



Legislative Performance
of the
Senate of Pakistan
November 2005

I. Introduction

Centre for Peace and Development Initiatives, Pakistan (CPDI-Pakistan) is pleased to present this Parliamentary Alert for the benefit of all those interested in issues related to legislative and democratic development in Pakistan. It has been prepared with the following objectives:

1. 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;
2. To watch the parliamentary performance and widely disseminate relevant information and analyses to inform democratic choices and initiatives of citizens and civil society;
3. To identify areas of improvement in parliamentary performance, and advocate for appropriate actions by civil society, legislators and government.

II. Legislative Performance of the Senate: Main Facts

1. During the current Legislative Year 2005-06, Senate of Pakistan has so far passed 8 Bills. (For the list, please see Table 1). Out of these 8 Bills, 7 were passed in the 21st session and 1 in the 22nd session. No Bill was passed during the 20th or 23rd sessions of the Senate.
2. All Bills passed by the Senate were Government Bills. No Private Member Bill has been passed by the Senate during the current Legislative Year. It may be noted that 16 Private Members Bills are currently pending in the Senate. At least 7 of them have been pending for more than 2 years.
3. Out of the 8 Bills passed, only 2 had been introduced in the Senate. Other 6 had been received from the National Assembly.
4. Out of the 8 Bills passed, Senate had forwarded only 2 Bills to the respective Standing Committees for consideration and report. These Bills included: (a) The Legal Practitioners and Bar (Amendment) Bill, 2005; and (b) The Hydrocarbon Development Institute of Pakistan Bills, 2005. Both of these Bills were the ones, which had been first introduced in the Senate.
5. All Bills received from the National Assembly were passed without much consideration or debate. Not even one of them was forwarded to the respective Standing Committee for consideration and report.
6. Most of the Bills passed by the Senate seems to have no relevance whatsoever with serious problems confronted by the people of Pakistan. At least one of them {i.e. the Federal Public Service Commission (Amendment) Bill, 2005} seems to be

clearly against the public interest, as it removed certain Federal departments out of the jurisdiction of Federal Public Service Commission.

7. While corruption remains a major problem (i.e. Pakistan ranks at 144th on the 2005 Corruption Perception Index of Transparency International), Senate of Pakistan failed to pass any bill or amendment for promoting access to information,¹ transparency and accountability in governance. It may be noted that existing legislation on access to information (i.e. Freedom of Information Ordinance 2002) is highly restrictive, and clearly shows government's extreme reluctance in promoting transparent governance.
8. While the Senate passed only 8 Bills, Government laid 16 Ordinances before the Senate. (For a list of Presidential Ordinances, please see the Table 2). Out of these 5 were laid before the Senate during the 20th sessions and 11 during the 22nd session.
9. As the number of Presidential Ordinances (16) far exceeds the Bills passed by Senate (8), and Private Members Bills are not taken seriously, it is quite obvious that the Executive Branch has almost totally usurped the legislative function of the Parliament.

Table 1: Bills Passed by the Senate (2005-06)

No	Bills Passed	Date of adoption
1	The Fiscal Responsibility and Debt Limitation Bill, 2005	01-06-2005
2	The Export Development Fund (Amendment) Bill, 2005	13-06-2005
3	The Decorations (Amendment) Bill, 2005	14-06-2005
4	The Illegal Dispossession Bill, 2005	16-06-2005
5	The Pakistan Navy (Amendment) Bill, 2005	16-06-2005
6	The Federal Public Service Commission (Amendment) Bill, 2005	17-06-2005
7	The Legal Practitioners and Bar Councils (Amendment) Bill, 2005	17-06-2005
8	The Hydrocarbon Development Institute of Pakistan Bill, 2005	23-09-2005

Table 2: Ordinances Laid before the Senate

No	Title of the Ordinance	Laid on
1	The Defence Housing Authority Islamabad Ordinance, 2005 (Ordinance No. II of 2005)	26-04-2005
2	The Police Order (Amendment) Ordinance, 2005	26-04-2005

¹ Comprehensive freedom of information legislation is widely recognized as a powerful anti-corruption tool. See the website of Transparency International at www.transparency.org

	(Ordinance No. III of 2005)	
3	The Pakistan Engineering Council (Amendment) Ordinance, 2005 (Ordinance No. IV of 2005)	26-04-2005
4	The Pakistan Intellectual Property Rights Organization Ordinance, 2005 (Ordinance No. V of 2005)	26-04-2005
5	The Legal Practitioners and Bar Councils (Amendment) Ordinances, 2005 (Ordinance No. VI of 2005)	26-04-2005
6	The Alternative Energy Development Board Ordinance, 2005 (Ordinance No. VII of 2005)	13-09-2005
7	The Recognition and Enforcement (Arbitration Agreements and Foreign Arbitral Awards) Ordinance, 2005 (Ordinance No. VIII of 2005)	13-09-2005
8	The Police Order (Second Amendment) Ordinance, 2005 (Ordinance No. IX of 2005)	13-09-2005
9	The Pakistan Engineering Council (Second Amendment) Ordinance, 2005 (Ordinance No. X of 2005)	16-09-2005
10	The Intellectual Property Organization of Pakistan Ordinance, 2005 (Ordinance No. XI of 2005)	16-09-2005
11	The Societies Registration (Amendment) Ordinance, 2005 (Ordinance No. XII of 2005)	16-09-2005
12	The National Database and Registration Authority (Amendment) Ordinance, 2005 (Ordinance No. XIII of 2005)	21-09-2005
13	The Public Investment (Financial Safeguards) (Amendment) Ordinance, 2005 (Ordinance No. XIV of 2005)	21-09-2005
14	The Federal Public Service Commission (Amendment) Ordinance, 2005 (Ordinance No. XV of 2005)	21-09-2005
15	The Pakistan Telecommunication (Re-organization) (Amendment) Ordinance, 2005 (Ordinance No. XVI of 2005)	23-09-2005
	The Alternative Energy Development Board Ordinance, 2005 (Ordinance No. XVII of 2005)	23-09-2005

Note:

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

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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