



Enhancement of
Role and Powers
of
Senate of Pakistan
for Participatory Federalism

**ENHANCEMENT OF
ROLE AND POWERS OF
SENATE OF PAKISTAN**

INTRODUCTION

The Senate of Pakistan on 13th February, 2017, passed a Resolution to enhance its role and powers to protect rights of the federating units and ensure meaningful participation of the provinces in the affairs of the federation. This Resolution gave voice to the longstanding and rising demand by the Provinces, members and other stakeholders that there is a need to revisit the legislative competence, parliamentary oversight and other functions of the Senate of Pakistan in particular its relationship with the Provinces. This publication contains a Resolution as well as the rationale of Constitutional amendments incorporated in the said Resolution and previous Resolution passed by the House in this regard.

RESOLUTION

Enhancement of Role and Powers of Senate of Pakistan—to protect the rights of the federating units and provide a meaningful participation to the Provinces and other territories in the affairs of the Federation

WHEREAS the Constitution, 1973, gave expression to the long and arduous struggle of the peoples for a democratic, parliamentary and federal structure;

WHEREAS the Constitution, 1973, in the federal tradition created two coequal Houses of Parliament, the Senate – Provinces having equal seats allocated and other territories of the federation being represented, the National Assembly – having seats allocated to the provinces and the other territories of the federation on population basis;

WHEREAS the Constitution, 1973, in its scheme for the Senate envisaged:

- i) That the voting rights of the Provinces will be equal irrespective of population;
- ii) that through this mechanism provincial autonomy will be secured and preserved;
- iii) that the Provinces and the other territories will be co-authors of legislation that effects their economic, political and cultural rights;
- iv) that through parliamentary and other constitutional instruments, control and supervision over their natural resources and items

listed in the Federal Legislative List Part-II, Constitution, 1973, will be exercised;

- v) that to provide representation to all shades of political opinion reflected in the Provincial Assemblies at the federal level.

WHEREAS the Eighteenth Constitutional Amendment reaffirms the principles of democratic, parliamentary and federal structure. It widened the concepts of participatory federalism, joint ownership of natural resources, collective management and supervision of items in Federal Legislative List Part-II, Constitution, 1973, and dispute resolution.

WHEREAS to effectively enforce participatory federalism, ensure provincial autonomy, provide a meaningful participation to the Provinces and other territories in the affairs of the Federation and to materialize a constitutional command, there is a need to revisit the legislative competence, parliamentary oversight and other functions of the Senate of Pakistan in particular its relationship with the Provinces. Therefore, in continuation of earlier Resolutions No. 275 and 294 dated 5th August, 2016 and 19th December, 2016, respectively, the Senate do Resolve as under;

That in the Constitution of the Islamic Republic of Pakistan,-

- (I) Article 57 shall be amended to provide that the Chief Ministers of the Provinces shall have the right to address the Senate, as and when invited.
- (ii) In Article 62, in clause (1), in paragraph (c), for the words “enrolled as a voter in”, the words and commas “*a registered voter and resident, for five years, of*” shall be substituted.
- (iii) In Article 72, in clause (2) after the words “*Speaker of the National Assembly*” the words “*or Chairman of the Senate*” shall be inserted;

- (iv) In Article 72, in clause (4) the following proviso shall be added, namely,-
“Provided that one vote of a Member of Senate shall be proportionate to the total number of seats in the National Assembly divided by the total number of seats in the Senate.”
- (v) In Article 73, in clause (1A) a proviso shall be inserted, namely,-
“Provided that simultaneously the National Assembly shall inform the Senate about the status of recommendations of the Senate on the Bill, which shall include details as to the recommendations incorporated in the Bill and recommendations not incorporated, alongwith the reasons for non-incorporation.”
- (vi) in Article 86, for the words *“Federal Government”*, the word *“Senate”* shall be substituted.
- (vii) in Article 89, in clause (2), the existing paragraph (a) shall be substituted with the following, namely,-
“(a) shall be laid before both Houses and shall stand repealed at the expiration of one hundred and twenty days from its promulgation or, if before the expiration of that period a resolution disapproving it is passed by either House, upon the passing of that resolution:
Provided that either House may by a resolution extend it for a further period of one hundred and twenty days and it shall stand repealed at the expiration of the extended period, or if before the expiration of that period a resolution disapproving it is passed

by a House, upon the passing of that resolution:

Provided further that extension for a further period may be made only once; and”

- (viii) in Article 126, for the words “*Provincial Government*”, the words and commas “*Senate, on the recommendation of the Provincial Government,*” shall be substituted;
- (ix) in Article 159, in clause (4), for the words “*an arbitrator appointed by the Chief Justice of Pakistan*”, the words “*the Senate*” shall be substituted;
- (x) in Article 160, after clause (5), the following new clause (5A) shall be added, namely,-
“*(5A) If the next Award of National Finance Commission could not be announced within five years the Government shall take permission from the Senate to extend the previous award for another year:
Provided that in case of extension the Senate may increase the Award to the Provinces by one percent:
Provided further that in case of every extension, the Senate may further increase the Award for the Provinces by one percent annually.*”
- (xi) in Article 162, for the words “National Assembly”, the word “Senate” shall be substituted.
- (xii) the existing Article 166 shall be substituted with the following, namely,-
“166. (1) The executive authority of the Federation extends to borrowing upon the security of the Federal

Consolidated Fund within such limits, if any, as may from time to time be fixed by Act of Majlis-e-Shoora (Parliament), and to the giving of guarantees within such limits, if any, as may be so fixed.

(2) Every borrowing agreement entered by the Federal Government shall be ratified by the both Houses of Majlis-e-Shoora (Parliament).”

The Senate of Pakistan *further Resolves* to continue its struggle for,-

— Enhancement of the role and powers of the Senate in order to make Pakistan a true federation as envisaged by the Constitution, 1973;

— Protection and representation of interests and rights of the,-

- Federating units and the people of Pakistan;
- Marginalized segments of Society; and
- Ethnic minorities

— Transmitting fruits of democracy to the people of Pakistan;

— Undertaking legislation that translates policies for the welfare and betterment of the Federation, the Federating Units and its citizenry;

— Ensuring that devolution of subjects and powers takes place and remains within the constitutional parameters; and

— Safeguarding the interest of the country in the wake of emerging regional and global realities.

**Unanimously passed by
the Senate of Pakistan
on 13th February, 2017**

RATIONALE OF PROPOSED CONSTITUTIONAL AMENDMENTS

INTRODUCTION:-

The Constitution, 1973, gave voice to the long and arduous struggle of the peoples of Pakistan for federalism and by camera Parliament. Thus on the 6th August, 1973, the Senate of Pakistan came into existence as a House of Parliament, giving equal representation to the Federating Units. A walk through the historical debates held in the Constitution making National Assembly explains that the legislators were aspiring for a coequal house for protection of rights and interests of the provinces and other Federating Units. As a point of initiation, a limited role was attributed to the Upper House, which was in line with the International Parliamentary practices, wherein, a Unicameral Parliament's transition to a Bicameral Parliament leave room and space for evolution of the role and powers of the newly constituted House. Initially a Bill with respect to any matter in Part-I of the Federal Legislative List could not be originated in the Senate. Whereas, a Bill with respect to any matter in Part-II of the Federal Legislative List or in the Concurrent Legislative List could originate in either House. This was essentially the case as the Federal Legislative List Part-II and the Concurrent Legislative List directly dealt with the rights and stakes of the federating units. Constitution, being a living document, has undergone changes and amendments to address the unique Federation of Pakistan and its growing challenges.

Over a period of time, the Senate of Pakistan emerged as a defender of the rights of the Federating Units and jealously guarded encroachments on the devolution of power to the Provinces. This

continuous struggle triggered the evolution of Senate as a coequal House, wherein, after the Eighteenth Constitutional Amendment, the Senate of Pakistan has effective role and voice not only on the issues of provinces but also in the effective oversight of the executive.

Pursuant to the Eighteenth Constitutional Amendment and in the wake of the scheme of Devolution, Members of the Senate of Pakistan representing the four Provinces/Federating Unites and Federal Territories had been demanding a review of the Constitutional scheme vis-à-vis the powers of the Upper House of Parliament. During the 249th Budget Session this matter came up in the speeches of almost all the members wherein they asked for not only role of the Senate in passing Finance Bill but gave a number of suggestions and proposals to empower the Senate so that it can play its role more effectively as a House of Federation especially in the aftermath of 18th Constitutional Amendment.

Aspirations of the Members led to the conclusion that there is need to adopt a robust strategy to enhance the role and powers of the Senate in order to live up to the expectation of the federating units and to ensure effective implementation of Constitutional Scheme attributed to the upper house regarding protection and representation of interests of federation, federating units and the citizens of Pakistan.

The House Business Advisory Committee, keeping in view the demands made by the Members at various times/forums, especially during the Budget Session and the voices being raised from the Provinces, recommended a roadmap to enhance/increase the Role and Powers of the Senate of Pakistan. The said roadmap remained under consideration of the HBAC and consultative process was initiated. After

detailed deliberations the Committee a Resolution, which was unanimously adopted by the House on 13th February, 2016. Rational of proposed amendments, as provided in the Resolution, is as under:-

1. Amendment of Article 57 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 57, the full stop (.) occurring at the end shall be substituted with a colon (:) and thereafter, the following proviso shall be added, namely,-

“Provided that the Chief Ministers of the Provincial Assemblies shall have the right to speak in the Senate but, shall not by virtue of the article be entitled to vote.”

RATIONALE

Internationally, Upper Chambers, where they represent territories, have active linkages (including speaking rights for the Members) with their electoral colleges i.e. State Assemblies; German Bundestag is one of such examples. In our context, there is no institutional/structural linkage between the Members and their electors, therefore, it is proposed that the Chief Ministers shall be given right to speak in the Senate.

2. Amendment of Article 62 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 62, in clause (1), in paragraph (c), for the words “*enrolled as a voter in*”, the words and commas “*a registered voter and resident, for five years, of*” shall be substituted.

RATIONALE

Senate is a territorial Chamber which reflects the will and aspirations of the federating units through their chosen representatives. There are concerns amongst certain quarters regarding election of such members

from a certain province/unit who are not actual residents of that area. Therefore, paragraph (c) of clause (1) of Article 62 of the Constitution, 1973, shall be amended to provide that a person shall be qualified to be elected as a Member of Senate if he is a “resident of the Province concerned for not less than five years”.

3. Amendment of Article 72 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 72,-

(i) In clause (2),-

(a) after the words “Speaker of the National Assembly” the words “or Chairman of the Senate” shall be inserted;

(b) the word “his”, shall be substituted with the word “their”.

(ii) In clause (4), the full stop (.) occurring at the end shall be substituted with a colon (:) and thereafter, the following proviso shall be added, namely,-

“Provided that one vote of a Member of Senate shall be proportionate to the total number of seats in the National Assembly divided by the total number of seats in the Senate.”

RATIONALE

This proposed amendment addresses two issues, which are,-

- a) Presiding of Joint Sitting by the Chairman Senate or the Speaker National Assembly;
- b) Equality of votes in the Joint Sitting

a) Presiding of Joint Sitting by the Chairman Senate or the Speaker National Assembly

The Senate of Pakistan is a body which represents the provinces/territories of the country and promotes a feeling of equality, peace and harmony, which is so essential for the growth and prosperity of a

nation. Thus, the Senate in Pakistan, over the years, has emerged as an essential organ and a stabilizing factor of the federation.

Joint Sitting of Parliament is a highest point in the Parliamentary context wherein two Houses of a bicameral parliament sit together to receive foreign or domestic diplomats or leaders, or to allow both houses to consider Bills together or resolve issues of national interest. Presiding of such an important Parliamentary event by Speaker of the National Assembly only gives a perception that will of the federating units is being ignored as the House of the Federation is excluded from the Presidency of the Joint Sitting.

In most of the international jurisdictions, presiding the Joint sitting is mostly the prerogative of the Presiding officer of the Upper House of the Parliament or it rotates between the Presiding Officers of both Houses. In the United States of America, President of the Upper House and the Speaker of the Lower House preside jointly. In Latin America, the President of the Senate usually presides over joint sessions; this is the case in Antigua and Barbuda, Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Uruguay, Venezuela, Argentina, Bolivia and Uruguay. In Romania, the presidency is held alternately by the President of the Chamber of Deputies and the President of the Senate, whereas in the Russian Federation the presidency is the subject of agreement between the Presidents.

b) Equality of votes in the Joint Sitting

The House of federation ensures protection of interest and rights of the provinces and work as a safeguard of against the tyranny of majority. It has a total membership of 104 vis a vis the other 'co-equal' House of 342 in which only one province has 183 members i.e. more than the total

membership of upper Chamber. In terms of Clause (4) of Article 72, Constitution, 1973, all decisions at a joint sitting shall be taken by the votes of the majority of the members present and voting. This brings to a situation where only one Province (183 seats in the National Assembly + 23 seats in the Senate = 206 out of 446) dominates the decisions hence denying the right of equal representation to other federating units. E.g. if a Bill or a decision of CCI is likely to effect the rights of Province of Balochistan or is being contested by the said Province, the said Province (17 seats in the national Assembly + 23 seats in the Senate = 40 out 446) can never be in a position to defeat any such legislation or decision being a minority. The gap between the strength of the two Houses has been increasing rapidly. There is simply over increase in the gap and number of seats in National Assembly will continue to increase population where as a number of seats in Senate will remain the same. In clause (4) of Article 72, Constitution, 1973, the concept of equality of votes in the Senate and the National Assembly needs to be included i.e. according to the present strength 3.28 votes of the National Assembly will be equal 1 vote of the Senate. This concept of equality is essential for the following amongst other reasons;

- a) That when a Federal and Provincial Government is dissatisfied with a decision of the CCI, then under clause (7) of Article 154, the same is referred to a Joint Sitting.
- b) Similarly, a decision by the CCI in terms of Article 155 i.e. complaints as to interference with water supplies and Article 157 electricity, any decision of the CCI can be referred to a Joint Sitting, where this imbalance in numbers will work to the determinant of the Provinces.

The concept of equality of votes is not alien to our country as for elections to the office of President of Pakistan, the Constitution, 1973, this concept is being used. Since the number of seats in the provincial assemblies vary based on the population of the provinces, it would be unfair for smaller provinces if the “one member, one vote” formula was adopted for the presidential election. Therefore, the Constitution has devised a system whereby the votes of each Provincial Assembly have equal value. After polling is over, Election Commission determines the result in the following manner:

- Count the number of votes cast in the Parliament (Senate and National Assembly) in favour of each candidate;
 - Count the number of votes cast in a Provincial Assembly in favour of each candidate, multiply it by the total number of seats in the provincial assembly with the smallest number of seats and divide that number by the total number of seats in the provincial assembly in which votes have been cast; and
 - Add both figures to determine the final result
- As a consequence of this formula, net value of total votes cast for each Province becomes 65, respectively,

In the International Parliamentary Practice, the Upper Houses which are territorial chambers, have been given the power to veto the Decisions/Bills passed by the Lower House in order to protect the interests of territories/units they represent. Some of such examples are:-

Germany

Where specifically provided for in the Basic Law, a Bill requires the consent of the Bundesrat to become law. The Bundesrat may therefore exercise an absolute veto in such cases: if it refuses to give its

consent, then the bill has failed. The Bundestag cannot override this veto, no matter how large a majority of its Members supports the bill, and even if support for the bill is unanimous. A bill is considered to require the consent of the Bundesrat if it substantially affects the interests of the Länder. A bill may fall into this category if it affects the finances of the Länder or if it has a particular effect on the Länder's execution of legislation, the organisation of the Land administrative authorities or the implementation of any other measures by the Länder.

Canada

Ordinary Bills

Canada's Constitution gives both houses of Parliament the power to defeat proposed legislation sent to it by the other house. This is called the veto power. While the Senate does not oppose the will of the Commons very often, senators have rejected bills. Senators have considered this possibility on occasions when they felt the government did not have an electoral mandate for a measure opposed by the public, when the bill was obviously outside the constitutional authority of Parliament, or under other extraordinary circumstances.

Constitutional amendments

Parliament can make constitutional amendments on its own by passing a bill, but only if the amendments operate within the federal sphere of power. The Senate has a veto power over these amendments, just as it has over all bills proposed to Parliament.

Other kinds of constitutional amendments affect both federal and provincial powers. Because the legislatures of affected provinces must agree to these, both the Senate and the provinces speak for the regions on such amendments. When the Senate and the provinces do

not agree on an amendment, the Constitution favours the provinces.

4. Amendment of Article 73 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 73, in clause (1A), the full stop (.) occurring at the end shall be substituted with a colon (:), and thereafter a proviso shall be inserted, namely,-

“Provided that simultaneously the National Assembly shall inform the Senate about the status of recommendations of the Senate on the Bill, which shall include details as to the recommendations incorporated in the Bill and recommendations not incorporated, alongwith the reasons for non-incorporation.”

RATIONALE

One of the major and perhaps the single most important interest and areas of concern and deprivation in federating unit is to have some ---- not equal say in money matters. However as per the constitutional scheme passing money bill is exclusive prerogative of one House i.e. National Assembly based on single federating unit majority compare to the rest three. Senate can make recommendations but data and record of acceptance of any meaningful / major recommendations and shows a very discouraging picture. There is a rising demand for enhancing the role and powers of the Senate vis-à-vis the consideration and passage of Money Bill. The consensual roadmap adopted by the Senate of Pakistan for enhancing its role and powers includes that Money Bill including Finance Bill as provided vide paragraphs (b) to (g) of clause (2) of Article 73 of the Constitution, 1973, shall also be passed by the Senate as in case of other Bills.

As a point of initiation the Committee has recommended that after the passage of Money Bill the National Assembly, simultaneously, shall

inform the Senate about the status of recommendations of the Senate on the Bill, which shall include details as to the recommendations incorporated in the Bill and recommendations not incorporated, alongwith the reasons for non-incorporation.

5. Amendment of Article 86 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 86, for the words “Federal Government”, the word “Senate” shall be substituted.

RATIONALE

Article 86, Constitution, 1973, provides that at any time when the National Assembly stands dissolved, the Federal Government may authorize expenditure from the Federal Consolidated Fund in respect of the estimated expenditure for a period not exceeding four months in any financial year, pending completion of the procedure prescribed in Article 82 for the voting of grants and the authentication of the schedule of authorized expenditure in accordance with the provisions of Article 83 in relation to the expenditure. Authorization of expenditures is the prerogative of the Parliament. At the time of dissolution of one House (National Assembly), the other House i.e. the Senate remains operational, therefore, it is in line with the constitutional scheme that the functions entrusted to the National Assembly, in its absence, shall be performed by the Senate instead of the Executive.

6. Amendment of Article 89 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 89, in clause (2), the existing paragraph (a) shall be substituted with the following, namely,-

“(a) shall be laid before both Houses and shall stand repealed at the expiration of one hundred and

twenty days from its promulgation or, if before the expiration of that period a resolution disapproving it is passed by either House, upon the passing of that resolution:

Provided that either House may by a resolution extend it for a further period of one hundred and twenty days and it shall stand repealed at the expiration of the extended period, or if before the expiration of that period a resolution disapproving it is passed by a House, upon the passing of that resolution:

Provided further that extension for a further period may be made only once; and”

RATIONALE

Internationally, wherever the power of President to promulgate Ordinance exists, there is a requirement to lay all Ordinances before both Houses of Parliament. Reference may be made to Indian Practice wherein in terms of Article 123 of the Indian Constitution all Ordinances shall be laid before both Houses of the Parliament. There is no distinction as to Ordinances containing provisions dealing with and pertaining to Money Bills and other Ordinances containing provisions as to ordinary legislation. This comparison becomes all the more significant given the fact that the Rajya Sabha does not pass a Money Bill as it can only make recommendations to the Lok Sabha on a Money Bill. It is therefore, proposed that Ordinances containing provisions dealing with all or any of the matters specified in clause (2) of Article 73, shall also be laid in the Senate. Ordinances promulgated by the President are required to be laid before both Houses of Parliament.

7. Amendment of Article 126 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 126, for the words “*Provincial Government*”, the words and commas “*Senate, on the recommendation of the Provincial Government,*” shall be substituted.

RATIONALE

Article 126, Constitution, 1973, provides that at any time when the Provincial Assembly stands dissolved, the Provincial Government may authorize expenditure from the Provincial Consolidated Fund in respect of the estimated expenditure for a period not exceeding four months in any financial year, pending completion of the procedure prescribed in Article 122 for the voting of grants and the authentication of the schedule of authorized expenditure in accordance with the provisions of Article 123 in relation to the expenditure.

Senate is the House of the Federation which represents provinces, in general, and provincial assemblies, in particular, and ensures that rights of federating units are protected, therefore, Senate shall be empowered to authorise expenditure when Provincial Assembly stands dissolved. Article 126 of the Constitution, 1973, shall be amended to provide that instead of authorization of expenditure by the Federal Government, the Provincial Government will make a recommendation to the Senate for authorization of expenditures. This is also in line with the proposed amendment in Article 86, Constitution, 1973.

8. Amendment of Article 159 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 159, in clause (4), for the words “an arbitrator appointed by the Chief Justice of Pakistan”, the words “the Senate” shall be substituted.

RATIONALE

Article 159, Constitution, 1973, governs relations between the Federal Government and the Provinces regarding the broadcasting and telecasting. In the event of any dispute between the Federal Government and the provincial Government, the actual adjudicator and arbitrator can be the Senate of Pakistan i.e. a House where Provinces are equally represented. Therefore, it is proposed that if any question arises whether any conditions imposed on any Provincial Government are lawfully imposed, or whether any refusal by the Federal Government to entrust functions is unreasonable, the question shall be referred to the Senate for adjudication.

9. Amendment of Article 160 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 160, after clause (5), the following new clause (5A) shall be added, namely,-

“(5A) If the next Award of National Finance Commission could not be announced within five years the Government shall take permission from the Senate to extend the previous award for a specific period:

Provided that in case of extension the Senate may increase the Award by five percent.”

RATIONALE

Fiscal Decentralisation comprises the financial aspects of devolution to regional and local government. NFC award is a step forward for decentralization, however, in order to ensure that in the event of extension of existing NFC award the due share and rights of provinces are protected, any such extension shall be taken after due approval of the Senate; House of the Federation.

10. Amendment of Article 162 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, in Article 162, for the words “*National Assembly*”, the word “Senate” shall be substituted.

RATIONALE

Article 162 Constitution, 1973, provides that “no Bill or amendment which imposes or varies a tax or duty the whole or part of the net proceeds whereof is assigned to any Province, or which varies the meaning of the expression “agricultural income” as defined for the purpose of the enactments relating to income-tax, or which affects the principles on which under any of the foregoing provisions of this Chapter moneys are or may be distributable to Provinces, shall be introduced or moved in the National Assembly except with the previous sanction of the President.” It is proposed that Bills effecting taxation in which provinces are interested shall be introduced in the Senate; House of the Federation. This will be best form to protect and indiscriminately analyze such provisions.

11. Amendment of Article 166 of the Constitution.- In the Constitution of the Islamic Republic of Pakistan, the existing Article 166 shall be substituted with the following, namely,-

“166. (1) The executive authority of the Federation extends to borrowing upon the security of the Federal Consolidated Fund within such limits, if any, as may from time to time be fixed by Act of Majlis-e-Shoora (Parliament), and to the giving of guarantees within such limits, if any, as may be so fixed.

(2) Every borrowing agreement entered by the Federal Government shall be ratified by the both Houses of Majlis-e-Shoora (Parliament).”

RATIONALE

This proposed amendment is in line with international practices wherein all major international commitments are only undertaken after the approval and ratification of the Parliament.

RESOLUTION NO. 275

"WHEREAS the long and arduous struggle of the people of Pakistan for federalism and bicameral Parliament was reflected in the Constitution of Islamic Republic of Pakistan, 1973 and as a result, the Senate of Pakistan, on 6th August, 1973 came into existence as a House of the Federation, giving equal representation to the Federating Units;

WHEREAS the drafters of the Constitution, 1973, considered it the most important introduction in the Constitution to provide for a truly and genuinely federal form or federal Constitution in the country notwithstanding the huge disparity in the population of various provinces;

WHEREAS the Senate of Pakistan keeping in view the concept of unity through diversity provides for the blossoming of different cultures within the Federation, so as to synthesize it into one Pakistani culture thus playing an important role in promoting inter-provincial and federal-provincial harmony;

WHEREAS the Senate of Pakistan commemorates its 44th Foundation Day;

THEREFORE, the Senate of Pakistan, on this historic day and keeping in view the significance of evolving and safeguarding parliamentary traditions,-

REITERATES its commitment to play its Constitutional role of defending and safeguarding the rights and interests of the Federation, Federating Units and citizens of Pakistan;

PAYS TRIBUTE to,-

- the unsung heroes of democracy, political workers and common people of Pakistan who sacrificed their lives and liberty to uphold the Constitution of Pakistan, 1973;
- our predecessors who worked hard to maintain the dignity and status of the Senate of Pakistan;

APPRECIATES the inclusion of Members of Senate in the Public Accounts Committee (PAC), a step forward in strengthening the democracy and participatory federalism which had become the constitutional requirement after the Constitution (18th Amendment) Act, 2010;

RESOLVES to continue its struggle for,-

Enhancement of the role and powers of the Senate in order to make Pakistan a true federation as envisaged by the Constitution, 1973;

Protection and representation of interests and rights of the,-

- Federating units and the people of Pakistan;
- Marginalized segments of Society; and
- Ethnic minorities

Transmitting fruits of democracy to the people of Pakistan;

Undertaking legislation that translates policies for the welfare and betterment of the Federation, the Federating Units and its citizenry;

Ensuring that devolution of subjects and powers takes place within the constitutional parameters and Safeguarding the interest of the country in the wake of emerging regional and global realities.”

**Moved by Senator Aitzaz Ahsan
(Leader of the Opposition)
Unanimously passed by
the Senate of Pakistan**

RESOLUTION NO. 294

"This House recommends to the Government to make necessary amendments in the Constitution of the Islamic Republic of Pakistan, 1973, to empower the Senate of Pakistan to pass the Money Bill, including the Finance Bill."

**Moved by
Senator Muhammad Azam Khan Swati
Unanimously passed by
the Senate of Pakistan on
19th December, 2016**



Senate of Pakistan

Constitution Avenue, Parliament House, Islamabad

www.senate.gov.pk