

SENATE SECRETARIAT

REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON BREACH OF PRIVILEGE OF THE HOUSE DUE TO FAILURE OF THE SECRETARY, MINISTRY OF RAILWAYS, IN BRIEFING SOME OTHER MINISTER TO RESPOND THE CALLING ATTENTION NOTICE REGARDING THE TUNNEL ON RAILWAY TRACK NEAR TEXILA.

(Report No. 17 of 2016)

I, Chairman of the Committee on Rules of Procedure and Privileges, have the honour to present the report of the Committee on breach of privilege of the House due to failure of the Secretary, Ministry of Railways, in briefing some other Minister to respond the Calling Attention Notice regarding the tunnel on railway track near Texila, which was on the Orders of the Day for 29th December, 2015, or sending the request for deferment well in 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 matter before the Committee were that a calling attention notice regarding dilapidated condition of tunnel on railway track near Texila was placed on the Orders of the Day for 15th December, 2015. The Ministry of Railways sent a request for deferment of the same on the plea that the Minister for Railways

was in Lahore and could not attend the session on that date. The request was acceded to by the Chairman Senate. The calling attention notice was placed again on the Orders of the Day for 29 December, 2015. The Ministry sent the request for deferment again in the same wording on the same plea. Moreover, the request for deferment of the notice was received at eleventh hour. The Ministry neither briefed any other Minister to respond the notice on behalf of the Minister for Railways nor made the request for deferment well in time. The request was not acceded to and the matter was referred to the Committee on Rules of Procedure and Privileges for investigation and report. The Committee held meetings on this matter on 8th and 25th January, 2016. The Secretary, Ministry of Railways, was called to appear before the Committee and explain the position in this regard.

4. The Secretary, Ministry of Railways, stated that the intimation regarding taking up the Calling Attention Notice in the Senate was received in their Ministry at 9.30 P.M. on 28th December, 2015. There was a pre-schedule meeting at Lahore and the Minister was there in connection with that meeting. They tried their best to contact the Minister. They succeed to contact him at 10.30 a.m. on 29th December, 2015. She informed that the subject matter of the Calling Attention Notice was of technical nature and the Minister wanted to respond the same himself. She also informed that they sent the request for deferment of the item to the Senate Secretariat at 11.30a.m. on that date. She stated that there was a very short time for reaction on the item. She informed further that after this happening, the Minister had allowed to brief some other Minister in such type of eventuality. She assured that they will take extra care and no such incident will happen in future.

5. The Chairman Committee said that when such types of letters are sent, the senior officers of the Ministry do not bother to read the same. In this case when the Calling Attention Notice was placed on the Orders of the Day for 15th December, 2015, a request was made for deferment of the same. The request was acceded to by

the Chairman Senate and the calling attention notice was deferred. When the item was placed again on the Orders of the Day for 29th December, 2015, the request for deferment was made again on the same plea in the same wording. He stated that they should take care of such type of things and making prototype requests for deferment of the Parliamentary business. He said that there is a sanctity of Parliament and the Ministries / Divisions should pay due attention to the Parliamentary business. He directed the Ministry to streamline their working in such eventuality. He also directed that the Ministry should conduct an inquiry to find out as to why the letter was written in the same wording on the same plea and the person involved in the same should be taken to task.

6. Senator Atta Ur Rehman stated that fault was on the part of the Minister who did not care the Parliament. He was of the view that the Minister should inform the Committee about the reasons for his absence and not taking care of the Parliamentary business. He proposed that appropriate action should be taken against the officers who showed carelessness in this case. He also proposed to take appropriate action in order to ensure that such mistakes are not repeated in future.

7. Senator Iqbal Zafar Jhagra stated that if the Minister was busy, it was the responsibility of the Secretary to take care and inform the Senate Secretariat of the position well before time. He proposed that the Ministry should evolve a mechanism to deal with such situations. He also proposed that the observations of the Committee should be conveyed to the Minister for Railways.

8. The Secretary, Ministry of Parliamentary Affairs, informed the Committee that after the recent incident of absence of senior officers from the National Assembly session during Questions Hour, they have initiated a case for issuance of directions to the Ministries / Divisions to ensure the presence of officers during Questions Hour and transaction of other business relating to them in both the Houses. He also informed that the Prime Minister of Pakistan was going to convene a meeting of the

Secretaries to ensure presence of senior officers in sessions of the Senate and National Assembly.

9. The Secretary, Ministry of Railways, regretted over the inconvenience caused due to the happening. She assured that in future they will take extra care and contact the Leader of the House in case of having no other option.

10. The Committee was satisfied over the explanation given by the Secretary Railways and the excuse by her was accepted. The Committee concluded that in view of excuse by the Secretary no further action is required to be taken in the matter.



(Muhammad Anwar)
J.S. / Secretary Committee



(Senator Dr. Jehanzeb Jamaldini)
Chairman