



**Bills under Consideration
in the
Senate of Pakistan
(October 2005)**

I. Introduction

At present, there are 19 Bills pending in the Senate of Pakistan. Out of these, 3 are Government Bills and 16 Private Member Bills. A list of these Bills, with brief particulars, is attached for the benefit of all those interested in issues related to legislative and democratic development in Pakistan. Centre for Peace and Development Initiatives, Pakistan (CPDI-Pakistan) collects, compiles, analyses and disseminates information on parliamentary performance with the following objectives:

- A) To provide timely information to stakeholders and civil society groups about various legislative initiatives and, thereby, enable them to make inputs in the law-making process;
- B) To watch the parliamentary performance and widely disseminate relevant information and analyses to inform democratic choices and initiatives of citizens and civil society;
- C) To identify areas of improvement in parliamentary performance, and advocate for appropriate actions by civil society, legislators and government.

For more information on parliamentary issues, please visit the Senate Website (www.senate.gov.pk) and/or National Assembly Website (www.na.gov.pk). You can also make enquiries to a Member of the National Assembly (MNA) or a Senator from your constituency/ district. Contact details of MNAs, Senators and chairmen/members of various parliamentary committees are available on the above given websites. CPDI-Pakistan can be contacted by writing to: info@cpdi-pakistan.org

II. Government Bills

1. The Recognition and Enforcement of Foreign Arbitral Awards, 2004

Notice to the Secretariat was received on 18-02-2004 and, on the same day, the House took it up and referred to the Standing Committee. It is still pending with the Standing Committee on Law and Justice.

2. The Banks Nationalization (Amendment) Bill, 2004

Notice to the Secretariat was received on 25-08-2004. The House took it up and referred it to the Standing Committee on 26-11-2004. It is still pending with the Standing Committee on Finance.

3. The Contempt of Court Bill, 2005

Notice to the Secretariat was received on 08-02-2005. House took it up and referred to the Standing Committee on 10-02-2005. Senate Committee presented its Report to the Senate on 23-09-2005. It is now pending in the House for consideration.

III. Private Members' Bills

1. The Code of Criminal Procedure (Amendment) Bill, 2005

It was introduced by Ch. Muhammad Anwar Bhindar. Report of the Standing Committee was received by the Senate on 25-04-2005. It is now pending for consideration of the House.

2. The Criminal Law (Amendment) Bill, 2005

It was introduced by Ch. Muhammad Anwar Bhindar. Report of the Standing Committee was received by the Senate on 25-04-2005. It is now pending for consideration of the House.

3. The Parliament and Its Members Privileges Bill, 2003

It was introduced by Ch. Muhammad Anwar Bhindar on 17-06-2003. It is still pending with the Standing Committee on Law and Justice.

4. The Supreme Court of Pakistan (Power to Review) Bill, 2003

It was introduced by Ch. Muhammad Anwar Bhindar on 05-07-2004. It is still pending with the Standing Committee on Law and Justice.

5. The Specific Relief (Amendment) Bill, 2003

It was introduced by Ch. Muhammad Anwar Bhindar on 08-12-2003. It is still pending with the Standing Committee on Law and Justice.

6. The Code of Civil Procedure (Amendment) Bill, 2003

It was introduced by Ch. Muhammad Anwar Bhindar on 22-12-2003. It is still pending with the Standing Committee on Law and Justice.

7. The Dowry and Marriage Gifts (Restriction) Bill, 2003

It was introduced by Ch. Muhammad Anwar Bhindar on 08-12-2003. It is still pending with the Standing Committee on Religious Affairs, Zakat and Ushr.

8. The Code of Civil Procedure (Amendment) Bill, 2003

It was introduced by Mr. Babar Khan Ghori on 08-12-2003. It is still pending with the Standing Committee on Law and Justice.

9. The Donation and Transplantation of Human Organs Bill, 2003

It was introduced by Dr. Shahzad Waseem on 08-12-2003. It is still pending with the Standing Committee on Health.

10. The Code of Civil Procedure (Amendment) Bill, 2004

It was introduced by Ch. Muhammad Anwar Bhindar on 05-07-2004. It is still pending with the Standing Committee on Law and Justice.

11. The West Pakistan Family Courts (Amendment) Bill, 2004

It was introduced by Ms. Anisa Zeb Tahirkheli and Ms. Bibi Yasmeen Shah et al on 05-07-2004. It is still pending with the Standing Committee on Law and Justice.

12. The Income Tax (Amendment) Bill, 2004

It was introduced by Mr. Farhat Ullah Babar on 07-02-2005. It is still pending with the Standing Committee on Finance and Revenues.

13. The Pakistan Penal Code (Amendment) Bill, 2004

It was introduced by Prof. Ghafoor Ahmad on 07-02-2005. It is pending with the Standing Committee on Law and Justice.

14. The Pakistan Penal Code (Amendment) Bill, 2004

It was introduced by Mr. Kamran Murtaza on 07-02-2005. It is pending with the Standing Committee on Law and Justice.

15. The Publication of the Holy Quran (Elimination of Printing Errors) Bill, 2004

It was introduced by Dr. Kausar Firdaus on 07-02-2005. It is pending with the Standing Committee on Religious Affairs.

16. The Constitution (Nineteenth Amendment) Bill, 2005

It was introduced by Mian Raza Rabbani et al on 15-06-2005. It is pending with the Standing Committee on Law and Justice.

IV. General Facts/ Comments

Some general comments on the performance of Senate in terms of law-making are as follows:

1. Under the Constitution, Senate of Pakistan is required to meet for a least 90 working days a year. In practice, however, it generally meets for fewer days, as the working days are defined in a way to include any period, not exceeding 2 days, for which the Senate is adjourned. For instance, last year, between March 2004 and March 2005, Senate of Pakistan actually met only for only 60 days.
2. Even when the Senate meets, it works in each sitting for an average of about 3 hours/day. House is often adjourned without completing the daily business or after rushing through the assigned business without providing adequate time for consideration, discussion and debate. Similar is the style of law-making or other parliamentary business in the standing committees.
3. Smaller number of actual working time/days significantly explain why Senate has not been able to pass or reject at least 7 Bills introduced more than 2 years back in 2003. Almost all of these pending Bills since 2003 were introduced by private members.

4. Private Member Bills, especially the ones introduced by the members from the Opposition Parties, are generally not taken seriously by the Government/Treasury Benches. As a result, very few of them get through. This has created an environment in which most members (both from the Treasury and Opposition benches) do not feel motivated for legislative initiatives – as they suspect the Government to bulldoze their initiatives any way by using the parliamentary majority.
5. Instead of introducing Bills in the Senate or National Assembly, Government generally depends on Presidential Ordinances. Senate of Pakistan, like the National Assembly, has not been able to assert itself and discourage the Government from bypassing the Parliament by issuing a large number of Ordinances. It is evident from the fact that, during April-September 2005, Government has issued 16 Ordinances. During this period, Government did not introduce even a single Bill in the Senate.

CPDI-Pakistan

Centre for Peace and Development Initiatives, Pakistan(CPDI-Pakistan) is an independent, non-partisan and a not-for-profit civil society organization working on issues of peace and development in Pakistan. It was established in 2003. It works in the following five programme areas:

1. Promotion of Peace and Tolerance
2. Rule of Law
3. Transparency and Access to Information
4. Budget Watch
5. Legislative Watch and Democratic Development

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