

FAFEN Parliament Monitor

Senate  
of Pakistan  
**95th Session**  
(June 12-21, 2013)

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

### **Abbreviations**

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



This report is based on direct observation of the Senate proceedings conducted by CPDI-Pakistan, a member organization of FAFEN.

## Executive Summary

During the Senate's 95th session 46 senators took part in the debate on the federal budget for the financial year 2013-14. The Standing Committee on Finance, Revenue, Economic Affairs, Statistics, Planning and Development submitted 113 recommendations on the Finance Bill. The National Assembly incorporated 21 recommendations of the upper house in the federal budget.

The budget debate lasted 12 hours and 35 minutes, consuming 61% of the session time. Seventeen PPP Senators spoke on the budget, followed by nine PMLN, four each of PML and ANP, three JUIF, two MQM, one each of BNPA and PMLF and five independent Senators.

One-fifth of the Senators who took part in the budget debate were women. In the debate on the previous year's budget session, this ratio was one-fourth. Out of the total 17 women Senators, nine (53%) took part in the budget debate. Thirty-seven (44%) of 84 male Senators debated the budget.

The upper house also adopted three resolutions, raised as supplementary agenda, in the session. The house condemned the June 15, 2013 attacks on Ziarat Residency, female students and the Bolan Medical Complex in Quetta, and a suicide blast in Mardan by adopting resolutions in the second, third, and the sixth sittings, respectively.

The Senate's 95th session met for 20 hours and 43 minutes in eight sittings from June 12 to June 21, 2013. On average, each sitting lasted two hours and 35 minutes and started 38 minutes late.

Since the Senate Secretariat does not make public the attendance record of Senators, the FAFEN observer conducts a headcount of the legislators at the beginning, at the end, and at the time when maximum senators are present in a sitting. In each sitting, on average, 11 legislators were present at the start, 18 at the end, and a maximum of 33 at any one point of the sitting.

The Senate appointed new Leaders of the House and the Opposition two days before the beginning of the session. The newly-appointed Leader of the House attended six sittings while the Leader of the Opposition did not attend any. The parliamentary leader of MQM attended all eight sittings, followed by his counterparts from ANP (seven) and JUIF (four). The parliamentary leaders of BNPA and PML were not present in any sitting. The only Senators of PMLF and NP attended six and three sittings, respectively.

The Senate Chairman was present in all sittings and chaired 96% of the session's proceedings. The Deputy Chairman attended six sittings and presided over 3% of the proceedings. The remaining 1% of the proceedings was chaired by a member of the Panel of the Chairpersons. The Finance Minister attended five sittings and remained present for 12% of the proceeding's duration.

During the session four reports were presented by the Standing Committees on Defence and Defence Production, Interior and Narcotics Control, Finance, Revenue, Economic Affairs, Statistics, Planning and Development and Privatization, and the Industries and Production. The reports of the committees on Defence and Defence Production and the Industries and Production were on the ministries' performance while the Interior and Narcotics Control committee presented its report on the inordinate delay in issuing passports. The Finance committee presented its report on the Senate's recommendations on the Finance Bill.

Two privilege motions were raised in this session. A PPP senator pointed out the increase in petroleum prices by OGRA before the passage of the Finance Bill as a breach of the parliament's privilege, but the Chairman ruled that it was not a privilege motion and instead referred the matter to the Senate's Standing Committee on Finance. The other motion raised by an ANP legislator about the misbehavior of a Peshawar Cantonment Board official was referred to the Privilege Committee.

### Parliament Watch Project

An essential component of democracy is publicly accessible information about the political decision-making processes, such as parliamentary deliberations among elected representatives. Citizens must have information about whether, and how their representatives are performing in the Assembly in order to hold those elected leaders accountable.

The Parliament Watch Project (PWP), an initiative of the Free and Fair Election Network (FAFEN), aims to collect and publish information about the job performance of members of the National Assembly (MNAs), Provincial Assemblies (MPAs) and Senate by observation of these directly elected representatives' actions. FAFEN intends to foster informed engagement between constituents and elected representatives in Pakistan by providing objective and statistically-sound information on parliamentary processes and decisions.

The methodology of the PWP is to deploy trained observers to the National Assembly in order to monitor their performance using a detailed, standardized checklist and reporting forms covering all types of parliamentary business. The information gathered is measured against the neutral and objective framework of the rules of parliamentary procedure.

FAFEN's PWP focuses on directly-observed parliamentary procedure in addition to parliamentary output. In other words, FAFEN's criteria for assessing parliamentary effectiveness are primarily process-oriented and secondarily results-oriented.

Senators raised 62 points of order, consuming three hours and four minutes or 15% of the session time.

There were three walkouts during the session. The first was in the second sitting when the PPPP, JUIF, ANP and Senators from Balochistan staged a five-minute token walkout over attack on the Ziarat Residency and bomb attacks in Quetta. The other two walkouts were made jointly by PPPP and PML; first in the fifth sitting over taxation policy in the budget and the second during the seventh sitting on increased electricity tariff.

## Budget in the Senate

When a copy of the Finance Bill containing the Annual Budget Statement is transmitted to the Senate from the National Assembly, it is to be laid before the house by a minister, according to Rule 130 of the Senate's Rules and Procedures and Conduct of Business. Then the minister moves that the Senate may make recommendations on the Finance Bill to the National Assembly.

After the motion is moved, the Senate begins debate on the Bill. A member may, within three days of the motion, give notice of a proposal for making recommendations in writing to the Secretary. The member must also include the reasons necessitating the recommendations. An exception, however, is that members of the Senate cannot give notice of a proposal for making recommendations to the Annual Budget Statement, which relates to the expenditure charged upon the Federal Consolidated Fund, according to Clause 1 of Article 82 of the Constitution.

The proposed recommendations are sent immediately to the Standing Committee on Finance, which examines them and presents its recommendations to the house within 10 days. When such a Bill is transmitted to the Senate, it has 14 days to make recommendations to the National Assembly.

The National Assembly then passes the budget "with or without incorporating the recommendations of the Senate", according to Article 73 of the Constitution.

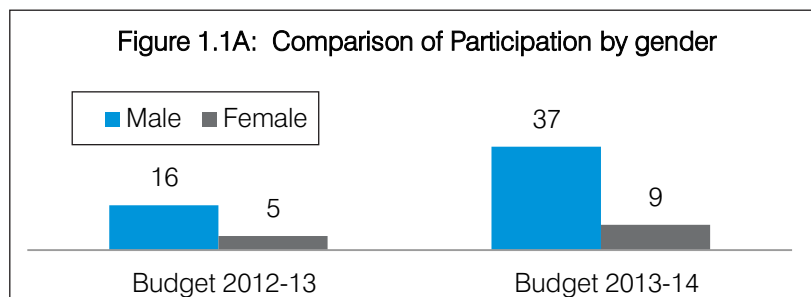
### 1.0 Participation in General Debate

Federal Minister for Finance, Revenue, Economic Affairs, Statistics and Privatization presented the Federal Budget 2013-14 in the first sitting of the session. A general debate on budget commenced in the next sitting.

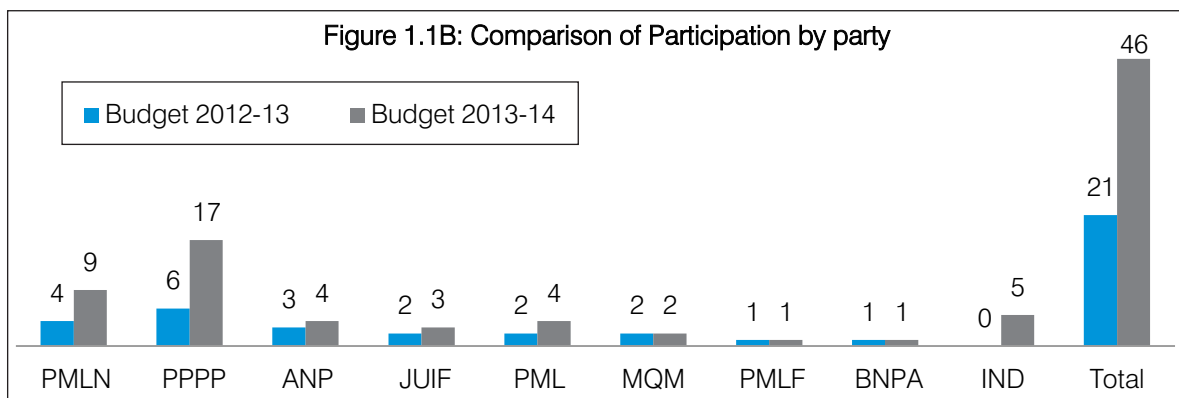
The Standing Committee on Finance, Revenue, Economic Affairs, Statistics, Planning and Development prepared 113 recommendations, which were unanimously adopted by the upper house. The National Assembly incorporated 21 of these recommendations in the budget.

#### 1.1 Comparison of budget debate with the previous year

Senators showed higher interest in the 2013-2014 budget debate, with 46 legislators (44%) taking part in the discussion on budget, compared to 21 lawmakers (21%) last year. The participation of male members more than doubled this year, whereas nine female Senators compared to four in the last year spoke about the budgetary proposals.



The participation of PMLN, PPPP, ANP, JUIF and PML in the budget debate was higher this year while the MQM, PMLF and BNPA senators showed the same level of interest as last year. Five independent senators also spoke on the budget, compared to none last year.



## 1.2 Participation

Senators' participation in the budgetary debate starts after the finance minister presents the budget and moves a motion for the house to make recommendations. According to the rules and procedures "Unless the Chairman otherwise directs, a member may, within three days of the motion, give notice of a proposal for making recommendations, together with the statement of reasons for such proposal, in writing to the Secretary."

In all, the debate on making recommendations on the Federal Budget lasted 12 hours and 35 minutes – 61% of the session time. Forty six Senators took part in the debate, with each lawmaker speaking for about 16 minutes on average.

Senators belonging to larger parties dominated the debate: 17 PPPP and nine PMLN lawmakers spoke for 34% and 21% of the total debate time respectively. Four ANP Senators' speeches on budget took up 11% of the total time spent on the budgetary proposals, followed by five independent Senators (10%).

**Table 1.2: Senators Debate on Budget**

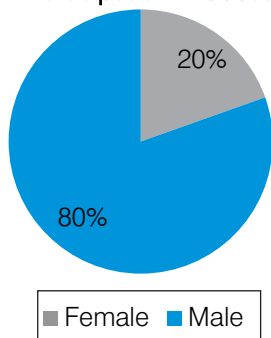
Party	Senators Debate on Budget	Total Time of Debate on Budget (Minutes)	Average (Minutes)
ANP	4	81	20
BNPA	1	15	15
IND	5	74	15
JUIF	3	60	20
MQM	2	41	21
PML	4	51	13
PMLF	1	19	19
PMLN	9	157	17
PPPP	17	257	15
<b>Total</b>	<b>46</b>	<b>755</b>	<b>16</b>

## 1.3 Gender-wise Participation

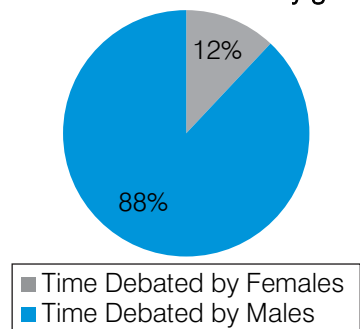
Male Senators belonging to all parties except BNPA and female Senators of ANP, BNPA, PML, PMLN and PPPP debated the Finance Bill 2013-14.

Out of 17 female Senators, nine (53%) took part in the budget. The female lawmakers spoke on budgetary proposals for one hour and 33 minutes. On the other hand, out of 84 male Senators, 37 (44%) expressed views on the budget for nearly 11 hours.

**Figure 1.2 A: Participation in debate by gender**



**Figure 1.2 B: Time debated by gender**



## 2.0 Session's Time and Attendance

This section reports the duration of the budget session, including date, time, sittings and late starts. Senators' attendance is reviewed along with documenting the presence of the Chairman, Deputy Chairman, Leader of the House, Leader of the Opposition and the parliamentary leaders.

### 2.1 Time and Duration

The session spanned over eight sittings from June 12 to June 21, 2013 and lasted 20 hours and 43 minutes. An average sitting lasted two hours and 35 minutes, and remained 38 minutes behind schedule.

The first sitting in which the finance bill was presented was the shortest (22 minutes), while the eighth and last sitting was the longest (five hours and 23 minutes). The Senate unanimously approved recommendations on the Finance Bill in the last sitting; the house also observed a two-hour break in this sitting.

Table 2.1: Session Time and Duration

Sitting No.	Day/Date	Average Delay	Hours	Minutes
1st	Wednesday, June 12, 2013	62	0	22
2nd	Saturday, June 15, 2013	30	2	28
3rd	Sunday, June 16, 2013	45	2	16
4th	Monday, June 17, 2013	35	2	47
5th	Tuesday, June 18, 2013	32	2	36
6th	Wednesday, June 19, 2013	32	2	28
7th	Thursday, June 20, 2013	32	2	23
8th	Friday, June 21, 2013	34	5	23
<b>Total</b>		<b>38 minutes</b>	<b>20 hours and 43 minutes</b>	

## 2.2 Senators' Attendance

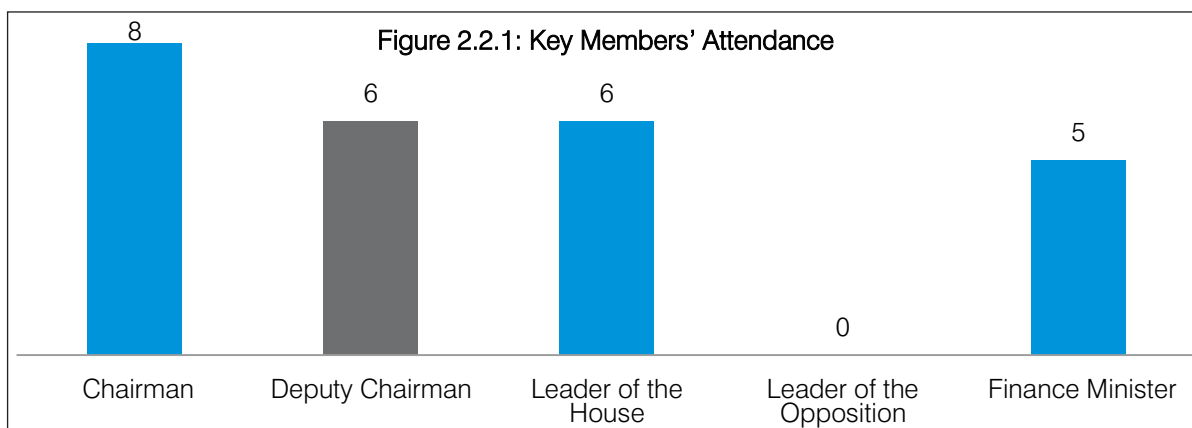
The Senate does not make public the attendance records of its members. FAFEN conducts a headcount of the members present at the beginning and end of each sitting and also documents the time spent by key members on the floor. Senators' attendance reflects their interest, presence and the discipline they observe in fulfilling their representative roles.

### 2.2.1 Key Members' Attendance

General Election 2013 has shuffled party strengths in the parliament, with PMLN emerging as the single largest party in the National assembly. Although PPPP remains the largest party in the Senate, former Leader of the house resigned on June 4, 2013, because rules stipulate the PPPP lawmaker could no longer represent the new Prime Minister. The former Opposition Leader from PMLN had resigned a day earlier.

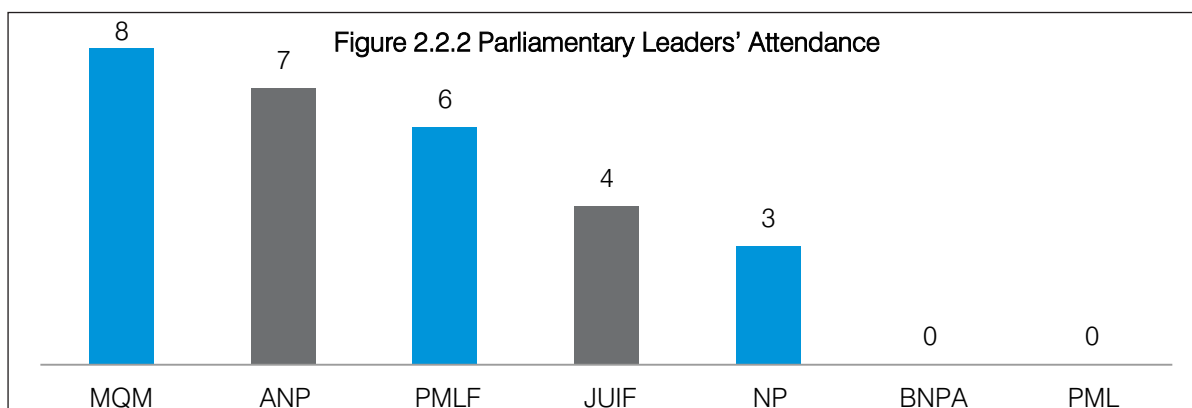
Subsequently on June 10, a PMLN Senator was appointed the Leader of the House, while PPPP's Senator became the new Opposition Leader. The new Leader of the House attended six sittings during the budget session, while the Leader of the Opposition did not attend a single sitting.

Senate Chairman presided over 96% of the session. The Deputy Chairman chaired 3% of the session, while the remaining time was chaired by the Panel of Chairpersons.



The parliamentary leader of MQM attended all eight sittings, followed by the ANP leader (seven) and JUIF leader (four). The sole members of PMLF and NP attended six and three sittings respectively.

The party leaders of BNPA and PML were not seen in any sitting.



### 2.2.2 Senators' Attendance

Senators' interest in terms of attendance was low during the budget session. The quorum was lacking on several occasions as 11 members on average were present at the beginning, 18 at the end and 33 at the time of maximum attendance during a sitting. The lack of quorum was not pointed out at any time.

Of the four minority members in the house, two on average took part in the proceedings.

The attendance was better last year, with an average of 19 senators present at the start and 32 at the end of each sitting.

**Table 2.2.2: Senators' Attendance**

Sitting No.	Members at the outset	Members at the end	Maximum members present	Minority members present
1st	28	42	-	2
2nd	15	23	36	2
3rd	9	12	36	1
4th	6	17	35	2
5th	9	13	32	0
6th	6	9	28	2
7th	9	15	32	3
8th	3	14	32	2
<b>Average</b>	<b>11</b>	<b>18</b>	<b>33</b>	<b>2</b>

### 3.0 Parliamentary Output

The house, with the permission of the Chair, also considered four supplementary resolutions. Additionally, four Standing Committees also presented their reports. This is in line with Rule 130 Article (9) of the Senate's Rules of Procedures and Conduct of Business, which says: "No other business, except with the permission of the Chairman, shall be transacted on a day when any such Bill is discussed for making recommendations thereon to the National Assembly."

#### 3.1 Resolutions

The house expresses its opinion, makes recommendations or conveys messages on certain issues through the resolutions it adopts. According to the rules a single member may not table more than three resolutions on any given day (that too subject to a ballot for their admissibility).

All three resolutions adopted by the house were moved by PMLN Senators.

The first resolution adopted was moved by Leader of the House to condemn the June 15, 2013 incidents in Balochistan. Two blasts in Quetta followed by a militant attack on the Bolan Medical Complex killed at least 14 female students, the Deputy Commissioner and four FC personnel. On the same day, militants attacked the Quaid-i-Azam residency in Ziarat with hand grenades, destroying the historical monument. One policeman was also killed in the attack. The house demanded of the provincial government to track down and arrest the culprits.

A female PMLN Senator also tabled a resolution to show unity and solidarity with the parents of the female students killed in the Quetta incident.

The third resolution was adopted to condemn the June 18 suicide blast at a funeral in Shergarh, Mardan, where 26 people – among them a Khyber Pakhtunkhwa Assembly member – were killed and dozens more injured. The resolution called on the provincial government to protect the lives of the citizens and ensure better coordination among various agencies and functionaries in KP.

**Table 3.1: Resolutions**

Sr. No.	Resolutions	Gender
1	The Senate of Pakistan unanimously and strongly condemns the attack on the residency in Ziarat which is a national monument where the founder of Pakistan spent the last days of his life.	Male
2	The Senate of Pakistan stands united with the parents of the female students killed in the Quetta incident and we reassure them that the women of Pakistan are with the brave girls and women of Balochistan. The house condemns the terrorist act and prays for the deceased, and security of the Pakistani Women	Female
3	The Senate of Pakistan condemns in the strongest terms the massacre of a large number of innocent participants in the funeral prayer of Haji Abdullah in Mardan.	Male

<sup>1</sup> Retrieved from the Senate's Rules and Procedures and Conduct of Business  
<http://www.senate.gov.pk/uploads/documents/rpcb%202012.pdf>

### 3.2 Standing Committee Reports

Four Standing Committee reports were presented before the house: performance reports of the Ministries of Defence and Defence Production, and Industries and Production; an inquiry report on the delay in issuance of passports by the Directorate General of Immigration and Passports Islamabad; and a report on the proposals for making recommendations on the Finance Bill 2013-14.

Table 3.2: Standing Committee Reports

Sr. No.	Standing Committee Report	Committee
1	The report on the Defence and Defence production	Defence and Defence Production
2	Inordinate delay in issuance of passports by the Directorate General of Immigration and Passports Islamabad	Interior and Narcotics Control
3	The report for the period from March 2012 to March 2013	Industries and Production
4	The report on the proposals for making recommendations on the Finance Bill 2013, containing the Annual Budget Statement	Finance, Revenue, Economic Affairs, Statistics, Planning and Development and Privatization

### 4.0 Order and Institutionalization

This section deals with issues raised through points of order and the time consumed by them. It also presents the instances of protests, walkouts or boycotts during the session.

#### 4.1 Points of Order

A point of order is raised to address an apparent breach in the rules of procedure, and usually demands the Chair's ruling on the issue.

Lawmakers spoke on 62 points of order during the session, consuming three hours and four minutes or 16% of the proceedings. Senators' speeches and treasury's rejoinders on 12 points of orders raised during the second sitting consumed nearly half of the sitting's time.

Table 4.1: Points of Order

Sitting No	Number of Points of Order	Time Consumed (Min.)
1st	4	10
2nd	12	70
3rd	2	3
4th	11	20
5th	4	6
6th	11	20
7th	7	30
8th	11	25
Total	62	184

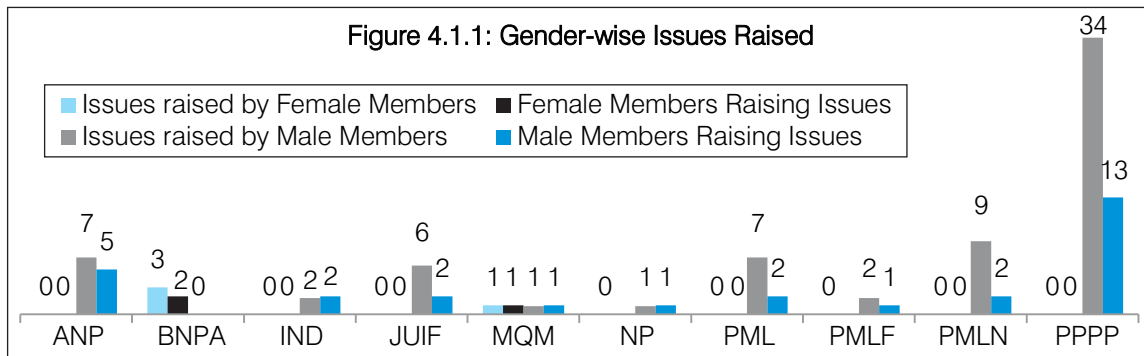
#### 4.1.1 Details of Issues Raised

According to Rule 243 Sub Rule (2), a point of order can be raised "provided that the Chairman may permit a member to raise a Point of Order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the Senate."

Thirty-two lawmakers – three female and 29 male Senators – expressed their views on points of order. Gender-wise, two female senators of BNPA and one belonging to MQM raised POs, while male senators of all parties except BNPA did the same.

Lawmakers belonging to PPP, the largest party in the Senate, raised 34 (47%) issues, mostly concerning Balochistan, business of the house and foreign affairs. PMLN senators highlighted nine issues, while seven issues each were raised by ANP and PML senators.





Seventy-three issues were highlighted by senators through points of order. Most of them related to Balochistan, followed by business of the house, criticism of the government, parliamentary and foreign affairs and Annual Budget 2013-14.

Senators condemned and demanded a government briefing on the attacks on Quaid-i-Azam residency in Ziarat and Bolan Medical Complex as well as the blast in a women's university bus in Quetta on June 15.

The government, especially Minister for Finance was criticized on increased GST before the approval of the budget and the minister's early departure from the proceedings. Senators criticized the Prime Minister for holding the Defence and Foreign Ministries portfolio, and the interior minister's statement to media about the center's ultimatum to the Sindh government to control targeted killings.

Senators wanted to know about the reasons behind the repatriation of Pakistanis from Saudi Arabia and also demanded briefing on Pakistan's role in opening of the Taliban office in Doha.

Important national issues such as energy and power (two POs) and construction of water reservoirs (one PO) apparently took a backseat during the session. Senators criticized the Rs 1.7/unit increase in the electricity charges, frequent price adjustments and power and energy shortages that they said were hampering productivity in various sectors.

**Table 4.1.1 Issues Raised through POs**

Subject	Number of Issues
Balochistan-related affairs	15
Business of the house	9
Criticism of government	8
Parliamentary affairs	6
Foreign affairs	5
Annual Budget 2013-2014	4
Criticism of colleague	3
Judicial decision	2
Karachi related affairs	2
KP-related affairs	2
Law and order	2
Judiciary	2
Energy and Power	2
Criticism of Police	1
Employment	1
FATA related affairs	1
IDPs	1
Kalabagh Dam	1
National Security	1
Overseas Pakistanis	1
Petroleum and natural resources	1
Request for <i>Fateha</i>	1
Rules and procedure of the Senate	1
Tribute to Benazir Bhutto	1
<b>Total</b>	<b>73</b>

### 4.3 Protests, Boycotts and Walkouts

There were three five-minute walkouts during the session. The PPPP, JUIF and ANP Senators from Balochistan staged a walkout over the June 15 incidents of attack on the Ziarat Residency and two bomb attacks in Quetta. Similarly, the PPPP and PML Senators jointly walked out twice to show their reservations over the taxation policy in the budget and the increase in electricity tariff.

## 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.

*Disclaimer: The data cited in this report is based on direct observation of the Senate's proceedings during the 95th session. Every care has been taken to maintain accuracy. To intimate any errors and omissions, please write to House 169A, St 20, F11/2, Islamabad - 051-8466120.*

# 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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