

HOUSE OF FEDERATION

FAFEN PARLIAMENT MONITOR

259th Session

Feb 13 - Feb 20, 2017



FREE AND FAIR ELECTION NETWORK
www.fafen.org | www.openparliament.pk

Senate Transacts Most of Agenda, Adopts 11 Resolutions

- **Chairman Rejects Placement of Five Regulatory Bodies under Ministries Control**
- **12 Lawmakers including Opposition Leader Skip Entire Session**
- **House passes Hindu Marriage Bill, 2016**

The Senate disposed of heavy agenda during six sittings held between February 13, 2017 and February 20, 2017, and passed three bills, including two private members' bills, and the Hindu Marriage Bill, 2016. The House also adopted 11 resolutions, besides witnessing introduction of 16 legislative proposals that were referred to the relevant standing committees during the reporting period.

The Chairman in his ruling, rejected the government's decision to place five regulatory bodies under the administrative control of the respective ministries without approval of the Council of Common Interests (CCI).

The House also held an in-camera briefing on the law and order situation in the country, especially in the wake of terrorism related incidents in Lahore, Peshawar and Sehwan Sharif. Minister of State for Interior and Narcotics Control gave in-camera briefing to the lawmakers on the terrorist attacks that continued for an hour and 31 minutes.

The Chair informed the legislators under Rule 100 read with rule 166(3) that time given to the standing committees to report on the bills - Trafficking in Persons Bill, 2016; the Smuggling of Migrants Bill, 2016; the Pakistan Penal Code (Amendment) Bill, 2016; the Islamabad Restriction on Employment of Children Bill, 2016 and the Pakistan Penal Code (Amendment) Bill, 2016 (Amendment in section 364A) - had expired and the movers might bring motions for the consideration of their bills. Rule 166 (3) states that if a committee does not present its report within the period prescribed, or the time allowed, the bill, subject or matter

referred to it may be considered by the Senate, without waiting for the report, upon a motion by any member or by the minister concerned and such bill, subject or matter shall be treated as withdrawn from the committee.

With an average of 21% Senators present at the start and 13% at the end of each sitting, the session transacted most of the agenda, appearing on the Orders of the Day. A maximum of 66% members, on average, attended the session along with the presence of one minority lawmaker.

Each sitting, on average, started one minute behind the schedule and continued for three hours and 38 minutes. The Prime Minister did not attend any of the sittings. An effective system of governance is the one where elected Head of the Government is engaged in the parliamentary interventions on a regular basis. Sub-rule (2A) of Rule 61 of the Rules of Procedure and Conduct of Business in the Senate states that the Chief Executive shall attend the Prime Minister's Zero Hour (last hour of the sitting) at least once a week when the Senate is in session.

On the other hand, the Chairman attended five sittings and presided over 67% of the session's time. The Deputy Chairman also attended five sittings and chaired 17% of the proceedings time while 10 percent of the proceedings were chaired by a Member of the Panel of Presiding Officers and six percent time was consumed in breaks.

The Leader of the House attended 64% of the session's time, while the Opposition Leader did not attend any of the sittings.

The parliamentary leaders of PkMAP, PML-N, and PML-F attended all sittings, followed by BNP-M, ANP, JUI-F (5 each), MQM, PTI, PPPP, JI (4 each), BNP-A (3) and PML (2) sittings. Parliamentary leader of NP did not attend any of the sittings.

Twelve Senators, including Leader of the Opposition Aitzaz Ahsan (PPPP), Aurangzeb Khan (Independent), Begum Najma Hameed (PML-N); Dr. Muhammad Farogh Naseem (MQM), Liaqat Khan Tarakai (PTI), Mir Hasil Khan Bizenjo (NP), Mir Nematullah Zehri (PML-N), Kamran Michael (PML-N), Naseema Ehsan (BNP-A), Nasreen Jalil (MQM), Rahila Magsi (PML-N) and Robina Irfan (PML) did not attend any of the sittings.

The House passed two private members' bills, including the Federal Board of Intermediate and Secondary Education (Amendment) Bill, 2016 and the Prohibition of Corporal Punishment Bill, 2016 while one government bill the Hindu Marriage Bill, 2016 – was also passed by the House.

The session witnessed introduction of 16 bills, including the Islamabad Capital Territory Senior Citizens Board Bill, 2017; the Control of Narcotic Substances (Amendment) Bill, 2017; the Code of Criminal Procedure (Amendment) Bill, 2017; the Islamabad Rent Restriction (Amendment) Bill, 2017; the Constitution (Amendment) Bill, 2017 (Amendment of Fourth Schedule); the Limited Liability Partnership Bill, 2017; the Pakistan Climate Change Bill, 2017; the Explosive Substances (Amendment) Bill, 2017; the Costs of Litigation Bill, 2017; the Alternate Dispute Resolution Bill, 2017; the Companies Bill, 2017; the Pakistan Air Force (Amendment) Bill, 2017; the National Commission on the Rights of the Child Bill, 2017; the Constitution (Amendment) Bill, 2017 (Amendment of Articles 63, 177 and 193); the Constitution (Amendment) Bill, 2017 (Amendment of Article 130) and the Cost and Management Accountants (Amendment) Bill, 2017.

Two bills, including the Alternate Dispute Resolution Bill, 2017 and the Islamabad National Hospital Bill, 2017 were deferred while the Constitution (Amendment) Bill, 2016 (Amendment of Article 28) was rejected by the House. The copy of Money Bill, the Rulers of Acceding States (Abolition of Privy Purses and Privileges) (Amendment) Bill, 2017 was

presented to make any recommendations to the National Assembly. Later, the House adopted the report of Finance Committee regarding Money Bill.

Eight bills, including the National Commission for International Law and Commitments Bill, 2016; the Prohibition of Smoking and Protection of Non-smokers Health (Amendment) Bill, 2016; the National Cyber Security Council Bill, 2014; the Civil Courts (Amendment) Bill, 2016; the Islamabad Prohibition of Sheesha Smoking Bill, 2016; the Juvenile Justice System (Amendment) Bill, 2016; the Islamabad Prohibition of Expressing Matters on Walls Bill, 2016 and the Transplantation of Human Organs and Tissues (Amendment) Bill, 2016 were withdrawn by their respective movers.

The members were also informed that four bills – the Constitution (Amendment) Bill, 2015 (Omission of Article 182); the Supreme Court (Number of Judges) (Amendment) Bill, 2016; the Constitution (Amendment) Bill, 2016 (Amendment of Article 209) and the Shaheed Zulfiqar Ali Bhutto Medical University Islamabad (Amendment) Bill, 2016 – had been received from the standing committees and they could make a motion under Rule 100 for further consideration of these bills.

The House adopted 11 resolutions during the reporting period. These were related to the appointment of a foreign Minister; achievement of targets of Sustainable Development Goals (SDGs); establishing separate counters for women in all regional passport offices; operating PIA flights between Peshawar and Lahore and to change the present timings of PIA flights from Karachi to Peshawar; expressing grief and sorrow over the sad demise of famous writer Bano Qudsia; condoling death of former Education Minister of Sindh, Dr. Hamida Khuhro; enhancing role and powers of the Senate of Pakistan to protect the rights of the federating units; payment of compensation to heirs of martyrs of terrorist attacks in Quetta; condemning casualties and injuries during bomb blast in Parachinar; implementing jobs quota for Khyber Pakhtunkhwa and Balochistan and establishing a Federal Food Authority.

One resolution was dropped due to the absence of sponsor and related to the strengthening of the Wafaqi Mohtasib office to

provide effective and prompt remedial measures against inefficiency and maladministration in the Federal Government Departments. Another resolution about plantation on Margalla Hills was deferred on the request of the mover.

The Chair did not admit eight Adjournment Motions (AMs) for being in contravention with the rules, while four AMs were withdrawn by their movers.

The House took up six Calling Attention Notices (CANs), including problems being faced by the consumers across Hazara Division due to the closing down of 120 CNG stations; illegal sale of unhygienic milk; the non-availability of life saving drugs; termination of services of 21 Trainee Apprentices (BPS-7) before induction in Survey Training Institute, Islamabad; transfer of PIAC into PAL and non-completion of Takht Bhai fly-over in Khyber Pakhtunkhwa. A CAN regarding sale of PIA Airbus A-310 to a German Firm in violation of PPRA rules was referred to the relevant committee.

Seven motions under Rule 218 were discussed, which were related to the performance of cellular companies; implementation on NAP; technical training to street children; procedure being adopted by the government to obtain foreign loans and their utilization; performance of Higher Education Commission; impact of mal-nutrition and stunting and reported failure of PEMRA to stop airing of the material promoting sectarian violence on various TV channels. The discussion on two such motions was deferred while one motion was dropped.

Under Rule 196 (1), the House took up two reports of various committees regarding placement of regulatory authorities under the line ministries and the privatization of Heavy Electrical Complex (HEC).

The House deferred debate on a bailout package for Pakistan Steel Mills, following a

motion under Rule 60 till the reply from the relevant minister.

The House passed two separate motions under Rule 126 (7) to consider the Un-attended Orphans (Rehabilitation and Welfare) Bill, 2016 and the Torture, Custodial Death and Custodial Rape (Prevention and Punishment) Bill, 2015 in the joint sitting. Both the bills were passed by the Senate and transmitted to the National Assembly for their passage within 90 days.

The House witnessed presentation of 17 reports of various committees of the House while eight motions were adopted under Rule 194 (1) to extend the presentation period of the reports of various committees.

A Privilege Motion of PkMAP lawmaker kept pending against the Ministry of SAFRON for not implementing the report of the Standing Committee on SAFRON which was duly adopted by the House.

A total of 46 out of 136 (34%) Starred Questions were taken up on the floor of the House, while Senators raised another 131 Supplementary Questions. Of these, 20 questions were related to the Ministry of Interior and Narcotics Control and Ministries of Finance and Capital Administration and Development Division (12 each); Aviation Division (11); Ministries of Planning and States and Frontier Regions (10 each).

The lawmakers raised 52 Points of Public Importance consuming 165 minutes of the session's time. Three instances of walkouts by the opposition lawmakers were witnessed during the session. They were related to the dropping of FATA reforms from the agenda of Federal Cabinet meeting, unsatisfactory reply of a question related to the Ministry of Water and Power and lack of interest by Cabinet members in the proceedings of the House.

1

SESSION DURATION, MEMBERS' ATTENDANCE

This section deals with the session's duration and attendance of Senators. It also reviews the presence of key members - the Chairman, Deputy Chairman, Leader of the House, Leader of the Opposition and the Parliamentary Leaders - and the time they spent on the floor of the House.

TOTAL SITTINGS

6

SESSION TIME

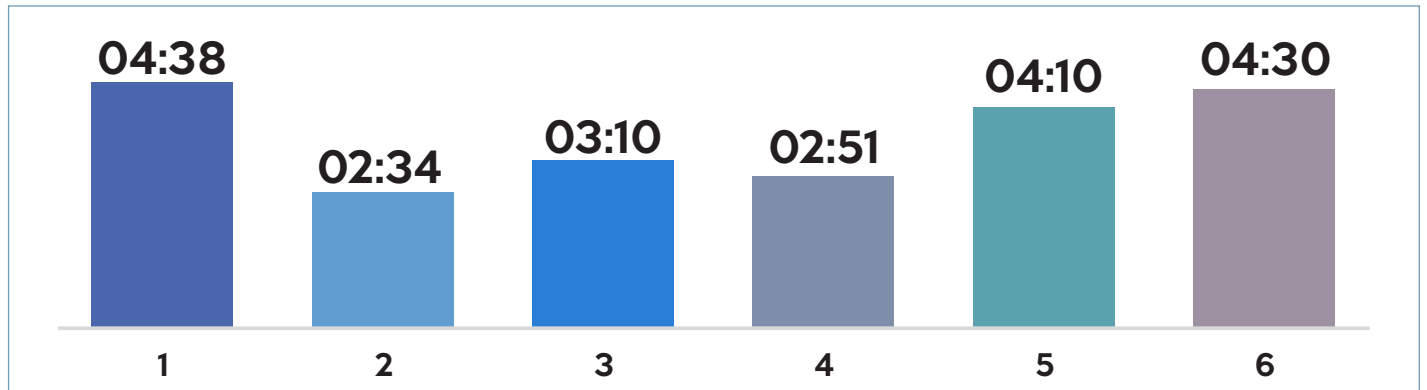
21h53m

AVERAGE SITTING TIME

3h38m

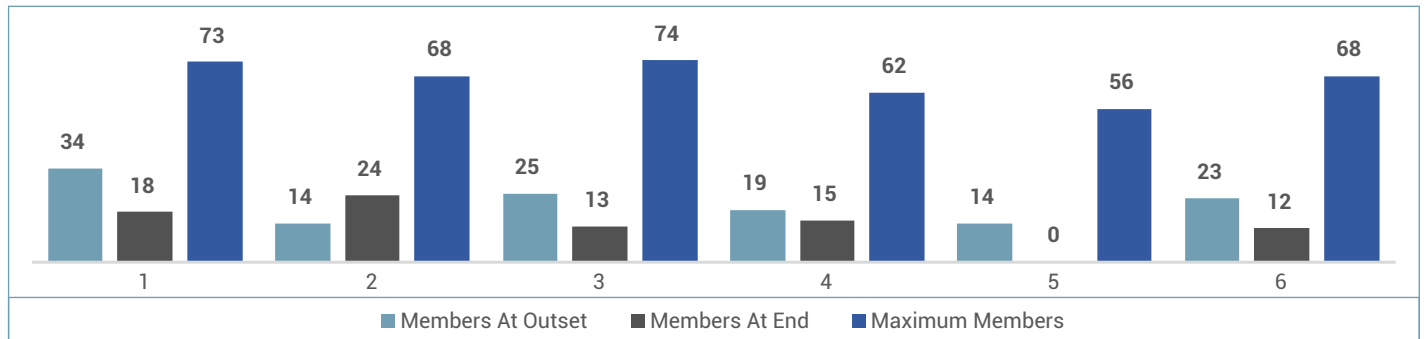
SITTING DATE, DURATION AND ATTENDANCE

Each sitting, on average, started one minute behind the schedule and continued for three hours and 38 minutes.



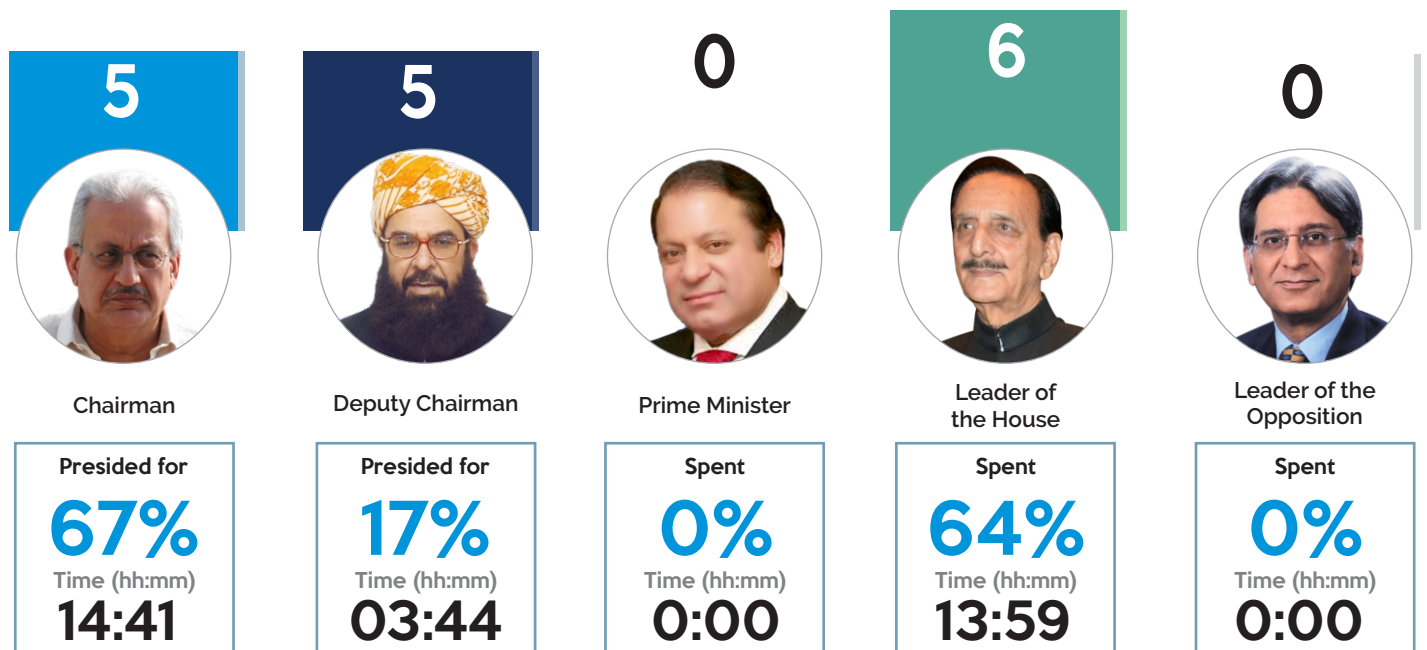
AVERAGE MEMBERS ATTENDANCE

With an average of 21% Senators present at the start and 13% at the end of each sitting, the session transacted most of the agenda, appearing on the Orders of the Day. A maximum of 66% members, on average, attended the session along with the presence of one minority lawmaker.



KEY MEMBERS ATTENDANCE

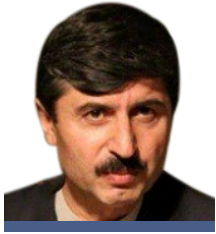
The Chairman attended five sittings and presided over 67% of the session's time and the Deputy Chairman also attended five sittings and chaired 17% of the proceedings time.



* 10 percent of proceedings were chaired by a Member of the Panel of Presiding Officers and six percent time was consumed in breaks.

PARLIAMENTARY LEADERS ATTENDANCE

The parliamentary leaders of PkMAP, PML-N, and PML-F attended all sittings, followed by BNP-M, ANP, JUI-F (5 each), MQM, PTI, PPPP, JI (4 each), BNP-A (3) and PML (2) sittings. Parliamentary leader of NP did not attend any of the sittings.



USMAN KAKAR



6

PkMAP | attended



MUSHAHID ULLAH KHAN



6

PML-N | attended



MUZAFFAR SHAH



6

PML-F | attended

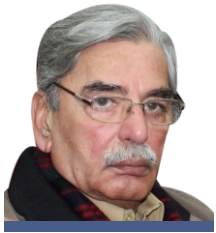


JEHNZEB JAMALDINI



5

BNP-M | attended



ILYAS BILOUR



5

ANP | attended



TALHA MEHMUD



5

JUI-F | attended



TAHIR MASHHADI



4

MQM | attended

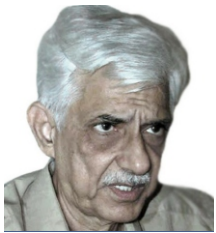


NAUMAN WAZEER



4

PTI | attended



TAJ HAIDER



4

PPPP | attended



SIRAJ UL HAQ



4

JI | attended



ISRAR ULLAH ZEHRI



3

BNP-A | attended

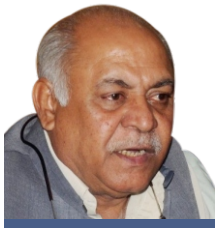


MUSHAHID HUSSAIN



2

PML | attended



HASIL BIZENJO



0

NP | attended

2

REPRESENTATION, RESPONSIVENESS AND GOVERNMENT OVERSIGHT

This section highlights the efforts of legislators to represent the interests of their constituents through sharing their views during debate on various motions and matters of public importance on Orders of the Day.

QUESTIONS

136

CANs

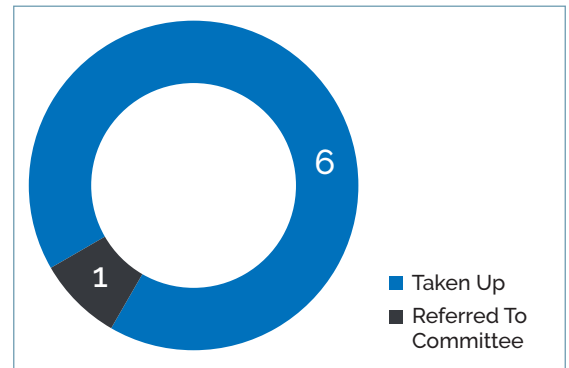
7

ADJOURNMENT
MOTIONS

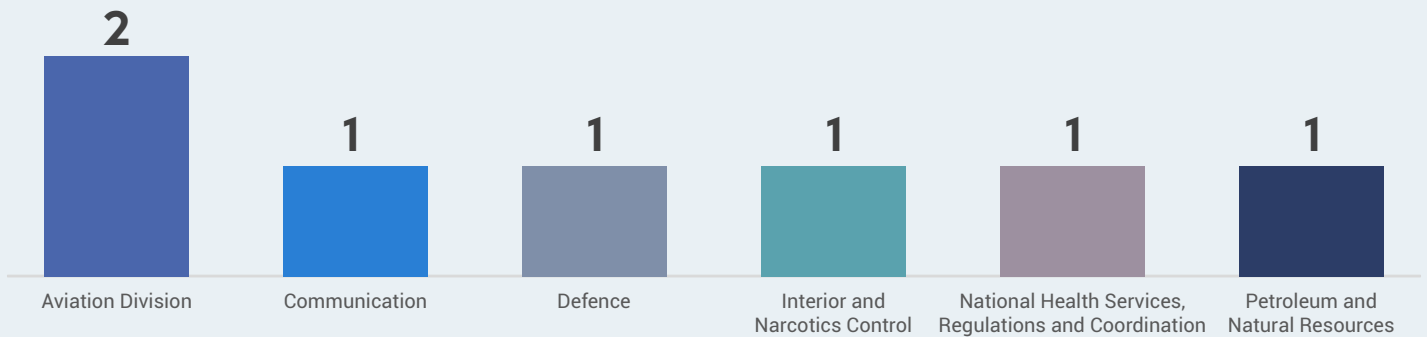
12

CALLING ATTENTION NOTICES

As per Rule 64, a member may call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement at a later hour or date. The House cannot debate the ministerial statement at the time it is made.



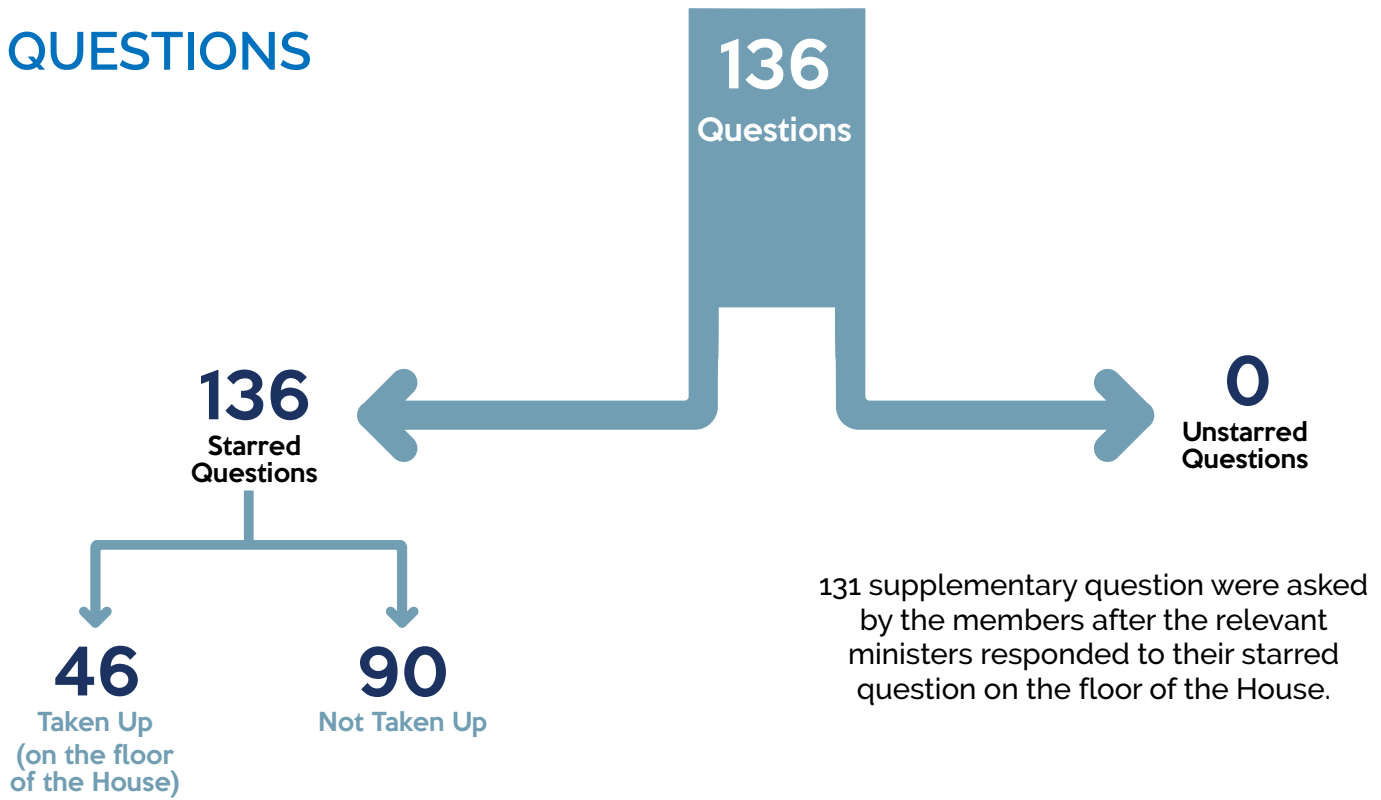
CANs BY MINISTRY



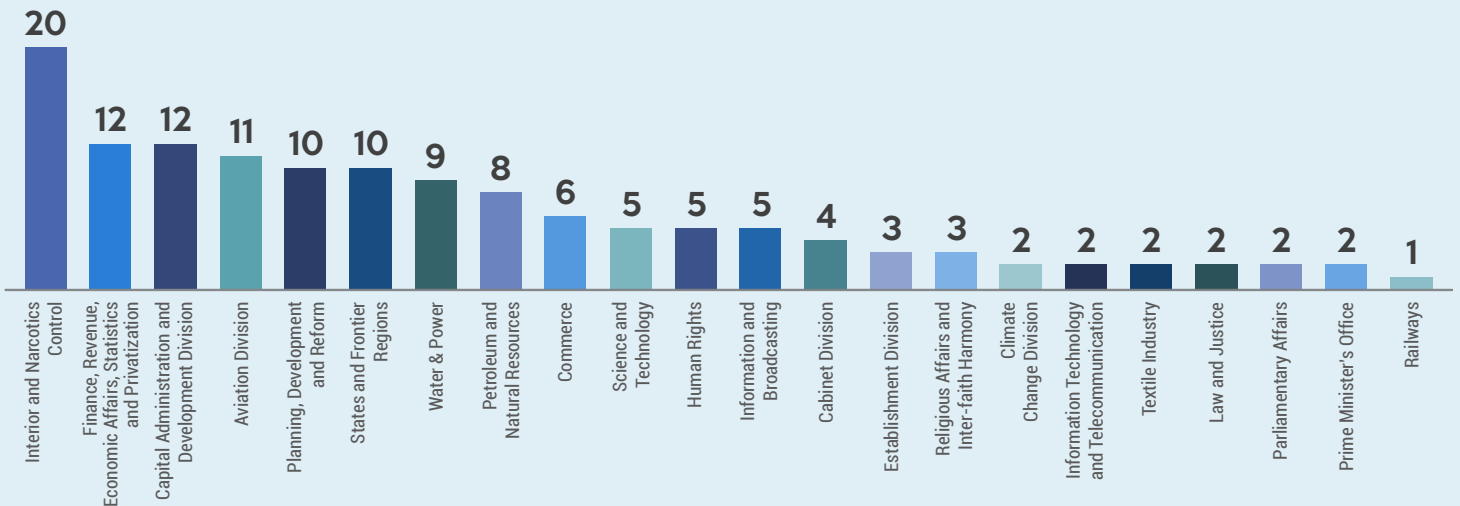
SUBJECT OF CANs

- The problems being faced by thousands of domestic, commercial and industrial consumers across Hazara Division due to closing down of 120 CNG stations in the Division
- The illegal sale of unhygienic milk mixed with chemicals, both in open and packed form in Islamabad
- The sale of PIA Airbus A-310 to a German Firm in violation of PPRA rules
- The non-availability of life saving drugs like Florinif tablet, Hydrocartizan and T.B. medicines in the Country particularly in Islamabad
- The termination of services of twenty one Trainee Apprentices (BPS-7), most of them possessing the domicile of Balochistan, during their probation period which were to be recruited in different trades after completing their mandatory trainings from Survey Training Institute, Islamabad
- The transfer of employees of Pakistan International Airline Corporation (PIAC) to its subsidiary company, Pakistan Airways Limited (PAL)
- The non-completion of long standing project of Takht Bhai Fly Over in the Province of Khyber Pakhtunkhwa

QUESTIONS

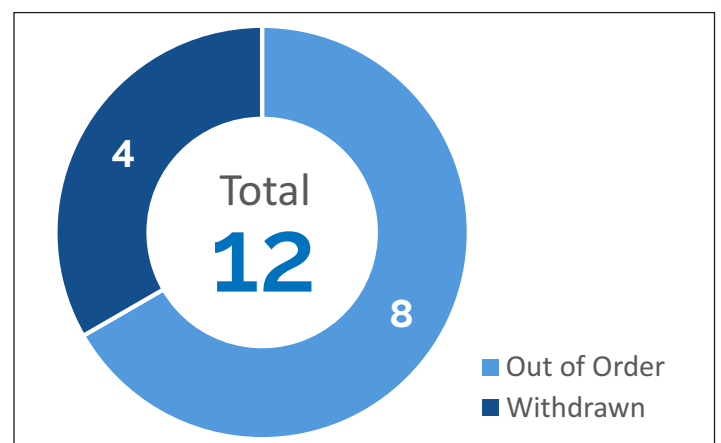


QUESTIONS (BY MINISTRY)



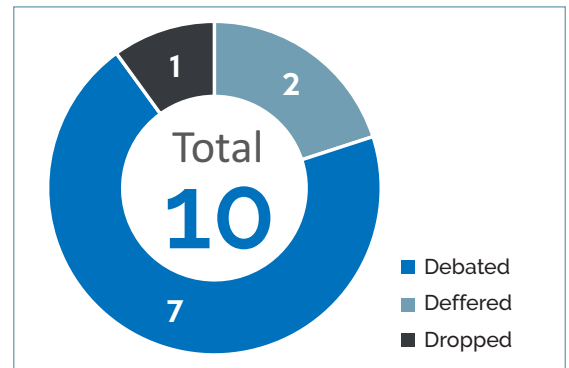
ADJOURNMENT MOTIONS

The Chair did not admit eight Adjournment Motions (AMs) for being in contravention with the rules, while four AMs were withdrawn by their movers.



MOTIONS UNDER RULE 218

Seven motions under Rule 218 were discussed, which were related to the performance of cellular companies; implementation on NAP; technical training to street children; procedure being adopted by the government to obtain foreign loans and their utilization; performance of Higher Education Commission; impact of mal-nutrition and stunting and reported failure of PEMRA to stop airing of the material promoting sectarian violence on various TV channels. The discussion on two such motions was deferred while one motion was dropped.



SUBJECT OF DEBATED MUR 218

- The House may discuss the performance of cellular companies in the country with particular reference to their excessive calls and SMS packages
- The present status of implementation of the National Action Plan and suggest ways and means for its uniform implementation in the country
- This House may discuss the need to impart technical training to street children by launching vocational training skill programmes in the National Child Protection Centre (NCPC)
- This House may discuss the procedure being adopted by the Government for obtaining foreign loans and their utilization
- This House may discuss the overall performance of Higher Education Commission
- The situation arising out of insufficient production of milk in the country
- The House may discuss the impact of malnutrition and stunting in the country
- This House may discuss the powers and functions of Pakistan Bureau of Statistics (PBS) with particular reference to the upcoming Census 2017
- This House may discuss the need and importance to adopt modern techniques for conducting census in the country
- The House may discuss the situation arising out of the failure of PEMRA to stop airing of the material promoting sectarian violence on various TV channels

MOTION UNDER RULE 60

The House deferred debate on a bailout package for Pakistan Steel Mills, following a motion under Rule 60 till the reply from the relevant minister.



Mian Muhammad Ateeq Shaikh

Bailout package for Pakistan Steel Mills and the amount of gas bills outstanding against those Mills



MQM

3

PARLIAMENTARY OUTPUT

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

RESOLUTIONS
ON AGENDA

13

BILLS/ORDINANCE
ON AGENDA

40

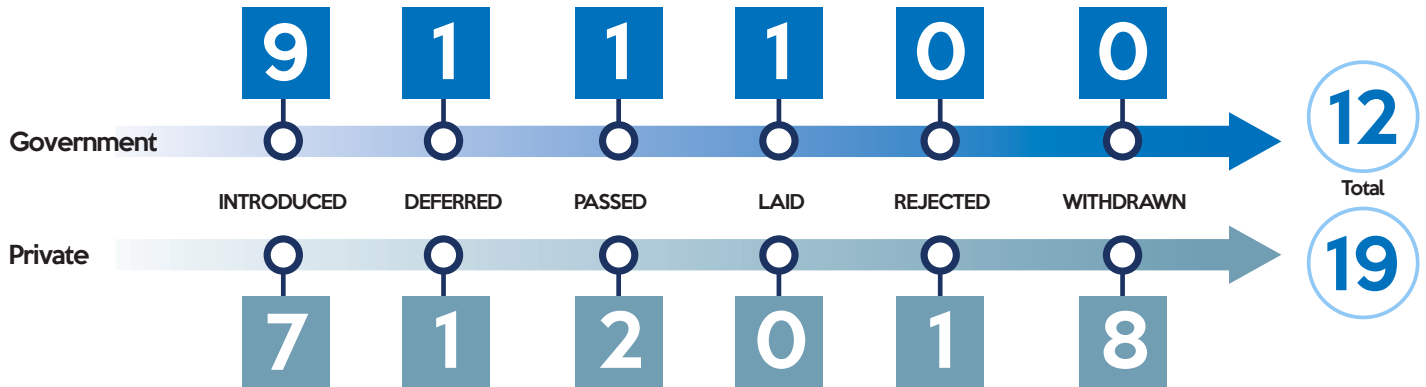
REPORTS

25

LEGISLATION

The House passed two private members' bills, including the Federal Board of Intermediate and Secondary Education (Amendment) Bill, 2016 and the Prohibition of Corporal Punishment Bill, 2016 while one government bill the Hindu Marriage Bill, 2016 – was also passed by the House.

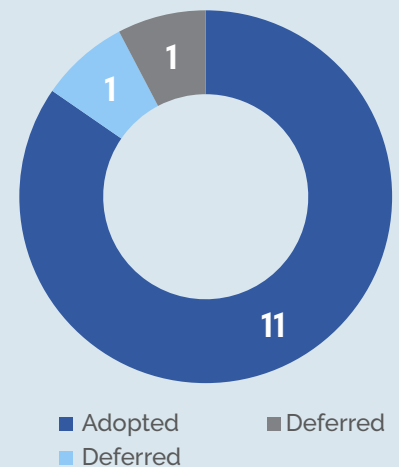
STATUS OF BILLS



* The members were also informed that four bills had been received from the standing committees and they could make a motion under Rule 100 for further consideration of these bills.
 The Chair informed the legislators under Rule 100 read with rule 166(3) that time given to the standing committees to report on four had expired and the movers might bring motions for the consideration of their bills.

RESOLUTION

The House adopted 11 resolutions during the reporting period. These were related to the appointment of a foreign Minister; achievement of targets of Sustainable Development Goals (SDGs); establishing separate counters for women in all regional passport offices; operating PIA flights between Peshawar and Lahore and to change the present timings of PIA flights from Karachi to Peshawar; expressing grief and sorrow over the sad demise of famous writer Bano Qudsia; condoling death of former Education Minister of Sindh, Dr. Hamida Khuhro; enhancing role and powers of the Senate of Pakistan to protect the rights of the federating units; payment of compensation to heirs of martyrs of terrorist attacks in Quetta; condemning casualties and injuries during bomb blast in Parachinar; implementing jobs quota for Khyber Pakhtunkhwa and Balochistan and establishing a Federal Food Authority.



REPORTS/PAPERS

The House witnessed presentation of 17 reports of various committees of the House while eight motions were adopted under Rule 194 (1) to extend the presentation period of the reports of various committees.

4

ORDER AND INSTITUTIONALIZATION

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

WALKOUT

3

WALKOUT

Three instances of walkouts by the opposition lawmakers were witnessed during the session. They were related to the dropping of FATA reforms from the agenda of Federal Cabinet meeting, unsatisfactory reply of a question related to the Ministry of Water and Power and lack of interest by Cabinet members in the proceedings of the House.

2nd Sitting

▶ Walkout (Entire Opposition)

Reasons: Dropping of FATA reforms from the agenda of Federal Cabinet meeting

4th Sitting

▶ Walkout (Entire Opposition)

Reasons: Unsatisfactory reply of a question related to the Ministry of Water and Power

5th Sitting

▶ Walkout (Entire Opposition)

Reasons: Lack of interest by Cabinet members in the proceedings of the House.

About FAFEN

- FAFEN is one of the most credible networks of civil society organizations working for strengthening citizens' voice and accountability in Pakistan since 2006.
- FAFEN has harnessed information technology for real-time monitoring, facilitation and technical backstopping of partners for effective and result-based program delivery.
- FAFEN is the only civil society group to have been invited by the Judicial Commission to present the evidence of illegalities and irregularities documented through the course of General Elections 2013 Observation. The systemic and procedural issues identified by FAFEN have been acknowledged by the commission in its detailed findings.
- FAFEN's recommendations for electoral reforms have contributed to the work of Parliamentary Committee for Electoral Reforms.
- FAFEN's advocacy for parliamentary transparency, accountability and reforms has shaped public discourse on parliamentary reforms. Improved citizens' access to parliamentary information including daily public release of parliamentarians' attendance records can be directly attributed to FAFEN's work.
- FAFEN deployed 18,000 and 40,000 non-partisan and trained observers for the systematic observation of general election 2008 and 2013, respectively, largest citizens' observation ever undertaken in Pakistan.
- FAFEN's evidence and recommendations for reforms have improved the quality of public and political discourse on elections, its issues and need for reforms. Leading political parties and media houses extensively use FAFEN's election findings and analysis to build a case for reforms.
- With more than 17,900 followers on Twitter and around 92,700 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

www.openparliament.pk | www.parliamentfiles.com



Free and Fair Election Network
www.fafen.org