

HOUSE OF FEDERATION

FAFEN PARLIAMENT MONITOR

267th Session

Sep 11 - Sep 22, 2017



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Treasury Manages to Get Elections Bill Passed from Senate

■ Opposition fails to take advantage of its strength as House rejects crucial amendments in the Bill

The outgoing session of the Senate was concluded with a major breakthrough for the treasury members who succeeded in getting the Elections Bill, 2017 passed after rejecting crucial amendment of the opposition to put a bar on the disqualified parliamentarian to lead a political party.

The Elections Bill, 2017, consisting of 241 clauses, was passed during the last sitting of the 267th session when the two opposition parties- BNP-M and MQM voted in favour of the legislative proposal. The amended bill will now be sent back to the National Assembly for approval.

The crucial amendment to clause 203 of the bill was moved by the Leader of the Opposition during 10th sitting after it was clubbed with the amendment of Parliamentary Leader of PTI. The amendment stated that any individual who is not qualified to become a member of the Parliament, should not be eligible to become a party's chairperson. The House voted twice on the amendment as a PPPP female Senator requested the Chair to count her vote as she had left the House during the time of vote. The House did not announce the result and voting was held for the second time and the amendment was rejected by one vote i.e. 37 to 38.

Moved by PTI Senators, another major amendment in clause 60 was passed seeking that wealth statement of MPs should also include assets and liabilities of their spouses, dependents and children as on the preceding 30th day of June in the form prescribed under the Income Tax Ordinance 2001. Minister for Law pressed for an amendment to the amendment after it was passed with 39 votes against 38 of the government. It earned the ire of the Chairman Senate who then refused to

preside over the session. Using his discretionary powers under rule 105, Rules of Procedure and Conduct of Business in the Senate, 2012, the Chairman Senate did not give him permission to move the amendment. However, the minister kept on pursuing and took a plea that the amendment is very important and members do want to reconsider.

Despite his decision of not allowing an amendment to an amendment, the Chairman bestowed his powers to the House to take decision in this regard. The House voted against his decision and the Chairman left the Presiding Chair. Later, the Deputy Chairman presided over the sitting and government managed to reject the amendment (clause 60, sub clause 2, paragraph-d) moved by PTI Senators with the support of two PPP Senators.

On average, 12 (11% of the total membership – 104) lawmakers were present at the start and 13 (12%) at the end of each sitting. A maximum of 62 members, on average, attended every sitting of the session, including two minority lawmakers.

The House took up most of the agenda appearing on Orders of the Day during 10-sitting 267th session held between September 11, 2017 and September 22, 2017. The Senate Chairman had to suspend 5th sittings due to the unavailability of Minister for CADD to answer the queries of Senators. However, the session was convened again after presence of the minister in the House. During the question hour in 10th sitting, the proceedings remained suspended for 15 minutes due to absence of relevant ministers and also for 25 minutes when Chair refused to preside over the proceedings. The prayer breaks were observed for 139 minutes throughout the session.

The House took up three Adjournment Motions (AMs) regarding the disappearance of Col. (R) Habib on his visit to Nepal; visit by the Indian Prime Minister to the US and signing of a number of defence agreements and the Pak-Iran and TAPI gas pipeline projects.

Four AMs admitted for discussion included genocide of Rohingya Muslims; reconstitution of Council of Common Interests (CCI); lack of beds for patients and other medical equipment in government hospitals of Islamabad and significance of the BRICS declaration with particular reference to China's view point about Pakistan.

However, the Chair did not allow debate on an admitted adjournment motion about the reported reconstitution of CCI by the Prime Minister in violation of Constitution. The Chair in his observation termed CCI reconstitution as per as per Article 153 of the Constitution which asks issuance of notification by the President on the advice of Prime Minister.

Two other AMs were not taken up by the House while one each was withdrawn and termed out of order.

Each sitting, on average, started two minutes late and continued for three hours and 40 minutes. The Prime Minister did not attend any of the sittings. 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.

The Chairman attended eight sitting and presided over 51% of the proceedings whereas the Deputy Chairman was also present in eight sittings and chaired 26% of the session's time. Sixteen percent of the session time was chaired by a Member of Panel of Presiding Officers and remaining seven percent time was consumed in prayer breaks or suspensions. The Leader of the House also attended nine sittings and remained present for 64% of the session's time, while the opposition leader attended seven sittings and remained present in the House for 23% percent of the session's time.

Parliamentary Leaders of MQM attended all ten sittings followed by PkMAP, PML-F, PPPP, BNP-A, BNP-M (9 each), ANP (7), PTI and PML-N (6 each), JUI-F and JI (5 each), NP (4) and PML (2).

The House passed two bills during the session including the Corporate Rehabilitation Bill, 2017 and the Elections Bill, 2017. Three Private Members' Bills were referred to the relevant committees for further deliberations which included the Constitution (Amendment) Bill, 2017 (Insertion of new Article 136A); the Constitution (Amendment) Bill, 2017 (Insertion of new Article 95A) and the Pakistan Penal Code (Amendment) Bill, 2017 (Amendment of sections 292, 293 and 294).

A bill – the Code of Civil Procedure (Amendment) Bill, 2017 (Amendment of sections 80 and 82) – was deferred by the House while two bills rejected by the House included the Ratification of Foreign Agreements by Parliament Bill, 2017 and the Constitution (Amendment) Bill, 2017 (Amendment of Article 91).

The House passed a motion under Rule 126 (7) to refer the Islamabad Compulsory Vaccination and Protection of Health Workers Bill, 2015 to the joint sitting of both Houses of the Parliament for its consideration. The House did not take up a motion under Rule 115 seeking withdrawal of 16 Private Members' bills due to absence of the mover of these bills.

The House adopted a joint resolution to condemn the killings of Rohingya Muslims while three Private Members' resolutions adopted by the House urged the government to promote the democratic norms and constitutionalism in the country, present all international conventions, treaties, covenants and commitments before the Senate for ratification and operate PIA flights from Quetta to various cities of the country.

The House debated four motions under Rule 218 while nine other motions were deferred. The debated motions were related to progress made in the development of alternate narrative to curb militancy as envisaged in the National Action Plan, structural issues of power sector in the country, present policing system in the

country and rapid increase in population.

Nine various reports were presented by Senate Committees while the House concluded debate on Presidential Address after Minister for Law and Justice during the second sitting laid before the House an authenticated copy of the Address of the President of Pakistan made under Article 56 (3) of the Constitution before both Houses assembled together on June 1, 2017.

The House took up 13 Calling Attention Notices (CANs) which were related to multiple issues of non-permanent school teachers in the Federal Government Schools; change in the name of Benazir Bhutto International Airport Islamabad; report of the IMF about the risks posed to the economic outlook of Pakistan; decline in export of fruits and vegetables; unlawful increase in monthly tuition fee by private schools in Islamabad; violation of building regulations in Islamabad; discrepancy in the figures of three departments of the Government about the population growth in Karachi; fire incident in Awami Markaz Islamabad; proposed installation of spying equipment at U.S. Embassy in Islamabad; closure of Phase-II of automation project of National Savings; outbreak of dengue in the Federal Capital; non-payment of flying allowance to PIA Cabin Crew and lynching of a 17 years old Christian student in a school at Vehari. A CAN about the pending approval of 7500 sanctioned new posts for FATA was

referred to relevant committee.

The ministerial response on nine various issues raised through Matters of Public Importance was also witnessed during the session. Lawmakers spoke on 50 Points of Public Importance, highlighting various regional and national issues that consumed two hours and 56 minutes of the session's time.

A total of 74 out of 228 (32%) Starred Questions were taken up on the floor of the House, while Senators raised another 162 Supplementary Questions. Quorum was pointed out once during the 3rd sitting. It was pointed out by a JUI-F lawmaker leading to the adjournment of the proceedings.

The House witnessed four instances of walkouts. PKMAP lawmakers walked out for one minute in 2nd sitting against unsatisfactory reply to a question by State Minister for Information Technology. MQM lawmakers staged token walkout for two minutes during 7th sitting against the statement made by the Minister for Statistics. PTI lawmakers left the House for 22 minutes in 10th sitting in support of the decision of the Chairman opposing re-voting on Clause 60 while a PPPP lawmaker walked out in the same sitting for three minutes against load-shedding in one of the areas in Sindh.

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

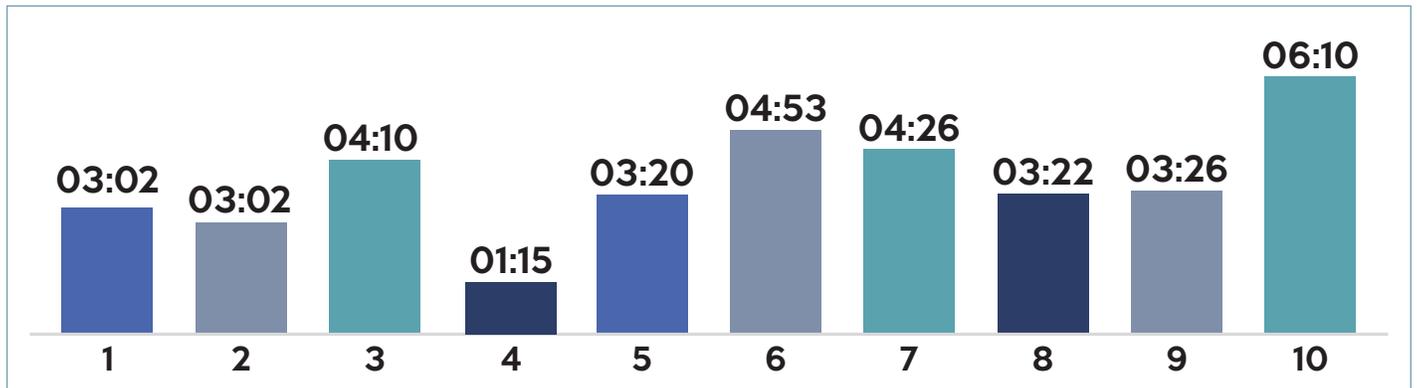
36h44m

AVERAGE SITTING TIME

3h40m

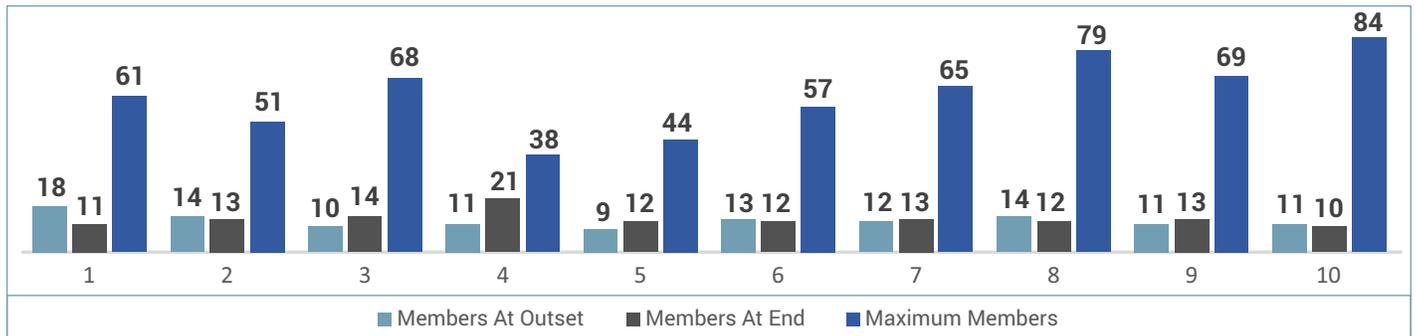
SITTING DATE, DURATION AND ATTENDANCE

Each sitting, on average, started two minutes behind the schedule and continued for three hours and 40 minutes.



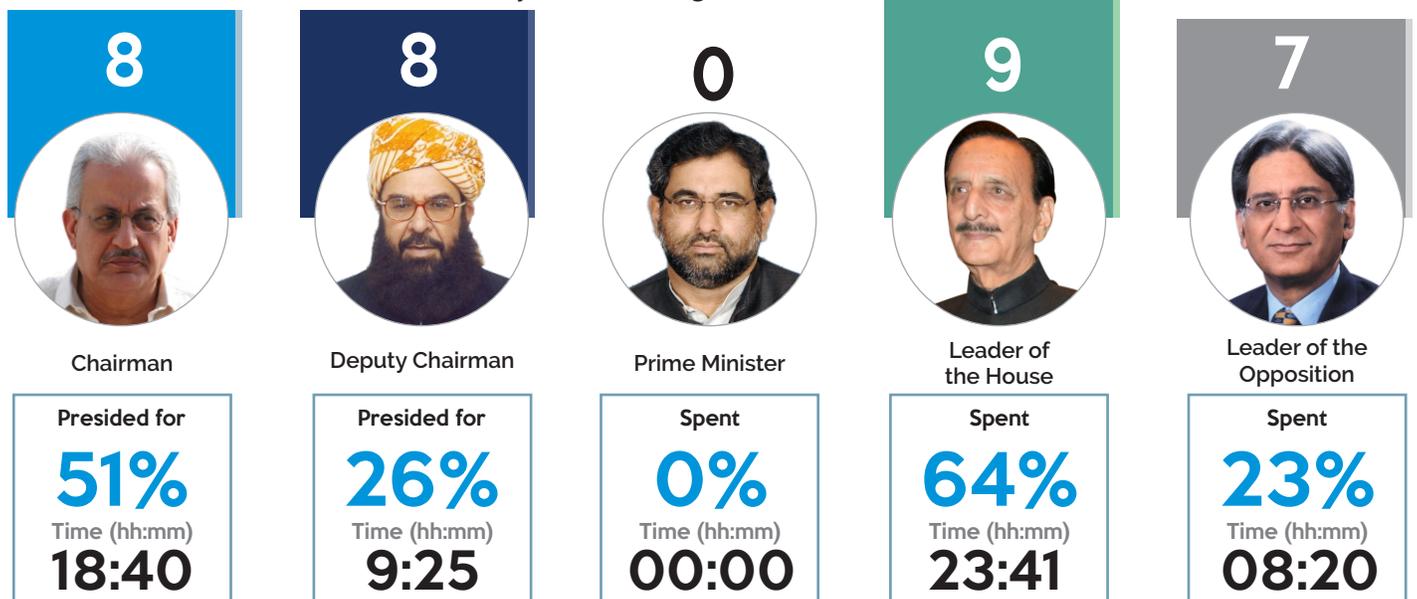
AVERAGE MEMBERS ATTENDANCE

With an average of 11% Senators present at the start and 12% at the end of each sitting, the session transacted most of the agenda, appearing on the Orders of the Day. A maximum of 59% members, on average, attended the session along with the presence of two minority lawmakers.



KEY MEMBERS ATTENDANCE

The Senate Chairman attended eight sittings and presided over 51% of the session's time, while 26 percent of the sittings were chaired by Deputy Chairman and one percent time was consumed in breaks. The Leader of the House remained present in nine sittings and attended 64% of the session's time, while the Leader of the Opposition attended seven sittings and consumed 23% of the session's time. Prime Minister did not attend any of the sittings.



* A member of Panel of Presiding Officer chaired 16% of the session's time and seven percent of the proceedings' time was consumed in breaks and suspensions.

PARLIAMENTARY LEADERS ATTENDANCE

Parliamentary Leaders of MQM attended all ten sittings followed by PkMAP, PML-F, PPPP, BNP-A, BNP-M (9 each), ANP (7), PTI and PML-N (6 each), JUI-F and JI (5 each), NP (4) and PML (2).



TAHIR MASHHADI



10

MQM attended



USMAN KAKAR



9

PkMAP attended

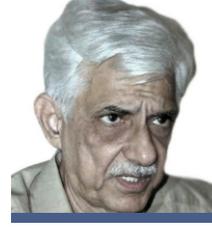


MUZAFFAR SHAH



9

PML-F attended



TAJ HAIDER



9

PPPP attended



ISRAR ULLAH ZEHRI



9

BNP-A attended



JEHNZEB JAMALDINI



9

BNP-M attended



ILYAS BILOUR



7

ANP attended



NAUMAN WAZEER



6

PTI attended



MUSHAHID ULLAH KHAN



6

PML-N attended



TALHA MEHMUD



5

JUI-F attended



SIRAJ UL HAQ



5

JI attended



HASIL BIZENJO



4

NP attended



MUSHAHID HUSSAIN



2

PML 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

228

CANs

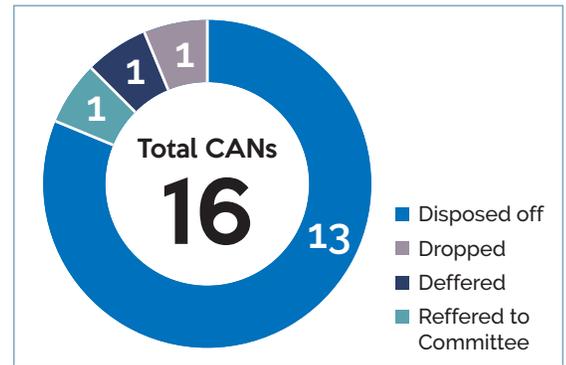
16

ADJOURNMENT
MOTIONS

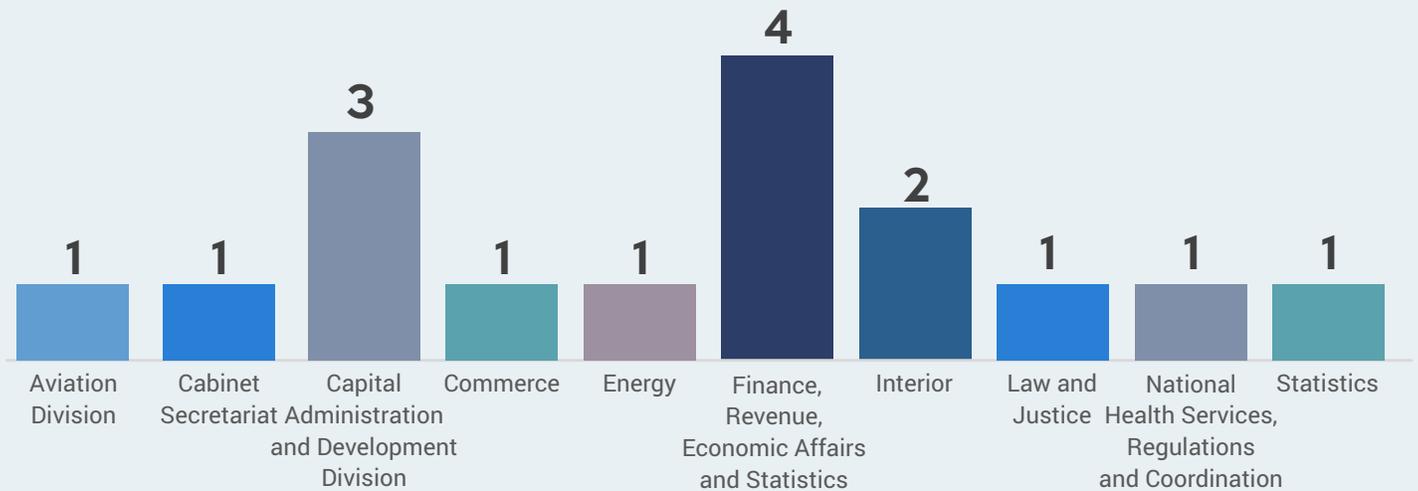
12

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.



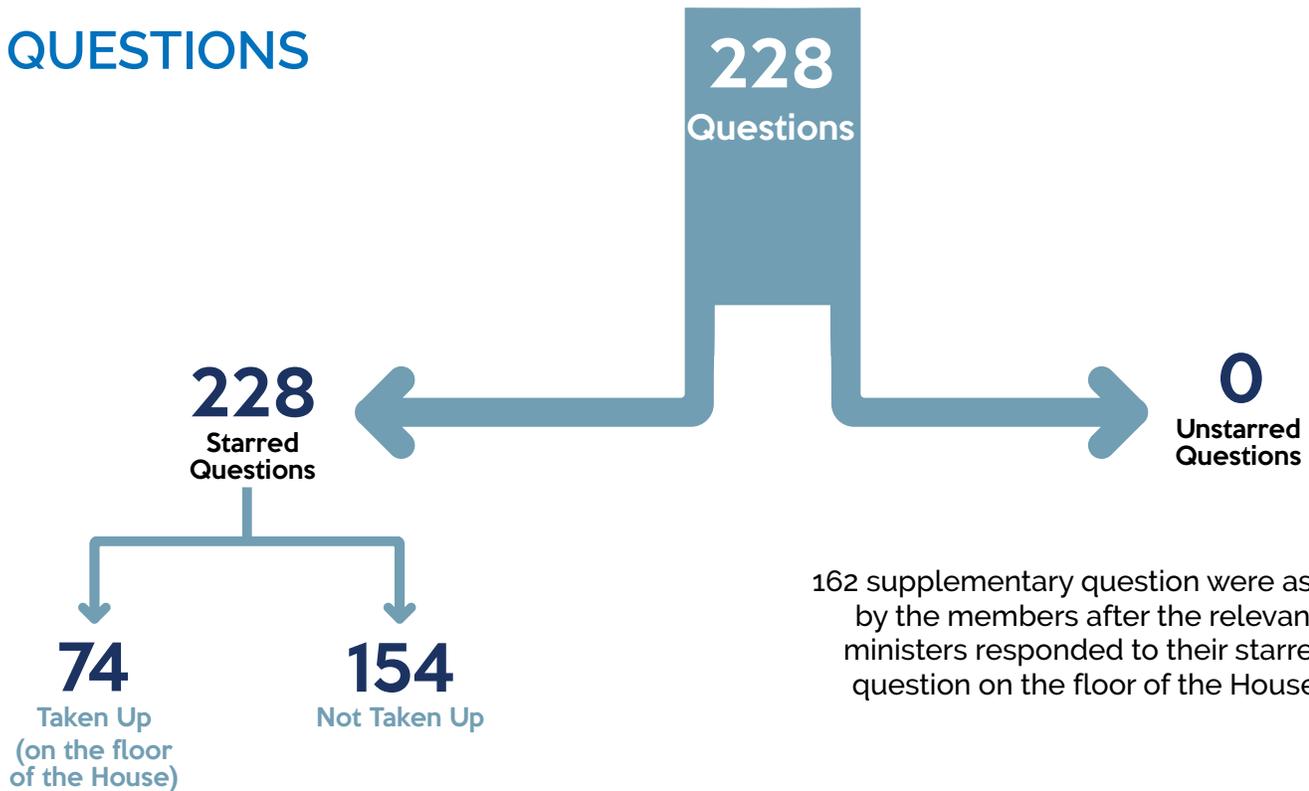
CANs BY MINISTRY



SUBJECT OF TAKEN UP CANs

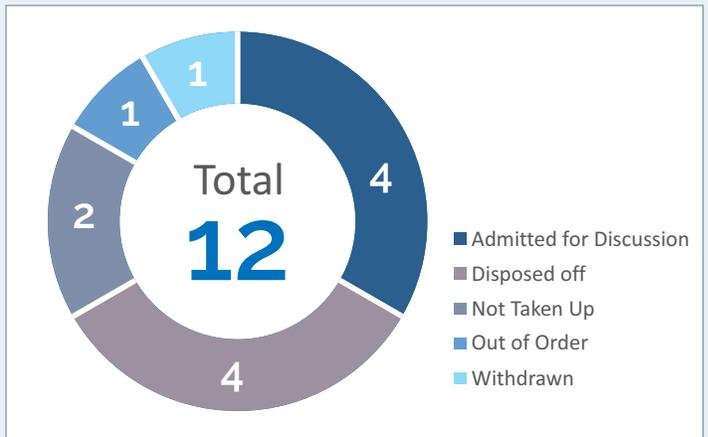
- The multiple issues of school teachers working on deputation, daily wages and on project basis in the Federal Government Schools.
- The proposal to change the name of Benazir Bhutto International Airport, Islamabad which amounts to hurting the sentiments of large number of people.
- The report of the IMF regarding the risks posed to the economic outlook of Pakistan which is contradictory to the exaggerated financial facts and figures of the Government.
- The decline in export of fruits and vegetables.
- The unlawful increase in monthly tuition fee by private schools in the Islamabad Capital Territory.
- The alleged deliberate negligence and non-implementation of the building Code and civic regulations by the CDA in Islamabad particularly unauthorized construction in Sector H-13 and high rise buildings in and around Sector E-11.
- The discrepancy in the figures of three departments of the Government about the population growth in Karachi i.e. the Census Commission, the Election Commission of Pakistan and NADRA.
- The incident of breaking of fire in Awami Markaz, Islamabad resulting into loss of two precious lives and destruction of crucial official record which reflects that there was neither an IT Park with fire safety procedure as per international standard nor there were any SOPs in place for emergency exit.
- The proposed installation of spying equipment on the roof of under construction eight storey building of the U.S. Embassy in Islamabad, the construction of which has been started without obtaining NOC.
- The closure of Phase-II of automation project of National Savings by the end of September, 2017 due to which three hundred employees engaged in this project, having expertise in the relevant field, might lose their jobs whose services can be utilized in Phase-III of the said project proposed to be initiated in near future.
- The outbreak of dengue in the Federal Capital and failure of the Government to control the same.
- The non-payment of flying allowance to PIA Cabin Crew since August, 2016.
- The incident of lynching of a 17 years old Christian student at the hands of his class fellows inside the class room in a school of district Vehari, Punjab.

QUESTIONS



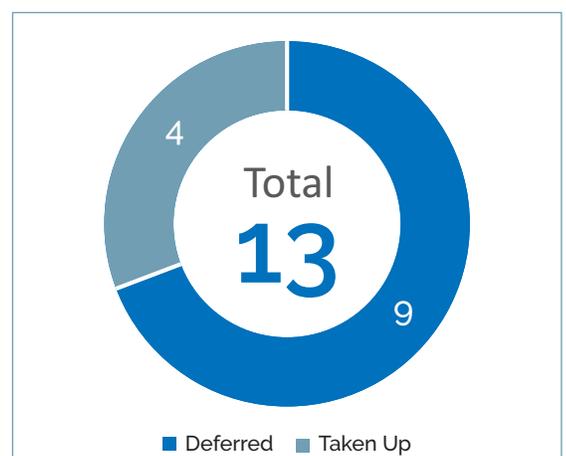
ADJOURNMENT MOTIONS

A total of 12 Adjournment Motions (AMs) appeared on the agenda of which four were admitted for discussion.



MOTIONS UNDER RULE 218

The House debated four motions under Rule 218 while nine other motions were deferred. The debated motions were related to progress made in the development of alternate narrative to curb militancy as envisaged in the National Action Plan, structural issues of power sector in the country, present policing system in the country and rapid increase in population.



SUBJECT OF TAKEN UP MUR 218

- The House may discuss the structural issues of power sector in the country resulting into perpetual crisis affecting the daily lives of general public.
- This House may discuss the progress made in the development of alternate narrative to curb militancy as envisaged in the National Action Plan.
- The House may discuss the present police system in the country and suggest ways and means for its improvement for better protection of the fundamental / human rights of the people of Pakistan.
- This House may discuss the situation arising out of rapid increase in population of the country

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

12

BILLS

8

REPORTS

9

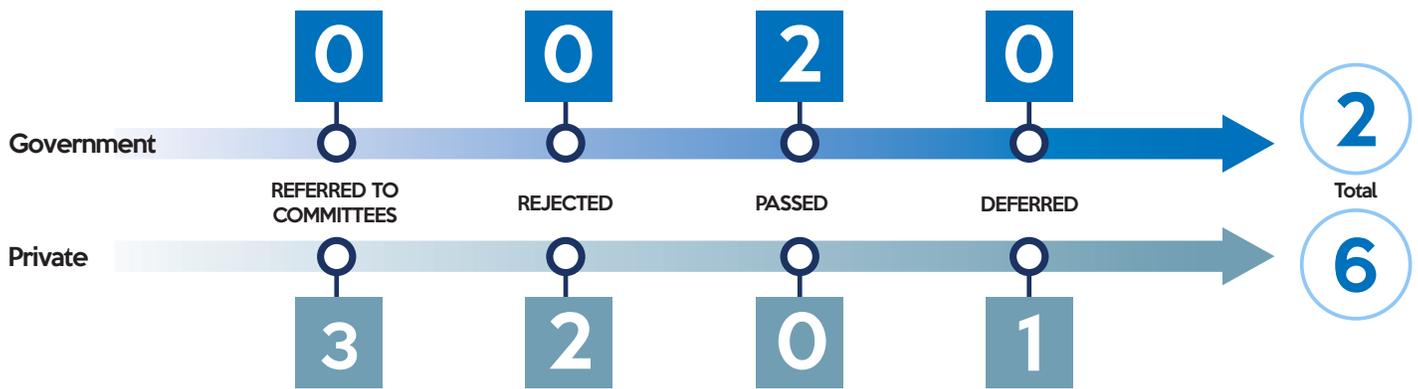
LEGISLATION

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STATUS OF BILLS



RESOLUTION

The House adopted a joint resolution to condemn the killings of Rohingya Muslims while three Private Members' resolutions adopted by the House urged the government to promote the democratic norms and constitutionalism in the country, present all international conventions, treaties, covenants and commitments before the Senate for ratification and operate PIA flights from Quetta to various cities of the country.



REPORTS

Nine various reports were presented by Senate Committees while the House concluded debate on Presidential Address after Minister for Law and Justice during the second sitting laid before the House an authenticated copy of the Address of the President of Pakistan made under Article 56 (3) of the Constitution before both Houses assembled together on June 1, 2017.

4

ORDER AND INSTITUTIONALIZATION

This section documents the details of quorum and also about walkouts observed during the session.

WALKOUTS

4

WALKOUTS

In support of the decision of the Chairman.



PTI

Against the load-shedding in one of the areas in Sindh.



PPPP

Against the statement made by the Minister for Statistics.



MQM

Against unsatisfactory reply to a question by State Minister for Information Technology.



PkMAP

QUORUM

Quorum was pointed out once during the 3rd sitting. It was pointed out by a JUI-F lawmaker leading to the adjournment of the proceedings.



Atta-ur-Rehman



JUI-F

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.

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