



RULING OF THE CHAIR

Two Bills titled "The Islamabad Capital Territory Waqf Properties Bill, 2020" and "The Anti-Money Laundering (Second Amendment) Bill, 2020", as passed respectively by the National Assembly on 24th August, 2020, were placed on the Orders of the Day for the Senate sitting held on 25th August, 2020.

In terms of rule 119 read with rule 120 of the Rules of Procedure and Conduct of Business in the Senate, 2012, there shall be an intervening period of two working day between the receipt of notice by the Member or Minister-in-Charge to move that the Bill be taken into consideration and the day on which the motion for consideration is set down in the Orders of the Day. However, Rule 120 of the Rules of Procedure and Conduct of Business in the Senate, 2012, provides discretionary power to the Chairman to direct otherwise and accordingly, if so directed, a motion for consideration of Bill can be placed on the Order of the Day and moved without the gap of two working days.

Both Bills, as mentioned above, were passed by the National Assembly on 24th August, 2020 and the Notices by Minister-in-Charge for consideration under rule 119 of the Senate Rules were received in the Senate Secretariat on the same day. I was conscious of the requirements and the powers vested in the Chairman under Rule 120 of the Senate Rules, however, wanted to build larger consensus on the important legislative business, hence, decided to devolve these discretionary powers to the House. Accordingly, prior to motions for consideration of Bills, a motion under rule 263 of the Senate Rules to dispense with the requirements of rule 120 of the Senate Rules was placed on the Orders of the Day. Unfortunately, the spirit of devolution of my discretionary power to the House was misunderstood and

an untoward situation between the Treasury and Opposition Benches was created. More so, the Leader of the House in Senate, Minister for Law and Justice and Advisor to the Prime Minister on Parliamentary Affairs informed that the Bills were important and urgent as these pertain to important issues directly linked with the national interest.

It is an admitted fact that mere placement of motion under rule 263 on the Orders of the Day does not affect the requirements of rule 120 vis-à-vis discretionary powers of the Chairman. Accordingly, being custodian of the House, in order to maintain the decorum of the House and to give fair opportunity for consideration of legislative business, contentedly linked with national interest, I withdrew my decision of devolution of discretionary powers and allowed consideration of Bills.

It was the constitutional prerogative of the House either to pass or reject the Bills. The Bills were rejected by the voice vote at all stages including second and third readings of the Bills (motion for consideration, clause by clause consideration, and motion for passage of the Bill). Therefore, both Bills were rejected after due exercise of constitutional rights by the Members present.

Neither the placement of motion under rule 263 on the Orders of the Day for dispensation of requirements of rule 120 was improper nor was the use of discretion in the larger national interest barred by Rules and rejection of Bills was under the spirit of Constitution and Rules.

In view of the abovementioned Rules and factual position, it is hereby ruled that the proceedings of the House with regard to orders Nos. 27-30 on the Orders of the Day for the Senate sitting held on 25th August, 2020, are strictly in accordance with the requirements of Rules of Procedure and Conduct of Business in the Senate, 2012.


MUHAMMAD SADIQ SANJRANI
CHAIRMAN

Announced in the House on 26th August, 2020
302nd Session