

5.10.15

### **Five bills lapse due to NA session delay**

ISLAMABAD: The delay in convening of the National Assembly session has started to affect the legislative work as at least five important bills passed by the Senate have lapsed due to failure of the government to get them approved by the lower house of parliament within 90 days.

The Senate is set to take up on Monday the issue of sending to a joint sitting of parliament three bills it had passed in March but which could not be passed by the National Assembly within the stipulated period.

Under the Senate's rules of business, a member may move that a bill of this nature should be referred to a joint session of parliament as provided in the Constitution.

The bills that have lapsed are Anti-Rape Laws (Criminal Laws Amendment) Bill 2015; the Anti-Honour Killing Laws (Criminal Laws Amendment) Bill 2015; the Privatisation Commission (Second Amendment) Bill 2015; the Torture, Custodial Death and Custodial Rape (Prevention and Punishment) Bill 2015 and the Gas Theft Control and Recovery Bill 2014.

The Senate Secretariat has already notified that the five bills have lapsed.

The first four bills were moved by Sughra Imam and Farhatullah Babar of the PPP as private members' bills and all of them were adopted by the Senate after their passage through the standing committees concerned. Ms Imam retired in March after completing her six-year term as senator.

Interestingly, the bill about gas theft and recovery was the government's own bill which it could not get the parliament to adopt.

The Senate is also set to take up on Monday three motions moved by PPP's Farhatullah Babar that call upon the government to convene a joint sitting of parliament to take up the bills which have lapsed. The motions are on top of the agenda for Monday's session.

The anti-rape laws bill seeks amendments to the Pakistan Penal Code (PPC), Code of Criminal Procedure (CrPC) and the Qanoon-i-Shahadat to improve prosecution and make it far more difficult for rapists to escape the arm of the law.

Some amendments proposed in the law pertain to mandatory DNA tests within 24 hours of receipt of rape report, resolution of rape cases within six months, protection of the identity of rape victims and penalties for disclosure of personal information of rape victims.

Talking to Dawn on Sunday, Senator Babar said that mandatory DNA test of rape victims could be very helpful in prosecuting offenders and was necessary to counter the "retrograde" proclamation of the Council of Islamic Ideology (CII) last year that rejected the importance of

DNA tests. The CII, he said, was an advisory body whose recommendations were not binding on the parliament.

The bill also requires a three-year sentence and/or fine for a public servant who fails to properly and diligently carry out an investigation. Police officers and public servants who take advantage of their position to rape women in their custody will be given a mandatory life imprisonment.

The anti-honour killing bill also seeks amendments to the PPC and the CrPC to address shortcomings in the existing laws.

The Privatisation Commission (Amendment) Bill aims at bringing transparency in the privatisation process. It requires that all officials involved in, or overseeing, the privatisation process must be free from any personal interest, prejudice or conflict of interest otherwise the entire process will become an exercise in controversy.

Mr Babar said that according to a recent ruling of the Senate chairman, if the motions were carried by the house it would be mandatory for the president to summon the joint sitting without reference to the parliamentary affairs ministry or a summary from the prime minister.

When contacted, Minister of State for Parliamentary Affairs Sheikh Aftab Ahmed said he was busy in the campaign for by-election to a provincial assembly seat in Attock and could not provide details of the bills which had lapsed.

In reply to a question, he said the government could consider the option of convening a joint sitting of parliament, if needed.

The National Assembly has not met for about two months and its last sitting was held on August 13. According to the provisional calendar prepared before start of every parliamentary year, the next session of the assembly is scheduled to start on Oct 26.

Though the government has the option of convening the session before the scheduled day, it has decided not to do so in view of the decision of an election tribunal which deseated Speaker Ayaz Sadiq.

The ruling PML-N has decided to wait for the outcome of the Oct 11 by-election for the NA-122 seat where Mr Sadiq is contesting against Abdul Aleem Khan of the Pakistan Tehreek-i-Insaf.

*Published in Dawn, October 5th , 2015*