

# 110th Session of the Senate of Pakistan

## Quorum pointed out in three out of five sittings



January 30 - February 6, 2015

- 54 senators do not take part in House proceedings
- 20 members present at the start, 21 at the end of each sitting

The 110th session of the Senate was marked by low attendance and participation of lawmakers and protest/walkouts over ministerial absence and changes in the proposed route of Pak-China Economic Corridor.

As many as 54 (52%) out of 104 senators did not participate in the House proceedings. These included 20 legislators from PPPP; followed by PML-N (10); MQM (four); BNP-A, JUI-F and ANP (three each); PML (two); NP (one) and eight independent members.

The session, comprising five sittings, started on January 30, 2014 and ended on February 6, 2015. On average, each sitting started 43 minutes behind the schedule and lasted two hours and 11 minutes.

Since the Senate Secretariat does not share the attendance record of members with the public, FAFEN conducts a headcount at the start and end of each sitting and documents the actual time spent on the floor by the Chairman, Deputy Chairman, Leader of the House and the Opposition Leader.

The session continued to witness low attendance of senators, with an average of 20 (19%) members present at the outset and 21 (20%) at the end of each sitting.

The Prime Minister did not attend any of the five sittings, while the Leader of the House and the Opposition Leader were present in four sittings each - attending 87% and 77% of the proceedings respectively. The Chairman presided over the proceedings for 15% of the session time while the Deputy Chairman chaired 76% of the proceedings. The remaining time was consumed in breaks.

### 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 on their representatives' performance in the legislatures in order to hold them accountable.

The Parliament Watch and Reforms Project (PWRP), an initiative of the Free and Fair Election Network (FAFEN), aims to collect and publish information about the performance of MNAs, MPAs and Senators by directly observing the parliamentary proceedings. FAFEN intends to foster informed engagement between constituents and elected representatives by providing objective and statistically-sound information on parliamentary processes and decisions.

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

The House witnessed the introduction of two private and two government bills. The private bills included the Corporate Rehabilitation Bill 2015 and the Torture and Custodial Death (Punishment) Bill 2014 while the government bills were the Stock Exchanges (Corporatization, Demutualization and Integration) (Amendment) Bill 2015 and the Companies (Amendment) Bill, 2015. All these bills were referred to the relevant standing committees. In addition, the Gas Infrastructure Development Cess Ordinance 2014 was also laid during the session.

The House adopted three resolutions during the session – one each to express grief over the demise of King Abdullah Bin Abdul Aziz; taking steps for elimination of corruption and to express solidarity with the people of Kashmir on the occasion of Kashmir Solidarity Day.

A total of 18 points of order (POs) consumed 41 minutes (6%) of the session time. However, none of the POs were able to receive a formal ruling from the Chair. Unless the Chair gives a formal ruling on a PO, it does not lead to any assembly output.

The House witnessed six walkouts during the session that consumed 24 minutes. Two walkouts were staged to protest ministerial absence, with another two against proposed change in the route of Pak-China Economic Corridor and one each over law and order in Karachi and unsatisfactory ministerial response on a calling attention notice.

## Parliamentary Output

This section deals with legislations and resolutions debated and decided during the legislative session.

### Legislation

Considering legislation on matters of national significance through careful debate and discussion is arguably the most important function of the Senate. Legislation comes in the form of government bills, private bills and ordinances. This section details the procedures regarding legislative deliberation and examines the stages followed in drafting and consideration of the bills.

The session witnessed the introduction of two private and two government bills. The private bills included the Corporate Rehabilitation Bill 2015 and the Torture and Custodial Death (Punishment) Bill 2014, while the government bills included the Stock Exchanges (Corporatization, Demutualization and Integration) (Amendment) Bill 2015 and the Companies (Amendment) Bill, 2015. All the four bills were referred to the relevant standing committees for further deliberations.

In addition, the Gas Infrastructure Development Cess Ordinance 2014 was also laid by the Minister for Commerce during the session.

### Resolutions

The House adopted three resolutions during the session – one each to express grief over the demise of King Abdullah Bin Abdul Aziz; taking steps for elimination of corruption and to express solidarity with the people of Kashmir on the occasion of Kashmir Solidarity Day.

Three other resolutions – one each demanding increase in subsidy on electricity for domestic consumers; taking immediate steps to conduct the sixth housing and population census and controlling price hike of essential commodities – were not taken up. Another resolution regarding usage of religious terminologies in their original form rather than their translated versions was referred to the relevant standing committee.

### Presentation of Reports

The session witnessed the presentation of seven reports, including the reports on the Anti-Honour Killing Laws (Criminal Laws Amendment) Bill 2014 and the Torture, Custodial Death and Custodial Rape (Prevention and Punishment) Bill 2014.

Two other reports on the performance of the Functional Committee on Human Rights and Standing Committee on Federal Education and Professional Training between June 2012 and October 2014 were also presented. In addition, reports dealing with the recent petrol crisis, a starred question raised by a senator on January 29, 2013 and the first biannual monitoring of the implementation of NFC Award (July-December 2013) were also presented during the session.

## Members' Participation

Active and responsible participation of legislators is crucial for the business of the Senate to be meaningful. The participation in the proceedings is gauged in three ways – by the number of legislators bringing agenda items, those taking part in debates and those participating in both activities.

According to FAFEN's observation, 54 out of 104 senators (52%) did not take part in the House proceedings during the session. These included 20 senators from PPPP, 10 from PML-N, eight independent members, four senators

from MQM, three each from ANP, JUI-F and BNP-A besides two lawmakers from PML and one from National Party. Gender-wise, 46 out of 87 (53%) male and eight out of 17 (47%) female lawmakers did not participate in the proceedings.

Political Party	Members Submitting Agenda Items	Members Participating in Debates	Members Doing Both	% of Members Submitting Agenda Items	% of Members Participating in Debates	% of Members Doing Both	Total Membership in Senate
PPPP	7	5	8	18%	13%	20%	40
PML-N	3	1	2	19%	6%	13%	16
ANP	2		7	17%		58%	12
IND	2		1	18%		9%	11
MQM	1	1	1	14%	14%	14%	7
JUI-F	1		2	17%		33%	6
PML	2		1	40%		20%	5
BNP-A	1			25%			4
NP							1
PKMAP		1			100%		1
PML-F			1			100%	1
<b>Total</b>	<b>19</b>	<b>8</b>	<b>23</b>	<b>18%</b>	<b>8%</b>	<b>22%</b>	<b>104</b>

## Session Duration and Attendance

The session, comprising five sittings, started on January 30, 2014 and ended on February 6, 2015. On average, each sitting started 43 minutes behind the schedule and lasted two hours and 11 minutes.

The third sitting was the longest, spanning over three hours and 18 minutes, while the first sitting was the shortest, lasting one hour and 35 minutes. Moreover, nearly 9% of the session (59 minutes) were consumed in breaks during the second and third sittings.

Sitting	Date	Late Start (Minutes)	Hours	Minutes	Break
1	January 30, 2015	65	1	35	
2	February 02, 2015	40	3	1	25
3	February 03, 2015	37	3	18	34
4	February 04, 2015	45	1	25	
5	February 06, 2015	28	1	37	
<b>Average/Total</b>		<b>Average: 43 minutes</b>	<b>Total: 10 hours and 56 minutes</b>		<b>Total: 59 minutes</b>

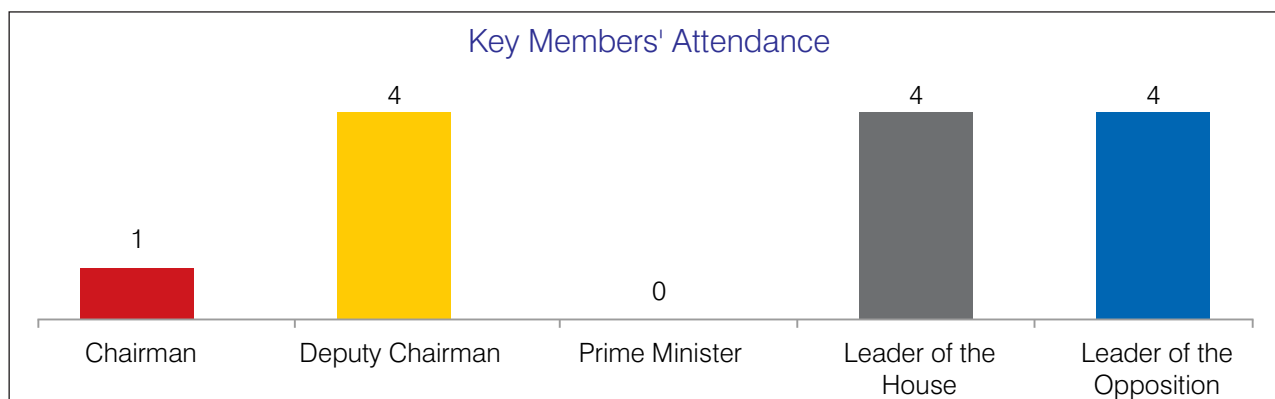
## Legislators' Attendance

The session continued to witness low attendance of senators with an average presence of 20 lawmakers (19% of the total membership) at the outset and 21 (20%) at the end of each sitting. The fourth sitting witnessed the lowest attendance, with a maximum of 22 legislators present at one point of the sitting.

Sitting Number	Members Present at Outset	Members Present at the End	Maximum Members Present
1	43	45	45
2	18	15	28
3	28	14	42
4	6	4	22
5	4	29	36
<b>Average</b>	<b>20</b>	<b>21</b>	<b>35</b>

## Key Members' Attendance

Attendance in parliamentary sittings is crucial for legislators, especially those holding important positions (such as the Prime Minister, Leader of the House and Opposition Leader) to perform their legislative and representative roles. The Prime Minister did not attend any of the five sittings, while the Leader of the House and the Opposition Leader were present in four sittings each - attending 87% and 77% of the proceedings respectively.



The Chairman attended only the fifth sitting and presided over the proceedings for one hour and 37 minutes (15% of the session time). The Deputy Chairman attended four sittings and chaired the proceedings for eight hours and 20 minutes (76%). The remaining 59 minutes (9%) of the session were consumed in breaks.

## Representation, Responsiveness and Government Oversight

Parliamentary oversight of the executive is one of the core functions of the Parliament. It is a tool to hold the executive accountable for its actions and ensure it implements the policies and decisions made on the floor of the House.

### Calling Attention Notices

Two calling attention notices (CANs) were submitted during the session – of which one was taken up. The House took up the CAN dealing with the proposed changes in the route of Pak-China Economic Corridor, while the other CAN regarding uniform sugarcane price in Sindh and Punjab was left unaddressed.

### Question Hour

Question Hour is a parliamentary tool for lawmakers to conduct executive oversight by submitting questions addressed to any ministry/department and seek information regarding its performance. Questions are categorized as starred and un-starred based on the requirement of oral and written answers respectively.

As many as 32 senators submitted 150 questions (147 starred and three un-starred), of which 47 (31%) were taken up. Additionally, the lawmakers raised 71 supplementary questions during the session.

Gender-wise, seven female lawmakers raised 48 questions, while the remaining 102 questions were submitted by 25 male lawmakers.

Sitting	Date	Starred Questions	Un-starred Questions	Total Questions	Questions Taken Up	Supplementary Questions
1	January 30, 2015	41	1	42	6	10
2	February 2, 2015	Private Member's day				
3	February 3, 2015	50	0	50	24	30
4	February 4, 2015	9	1	10	8	6
5	February 6, 2015	47	1	48	9	25
<b>Total</b>		<b>147</b>	<b>3</b>	<b>150</b>	<b>47</b>	<b>71</b>

### Motions under Rule 218

Under Rule 218 of the Senate, a minister or a member may move a motion for reconsideration of a policy, situation, statement or any other urgent matter.

The House took up four motions under Rule 218 during the session. These were pertaining to non-payment of net

hydel profits to the Khyber Pakhtunkhwa government, national security policy, promotions in the civil bureaucracy and non-payment of revenue from privatization of OGDCL to the provinces.

Two other motions to discuss the overall performance of educational institutions under the administrative control of the federal government and situation arising from the drought in Thar were not taken up.

Sitting No.	Motion	Status
2	This House may discuss the issue of non-payment of net hydel profits to the Government of Khyber Pakhtunkhwa in line with AGN Kazi formula and Arbitration Award of 2006	Taken Up
2	This House may discuss the National Internal Security Policy of the government	Taken Up
2	This House may discuss the overall performance of educational institutions working under the administrative control of the federal government	Not Taken Up
2	This House may discuss the situation arising out of the drought in Thar	Not Taken Up
2	This House may discuss recommendations made by the Civil Services Reforms Committee, particularly those pertaining to promotions in the civil bureaucracy on the pattern of the army.	Taken Up
2	This House may discuss the privatization /sale of OGDCL shares and non-payment of sale proceeds thereof to the provinces	Taken Up

## Order and Institutionalization

This section deals with the parliamentary instruments employed to maintain order and institutionalization in the House, such as issues raised through points of order and the time consumed thereof. It also reviews the questions of privileges and instances of protests/walkouts/boycotts during the session.

### Points of Order (POs)

Under the House rules, a PO is raised to address an apparent breach in the rules of parliamentary procedure while an assembly's business is underway, and usually requests the Chair's ruling on the issue. POs must never be concerned with non-procedural issues; however, this agenda item is frequently used by legislators to raise matters of national interest and other issues.

A total of 18 POs were raised during the session which consumed 41 minutes (6%) of the session time. However, none of the POs were able to receive a formal ruling from the Chair. Unless the Chair gives a formal ruling on a PO, it does not lead to any assembly output.

Sitting	Points of Order	Time Consumed (minutes)
1	0	0
2	0	0
3	4	21
4	10	15
5	4	5
<b>Total</b>	<b>18</b>	<b>41</b>

### Question of Privilege (QoP)

Only one question of privilege was raised against an official belonging to the Ministry of Commerce and referred to the relevant standing committee.

### Protests/Walkouts/ Boycotts

The House witnessed six protests/walkouts/boycotts that consumed 24 minutes (4%) of the session time.

The opposition parties (except JUI-F and MQM) staged a two-minute token walkout during the first sitting to protest the absence of ministers in the House.

Similarly, the entire opposition (except MQM) along with a PkMAP lawmaker staged a two-minute walkout during the third sitting against the proposed changes in the route of Pak-China Economic Corridor. The same sitting witnessed another walkout by opposition lawmakers (except MQM) to protest the unsatisfactory response of a minister to a CAN dealing with the same issue.

The entire opposition (except MQM) led by ANP lawmakers staged another walkout in the fourth sitting over the absence of the Finance Minister.

MQM later staged a walkout during the same sitting against law and order in Karachi and non-implementation of the National Action Plan.

Additionally, a PkMAP lawmaker staged a walkout over the proposed diversion of the Pak-China Economic Corridor's original route in the same sitting.

## Quorum

The quorum was pointed out in three out of five sittings. The House suspended the proceedings for half an hour due to missing quorum during the first sitting, while the third and fourth sittings were adjourned for the same reason

Disclaimer: This publication has been produced with the assistance of the European Union. The contents of this publication are the sole responsibility of FAFEN and can in no way be taken to reflect the views of the European Union. Every efforts has been taken to maintain accuracy. To intimate any errors and omissions, please contact House 145, St 37, F-10/1, Islamabad - 051-8466232



This report is based on direct observation of the Senate proceedings conducted by PATTAN Development Organization, a member organization of FAFEN

# About FAFEN

Free and Fair Election Network (FAFEN) is a nationwide network of 42 Pakistani civil society organizations. It has been working since 2006 to strengthen democratic systems and promote active citizenship and is now governed by Trust for Democratic Education and Accountability (TDEA). With its primary mandate to observe elections and seek reforms to improve the quality of elections, FAFEN managed unprecedented long-term voter education and election observation initiatives that got 20,000 Pakistani citizens from every district of the country directly involved in the general election process in 2007-08.

In 2013, FAFEN deployed more than 40,000 trained, non-partisan long- and short-term observers to monitor all phases of general election. FAFEN election observation has yielded valuable insights into the quality of the electoral process and enabled generation of critical recommendations for reforms in the constitutional, legal and procedural frameworks that govern elections in Pakistan.

In addition to its vibrant Electoral Oversight, Research and Reforms Program, FAFEN has developed innovative techniques to observe the functioning of Parliament and Provincial Assemblies in order to advocate for parliamentary reforms for a more accountable, transparent and responsive legislative governance. Under its Parliament Oversight, Research and Reforms Program, FAFEN directly observes and objectively reports on the proceedings of all elected Houses in Pakistan.

FAFEN mobilizes and facilitates citizens engagements with elected and public institutions across Pakistan as a prerequisite for strengthening democratic accountabilities as part of its Electoral Governance Oversight, Research and Reforms Program. These activities fit in with the core FAFEN's objective of promotion of active citizenry—a critical ingredient of a vibrant democratic system.



## **FAFEN Election Observation Secretariat**

House 145, St 37, F-10/1, Islamabad

(P) 051-84 66 230-32

(F) 051-84 66 233

(E) [secretariat@fafen.org](mailto:secretariat@fafen.org)

(Twitter) [@\\_FAFEN](https://twitter.com/_FAFEN)