SENATE SECRETARIAT

ORDERS OF THE DAY

for the meeting of the Senate to be held at 10.00 a.m. on Friday, the 16th April, 2004.

1. Recitation from the Holy Quran.

COMMENCED RESOLUTIONS

2. Consideration of the following resolution moved by Mian Raza Rabbani on 19th January, 2004 :-

> "The House recommends that ban imposed on trade unions in the country be lifted.".

3. Consideration of the following resolution moved by Professor Khurshid Ahmed on 19th January, 2004 :-

> "The House recommends that the Government should launch a separate TV channel for Islamic Educational Programmes so that Islam could be propagated all over the world as a religion of Peace and harmony.".

4. Consideration of the following resolution moved by Haji Liaquat Ali Bangulzai on 19th January, 2004 :-

> "This House recommends that the work to open Lak Pass and widening its road in Balochistan be undertaken forthwith.".

RESOLUTIONS

5. **MR. MUHAMMAD AZAM KHAN SWATI** to move the following resolution:-

> "This House recommends that effective steps be taken for the promotion of agriculture sector in the country.".

6. **DR. KAUSER FIRDAUS** to move the following resolution:-

> "The House is of the opinion that effective steps be taken to eliminate the menace of beggary in the country.".

Contd.....P/2.

7. **MIAN RAZA RABBANI** to move the following resolution:-

> "This House recommends that suitable amendments in Pakistan Allocation Rules 1993 be made in order to allot Government Houses to the blood relations of a Government Servant at the time of his retirement.".

8. **PROF. GHAFOOR AHMAD** to move the following resolution:-

> "This House is of the opinion that the management of the National Textile University, Faisalabad be withdrawn from the All Pakistan Textile Mills Association (APTMA) and its Board of Directors be reconstituted.".

9. **MR. SANAULLAH BALOCH** to move the following resolution:-

> "This House recommends that steps be taken to ensure proper representation of the provinces in Federal Government Jobs on the basis of population and backwardness.".

BILLS TO BE INTRODUCED

10. Consideration of the following motion moved by Ch. Muhammad Anwar Bhinder on 8th December, 2003 :-

> "that the leave be granted to introduce the Bill to provide for the power of review by the Supreme Court of Pakistan [The Supreme Court of Pakistan (Power to Review) Bill, 2003].".

11. CH. MUHAMMAD ANWAR BHINDER to introduce the Bill to provide for the power of review by the Supreme Court of Pakistan [The Supreme Court of Pakistan (Power to Review) Bill, 2003].

12. PROF. GHAFOOR AHMAD to move for leave to introduce the Bill further to amend the Pakistan Penal Code, 1860 [The Pakistan Penal Code (Amendment) Bill, 2004].

Contd.....P/3

13. **PROF. GHAFOOR AHMAD** to introduce the Bill further to amend the Pakistan Penal Code, 1860 [The Pakistan Penal Code (Amendment) Bill, 2004].

14. **MIAN RAZA RABBANI** to move for leave to introduce the Bill further to amend the Service Tribunals Act, 1973 [The Service Tribunals (Amendment) Bill, 2004].

15. **MIAN RAZA RABBANI** to introduce the Bill further to amend the Service Tribunals Act, 1973 [The Service Tribunals (Amendment) Bill, 2004].

16. **MISS ANISA ZEB TAHIRKHELI, BIBI YASMEEN SHAH, MRS. ROSHAN KHURSHEED BHARUCHA AND MRS. GULSHAN SAEED** to move for leave to introduce the Bill further to amend the West Pakistan Family Courts Act, 1964 [The West Pakistan Family Courts (Amendment) Bill, 2004].

17. **MISS ANISA ZEB TAHIRKHELI, BIBI YASMEEN SHAH, MRS. ROSHAN KHURSHEED BHARUCHA AND MRS. GULSHAN SAEED** to introduce the Bill further to amend the West Pakistan Family Courts Act, 1964 [The West Pakistan Family Courts (Amendment) Bill, 2004].

18. **CH. MUHAMMAD ANWAR BHINDER** to move for leave to introduce the Bill further to amend the Code of Civil Procedure, 1908 [The Code of Civil Procedure (Amendment) Bill, 2004].

19. **CH. MUHAMMAD ANWAR BHINDER** to introduce the Bill further to amend the Code of Civil Procedure, 1908 [The Code of Civil Procedure (Amendment) Bill, 2004].

20. **MR. FARHAT ULLAH BABAR** to move for leave to introduce the Bill to amend the Exit from Pakistan (Control) Ordinance, 1981 [The Exit from Pakistan (Control) (Amendment) Bill, 2004].

21. **MR. FARHAT ULLAH BABAR** to introduce the Bill to amend the Exit from Pakistan (Control) Ordinance, 1981 [The Exit from Pakistan (Control) (Amendment) Bill, 2004].

22. **PROF. GHAFOOR AHMAD** to move for leave to introduce the Bill to provide for the welfare of senior citizens and matters connected therewith [The Senior Citizens Welfare Bill, 2004].

Contd.....P/4.

23. PROF. GHAFOOR AHMAD to introduce the Bill to provide for the welfare of senior citizens and matters connected therewith [The Senior Citizens Welfare Bill, 2004].

24. MR. FARHAT ULLAH BABAR to move for leave to introduce the Bill further to amend the Income Tax Ordinance, 1979 [The Income Tax (Amendment) Bill, 2004].

25. MR. FARHAT ULLAH BABAR to introduce the Bill further to amend the Income Tax Ordinance, 1979 [The Income Tax (Amendment) Bill, 2004].

26. MR. SANAULLAH BALOCH to move for leave to introduce the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2004].

27. MR. SANAULLAH BALOCH to introduce the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Amendment) Bill, 2004].

28. MR. FARHAT ULLAH BABAR to move for leave to introduce the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Nineteenth Amendment) Bill, 2004].

29. MR. FARHAT ULLAH BABAR to introduce the Bill further to amend the Constitution of the Islamic Republic of Pakistan [The Constitution (Nineteenth Amendment) Bill, 2004].

30. 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].

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

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

Contd.....P/5.

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

34. 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].

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

COMMENCED MOTIONS
(Under Rule 194)

36. Discussion on the following motion moved by Mr. Muhammad Akram on 22nd December, 2003 :-

> "The House may discuss the performance of the National Highways Authority with particular reference to the construction of Pindi Bhattian-Faisalabad Motorway.".

37. Discussion on the following motion moved by Mr. Babar Khan Ghori on 22nd December, 2003 :-

> "This House may discuss the overall performance of Pakistan Public Works Department.".

38. Discussion on the following motion moved by Professor Khurshid Ahmed on 19th January, 2004 :-

> "The Senate may discuss the Privatization Policy of the Government with particular reference to the Banking Sector.".

39. Discussion on the following motion moved by Professor Muhammad Ibrahim Khan on 19th January, 2004 :-

> "This House may discuss the situation arising out of the ban on the activities of the elected body of the National Assembly Secretariat Employees Cooperative Housing Society, Islamabad.".

Contd.....P/6.

MOTIONS
(Under Rule 194)

40. MRS. GULSHAN SAEED to move that the House may discuss the affairs of Automobile industry.

41. MR. FARHAT ULLAH BABAR to move that the House may discuss the power generation policy 2002.

42. DR. SAFDAR ALI ABBASI AND MIAN RAZA RABBANI to move that the House may discuss the Government policy regarding unemployment in the country.

43. DR. MUHAMMAD ISMAIL BULEDI to move that the House may discuss the overall performance of Housing Foundation with particular reference to the allotment of plots to the Government employees in Islamabad.

44. MAULANA RAHAT HUSSAIN to move that the House may discuss the handing over of National Textile University, Faisalabad, to the All Pakistan Textile Association.

AMENDMENTS OF SENATE RULES
(Under Rule 242)

45. 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 amendment :-

> "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.".".

Contd.....P/7.

46. 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 amendment in the said Rules be taken into consideration.

47. 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 amendment :-

> "That in rule 22, after the word "Mondays", occurring in the first line, the words "and Tuesdays" be added.".

48. 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 amendment in the said Rules be taken into consideration.

49. 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 amendment :-

> "That in rule 22, in the proviso, after the word "Monday", occurring in the first line, the words "and Tuesday" be added.".

50. 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 amendment in the said Rules be taken into consideration.

51. 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 amendment :-

> "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.".".

Contd.....P/8.

52. 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 amendment in the said Rules be taken into consideration.

53. MR. BABAR KHAN GHORI 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 for rule 59 of the Rules of Procedure and Conduct of Business in the Senate, 1988, the following be substituted, namely :-

"59. <u>Call attention notices</u> .- (1) A member wishing to raise a matter of urgent public importance may call the attention of a Minister by giving notice in writing to the Secretary not less than two hours before the commencement of the sitting in which the notice is proposed to be moved and the Minister may make a brief statement or ask for time to make a statement at a later hour or date:

Provided that no member shall give more than two such notices for any one sitting.

(2) Notices for a sitting received not later than two hours before the time fixed for a sitting shall be placed before the Chairman for consideration who shall select two of them for statements by the respective Ministers for one at the beginning of the sitting and the other at the end of the sitting in the light of their importance and the priority shall be given to the matter which is, in the opinion of the Chairman, more urgent and important:

Provided that all such notices not admitted for any one sitting shall lapse and fresh notices shall be given for the next sitting.

<u>Contd.....P/9</u>.

(3) Notices which are admitted for any one sitting and included in the Orders of the Day but not taken up at the sitting for which they have been given shall lapse at the end of the sitting and fresh notices shall be given for the next sitting.

(4) The call attention notices selected by the Chairman would be listed in the Orders of the Day.

(5) There shall be no debate on the statement of the Minister at the time it is made but each member in whose name the item stands in the Orders of the Day may, with the permission of the Chairman, ask a question:

Provided that the names of not more than five members, shall be shown in the Orders of the Day.

(6) Not more than two such matters shall be raised in one sitting.

(7) The general principles governing admissibility of questions and adjournment motions shall apply mutatis mutandis to the admissibility of call attention notice.".

54. MR. BABAR KHAN GHORI 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.

55. 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 amendment :-

"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.

Contd.....P/10.

(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.".".

56. 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 amendment in the said Rules be taken into consideration.

57. 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 amendment :-

"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.".".

58. 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 amendment in the said Rules be taken into consideration.

Contd.....P/11.

59. 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 amendment :-

"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.".".

60. 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 amendment in the said Rules be taken into consideration.

61. 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 amendment :-

"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.".".

62. 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 amendment in the said Rules be taken into consideration.

Contd.....P/12.

63. 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 amendment :-

"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.".".

Contd.....P/13.

64. 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 amendment in the said Rules be taken into consideration.

65. 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 amendment :-

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

66. 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 amendment in the said Rules be taken into consideration.

67. 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 amendment :-

"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.".".

68. 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 amendment in the said Rules be taken into consideration.

SHAHID IQBAL
Secretary

Islamabad, the
15th April, 2004.