



FAFEN Parliament Monitor

Senate
of Pakistan
87th Session

(6-22 November, 2012)

Free and Fair Election Network

www.fafen.org

Abbreviations

ANP	Awami National Party
ANF	Anti-Narcotics Force
ASF	Airport Security Force
BNPA	Balochistan National Party (Awami)
CAN	Calling Attention Notice
FAFEN	Free and Fair Election Network
FIA	Federal Investigation Agency
ICT	Islamabad Capital Territory
IG	Inspector General
IND	Independent Member
JUI	Jamiat Ulema-e-Islam
JUIF	Jamiat Ulema-e-Islam (Fazal)
MQM	Muttahida Quami Movement
NP	National Party
PHA	Pakistan Housing Authority
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

The 87th session of Senate witnessed active participation of members but a large proportion of agenda was left unaddressed. The upper house passed two treasury-backed bills, besides debating the law and order situation in Karachi and Balochistan, as the session witnessed protests by government and opposition senators due to target killings and other issues of law and order.

In contrast to previous sessions, more than half of the 104-member house participated in the session by submitting agenda items, participating in debates, or doing both. Overall, 56 legislators – 49 male and seven female - participated in the session; 9% tabled agenda, 43% debated it, and 2% did both.

Despite the interest of the legislators, 27% of the total 49 agenda items on the orders of the day were not taken up. Reflecting trends of previous sessions, 43% of the agenda items were on the orders of the two private members' days of the session, compared to the remaining 57% government agenda items spread over eight sittings. Only 39% of government and 10% of private agenda was taken up during the session. The upper house did not take up 95 questions, 12 legislative items, 11 resolutions and as many motions under rule 218, as well as a calling attention notice regarding CNG stations' strike. However, three resolutions, one privilege motion and a standing committee report appeared on the supplementary agenda, and all were taken up.

On a positive note the house passed two government bills: The Intellectual Property Organization of Pakistan Bill 2012 and The Airports Security Force (Amendment) Bill 2012. The earlier legislation aims the protection of intellectual property rights – copyright, trademarks, patents, designs etc. and the latter amendment seeks to eliminate the disparity between some Airport Security Force (ASF) designations and those of other agencies.

The law and order situation in the country with particular reference to target killings and sectarian violence in Balochistan, Karachi and Gilgit-Baltistan, was brought on the floor through a motion under rule 218. The motion raised by a PMLN male was debated for four hours and 16 minutes in various sittings.

The session lasted from 6-22 November 2012 consuming 19 hours and 49 minutes, and consisted of 10 sittings. An average sitting lasted about two hours and was 45 minutes behind the scheduled starting time. All except three sittings observed an average 38 minutes break consuming 22% of the session.

Since Senate does not make its members' attendance record public, FAFEN observer conducts a head count at the beginning, the end, and once when maximum members are present. On average eight members were present at the beginning and 23 at the adjournment of the sitting. Although the quorum (26 members) was visibly lacking at times, an average maximum of 37 members was sighted during each sitting.

The Leader of the House attended all 10 sittings while the Leader of the Opposition was present in six sittings. The Chairman presided over 87% of the session and was present in all but the first sitting which was presided over by the Deputy Chairman, who remained absent in the remaining session.

The JUIF parliamentary leader attended six sittings, ANP and MQM heads three and that of PML two sittings. The parliamentary head of BNPA, and the single member party PMLF did not attend the session while the member of the other single member party in the house, the NP, attended nine sittings.

The house passed four resolutions regarding deweaponization of Karachi, demise of a former senator Syed Iqbal Haider, solidarity with non-

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.

Muslims on the occasion of Diwali and the attacks by Israeli armed forces on the besieged territory of Gaza. Eight senators - seven male and a single female - submitted the resolutions.

The Defence and Defence Production Committee presented two reports regarding the Airport Security Force Bill and defence, while the Cabinet Secretariat and the Law and Justice Committees laid a single report each regarding Intellectual Property Organization and the twenty-second constitutional amendment.

Senators submitted 97 questions to relevant ministries/departments to conduct oversight of the executive, however, of which 95 were starred questions requiring both oral and written responses. The relevant ministers responded to 31 of the starred questions on the floor of the house. The opposition PMLN and JUIF asked the most questions, 35 and 18, respectively. The Ministries of Foreign Affairs, Defence, Housing, Interior, Cabinet Secretariat, Postal Services, Finance and Revenue, and Capital Administration and Development received maximum questions.

None of the sixty one points of order raised during the session attracted the chair's formal ruling. Unless the chair gives a formal ruling on a point of order, it does not lead to any assembly output.

The house witnessed ten walkouts/protests consuming 8% (96 minutes) of the session's time. The government and coalition parties - ANP, MQM, PMLN, NP and JUIF - on various occasions protested against law and order issues in the country especially regarding Karachi and Balochistan. The PPPP senators protested twice, once regarding a judicial action and again on not being granted permission to speak about the same. ANP and PMLN jointly protested the appearance of government agenda on private members' day.

Based on the findings of its observation, FAFEN recommends that:

1. Senate sittings should be open to citizen observers, who should be given accreditation through a standardized process. FAFEN takes this opportunity to reiterate its request for permanent accreditation to observe the proceedings. So far, FAFEN has had to acquire ad-hoc measures to observe the sessions of the house.
2. The Senate should consider keeping a public record of parliamentary business similar to that presented in this report so that the constituents can be informed about the performance of their elected representatives.
3. Complete information (and relevant documents) about the Senate business should be available to all members, especially regarding the progress of legislation, CANs and other key policy decision-making processes. Such information should also be available to the public on the Senate's website.
4. Detailed transcripts of all substantive discussions on policy matters – especially debates on legislation – should be available on the Senate's website immediately after it takes place.
5. The Senate secretariat should keep record of the actual time spent by the members in the house, especially about lack of quorum. This information should be available to the public.
6. No vote should be allowed by the chair, especially on legislation, when the house lacks quorum. The issue of lack of quorum has persisted for a long time. It seems that the opposition and treasury have reached an unwritten understanding of not raising this issue.
7. All ministers (or a designated representative of each ministry and the cabinet) must be required to be present during question hour. All questions must be responded to within the stipulated timeframe. Transcripts of all questions, including the ones that the Senate Secretariat finds admissible, and responses should be made available to the members and public.
8. The Chair should be responsible for ensuring that business planned on the orders of the day is accomplished during each sitting or at least during a full session, particularly with regard to consideration of legislation, resolutions and CANs. These policy matters are among the primary methods for elected legislators to represent their constituents' needs and concerns in the house.
9. Additional orientation and training for the parliamentarians is needed regarding their fundamental responsibilities, especially to their constituents. They should also be trained on basic parliamentary procedures, particularly those that are commonly misused, such as points of order.
10. The Senate secretariat should develop a publicly accessible mechanism to track government assurances given to the house and progress made in this regard.
11. A full-day sitting should be allotted to issues related to constituencies at least once in a session, as the current half an hour of each sitting allowed for this purpose by the rules of procedure and conduct of business is inadequate, compelling the members to raise constituencies' issues on points of order.

Table: Comparison of Agenda Taken up /Not Taken up in 86th and 87th session

Sr. No.	Agenda Items	Status	86th Session	87th Session
1	Starred Questions	Taken up	51	31
		Not Taken up	171	95
2	Un-Starred Questions		4	2
3	Calling Attention Notices	Taken up	4	0
		Not Taken up	0	2
4	Legislative Business	Taken up	9	4
		Not Taken up	0	12
5	Standing Committee Reports	Presented	8	4
		Not Taken up	0	0
6	Motion Under Rule 218	Taken up	2	5
		Not Taken up	16	11
7	Resolutions	Taken up	4	4
		Not Taken up	11	11
8	Points of Order		57	61
9	Privilege Motion	Taken up	2	1
		Not Taken up	0	0
10	Adjournment Motion	Taken up	3	0
		Not Taken up	0	0

1.0 Session Duration and Members' Participation

This section of the report deals with the duration the Senate meets during the session, attendance and participation of the senators; and maintenance of quorum (1/4th of the total membership – 26 in case of senate). This section also reviews the presence of the key members i.e. the Chairman, the Deputy Chairman, the Leader of the House, the Leader of the Opposition and the parliamentary leaders.

1.1 Session Time

The 87th session of the senate – started on November 06 and ended on November 22, 2012 – consisted of 10 sittings with overall proceeding's duration of 19 hours and 49 minutes. Each sitting, on average, spanned about two hours and started 45 minutes late against the scheduled starting time. There were breaks in all but three sittings that consumed 22% (four hours and 26 minutes) of the session's time. The longest break, extending for one hour and 12 minutes, was witnessed in the last sitting of the session.

Table 1.1: Session Time

Sitting No.	Date	Delay (Minutes)	Hours	Minutes	Break (Minutes)
1st	Tuesday, November 6	66	2	0	0
2nd	Thursday, November 8	40	2	0	40
3rd	Monday, November 12	50	2	25	35
4th	Tuesday, November 13	44	1	45	26
5th	Wednesday, November 14	50	1	25	30
6th	Thursday, November 15	42	2	13	32
7th	Friday, November 16	35	1	25	0
8th	Monday, November 19	50	2	52	31
9th	Tuesday, November 20	32	1	55	0
10th	Thursday, November 22	45	1	49	72
		Average delay 45 minutes			
Total			19 hours	49 minutes	266 minutes

1.2 Senators' Attendance

The senate does not make senators' attendance records public. FAFEN observer conducts a headcount when the sitting starts, when it ends and once when maximum legislators are present in the house.

On average, eight senators were present at the start, 23 at the time of adjournment, and a maximum of 37 in each sitting. Two of four minority members attended each sitting on average.

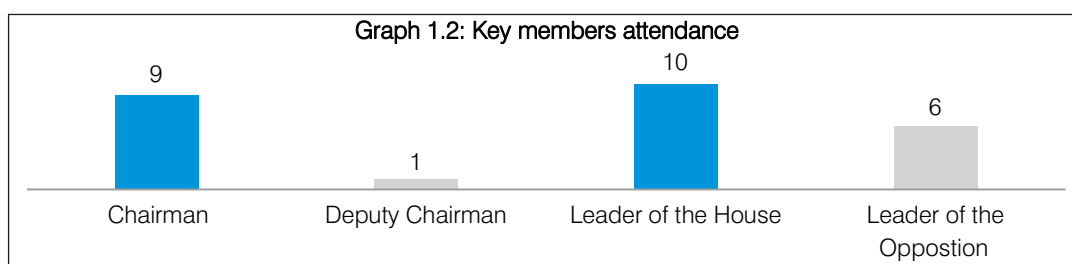
Table 1.2: Senators' Attendance

Sitting No.	Senators at the outset	Senators present at the end	Maximum Senators present	Minority members present
1st	8	16	28	1
2nd	8	16	27	2
3rd	6	13	32	0
4th	8	21	33	1
5th	11	22	39	1
6th	9	21	36	2
7th	4	25	32	2
8th	11	18	44	2
9th	4	28	49	2
10th	12	48	48	2
Average	8	23	37	2

Attendance of senators, especially of those holding important positions (Chairman, Deputy Chairman, Leader of the House, Leader of the Opposition and parliamentary leaders) is vital for the efficient and effective conduct of business.

The Leader of the House attended all 10 sittings while the Leader of the Opposition was present in six sittings.

The Chairman presided over 87% of the session and was present in all but the first sitting which was presided over by the Deputy Chairman, who did not attend the remaining session.



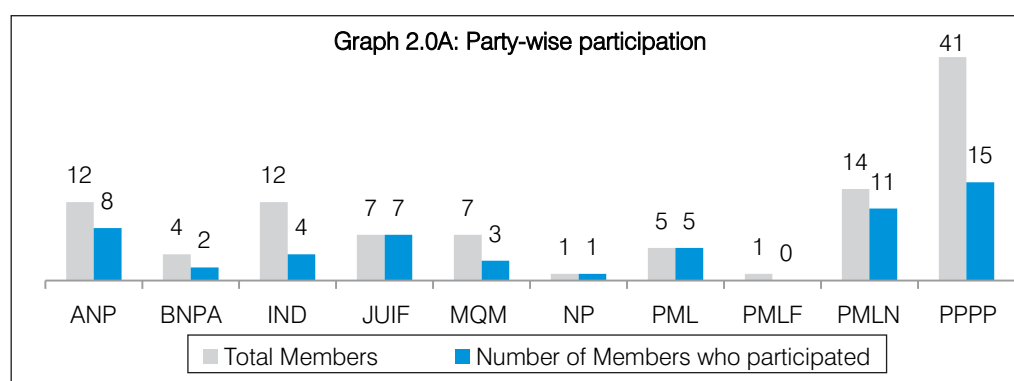
The parliamentary leader of JUIF was present in six sittings; those of ANP and MQM in three; and that of PML in two sittings, while the leader of the BNPA did not attend the entire session. Among single member parties, the head of NP attended nine sittings while the member of the PMLF remained absent throughout.

2.0 Members' Participation

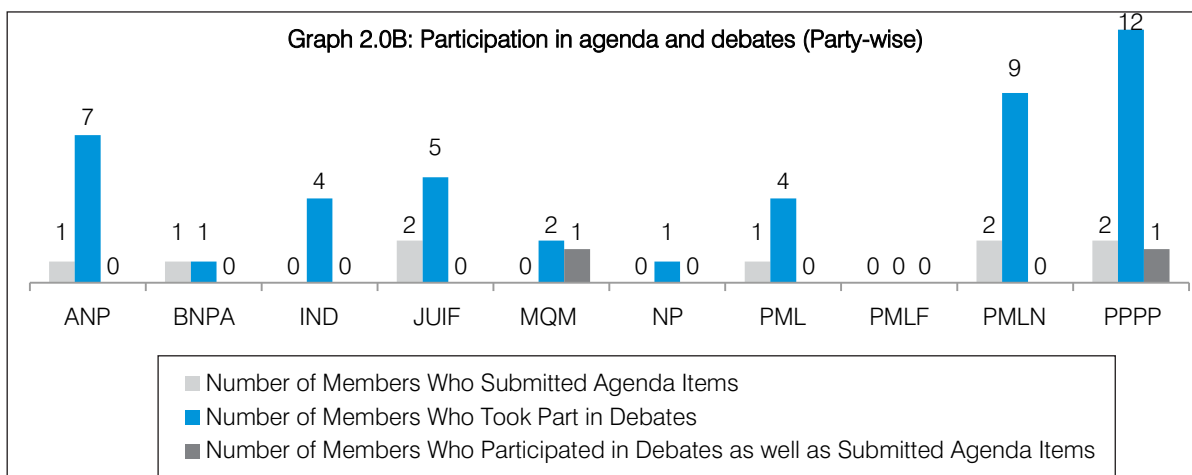
Participation has been classified into three categories; senators who only submitted agenda item(s), those who did not submit any agenda item but took part in discussions and deliberations in the house, and the senators who, both, submitted agenda items and participated in debates.

Overall 56 (54%) legislators participated in the 87th session. Nine percent of 104 legislators submitted agenda items, 43% took part in debates, and 2% submitted agenda items as well as participated in debates.

All the senators belonging to JUIF and PML, seven and five respectively, participated either by submitting agenda or by taking part in debates, while a single member of NP took part in debates. Relative to party strengths in the house, 79% of the PMLN legislators and 67% of the ANP legislators participated in this session. Details of these as well as others can be found in the following graph.



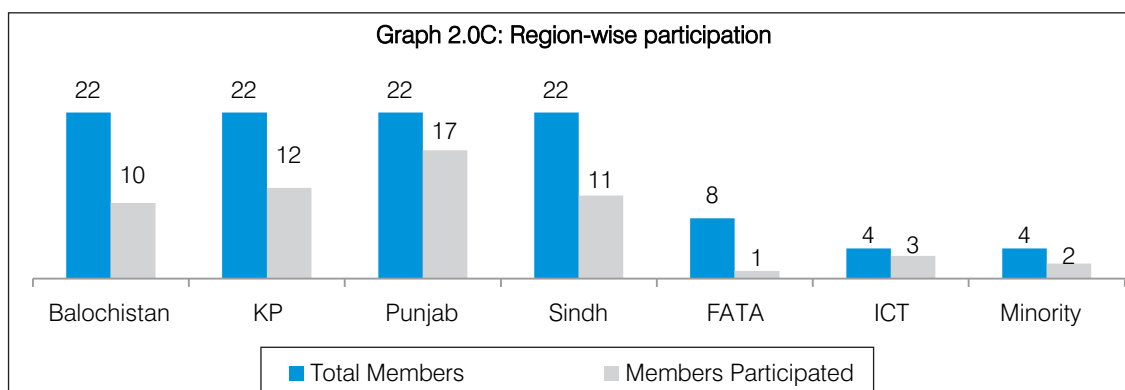
One PPPP and one MQM senator, both from Sindh, were the only legislators who also took part in the debates besides submitting agenda, as is evident from the following graph.



There are 87 male and 17 female senators in the 104-member upper house. Forty-nine (56%) of the 87 male senators and seven (41%) of the 17 female senators participated in this session.

Participation of the legislators from Punjab remained the highest (77%) as 17 of the 22 senators participated either by submitting agenda or by taking part in debates. Participation of the senators from FATA was the lowest (13%). Only one of the eight senators from FATA participated by taking part in the house debate.

One of the four minority members in the Senate submitted an agenda item and another took part in the debates.



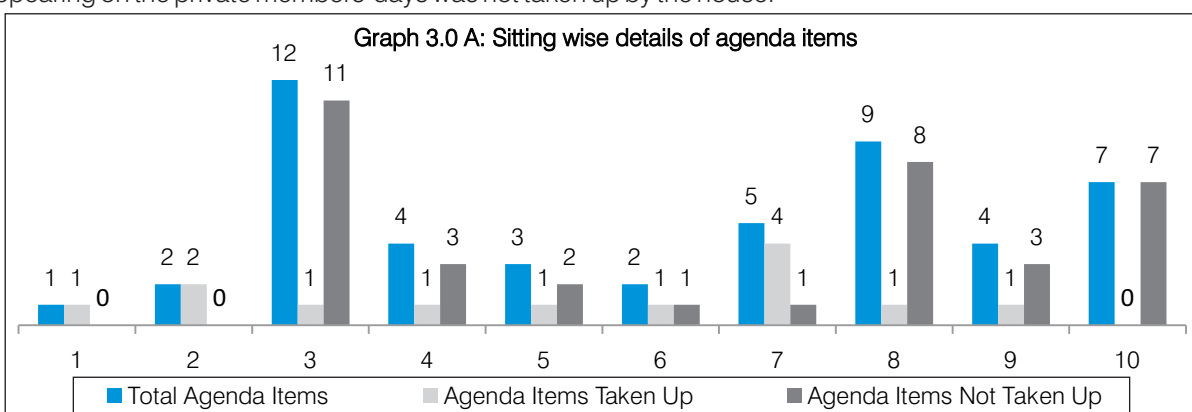
3.0 Orders Of the Day

This section of the report deals with the number of agenda items on the orders of the day and its admission on the floor, as well as any supplementary agenda taken up during the session.

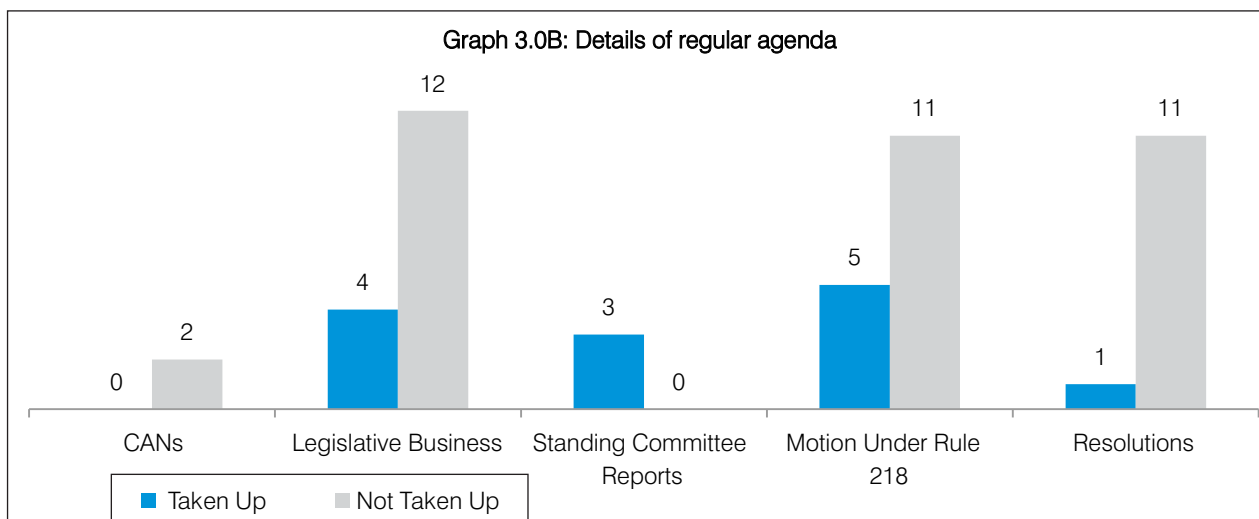
Only 13 (27%) of the 49 regular agenda items appearing on the orders of the day were taken up in this session. Additionally three resolutions, one privilege motion and one standing committee report appearing on supplementary agenda were also taken up by the house.

All the agenda items were taken up in the 1st and 2nd sittings (one and two agenda items, respectively) whereas none of the agenda appearing on the orders of the day, were taken up, in the last sitting.

The agenda of two private members' days (3rd and 8th sitting) was ambitiously set, accounting for 43% of the total agenda for the session, in comparison to the eight government business days. About 90% of the agenda appearing on the private members' days was not taken up by the house.



All the three standing committee reports appearing on the orders of the day, as well as one supplementary report, were taken up. However, a calling attention notice about strike of CNG stations, which appeared consecutively in the 5th and the 6th sittings, was not taken up by the house.



4.0 Representation, Responsiveness and Government Oversight

This section reviews legislators' efforts to represent the interests of their constituents through calling attention notices (CANs) and monitor government's performance through questions. It also reviews motions and matters of public importance.

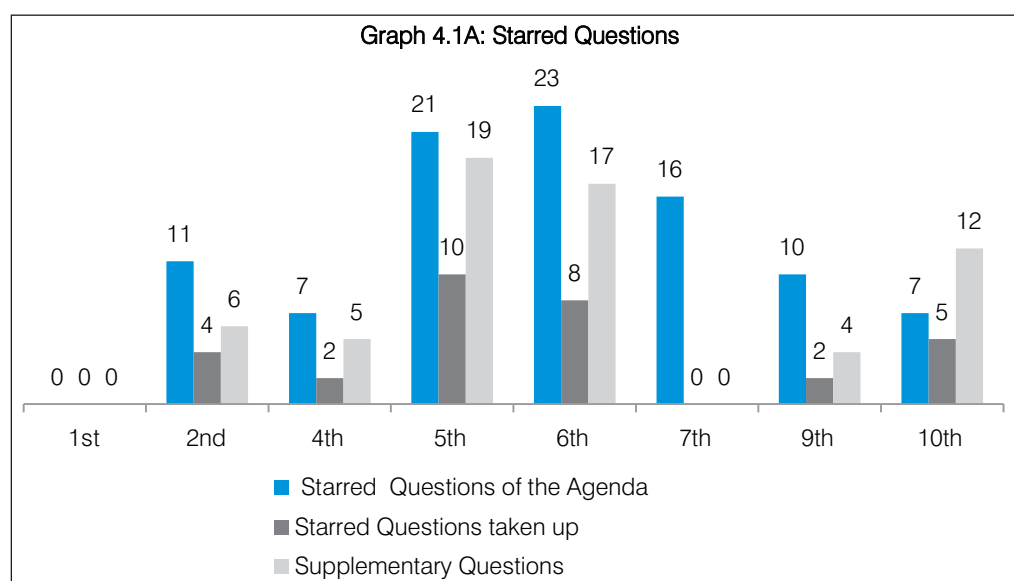
4.1 Question Hour

Question hour is a means of government oversight where the senators can submit questions addressed to any ministry or department seeking information regarding its area of expertise (foreign affairs, interior, law and justice etc.) and/or its performance. Senators can submit starred questions (requiring both oral and written answers) or un-starred (requiring written answers only).

Legislators submitted 95 starred and two un-starred questions in this session. Only 31 (33%) of the starred questions were taken up and given oral responses by relevant ministers on the floor of the house during question hour. In addition to these, 55 starred questions received written replies.

Asked first in the second and then in the ninth sitting, an un-starred question addressed to the Interior Minister enquired if *Adda* fee at Rawat on GT Road was being charged. It was not responded.

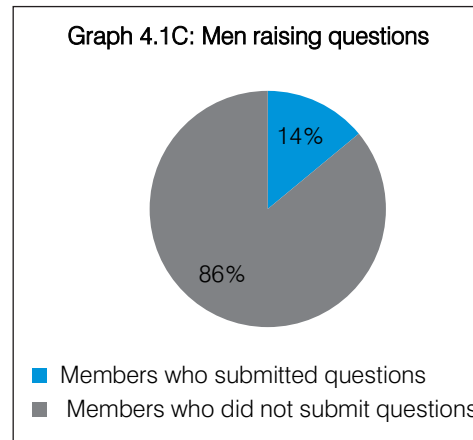
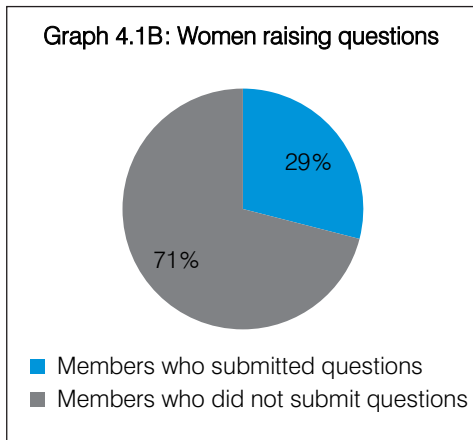
Question hour was suspended in the first sitting to hold discussion on the law and order situation in the country with particular reference to target killings and sectarian violence in Balochistan, Karachi and Gilgit-Baltistan. The third and the eighth sittings fell on the private members day - Monday in Senate –thus the question hour was not held as per the rules and procedures of the Senate.



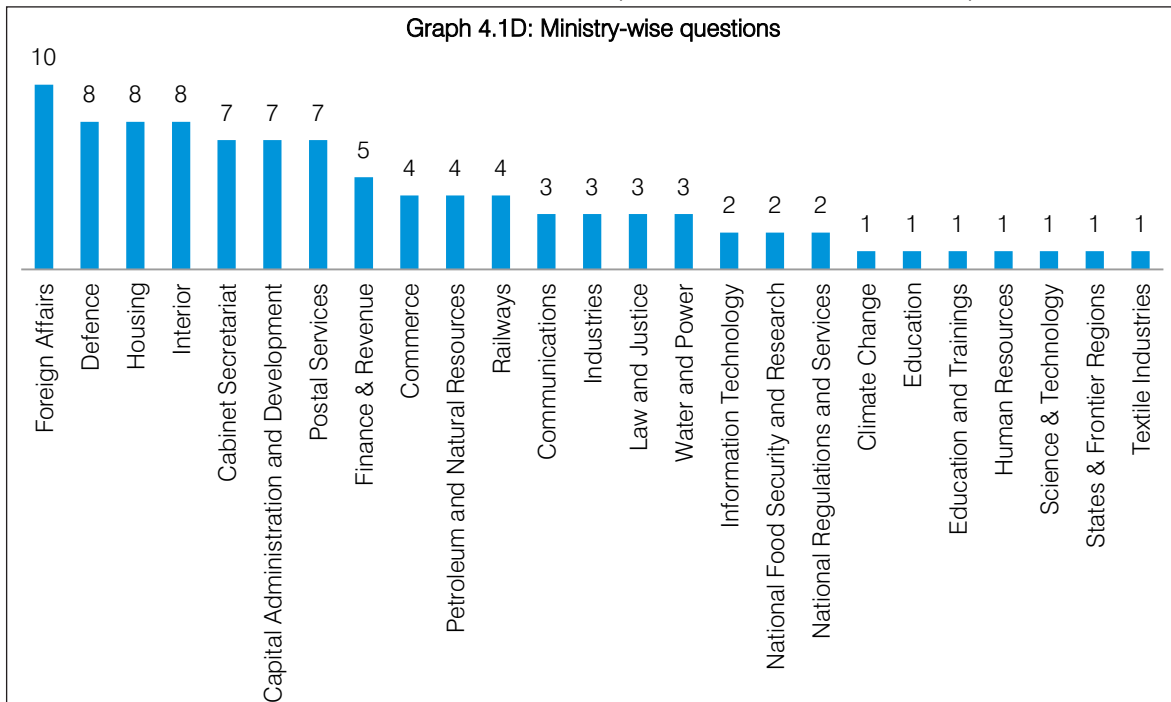


The female legislators were observed to be more active in submitting questions as compared to their male counterparts. Five female legislators asked 49 questions and 12 male legislators submitted 48 questions in 87th session.

The maximum questions were asked by the PMLN legislators, followed by the JUIF legislators.



Most of the questions were submitted to the Ministries of Foreign Affairs, Defence, Housing, Interior, Cabinet Secretariat, Postal Services, Finance and Revenue, and Capital Administration and Development.



4.2 Calling Attention Notices

Under rule 64 (chapter XI) of the Rules of Procedure and Conduct of Business, a senator may call the attention of a minister to any matter of urgent public importance and the minister may make a brief statement or ask for time to make a statement at a later hour or date provided that no more than one notice shall be allowed a senator per sitting.

A calling attention notice about strikes at CNG stations affecting the common people, submitted jointly by male and female members of the JUIF and PMLN, was on the agenda on the fifth and sixth sitting but was not taken up by the house.

4.3 Motions under rule 218

Under rule 218 of the Senate's rules and procedures, a minister or a senator may move a motion for the reconsideration of a policy, situation, statement or any other urgent matter.

Seven motions under rule 218 were tabled in this session of which only one - about law and order situation in the country with particular reference to target killings and sectarian violence in Balochistan, Karachi and Gilgit-Baltistan - was debated in six sittings and consumed 22% of the session time. It was debated for four hours and 15 minutes.

Motions regarding Pakistan Railways, health, telecommunications, performance of OGDCL, water contamination and foreign policy were not taken up by the house.

Three motions under rule 218 were raised by the legislators each from MQM and JUIF, and one by a PMLN legislator. All these motions under rule 218 were raised singly by male senators.

Table 3.3: Motions under Rule 218

Sr. No.	Motion under rule 218	Party
1	This house may discuss the affairs of Pakistan Railways with particular reference to its present financial position and the condition of its locomotives and other infrastructure	JUIF
2	This house may discuss the Foreign Policy of the Government with particular reference to Saudi Arabia	JUIF
3	This house may discuss the overall performance of OGDCL with particular reference to the discovery of petroleum and gas reservoirs in the country	JUIF
4	This house may discuss the law and order situation in the country with particular reference to target killings and sectarian violence in Balochistan, Karachi and Gilgit-Baltistan	PMLN
5	This house may discuss the problems arising out of phone calls packages at night throughout the country	MQM
6	This house may discuss the situation arising out of growing vegetables using contaminated water in Islamabad and its vicinity	MQM
7	This house may discuss the situation arising out of sub-standard medicines in the Federal Government Hospitals	MQM

5.0 Parliamentary Output

Law making is one of the most important functions of the parliament. This section is concerned with the presentation, introduction, passage and subject matter of legislation, resolutions and the parliamentary reports on the agenda during the session.

5.1 Legislation

Legislation comes in the form of government bills, private-member bills and ordinances. This section focuses on the details of bills tabled during the session, such as the date of reference to standing committees and their subsequent reports, consideration and the status of bills.

Only government bills were on the agenda in this session. Resolutions tabled on the orders of the day regarding national and international issues and reports of standing committees on proposed legislation reviewing technical aspects, making recommendations etc. were also presented on the floor.

5.1.1 Government Bills

Five government bills were tabled during this session. Two of these were unanimously passed, two deferred, and one sent to the concerned standing committee.

The Intellectual Property Organization of Pakistan Bill, 2012 and the Airport Security Force (Amendment) Bill, 2012 had already been passed by the National Assembly.

Table 5.1.1: Details of the bills

Sr. No.	Government bills	Date of presentation Standing Committee Report	Status
1	The Constitution (Twenty -Second Amendment) Bill, 2012	Monday, November 19, 2012	Deferred
2	The Constitution (Twenty -Third Amendment) Bill 2012	-	Deferred
3	The Airports Security Force (Amendment) Bill 2012	Tuesday, November 13, 2012	Passed
4	The Provincial Motor Vehicles (Amendment) Bill, 2012	-	Introduced and Sent to Standing Committee
5	The Intellectual Property Organization of Pakistan Bill 2012	Thursday, November 8, 2012	Passed

Details of Passed Bills

i. *The Intellectual Property Organization of Pakistan Bill, 2012*

This bill seeks to establish the Intellectual Property Organization of Pakistan by integrating three different offices (inherited from the British Raj) to protect the intellectual property rights – copyright, trademarks, patents, designs, etc. The trademark registry, the copyright office and the patent office are to be consolidated into a single Intellectual Property Organization.

By virtue of membership in the World Trade Organization, Pakistan is a signatory to the agreement on Trade Related Aspects of Intellectual Property Rights, and failure to provide this protection could result in legal action against the country; which was another reason behind the presentation of this legislation¹.

¹ The Intellectual Property Organization of Pakistan Bill, 2012.

Retrieved from website of Senate of Pakistan: <http://www.senate.gov.pk/Legis%20Br/bill/ipo2012.pdf>

ii. *The Airports Security Force (Amendment) Bill, 2012*

This bill amended the Airport Security Force Act of 1975 to re-designate certain posts to end disparity in ranking systems of the Airport Security Force (ASF) and other agencies like FIA, ANF, the Coast Guards, etc. giving rise to a perception of ASF staff being junior than their counterparts in the ANF, FIA and other law enforcement agencies².

5.2 Resolutions

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

Thirteen resolutions were tabled in this session of which four were adopted and the rest were not taken up. The resolution to condemn Israel's attack on Gaza and the failure of Myanmar government to protect Rohingya Muslim minority community was one of the adopted resolutions. It was jointly tabled by the government and opposition legislators during the 9th sitting.

The other adopted resolutions included one calling upon the government to dewater Karachi in the backdrop of prevailing law and order situation, extension of greetings to the Hindu community on the occasion of Diwali, and a condolence resolution to pay tribute to late Syed Iqbal Haider – an ex-parliamentarian. All of these were moved by the PPPP senators.

Table 5.2: Resolutions

Sr. No.	Resolutions	Gender of the mover	Party	Status
01	This house strongly condemns the barbaric attacks by Israel armed forces on the besieged territory of Gaza, as a result of which hundreds of innocent men, women and children have been killed or wounded. This house also condemns the continuing failure of the government of Myanmar to protect the ethnic and religious Rohingya Muslim minority.	Jointly moved by the house		Adopted by the house
02	This house urges the government may take effective steps to dewater Karachi in view of prevailing law and order situation in the city	Single male	PPPP	Adopted by the house
03	This house recommends that the government may establish shelter houses for senior citizens	Single male	PPPP	Not taken up
04	This house urges the government may take immediate steps to carry out performance based financial audit of power distribution companies in the country	Single female	PMLN	Not taken up
05	This house recommends the government may make arrangements for establishment of institute for boarding and lodging of unwanted children in Islamabad Capital Territory	Single male	PPPP	Not taken up
06	The House recommends that amount of outstanding loans granted by the government for the construction of Houses to the affectees of 8th October, 2005 earthquake be written off	Single male	JUIF	Not taken up
07	This house felicitates the Hindu community of Pakistan on the celebration of Diwali today, the festival of light and victory of the good over evil.	Single male	PPPP	Adopted by the house
08	This house urges the government may take immediate steps to carry out performance based financial audit of power distribution companies in the country	Single female	PMLN	Not taken up
09	This house recommends that the government should take steps to provide housing facilities to all federal government employees through PHA irrespective of their cadre	Single male	MQM	Not taken up
10	This house recommends that water filtration plants may be installed in each city and village of the country to save the people from water borne diseases	Single male	JUIF	Not taken up
11	This house urges the government should take steps to control narcotics	Single male	MQM	Not taken up
12	This house recommends that the amount of outstanding loans granted by the government for the construction of houses to the affectees of 8th October, 2005, earthquake be written off	Single male	JUIF	Not taken up
13	This house expresses its profound grief and shock on the sad demise of former senator Syed Iqbal Haider.	Single male	PPPP	Adopted by the house

5.2 Parliamentary Reports

After a standing committee report is tabled, the Chairman stipulates a date for consideration of the report. The minister concerned presents the report and may make a supporting statement describing its salient features. The house may pass a resolution to express an opinion, or make an observation or recommendation on the report.

Four standing committee reports were presented in this session of which two were presented by the Standing

² The Airports Security Force (Amendment) Bill, 2012.

Retrieved from website of Senate of Pakistan: <http://www.senate.gov.pk/Legis%20Br/bill/air2012.pdf>

Committee on Defence and Defence Production and one each by the Standing Committees on Cabinet Secretariat, and Law and Justice. Two of these reports – about the Intellectual Property Organization of Pakistan Bill 2012, and the Air-port Security Force (Amendment) Bill, 2012 – were about bills which were later passed by the house during this session.

Table 5.2: Standing committee reports

Sr. No.	Report	Name of committee
1	The Intellectual Property Organization of Pakistan Bill, 2012	Cabinet Secretariat
2	The Air-port Security Force (Amendment) Bill, 2012	Defence and Defence Production
3	Report of the Committee on Defence Update-I November, 2012	Defence and Defence Production
4	The Constitution (Twenty-Second Amendment) Bill, 2012	Law and Justice

6.0 Order and Institutionalization

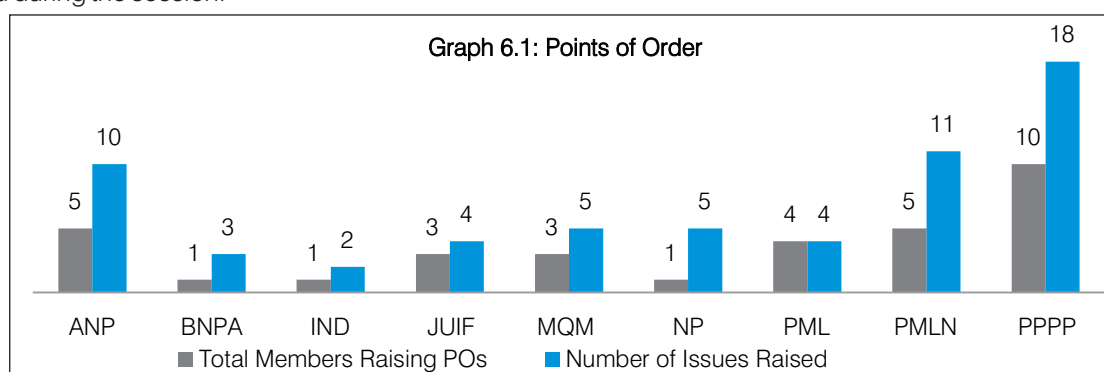
This section of the report deals with issues raised through points of order (POs) and the time consumed by these. It also reviews the instances of protests, walkouts or boycotts during the session. All parties attending the session highlighted various national issues through POs and criticized the various law and order issues through protests and boycotts.

6.1 Points of Order

A point of order is raised to address an apparent breach in the rules of parliamentary procedure while the house business is underway and usually requires the chair's ruling on the issue.

Sixty-one points of order (POs) were raised in this session which consumed 13% (two hours and 40 minutes) of the session time. The last sitting was the only sitting of the session in which no PO was raised whereas the highest, 15, were raised in the 7th sitting followed by the 9th in which 14 POs were raised.

These POs were raised by 33 senators – 30 men and three women. Ten PPPP legislators raised 29% of total POs raised during the session.



Business of the house, Israel's attack on Palestine, journalists' security, ban on motorcycles in Karachi and Balochistan during Muharram for security reasons, and doctors' strike in Quetta were some of the issues repeatedly raised through the POs.

Table 6.1: Issues Highlighted through POs

Sr. No.	Issues	POs
1	Business of the House	7
2	Israel's attack on Palestine	4
3	Journalists (Security)	4
4	Motorcycle ban (Karachi and Balochistan)	4
5	Doctors' strike (Quetta)	3
7	Criticism of ministers	2
8	Judiciary (ban on attending talk show)	2
9	Media	2
10	Military Operation	2
11	Raid on Talal Bugti's house	2
12	Asghar Khan case	1
14	Balochistan related issues	3
15	Ban on YouTube	1
16	Criticism of Chief Justice	1

Sr. No.	Issues	POs
17	Criticism of Judiciary	1
18	Criticism of Minister (Karachi and Balochistan issues)	1
19	Criticism of Prime Minister	1
20	Criticism of the federal government	1
21	Criticism of US	1
22	Dual Nationality	1
23	Government Servants	1
24	Human rights	1
25	Karachi Issues	4
29	Law and order (Mobile phone ban)	1
30	Members Attendance	1
31	Military Wing	1
32	Ministerial Absence	1
33	Minorities	1
34	Parliament issues(cleanliness)	1
35	PIA issues	1
36	Praise of Interior Minister	1
37	Request for Fateha	1
38	Welcome (Seemi Siddiqui)	1
39	Witness protection	1
Total		62

6.2 Privilege Motions

A member may raise a privilege motion with the consent of the chairperson on violation of the privileges of a member, standing committee or the Senate.

A personal privilege motion was raised by an ANP male senator to voice his grievance on the misconduct of Inspector General Punjab; the motion was taken up and sent to the Privilege Committee.

6.3 Protests, Boycotts and Walkouts

The 87th session witnessed six walkouts and four protests which consumed 8% (96 minutes) of the session time. The 2nd and the 10th were the only sittings during which no protests, walkouts, or boycotts were witnessed.

Three walk-outs and one protest were staged over target killings in Karachi, and law and order situation in Karachi and Quetta. Furthermore, the PMLN senators made a protest and the ANP senators staged a walkout over the presentation of government agenda on private members' day.

Table 6.3: Protests, Boycotts and Walkouts

Sitting No.	Party	Protest/Walkout/Boycott	Total Time (Minutes)	Protest/Walkout/Boycott
1st	PPPP	Judiciary action against him	8	Protest
3rd	ANP	On issue of target killing in Karachi	8	Walkout
4th	ANP	On situation of Karachi and Quetta	5	Protest
	MQM	On target killing in Karachi	29	Walkout
5th	ANP, PMLN, NP	Over law and order situation in Karachi	6	walkout
6th	ANP	Raid by FC on Talal Bugti's Home in Balochistan	10	Walkout
	PMLN		10	
7th	JUIF	On issue of killing of Ulema and the raids on Madaris	5	Walkout
8th	ANP	On the issue of presentation of the report on "Dual Nationality Bill" on Private Member's Day as this was government agenda	5	Walkout
	PMLN		5	Protest
9th	PPPP	On not getting the permission to speak regarding the judiciary	5	Protest
Total			96 Minutes	-

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.

'List of Business'

The 'List of Business' includes the business scheduled for an assembly sitting.

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.

[We wish to extend our acknowledgment to the Senate Website for material contributions presented in the Glossary.](#)

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.

Table

The table of the house.

Unstarred question

"Unstarred Question" means a question for a written answer.

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 are:

- Observed the public display of Pakistan's draft electoral rolls and conducted the country's first statistically-valid voters' list audit in 2007
- Deployed more than 18,829 trained, neutral Election Day observers nationwide to watch the February 18, 2008 polls and 264 long-term observers to monitor the pre-election process
- Fielded long-term observers nationwide and published 19 pre-election reports
- For the February 18, 2008, General Elections, FAFEN conducted 260 simultaneous Parallel Vote Tabulations (PVTs)- the largest effort in the world
- Conducted its first survey, Constituents Aspirations Survey, in December 2008 with a sample size of 3,124 respondents to get the description of the state of public opinion and also to get a deeper understanding of the values, attitudes and beliefs of people living in the constituencies
- Conducted mapping of organizations working for human rights within Pakistan
- Observed general elections at Gilgit-Baltistan in 2009 and by-elections in various constituencies of the Punjab, Balochistan and Khyber Pakhtunkhwa in 2010
- Implemented a unique methodology to observe parliamentary proceedings under its Parliamentary Watch Project
- Monitors public institutions across Pakistan and issues monthly reports on the state and performance of educational, health and other local level institutions. In addition, monthly reports on prices, crimes, incidence of disease, caseload in lower courts and political and electoral violence are issued

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, peace activities and promoting active citizenry through ongoing civic education activities across the country. FAFEN is currently implementing Supporting Transparency, Accountability and Electoral Processes in Pakistan in 200 National Assembly constituencies in 119 districts across Pakistan.

FAFEN Secretariat

224-Margalla Road, F-10/3, Islamabad

(P) 051-22 11 026

(F) 051-22 11 047

(E) secretariat@fafen.org



www.fafen.org