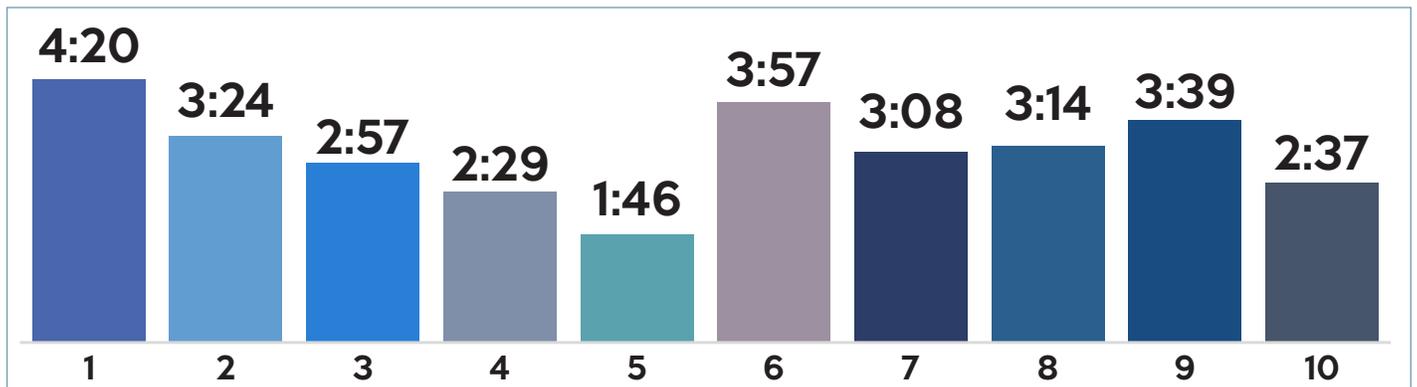
**31h31m**

AVERAGE SITTING TIME

**3h9m**

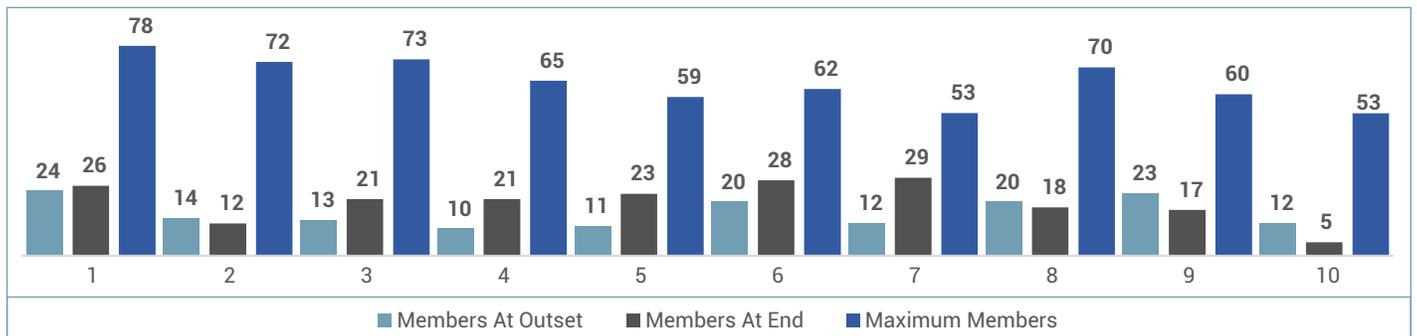
# SITTING DATE, DURATION AND ATTENDANCE

Each sitting, on average, started two minutes behind the schedule and continued for three hours and nine minutes.



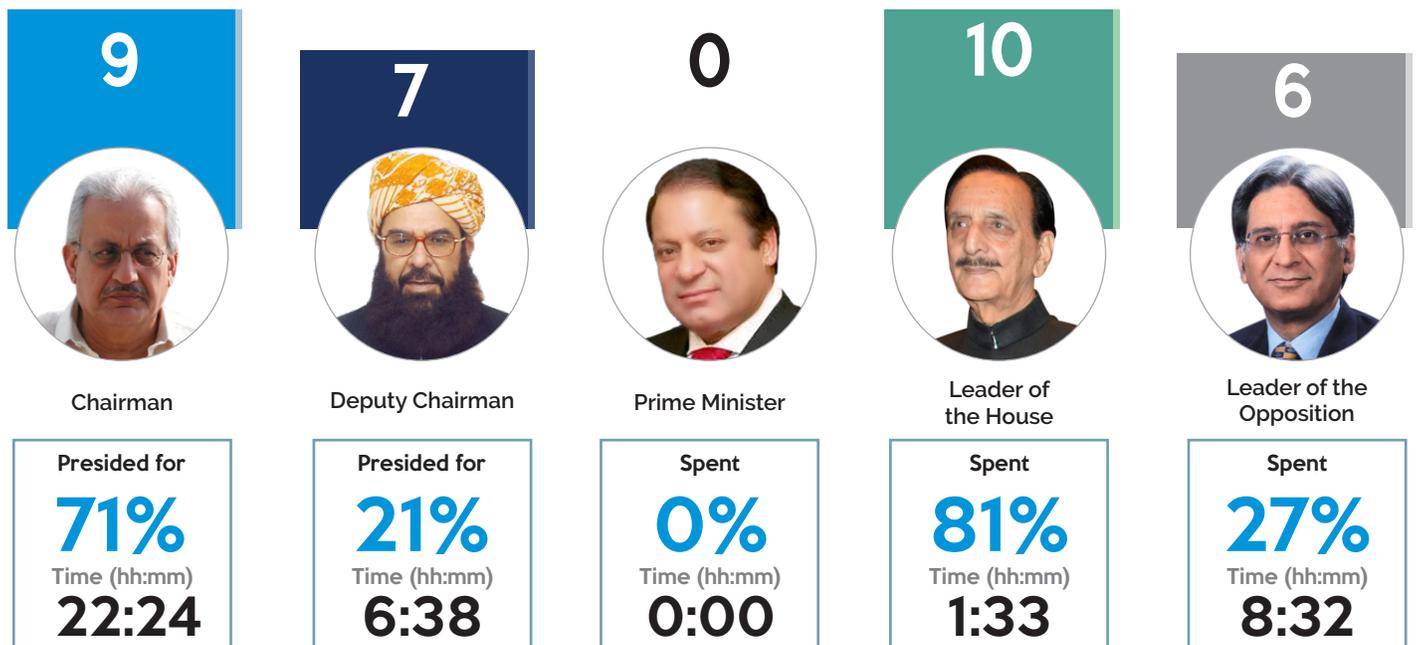
## AVERAGE MEMBERS ATTENDANCE

With an average of 16 lawmakers present at the start and 20 at the end of each sitting, the session transacted most of the agenda, appearing on the Orders of the Day. A maximum of 65 members, on average, attended the session along with the presence of two minority lawmakers.



## 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 71% of the session's time.



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

# PARLIAMENTARY LEADERS ATTENDANCE

Among the parliamentary leaders of political parties in the House , parliamentary leader of PkMAP attended all 10 sittings followed by PML-F and PML (9 each), JUI-F, PTI and PPP (8 each), MQM, BNP-M (7 each), ANP and JI (6 each), PML-N (5), NP (4) and BNP-A (3).



**USMAN KAKAR**



PkMAP | 10 attended



**MUZAFFAR SHAH**



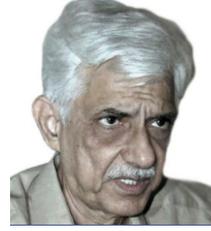
PML-F | 9 attended



**MUSHAHID HUSSAIN**



PML | 9 attended



**TAJ HAIDER**



PPP | 8 attended



**TALHA MEHMUD**



JUI-F | 8 attended



**NAUMAN WAZEER**



PTI | 8 attended



**JEHNZEB JAMALDINI**



BNP-M | 7 attended



**TAHIR MASHHADI**



MQM | 7 attended



**ILYAS BILOUR**



ANP | 6 attended



**SIRAJ UL HAQ**



JI | 6 attended



**MUSHAHID ULLAH KHAN**



PML-N | 5 attended



**HASIL BIZENJO**



NP | 4 attended



**ISRAR ULLAH ZEHRI**



BNP-A | 3 attended

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## 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

245

CANs

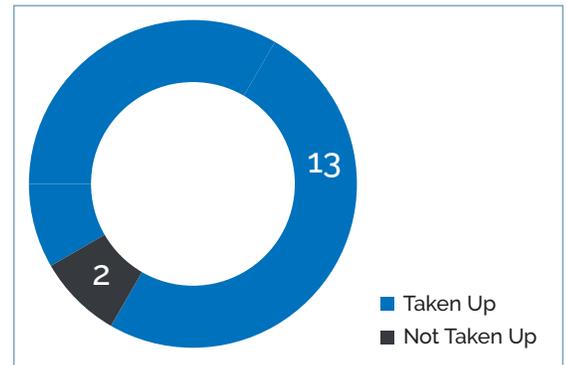
15

ADJOURNMENT  
MOTIONS

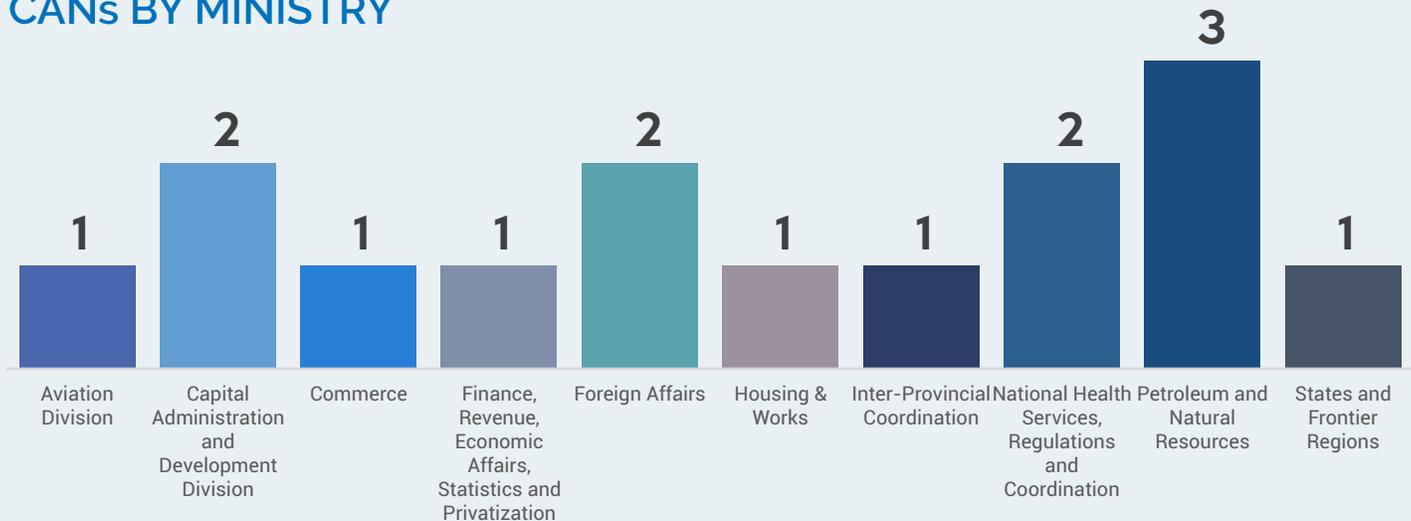
13

# 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.



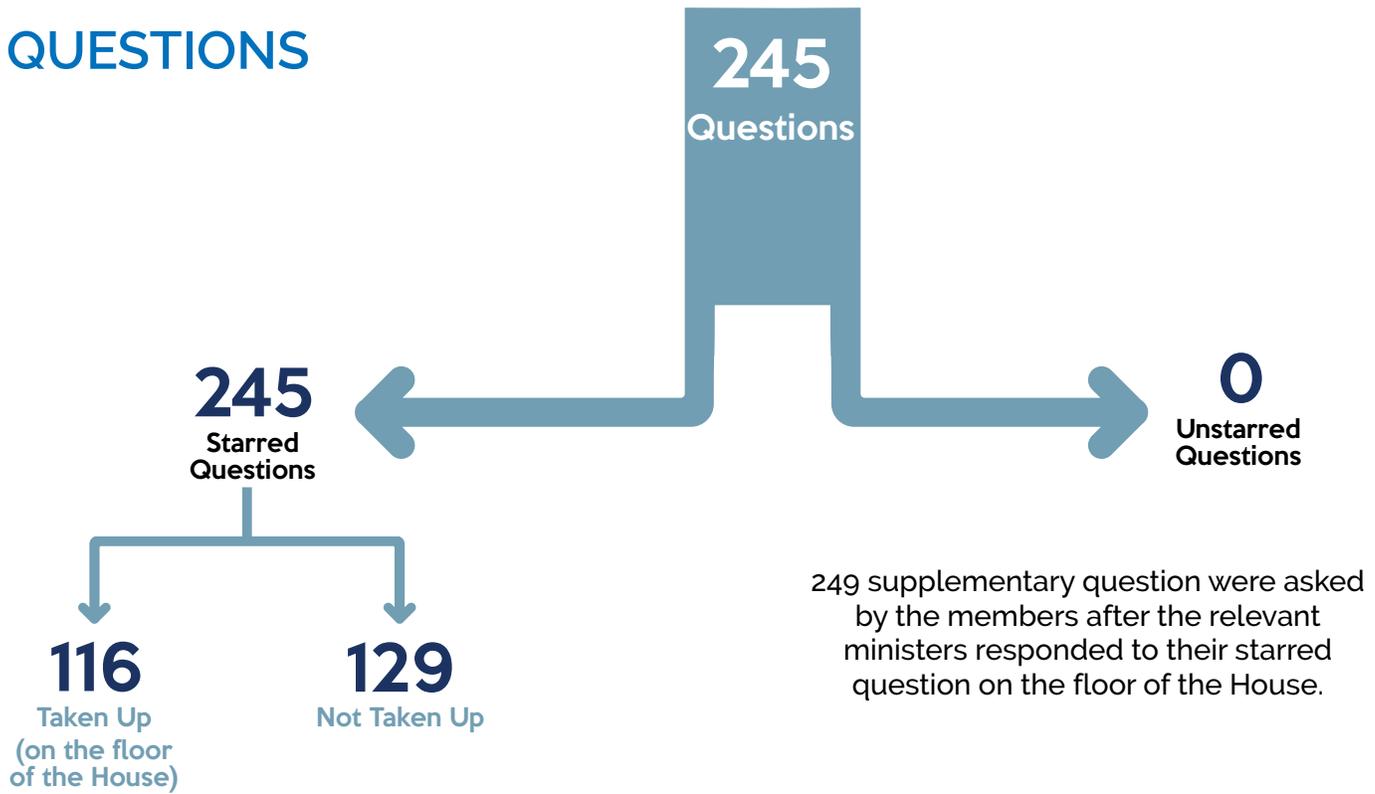
## CANs BY MINISTRY



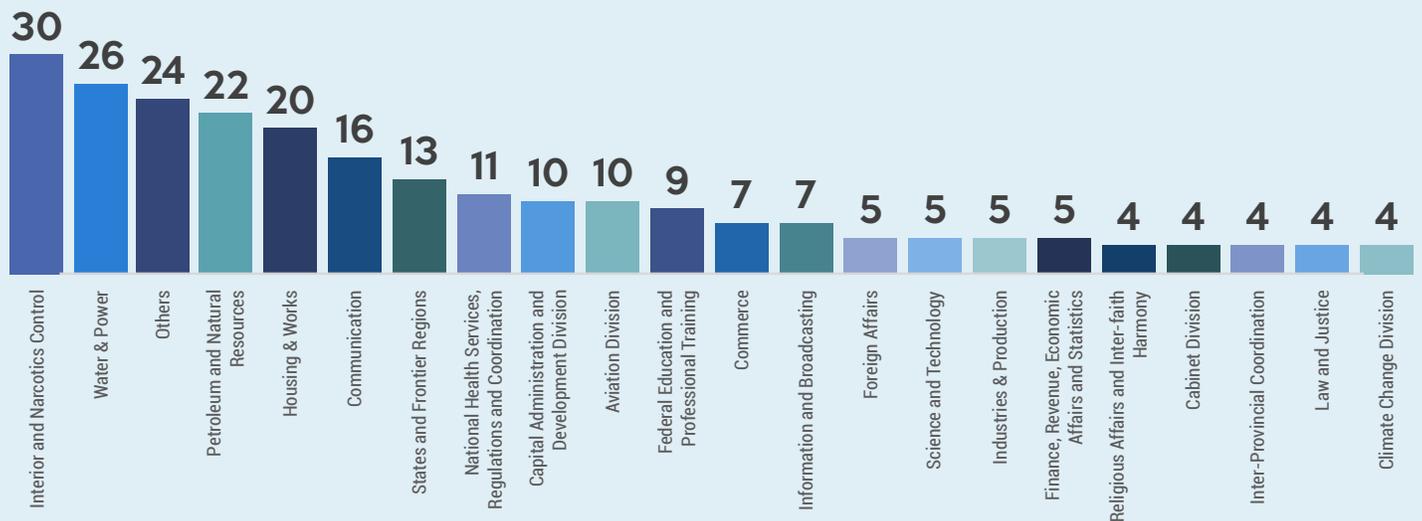
## SUBJECT OF TAKEN UP CANs

- The non-provision of nutrition and health services to children under five years of age and increase in child mortality rate in the country
- The low pressure of gas in various areas of district Qallat, Balochistan due to which the people of the area are forced to cut down the trees from the Arboi forest, Qallat
- The dilapidated condition of Bacha Khan International Airport, Peshawar, which has recently been declared as one of the worst Airports in Asia
- The alarming increase in local and foreign loans
- Open sale of Petroleum products without license especially of Petrol which is not only violation of rules but also a severe danger to the lives and properties of common people
- The death of five infants in Khyber Agency after having polio drops
- The statement of the Special Assistant to the Prime Minister on Foreign Affairs that the case of Dr. Shakeel Afridi is pending in the courts otherwise Government is willing to proceed further in the matter
- The out of turn allotment of plots by the Federal Government Employees Housing Foundation (FGEHF) to sixty officers of the Islamabad Police and the District Administration which caused Rs. 389 million loss to the national exchequer as the Housing Foundation compensated them under the professional quota instead of allotting them the plots from their respective cadres
- The issuance of special hunting permits to the Qatri Princes for hunting of Houbara Bustard, illegal occupation of the lands of the locals by the representative deputed by the Federal Government to provide security to the princes and constant harassment to the local community by damaging their crops and excessive hunting of precious and rare birds
- The manufacturing of substandard LPG cylinders causing a serious life threat to the domestic consumers of LPG
- The renting out of an inn "Sarai-i-Awam" located in sector G-7, Islamabad, to the National Accountability Bureau by the Capital Development Authority, whereas the purpose of that inn was only to provide boarding facility on a cheap rate to low income individuals who visit the city for a short stay and could not afford to stay in hotels
- The high fees being charged by the private educational institutions in Islamabad Capital Territory
- The granting of equivalence certificates to O and A level students by Inter Board Committee of Chairmen (IBCC) which is discrimination and has adverse effects on those students while applying for higher studies in the country

# QUESTIONS

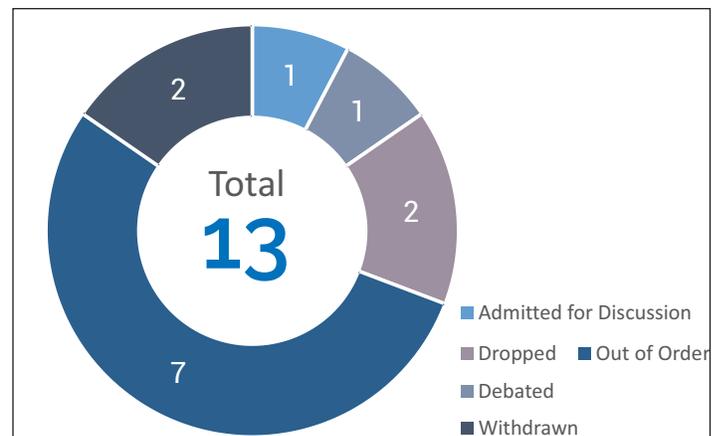


## QUESTIONS (BY MINISTRY)



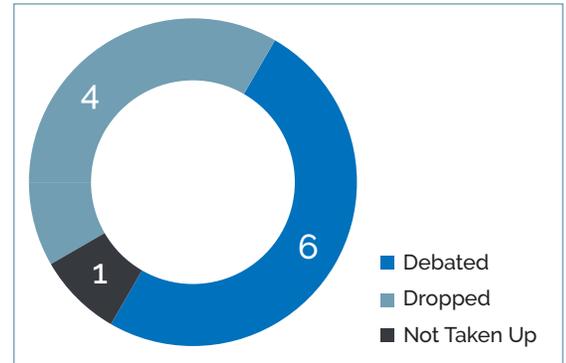
## ADJOURNMENT MOTIONS

The House debated an Adjournment Motion (AM) regarding the new amnesty scheme under consideration of the government. Two lawmakers – one each of PTI and MQM – and Minister for Law and Justice spoke on it for 14 minutes. As many as seven AMs were termed out of order and two each were dropped and withdrawn by their respective movers.



## MOTIONS UNDER RULE 218

Three motions under Rule 218 were discussed which were related to safeguarding of religious freedom in the country, planning and performance of the Capital Development Authority and tests for recruitments in the Government Departments through NTS and other agencies. The House also discussed the rights of minorities through a motion on religious freedom in the country.



## SUBJECT OF DEBATED MUR 218

- The House may discuss the situation arising out of constantly lowering water table in the country and the steps to control the same
- The House may discuss the situation arising out of the continuing Indian violations of the Line of Control (LOC) and cease fire on the working boundary, which has resulted in the loss of precious lives of Pakistanis
- This House may discuss the need for making changes in the procedure laid down for CSS examination
- This House may discuss the present status of Heavy Electrical Complex (HEC)
- This House may discuss the situation arising out of drastic increase in production and sale of low quality and non-duty paid cigarettes in the country
- This House may discuss the situation arising out of high rate of unemployment in the country

## MOTION UNDER RULE 60

The House took up two motions under Rule 60 which were regarding the tests conducted by NTS for appointments against various posts in Utility Stores Corporation and a matter of public importance arising out of an answer to a Starred Question about names and addresses of the owner(s) of the service stations established at both sides of the River Indus on Islamabad-Peshawar Motorway.



**Mian Muhammad Ateeq Shaikh**

The tests conducted by NTS for appointments against various posts in Utility Stores Corporation, advertised in 2015 and 2016 (Question asked by Senator Usman Khan Kakar).



MQM



**Muhammad Azam Khan Swati**

The names and addresses of the owner (s) of the service stations established at both sides of the River Indus on Islamabad-Peshawar Motorway, the name of authority which approved the establishment of those service stations and the date and terms and conditions of the agreement made for the same.



PTI

3

## PARLIAMENTARY OUTPUT

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

RESOLUTIONS  
ON AGENDA

11

BILLS/ORDINANCE  
ON AGENDA

16

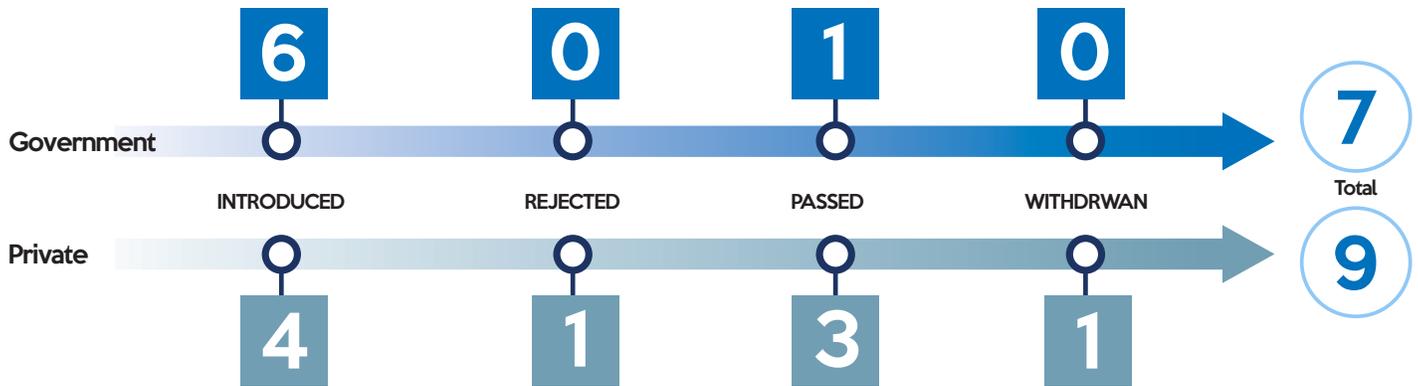
REPORTS

24

# LEGISLATION

The House passed six bills, including a Private Member's bill – the Representation of the People (Amendment) Bill, 2016 – which ensures right of vote for women while barring them from their right will be a criminal offence. Two other Private Members' bills passed by the House included the Oil and Gas Regulatory Authority (Amendment) Bill, 2015 and the National Counter-Terrorism Authority (Amendment) Bill, 2016 while three government bills were titled as, the Pakistan Council for Science and Technology Bill, 2016; the Pakistan National Accreditation Council Bill, 2016 and the Benami Transactions (Prohibition) Bill, 2016.

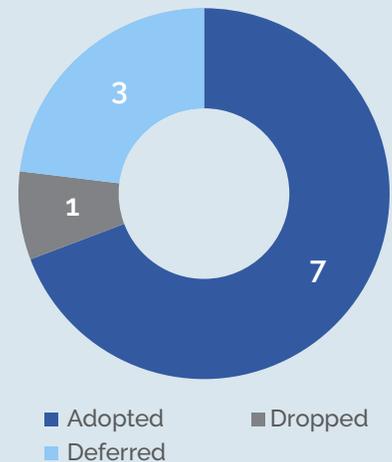
## STATUS OF BILLS



# RESOLUTION

The House adopted three resolutions during the reporting period. These were related to withdrawing high denomination note of Rs. 5,000 from circulation; augmenting efforts for rehabilitation of quake victims in Balochistan and empowering Senate of Pakistan to pass the Money Bill, including the Finance Bill.

Two resolutions were dropped due to absence of their movers. These resolutions demanded fixation of Rs. 20,000 as minimum salary of Government as well as non-Government employees and wanted to designate a place for holding public meetings and agitations by the political parties in Islamabad.



# REPORTS/PAPERS

The House witnessed presentation of 24 reports of various committees of the House while seven motions were passed under Rule 194 (1) to extend presentation period of the reports on various interventions.

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## ORDER AND INSTITUTIONALIZATION

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

WALKOUT

3

# WALKOUT

Three instances of walkouts - one each in second, third and tenth sitting – were recorded for a total of 42 minutes. In the second sitting, the entire opposition walked out of the House for 32 minutes after terming the reply of Minister for Interior unsatisfactory on the disappearance of rights activists. The 3rd sitting witnessed walkout for five minutes against dilapidated condition of Bacha Khan International Airport, Peshawar while walkout in last sitting was witnessed for five minutes against the Chair for not allowing a PPPP lawmaker to raise a Supplementary Question.

## 2nd Sitting

### ▶ Walkout (Entire Opposition)

Reasons: Terming the reply of Minister for Interior unsatisfactory on the disappearance of rights activists.

## 3rd Sitting

### ▶ Walkout (Entire Opposition)

Reasons: Against the silence of government over dilapidated condition of Bacha Khan International Airport, Peshawar

## 10th Sitting

### ▶ Walkout (Entire Opposition)

Reasons: Against the attitude of Chair who did not allow a PPPP lawmaker to raise a supplementary question

# 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.

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