

SENATE SECRETARIAT

REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON BREACH OF PRIVILEGE OF THE HOUSE DUE TO NON-PROVISION OF BRIEF BY THE SECRETARY CABINET TO THE MINISTER FOR RESPONDING THE ADMITTED ADJOURNMENT MOTION, PLACED ON THE ORDERS OF THE DAY FOR DISCUSSION ON 4TH NOVEMBER, 2015.

(Report No. 10 of 2015)

I, Chairman of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on Breach of Privilege of the House due to non-provision of brief by the Secretary Cabinet to the Minister for responding the admitted adjournment Motion, placed on the Orders of the Day for discussion on 4th November, 2015, regarding spying on the communication data of Pakistan by GCHQ, a secret agency of Britain, as revealed in the statement of Edward Joseph Snowden, former CIA official.

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 an admitted adjournment motion regarding spying on the communication data of Pakistan by

GCHQ, a secret agency of Britain, as revealed in the statement of Edward Joseph Snowden, former CIA official, was placed on the Orders of the Day for 4th November, 2015, for discussion. When the item was called, the Honourable Chairman inquired about the Minister responding the same. The Minister of State for Parliamentary Affairs informed that he was not provided brief on the subject matter. The Honourable Chairman referred the matter to the Committee for consideration with the directions to present report on the same on Tuesday, the 10th November, 2015. The Committee held its meeting on 5th November, 2015, which was attended by the Secretary Cabinet and senior officers of the concerned departments.

4. The Chairman Committee, while introducing the matter, stated that spying of data of communication in Pakistan by a foreign agency was very alarming. He stated that Pakistan is fighting against terrorism and all law enforcing agencies are busy in that cause and to cope with such other problems being faced by the country. In such circumstances spying of data becomes of more significance. He inquired about the reasons for not briefing the Minister on the item under consideration.

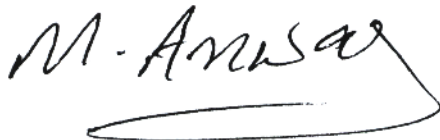
5. Senator Iqbal Zafar Jhagra stated that the matter was of prime importance. It should have not been taken lightly. Non-briefing by the concerned officers to the Minister created an embarrassing situation for the Minister as well as for the Government Members in the House. This failure forced the Chair to refer the matter to the Committee and call the officers responsible for it. He also stated that the briefing should have been taken place and the item should have been discussed in the House.

6. The Secretary Cabinet stated that he and the other officers of the Division, being Public Servants, hold the Senate in high esteem and have a great respect for the Parliamentarians. He informed that they received information from the Senate Secretariat at about 5 pm on 3rd November, 2015, regarding discussion on the item to

be taken up on next day i.e. the 4th November, 2015. They contacted the staff of the Minister of State for Parliamentary Affairs for having time for briefing to the Minister on the subject matter and the staff informed that it was not possible in the evening. The staff asked to come on next day and brief the Minister in the morning. He also informed that a team consisting of Secretary NTISB, Chairman FAB, Member Compliance & Enforcement, DG PTA and Director PTA reached in Minister's chamber in the Parliament Building at 9:40 am on 4th November, 2015, to brief the Minister on the subject. At that time the Minister was being briefed on questions which were to be replied by him that day. He (the Minister) asked the officers to wait in the chamber stating that he would have the briefing after question hour. There was a possibility of a gap of about one hour between the question hour and taking up this item which was at serial No. 10 and it was planned that briefing will be given to the Minister during that time. However, the Minister remained present in the House and the item was taken up early due to which briefing could not take place. He informed further that they were all prepared and ready for briefing. There was no lacking of information. The Secretary said that it was unfortunate that briefing could not be held. He stated further that it was not a willful lapse on the part of the concerned officers. However, he assured the Committee that it will not be repeated again. He informed that they have established a system to deal with the Parliamentary Business pertaining to their Division. They have deputed an Additional Secretary, Deputy Secretary, Section Officer and a separate council section for this purpose. The Section Officer (Council) remains in touch with the Senate Secretariat in connection with business pertaining to their Division. After getting information regarding any business, he informs the concerned quarters and the business is dealt with immediately.

7. The Chairman Committee stated that although the team consisting of the officers of concerned departments was present in the Parliament House to brief the Minister on the subject matter but it could not be done. He also stated that the briefing should have been taken place as the matter raised in the item was of national importance. He stated further that lapse in such type of issues cannot be afforded. The matter should have been handled immediately. It may be evening or morning but the officers are required to perform their functions promptly. It was a live issue and deferment of the same was not appropriate. All the concerned quarters should have taken prompt action to brief the Minister in the evening same day or early in the next morning.

8. The Committee accepted the explanation given by the Secretary Cabinet and disposed off the matter with the directions to remain more careful in future.



(Muhammad Anwar)
J.S. / Secretary Committee



(Senator Dr. Jehanzeb Jamaldini)
Chairman