

SENATE SECRETARIAT

REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON PRIVILEGE MOTION NO. 2(116)/2015-M MOVED BY SENATOR SAEED GHANI.

(Report No. 9 of 2015)

I, Chairman of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on Privilege Motion No. 2(116)/2015-M moved by Senator Saeed Ghani, regarding commencement of the process of local bodies elections in Islamabad Capital Territory despite the fact that Islamabad Capital Territory Local Government Bill, 2015 was not passed by the Senate at that time.

2. The composition of the Committee is as under:-

1.	Senator Dr. Jehanzeb Jamaldini	Chairman
2.	Senator Zahida Khan	Member
3.	Senator Hilalur Rehman	Member
4.	Senator Atta Ur Rehman	Member
5.	Senator Nighat Mirza	Member
6.	Senator Syed Muzafar Hussain Shah	Member
7.	Senator Iqbal Zafar Jhagra	Member
8.	Senator Saud Majeed	Member
9.	Senator Saeed Ghani	Member
10.	Senator Zaheerud Din Babar Awan	Member
11.	Senator Aitzaz Ahsan	Member
12.	Senator Farooq Hamid Naek	Member
13.	Minister for Parliamentary Affairs.	Ex-Officio Member


3. The details of the issue before the Committee were that the process of local bodies' elections was commenced in Islamabad Capital Territory despite the fact that Islamabad Capital Territory Local Government Bill, 2015 had not been passed by the Senate at that time. Senator Saeed Ghani moved a Privilege Motion No.

2(116)/2015-M on this matter which was held in order and was referred to the Committee on Rules of Procedure and Privileges for consideration and report.

4. The Secretary, Election Commission of Pakistan, while explaining their position, stated that the process of elections was started on directions of the court. The orders of the Supreme Court were to be obeyed even if there was no law in the field. The orders of the court either wrong or right have to be obeyed. He informed that the Attorney General was present in Court and even his point of view on the matter was not listened. He also acknowledged the powers of the Parliament to legislate in such like issues. He admitted that their stance was strengthened by the ruling of the Chairman Senate on this matter.

5. Senator Saeed Ghani stated that the Election Commission should have explained the position to the Court. He said that now the law relating to local bodies elections in Islamabad has been passed by the Senate. He said that the Chairman Senate has given a detailed ruling on the matter. He proposed that Election Commission may be allowed to perform its functions without any interference. Senator Atta ur Rehman was of the view that before passing the law for local bodies' elections in ICT, the orders of the SC and IHC for commencing process of election were incorrect and in contravention of the Constitution.

6. The Committee was conscious of the fact that the Chairman Senate had given a detailed ruling on the issue and it was not appropriate to open a new discussion on the matter. In view of that ruling, the mover did not press the motion and the same was disposed off.


(Muhammad Anwar)
J.S. / Secretary Committee


(Senator Dr. Jehanzeb Jamaldini)
Chairman