

SENATE SECRETARIAT

REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON AMENDMENTS IN RULES 56, 198 AND 209 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE SENATE, 2012, MOVED BY SENATOR CHAUDHRY TANVIR KHAN.

(Report No. 31 of 2016)

I, Chairman of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on amendments in rules 56, 198 and 209 of the Rules of Procedure and Conduct of Business in the Senate, 2012, moved by Senator Chaudhry Tanvir Khan in the House on 18th July, 2016.

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

1.	Senator Dr. Jehanzeb Jamaldini	Chairman
2.	Senator Zahida Khan	Member
3.	Senator Hilal ur Rehman	Member
4.	Senator Atta Ur Rehman	Member
5.	Senator Nighat Mirza	Member
6.	Senator Syed Muzafar Hussain Shah	Member
7.	Senator Saleem Zia	Member
8.	Senator Saeed Ghani	Member
9.	Senator Zaheerud Din Babar Awan	Member
10.	Senator Osman Saifullah Khan	Member
11.	Senator Muhammad Yaqoob Khan Nasar	Member
12.	Minister for Parliamentary Affairs.	Ex-Officio Member

3. The details of the matter before the Committee were that Senator Chaudhry Tanvir Khan moved amendments in rules 56, 198 and 209 of the Rules of Procedure and Conduct of Business in the Senate, 2012, in the House on 18th July, 2016. The Honourable Chairman Senate referred the proposed amendments to the Committee for examination and report. The committee considered each amendment at length. Senator Chaudhry Tanvir Khan was present in the meeting and he pleaded in favour of amendments.

Amendment proposed in rule 56

4. Rule 56 deals with mode of asking questions in the House. According to the present position of the rule, if the member concerned is absent when his question is called or he don't ask the question, the answer already supplied by the Minister concerned or the member to whom the same is addressed, is treated as laid on the Table of the House and neither oral reply is required nor any supplementary question is asked in respect thereof.


5. Senator Chaudhry Tanvir Khan, the mover of amendment, proposed that in absence of the member concerned any other member may be allowed to ask question on behalf of the member concerned and supplementary questions may also be allowed to such questions. He was of the view that replies to many important questions remain unnoticed as the other members cannot speak thereon. He was of the view that when a question is placed on the Table of the House, it becomes the property of the House and every Member should have the right to ask supplementary questions thereto. He also proposed that the time for asking and answering questions may be enhanced upto two hours. He suggested that the Committee should recommend the amendment to the House and let the House decide its fate.

6. The Chairman Committee stated that in most of the cases the Members give notices of questions but do not attend the sitting on concerned days. He was of the view that consuming the time of question hour on asking and replying the questions of absent Members was not appropriate.

7. The Secretary Committee informed that in the previous Rules of the Senate, there was a provision for asking questions on behalf of the absent members and supplementary questions were also allowed thereto. In those days most of the time of question hour was consumed in asking and answering the questions of absent members. However, many members objected the same and demanded to change the rule appropriately in order to give time to the members present to ask their questions instead of consuming the same on the questions given notices of by the absent members. The than committee on Rules of Procedure and Privileges reconsidered the whole rules and made a number of amendments therein which were adopted by the House unanimously in 2012 and the same are in field at present. It was also informed that, instead of washing out the questions of absent members, a provision was made in the rules for making them a part of proceedings. Any member can ask further questions with reference to such questions and can also move motion under rule 60 to discuss the subject matters thereof. So, some other tools are available to revive discussion on the questions of absent members.

8. Senator Saleem Zia supported the proposal made by Senator Chaudhry Tanvir Khan regarding enhancement of time for questions.

9. The Chairman Committee informed that the House Business Advisory Committee is working hard on improvement of rules and practices of the House. He was of the view that in the case of proposed amendment, there was a need to think over it. He said that some Members give notices of question in bulk but do not attend the sitting which was not appropriate. He also said that if the proposed amendment is carried, most of the time will be consumed on the questions of absent members which will be objected by the members present. He stated that he and Senator Saleem Zia will place the matter of enhancement of time for questions before the House Business Advisory Committee for final decision.



10. Most of the members of the committee were of the view that if the proposed amendment will be carried, it will revert the rule to the previous position on which most of the members had been objecting.

Amendment proposed in rule 198


11. This rule deals with agenda and notice of meetings of Committees. According to this rule, the agenda for each meeting of the Committee is determined by the Chairperson of the Committee. However, consultation is made with the Minister concerned in accordance with the procedure laid down in the Rules and Standing Orders.

12. Senator Chaudhry Tanvir Khan stated that when the agenda of the Committee is finalized, most of the Members do not know about the same. He proposed that the Committee Chairpersons should finalize the agenda of committee meetings with consultation of committee members. He was of the view that when the agenda will be finalized with consultation of the members, they will be in a better position to effectively contribute in the committee proceedings. He emphasized that the members should have a right to proposed agenda items for inclusion in the main agenda. He was of the view that this amendment will empower the members for giving agenda items which will be resulted in overall improvement of working of committees.

13. The Chairman Committee said that in most of the cases a timeline is given by the Chairman Senate and the Committee has to finalize the matter referred to it within those timelines due to which it is difficult for the Chairpersons Committees to consult all members in preparation of agenda. Apart from taking up the matters referred to committees, they have to hold meetings for adoption of the reports on the issues/matters already disposed off by the Committee before laying the same in the House. He said that in some cases meetings are called in emergency to meet the timeline fixed by the Chairman Senate and the House. He said that the members can raise/discuss any matter in the committee meeting, which is not on agenda, with permission of the Chairperson under "any other item" and there was no need to make a new provision in this regard. He was of the view that it was not practicable to finalize the agenda only with the consultation of Members as there may be many difficulties in this connection.

14. Senator Shahi Syed said that there was no restriction on the Members to give any item to the Committee Chairpersons for its inclusion in the agenda. He was of the view that there was no need to make this provision as the members can propose agenda items and can discuss the matters, other than those on regular agenda, with permission of the Chairperson.

15. The Chairman Committee proposed to refer this amendment to the Counsel of the Chairpersons to have the input of other Chairpersons of the Committees thereon. He also directed that Senator Chaudhry Tanvir Khan, the mover, may also be called in the meeting of that council to enable him to give his point of view there. It was also



proposed that the working papers should be sent to the Members in both languages at least 48 hours before the Committee meeting.

Amendment proposed in rule 209

16. This rule deals with notices pending at the time of prorogation of a session. It has been provided in this rule that on the prorogation of the Senate all pending notices, other than notices of intention to move for leave to introduce a Bill, a notice of an amendment in a Bill and notice of a question of privilege, shall lapse and fresh notices shall be given for the next session.

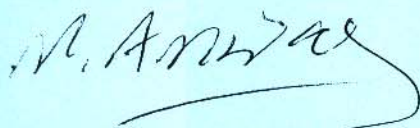
17. Senator Chaudhry Tanvir Khan proposed through this amendment that the questions may also be included in the category of business which is not lapsed on prorogation of the session. He informed that in Punjab Assembly the questions are not lapsed on prorogation of the Session. He said that a lot of work is done by the concerned Members for preparation of questions and when they are lapsed, all the effort is wasted.

18. The Secretary Committee informed that if the questions will not lapse on prorogation of session, the same will pile up and their timely disposal in the House will become difficult. There were some plus points for lapsing of questions as it provides an opportunity to the members to update and revisit their questions. When the questions are lapsed the Members concerned revisit the same and do not revise the notices of the questions which have lost their importance with the passage of time. Moreover, lapsing of questions provides the Members an opportunity to give notices of questions on fresh issues. If the old questions will be kept intact there will be no space for the new questions.

19. After knowing the factual position and drawbacks of keeping the questions intact, the mover did not press the amendment.

20. The Chairman Committee proposed that the questions and their answers may be sent to the Members at least 4 hours before the sitting and a provision may be made in the rules for the same.

21. The Committee was of the view that the present position of the said three rules was more appropriate. However, the amendment to the extent of provision of working papers in Urdu as well in English to the committee members at least 48 hours before was endorsed for insertion in rule 198.



(Muhammad Anwar)
A.S. / Secretary Committee



(Senator Dr. Jehanzeb Jamaldini)
Chairman