

## **SENATE SECRETARIAT**

### **ORDERS OF THE DAY**

for the meeting of the Senate to be held at 6.00 p.m. on Tuesday, the 21<sup>st</sup> September, 2004.

1. Recitation from the Holy Quran.

### **COMMENCED MOTION**

**(Under Rule 194)**

2. Further discussion on the following motion moved by Mr. Raza Muhammad Raza on 12<sup>th</sup> July, 2004 :-

"The House may discuss the existing public transport system in the country."

### **MOTIONS**

**(Under Rule 194)**

3. **Mr. Muhammad Akram** to move that the House may discuss the overall performance of Directorate General of Immigration and Passports.
4. **Mr. Sanaullah Baloch** to move that this House may discuss the steps being taken by the Government for promotion and development of provincial/regional languages in the country.
5. **Dr. Kauser Firdaus** to move that the House may discuss the ways and means to maintain the sanctity of the Holy Quran.
6. **Syed Murad Ali Shah** to move that the House may discuss the agricultural policy of the Government.
7. **Syed Hidayatullah Shah** to move that this House may discuss the overall performance of Federal Government hospitals in the country.

**Contd.....P/2.**

### **RESOLUTIONS**

**8. CH. MUHAMMAD ANWAR BHINDER** to move the following resolution:-

"The House urges upon the Federal Government that in order to boost up agricultural economy and to increase the agricultural production it should prepare a crash programme providing a relief package to the farmers in the shape of reduction of tube well tariff, subsidy on fertilizers, pesticides, diesel oil and other agricultural inputs and provision of agricultural loans at lower rates."

**9. MIAN RAZA RABBANI AND DR. SAFDAR ALI ABBASI** to move the following resolution:-

"The Senate resolves that no banner, hoarding or display of any kind by any individual/persons/institutions, whether Government or private, shall be affixed on the Parliament Building, Parliament Lodges and their outer parameters."

**10. MR. FARHAT ULLAH BABAR** to move the following resolution:-

"This House condemns violence against women particularly the honour killings and calls upon the Government to ensure their safety."

**11. MR. MUHAMMAD AKRAM** to move the following resolution:-

"This House recommends that the proposed new International Airport at Islamabad be named after Mader-e-Millat Mohtarma Fatima Jinnah."

**12. PROFESSOR MUHAMMAD IBRAHIM KHAN** to move the following resolution:-

"This House is of the opinion that the House rent allowance admissible to the lower scale employees be enhanced to 60%."

### **BILLS TO BE INTRODUCED**

**13. CH. MUHAMMAD ANWAR BHINDER** to move for leave to introduce the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 2004].

**14. CH. MUHAMMAD ANWAR BHINDER** to introduce the Bill further to amend the Legal Practitioners and Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 2004].



15. **DR. KAUSER FIRDAUS** to move for leave to introduce the Bill further to amend the Publication of the Holy Quran (Elimination of Printing Errors) Act, 1973 [The Publication of the Holy Quran (Elimination of Printing Errors) (Amendment) Bill, 2004].

16. **DR. KAUSER FIRDAUS** to introduce the Bill further to amend the Publication of the Holy Quran (Elimination of Printing Errors) Act, 1973 [The Publication of the Holy Quran (Elimination of Printing Errors) (Amendment) Bill, 2004].

17. **MR. FARHAT ULLAH BABAR** to move for leave to introduce the Bill to amend the Pakistan Citizenship Act, 1951 [The Pakistan Citizenship (Amendment) Bill, 2004].

18. **MR. FARHAT ULLAH BABAR** to introduce the Bill to amend the Pakistan Citizenship Act, 1951 [The Pakistan Citizenship (Amendment) Bill, 2004].

19. **MIAN RAZA RABBANI** to move for leave to introduce the Bill further to amend the Banking Companies Ordinance, 1962 [The Banking Companies (Amendment) Bill, 2004].

20. **MIAN RAZA RABBANI** to introduce the Bill further to amend the Banking Companies Ordinance, 1962 [The Banking Companies (Amendment) Bill, 2004].

21. **MR. KAMRAN MURTAZA** to move for leave to introduce the Bill further to amend the Pakistan Penal Code, 1860 [The Pakistan Penal Code (Amendment) Bill, 2004].

22. **MR. KAMRAN MURTAZA** to introduce the Bill further to amend the Pakistan Penal Code, 1860 [The Pakistan Penal Code (Amendment) Bill, 2004].

23. **MIAN RAZA RABBANI** to move for leave to introduce the Bill to provide for the ratification of foreign agreements by Parliament [The Ratification of Foreign Agreements by Parliament Bill, 2004].

24. **MIAN RAZA RABBANI** to introduce the Bill to provide for the ratification of foreign agreements by Parliament [The Ratification of Foreign Agreements by Parliament Bill, 2004].

25. **MAULANA GUL NASEEB KHAN, PROFESSOR MUHAMMAD IBRAHIM KHAN, SAHIBZADA KHALID JAN, PROF. GHAFUOR AHMAD, MAULVI AGHA MUHAMMAD, SYED HIDAYATULLAH SHAH, HAJI LIAQUAT ALI BANGULZAI, DR. AZIZULLAH SATAKZAI AND MR. REHMATULLAH KAKER ADVOCATE** to move for leave to introduce the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Eighteenth Amendment) Bill, 2004].



**26. MAULANA GUL NASEEB KHAN, PROFESSOR MUHAMMAD IBRAHIM KHAN, SAHIBZADA KHALID JAN, PROF. GHAFOR AHMAD, MAULVI AGHA MUHAMMAD, SYED HIDAYATULLAH SHAH, HAJI LIAQUAT ALI BANGULZAI, DR. AZIZULLAH SATAKZAI AND MR. REHMATULLAH KAKER ADVOCATE** to introduce the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Eighteenth Amendment) Bill, 2004].

**27. PROF. GHAFOR AHMAD** to move for leave to introduce the Bill further to amend the Merchandise Marks Act, 1889 [The Merchandise Marks (Amendment) Bill, 2004].

**28. PROF. GHAFOR AHMAD** to introduce the Bill further to amend the Merchandise Marks Act, 1889 [The Merchandise Marks (Amendment) Bill, 2004].

**29. MR. FARHAT ULLAH BABAR** to move for leave to introduce the Bill further to amend the Companies Ordinance, 1984 [The Companies (Amendment) Bill, 2004].

**30. MR. FARHAT ULLAH BABAR** to introduce the Bill further to amend the Companies Ordinance, 1984 [The Companies (Amendment) Bill, 2004].

**31. MIAN RAZA RABBANI** to move for leave to introduce the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Eighteenth Amendment) Bill, 2004].

**32. MIAN RAZA RABBANI** to introduce the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Eighteenth Amendment) Bill, 2004].

**33. MR. KAMRAN MURTAZA** to move for leave to introduce the Bill further to amend the Land Acquisition Act, 1894 [The Land Acquisition (Amendment) Bill, 2004].

**34. MR. KAMRAN MURTAZA** to introduce the Bill further to amend the Land Acquisition Act, 1894 [The Land Acquisition (Amendment) Bill, 2004].

**35. MR. FARHAT ULLAH BABAR** to move for leave to introduce the Bill to provide for pronouncement of judgements by the Courts of Law and their publications [The Pronouncement of Judgements and Law Reports Bill, 2004].



**36. MR. FARHAT ULLAH BABAR** to introduce the Bill to provide for pronouncement of judgements by the Courts of Law and their publications [The Pronouncement of Judgements and Law Reports Bill, 2004].

**37. PROF. GHAFOR AHMAD, PROFESSOR KHURSHID AHMED, MAULANA GUL NASEEB KHAN, DR. MUHAMMAD ISMAIL BULEDI AND PROFESSOR MUHAMMAD IBRAHIM KHAN** to move for leave to introduce the Bill to amend the National Security Council Act, 2004 [The National Security Council (Amendment) Bill, 2004].

**38. PROF. GHAFOR AHMAD, PROFESSOR KHURSHID AHMED, MAULANA GUL NASEEB KHAN, DR. MUHAMMAD ISMAIL BULEDI AND PROFESSOR MUHAMMAD IBRAHIM KHAN** to introduce the Bill to amend the National Security Council Act, 2004 [The National Security Council (Amendment) Bill, 2004].

**39. MR. KAMRAN MURTAZA** to move for leave to introduce the Bill further to amend the Code of Criminal Procedure, 1898 [The Code of Criminal Procedure (Amendment) Bill, 2004].

**40. MR. KAMRAN MURTAZA** to introduce the Bill further to amend the Code of Criminal Procedure, 1898 [The Code of Criminal Procedure (Amendment) Bill, 2004].

**AMENDMENTS OF SENATE RULES**  
(Under Rule 242)

**41. CH. MUHAMMAD ANWAR BHINDER** to seek leave under **sub-rule (3) of rule 242** of the Rules of Procedure and Conduct of Business in the Senate, 1988, to move the following amendments:-

(I) "That **rule 3** of the Rules of Procedure and Conduct of Business in the Senate, 1988 be renumbered as **sub-rule (1)** of the said rule and thereafter the following **new sub-rule (2)** be added, namely :-

"(2) When the session of the Senate is requisitioned by the members under Article 54(3) of the Constitution, the members requisitioning the session shall attach with the requisition the Agenda of the Session for which it has been requisitioned and the said Agenda shall be discussed on the day meant for the private members' Business and on all other days the Government Business shall be transacted. The agenda for the requisitioned Session shall have precedence over the other private Members' Business."."



- (II) "That in **rule 44**, for the full stop occurring at the end, a colon be substituted and thereafter the following new proviso be added, namely :-

"Provided further that if the answer to the question not called has not been received from the Ministry concerned, it shall be repeated for the next turn of the Ministry concerned."."

- (III) "That for **rule 67** the following be substituted, namely :-

**"67. Punishment for breach of privilege .-** (1) If the House finds any person to be guilty of breach of Privilege of the House or its Committee or any member, it may award punishment to such person in accordance with law.

(2) The House may also recommend to the division concerned or the relevant authority to take such action against the person committing the breach of the privilege of the House, its committee or a member and the decision of the House shall be binding on the division or the concerned authority:

Provided that no decision shall be taken by the Senate without affording the concerned person an opportunity of being heard."."

- (IV) "That for **rule 130** the following be substituted, namely :-

**"130. Copy to the Division concerned .-** (1) On the conclusion of the discussion, the Chairman shall put the resolution or as the case may be, the resolution as amended to the vote of the House and if passed by the Senate, a copy thereof shall be forwarded to the Division concerned.

(2) The Division concerned shall implement the resolution in letter and spirit and any violation or non-compliance of the resolution shall amount to a breach of privilege of the Senate."."



- (V) "That in **rule 141, after paragraph (b)**, the following **new paragraph (c)** be added, namely :-

"(c) The extent to which such assurances and promises have not been implemented and suggest the action against the person responsible for non-implementation and non-fulfillment of the assurances and promises."."

- (VI) "That **rule 144** be renumbered as **sub-rule (1)** of the said rule and thereafter the following **new sub-rule (2)** be added, namely :-

"(2) A Committee may of its own motion take up a matter or subject with which it is concerned and report to the Senate its recommendation on that subject or matter."."

- (VII) "That for **rule 146** the following be substituted, namely :-

**"146. Functions.- 1 (a).** A Committee shall examine the Bill referred to it by the Senate and shall submit its report to the Senate with such recommendation as it may deem necessary. In respect of the Bill, the Committee shall also examine whether the Bill violates, disregards or is otherwise not in accordance with the provision of the Constitution;

**(b)** The Committee may propose amendments to the Bill referred to it which will be shown in its report along with the original provision of the Bill as well as the provision of the Bill as introduced and the amendments suggested by the Committee;

**(c)** The Committee shall have no power of preventing the Bill from coming to the Senate; and

**(d)** If the Committee does not present its report with the period prescribed or the time allowed the Bill may be considered by the Senate without waiting for the report upon a motion made by any member or a Minister.

(2) The Committee shall also consider any matter referred to it by the Senate under rule 144 or may take up suo moto any matter concerning the Committee and shall also submit its report to the Senate. After the submission of the report, a copy of the report shall be sent by the Secretary of the Senate to the Division concerned which shall reply to the Secretary in respect of the recommendation of the Committee. The recommendation and the reply so received shall be placed before the Senate for its decision. Any direction or decision given thereon by the Senate shall be complied with and implemented by the Division concerned in letter and spirit. Non-compliance of any direction or decision of the Committee shall amount to a breach of privilege of the Senate."."

(VIII) "That in **rule 172**, for the words "chosen by", occurring in the third line, the word "of" be substituted."

(IX) "That for **rule 186**, the following be substituted, namely :-

**"186. Lapse of pending notices on prorogation of Session.** - On the prorogation of the Senate, no pending notice of the Bill, Resolution, Question or Motion shall lapse except the adjournment motion and no fresh notice need be given for the next session in respect of them."."

**42. CH. MUHAMMAD ANWAR BHINDER** to move, if leave is granted, under sub-rule (4) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, that the proposed amendments in the said Rules be taken into consideration.

**43. MR. FARHAT ULLAH BABAR** to seek leave under sub-rule (3) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, to move the following amendments:-

(I) "That in **rule 22** of the Rules of Procedure and Conduct of Business in the Senate, 1988,-

(i) after the word "**Mondays**", occurring in the first line, the words "**and Tuesdays**" be inserted; and



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- (ii) in the proviso, after the word "**Monday**", occurring in the first line, the words "**and Tuesday**" be inserted."

(II) "That in **rule 62**, paragraph (iv) be omitted".

(III) "That in **rule 140**, after **sub-rule (1)**, the following **new sub-rule (1A)**, be inserted, namely:-

**"(1A) It shall be mandatory for the Chairman Senate to constitute the Committees during the first session of the Senate after the meeting called to elect the Chairman and Deputy Chairman of the Senate."**

**44. MR. FARHAT ULLAH BABAR** to move, if leave is granted, under sub-rule (4) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, that the proposed amendments in the said Rules be taken into consideration.

**45. MIAN RAZA RABBANI** to seek leave under sub-rule (3) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, to move the following amendment :-

(I) "That in **Chapter VII**, of the Rules of Procedure and Conduct of Business in the Senate, 1988, **after rule 38**, the following **new rule** shall be inserted, namely:-

**"38A. Prime Ministers question hour** .- In every session that exceeds seven days there shall be one hour designated on a day by the Chairman in consultation with the Prime Minister, which shall be called Prime Ministers question hour. The rules in this Chapter shall apply to the said Hour."

(II) "That in **chapter X** the existing "**Part IV**" be renumbered as "**Part V**" and before **Part V** renumbered as aforesaid, the following **new Part IV** be inserted, namely:-

**PART IV.- MONEY BILLS ORIGINATING IN THE ASSEMBLY AND TRNASMITTED TO THE SENATE.**

The procedure described in the Fourth Schedule of these Rules will be adopted in relation to Money Bills originating in the Assembly and transmitted to the Senate."



- (III) "That in Chapter XVI, after rule 207, the following new rule shall be inserted, namely:-

**"207A. Public issue time .-** In every sitting of the Senate except Monday, immediately after the leave applications have been disposed off, the first half hour is allocated for members to raise public issues of urgent importance. A Minister may respond at once or shall place a written response on the Table of the Senate the following day unless otherwise directed by the Chairman."

- (IV) "That after the "Third Schedule" a new "Fourth Schedule" be added, namely:-

#### **FOURTH SCHEDULE**

#### **PROCEDURE REGARDING MONEY BILLS ORIGINATING IN THE ASSEMBLY AND TRANSMITTED TO THE SENATE.**

**( See Chapter X Part IV )**

**1. Laying of Copy of the Money Bill etc.-** A copy of the Money Bill, including the Finance Bill containing the Annual Budget statement, when transmitted by the Assembly to the Senate under clause (1) of Article 73 of the Constitution, shall be laid on the Table by a Minister and thereafter copies circulated to the Members.

**2. Making of recommendations.-** After a copy of the Money Bill, including the Finance Bill containing the Annual Budget Statement, has been laid on the Table, a Minister shall move that the Senate may make recommendations thereon, within seven days to the National Assembly.

**3. Debate on a Money Bill.-** The Senate shall commence debate on the Money Bill, including the Finance Bill and the Annual Budget Statement on a date to be fixed by the Chairman.

**4. Notice of a proposal for making recommendations.-**A Member may, till the noon of the third day of the motion, give notice of a proposal for making recommendations, in writing to the Secretary, the provisions of Rules 95, 96 and 97 shall, mutatis mutandis, apply in respect of a notice of a proposal for recommendation:



Provided that a Member shall not give notice of a proposal for making recommendations to the Annual Budget Statement which relates to the expenditure charged upon the Federal Consolidated Fund, under clause (1) of Article 82 of the Constitution.

**5. Motion to introduce a proposal for making recommendations.-**

(i) On the third day of the motion a Member or Members collectively shall seek leave to introduce the proposals for making recommendations, if leave is granted, a Member or Members collectively make a motion that the proposals for recommendation be referred to the Standing Committee for Finance.

(ii) A Member who has made a proposal for recommendation may attend the meeting of the Finance Committee while his proposal is under discussion, but such Member shall not have the right of vote.

(iii) The said Committee shall in two days of receiving the proposals for recommendations send its report and the recommendations to the Senate.

**6. Circulation of copies of the report and the recommendations.-**

When the Report and recommendations have been received back from the Standing Committee, or when the time fixed for the Standing Committee to send it back has lapsed the Secretary shall cause copies of the Report and the recommendations to be circulated amongst the Members.

**7. The disposal of proposals of recommendations.-**

On the day fixed by the Chairman, when the Senate considers the Report and the recommendations, the basic reason and principle of the recommendation may be discussed but the details of the Money Bill shall not be discussed than is necessary to explain the purpose of the recommendation;



**8. A question relating to the acceptability of the proposed recommendations.**- Thereafter a question relating to the proposed recommendations acceptability shall be decided by a majority of the Members present and voting in the manner prescribed in Rules 212.

**9. Transmission of recommendations to the National Assembly.**- The Secretary shall transmit the recommendations adopted by the Senate to the National Assembly before the seventh day expires in the manner prescribed in the Rules.

**10. Transaction of other business.**- No other business, except with the permission of the Chairman, shall be transacted on a day when recommendations are being discussed for making to the National Assembly."

**46. MIAN RAZA RABBANI** to move, if leave is granted, under sub-rule (4) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, that the proposed amendments in the said Rules be taken into consideration.

**47. MR. FARHAT ULLAH BABAR AND MIAN RAZA RABBANI** to seek leave under sub-rule (3) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, to move the following amendment:-

"That in rule 59, in sub-rule (2), for the word "two" occurring for the second time in the fourth line, the word "four" be substituted."

**48. MR. FARHAT ULLAH BABAR AND MIAN RAZA RABBANI** to move, if leave is granted, under sub-rule (4) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, that the proposed amendment in the said Rules be taken into consideration.



49. MR. AMANULLAH KANRANI, MR. ASFANDYAR WALI, DR. SAFDAR ALI ABBASI, MR. MUHAMMAD ENVER BAIG, MIAN RAZA RABBANI, MRS. RUKHSANA ZUBERI, MR. MOHAMMAD ISHAQ DAR, MR. MUHAMMAD ASLAM BULEDI, SARDAR MAHTAB AHMED, MR. ILYAS AHMAD BILOUR, DR. ABDULLAH RIAR, MS. SAADIA ABBASI, MR. FAROOQ HAMID NAEK, MR. ABDUL LATIF ANSARI, NAWAB MUHAMMAD AYAZ KHAN JOGEZAI AND MR. RAZA MUHAMMAD RAZA to seek leave under sub-rule (3) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, to move the following amendment:-

"That in rule 2, in sub-rule (1) of the Rules of Procedure and Conduct of Business in the Senate, 1988, for definition "Leader of the Opposition" the following be substituted, namely:-

""Leader of the Opposition" means a member of the House in whom, for the time being the majority of the members in opposition to the Government in the House, nominate in writing by ascribing their signatures and communicate it to the Chairman. The Chairman after verification of the signatures from the Rolls of the Senate shall within one day Notify the member so nominated."

50. MR. AMANULLAH KANRANI, MR. ASFANDYAR WALI, DR. SAFDAR ALI ABBASI, MR. MUHAMMAD ENVER BAIG, MIAN RAZA RABBANI, MRS. RUKHSANA ZUBERI, MR. MOHAMMAD ISHAQ DAR, MR. MUHAMMAD ASLAM BULEDI, SARDAR MAHTAB AHMED, MR. ILYAS AHMAD BILOUR, DR. ABDULLAH RIAR, MS. SAADIA ABBASI, MR. FAROOQ HAMID NAEK, MR. ABDUL LATIF ANSARI, NAWAB MUHAMMAD AYAZ KHAN JOGEZAI AND MR. RAZA MUHAMMAD RAZA to move, if leave is granted, under sub-rule (4) of rule 242 of the Rules of Procedure and Conduct of Business in the Senate, 1988, that the proposed amendment in the said Rules be taken into consideration.

SHAHIQ A. KHAN  
Secretary

Islamabad, the  
20<sup>th</sup> September, 2004.



