

SENATE SECRETARIAT

REPORT OF THE COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES ON AMENDMENT MOVED BY SENATOR CHAUDHRY TANVEER KHAN IN RULE 58 OF THE RULES OF PROCEDURE AND CONDUCT OF BUSINESS IN THE SENATE, 2012.

(Report No. 12 of 2015)

I, Chairman of the Committee on Rules of Procedure and Privileges, have the honour to present report of the Committee on the amendment proposed by Senator Chaudhry Tanveer Khan in rule 58 of the Rules of Procedure and Conduct of Business in the Senate, 2012.

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 Senator Chaudhry Tanveer Khan moved an amendment in rule 58 of the Rules of Procedure and Conduct of Business in the Senate, 2012, proposing that replies to questions may be provided to the Senators 24 hours before the concerned question hour instead of two hours before. The proposed amendment was referred to the Committee for consideration and report. The matter was on agenda of the Committee on

16th October but was deferred on the request of the mover. It was discussed in the meeting held 26th November, 2015.

4. The Ministry of Parliamentary Affairs was of the view that if the proposed amendment is adopted there would be greater chances of leakage of information to the media before tabling of the reply on the floor of the House. Moreover, the frequency of not replied questions would also increase as most of the Ministries/Divisions submit replies 24 hours before their rota day. The Ministry also stated that keeping in view the intent of facilitation to the Senators well in advance, appropriate course of action may be adopted by the Committee.

5. Senator Chaudhary Tanvir Khan, while pleading the amendment, stated that the Members work very hard on questions, so, they should be given ample time for preparation of their supplementary questions. He was of the view that presently the Members do not have enough time to go through the replies given by the Ministries / Divisions and therefore they do not have any opportunity to notice any misstatement or misinformation in the replies. Referring the working paper submitted by the Ministry of Parliamentary Affairs, he said that the assumption of the Ministry regarding leakage of information to the media was not appropriate as the Senators are responsible persons and they cannot leak the information. He stated that if there will be an issue of national security, it can be withheld by the Secretariat but the replies containing routine information may be provided to the Members 24 hours before.

6. The Chairman of the Committee stated that extension in time from two to twenty four hours for provision of replies to the Senators will facilitate them. The Members will also come to know about their questions for which the Ministry has not provided the reply.

7. The Secretary, Parliamentary Affairs, stated that they had placed the difficulties before the Committee but it is up to the Committee to decide about the fate of proposed amendment.

8. The Committee was informed that there was a scheme of rules regulating the time frame for various actions on the questions. If rule 58 is amended some consequential amendments will require to be made in other rules also. It will not be possible for the Secretariat to get printed the booklets of questions on the same day on which the replies are received from the Ministries. As a result of amendment in rule 58, the rule 55 will have to be amended to make mandatory for the Ministries to provide replies at least 72 hours earlier. Similarly the notice period will have to be increased from thirteen to fourteen working days and notice of admitted questions to Ministries from 8 to 9 working days for which amendment will have to be made in rules 42 and 44. The scheme of rules dealing with the time frame for various actions on questions is given bellow:-

42. Notice of questions.—Not less than thirteen working days' notice of a question shall be given unless the Chairman, with the consent of the Minister concerned, allows a question to be asked at a shorter notice.

44. Notice of admission of questions.—No question shall be placed on the list of questions for answer until eight working days have expired from the day when notice of admission of the question by the Chairman was given by the Secretary to the Minister or the member to whom it is addressed.

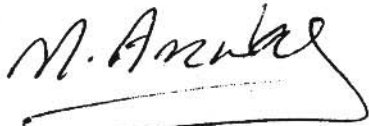
55 List of questions.— (1) Questions, which have not been disallowed, shall be entered in the list of questions for the day alongwith the answers, if received from the Minister concerned not later than forty-eight hours before the commencement of the question hour on the day on which the questions are put down for answer:

58. No publicity of answers to questions in advance.—Answers to questions which Ministers propose to give in the Senate shall be placed on the members' desk as well as shall be electronically sent to the Members two hours before the commencement of question hour and shall not be

released for publication until the answers have actually been given on the floor of the Senate or laid on the Table.”

9. The Committee was also informed that the matter for providing replies to the Members one day before was discussed in the meeting of Business Advisory Committee in April, 2015. After detailed consideration, it was decided that the replies will be provided to the Members two hours before instead of one hour. In pursuance of approval of the Business Advisory Committee, an amendment was made in rule 58 and the copies of the questions are being placed in the House two hours before. The soft copies of questions and their replies are also being sent to the Members through e-mail two hours before.

10. As the matter has already been discussed in the Business Advisory Committee, it is proposed that the amendment moved by the Senator may be placed before that Committee or the House may take appropriate action thereon keeping in view the rules position explained above.



(Muhammad Anwar)
J.S. / Secretary Committee



(Senator Dr. Jehanzeb Jamaldini)
Chairman