

## NAVIGATING COMPLEXITY: THE PROJECTION OF WORKS TO SENATE COMMITTEES FOR PERSUASIVE LEGISLATIVE PROCEDURES (1985-1999)

Dr. Hamid Iqbal<sup>1</sup>, Dr. Tahira Mumtaz<sup>2</sup>, Asifa Naz (Corresponding Author)<sup>3</sup>

<sup>1</sup> Visiting Lecturer, Department of History, Government College University Faisalabad

<sup>2</sup> Lecturer Department of Political Science, Government College Women University Sialkot,  
[tahira.mumtaz@gcwus.edu.pk](mailto:tahira.mumtaz@gcwus.edu.pk)

<sup>3</sup> Lecturer in Political Science, Govt. Associate College (W) Shahpur Sadar (Sgd),  
[asifanaz14@gmail.com](mailto:asifanaz14@gmail.com)

### Abstract

This study analyses the intricacies associated with the presentation of works to Senate committees within the context of persuasive legislative processes from 1985 to 1999. The study examines the works vested to Senate committees, revealing the strategies utilized to sway legislative decision-making. This study attempts to seek that how Senate of Pakistan attained complexity in the House by projecting works to Senate Committees for persuasive legislative procedures during 1985-1999. The research utilizes analytical and qualitative approach by analyzing primary sources such as Senate committee reports, legislative records, and testimony, alongside an examination of secondary literature on committees. The research indicated that the Senate of Pakistan, no doubt, mostly relied on the standing committees for consideration of matters. It was observed by the laying of bills and its reference to the committees. As the members of the committees were selected from the House and their working in a group enhanced their skills. Due to collective work of committees, works were done with more fluently and effectively. The committee submitted the reports of referred tasks that determined key role of committees in solving the issues of the country and these small legislators are as important as the Parliament for a democratic country.

**Keywords:** Senate of Pakistan, Complexity Development, Legislative Procedures, Senate Committees, Bills, Motions

### Introduction

The Senate of Pakistan structured under the article 50 Constitution of Pakistan in 1973 and firstly convened on 6 August 1973. The main purpose of Senate was to give equal representation to federating units that balances the provincial inequality as in the National Assembly on the basis of number of seats determined on population size. Another role was vested to promote national cohesion and harmony and to alleviate fear of domination of provinces to one another. Committees, as subgroups of lawmakers, are responsible for establishing robust organizational frameworks, preparing plenary sessions, and sifting material. Through these committees, parliaments operate more efficiently with reduced load. In conjunction with parliamentary party groups, committees represent the paramount element of legislative organization and preference aggregation inside legislatures (Iqbal & Zahra, 2024). Certain committees are ephemeral and dissolve upon completion, although the House comprises several Standing committees

established by standing orders or legislation that persist indefinitely. These Committees are typically assigned the responsibility of elucidating the motions, resolutions, and petitions presented before the House (Iqbal, Kokab, Rashid, Aneeta, & Waheed, 2023).

This study enumerates the system of committees, and the working of committees for fluency and comfort of the Senate of Pakistan. The institution will be more powerful when it internally grown its complexity and it will be measured through the numbers of working committees. The reduction of internal differentiation of the House, defining the parliamentary authorities of the committees, assigning parallel and overlapping tasks, responsibilities over executive agencies and expanded staff aid helps the institution to become more complex (Polsby, 1968). Complexity arises from an environment that remains unstable and changes over the time period. However, an institutionalized organization takes suitable steps to devise a proper network to administer itself properly. Responsibility for navigating complexity often lies with the governing committees, since they are best positioned to monitor and influence the environment and to enable teams to function properly (Heaslip). The powers of the Senate committees confirm that the Senate of Pakistan evolved a complex network.

### **Projected Works to Committees for Fluency and Comfortability**

The committees, no doubt, play a vital role to make work more fluent and compatible within the short span of time. It can be said that committees are most important working forces of an organization. They serve as work units of the organization, taking work and breaking it into meaningful and manageable chunks (Collins, 2012). The work performed by these committees is a rewarding experience for both the members and the organization. Committees represent the power structure of institution, serve its members and sometime provide important training to the members of the House or leaders of an organization. This may help to new or inexperienced members to develop confidence and courage for serving institution effectively by serving in these committees. With the span of time, Senate of Pakistan framed several committees for different works that made its working easier. The committees were devised and they paid special attention toward prescribed work.

Zia lifted Martial Law and step forwarded toward so-called democracy and restored the Senate in 1985. The same year saw party-less elections and Zia's favorites set up a new government under his Presidency and Muhammad Khan Junejo as Prime Minister. After all this, it was necessary that the Parliament of Pakistan must again be a member of inter-parliamentary union.<sup>1</sup> Mr. Muhammad Ahmad Khan moved a motion on 6 July 1985 that all members of the House may be the members of Pakistan National Group of Inter-Parliamentary Union, so for reunion Leader of the House may frame an Executive Committee as envisaged in the rules. Chairman Senate authorized the Leader of the House for framing this committee with the collaboration of National Assembly. The committee was constituted as joint executive committee with six members of National Assembly and three Senators with vice President (Pakistan, 1985).

It was necessary that the upper House must be strong and its working must be smoother for playing effective role in the Parliament. With the span of time, it was essential to modify the rules of the House. On 6 July, Mr. Iqbal Ahmad Khan presented a motion to constitute a standing committee for preparation of draft of rules of Senate. He explained that the Prime Minister be authorized to appoint the members of standing committees envisaged in rules 137, 139, 141 and 143 of the rules of Senate (Pakistan, 1985). Mr. Chairman authorized for this and a special committee was constituted to look after this matter. The committee included, Mr. Sartaj Aziz (Chairman), Mr. Tariq Chaudhary, Mr. Zulfiqar Ali Chishti, Mr. Saeed Qadir, Mr. Hassan A.

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<sup>1</sup> Inter-Parliamentary Union was an international institution consisting of member of the parliament of 103 countries in 1985. Pakistan was its part but with the dissolution of Senate, membership of Pakistan was dissolved and there was necessity to be a part of this union again.

Sheikh, Professor Khurshid Ahmad, Maulana Sami-ul-Haq, Mr. Zahoor-ul-Haq, Mr. Shad Muhammad Khan, Malik Haji Faridullah Khan, Sheikh Ali Muhammad, Mir Hussain Bakhsh Bangulzai, Engr. Syed Muhammad Fazal Agha and Mr. Muhammad Ibrahim Reggie Baluch (Pakistan, Senate Debates, July 9, 1985). The Minister for Justice and Parliamentary Affairs was appointed as ex-officio member and the quorum was set up at five.

Soon after the restoration of Senate, Parliament started working on lifting up of Martial Law completely with restoration of political parties. On 6<sup>th</sup> day of July Qazi Hussain Ahmad presented a privilege motion for lifting of Martial Law, however, the motion was suppressed with this assurance that we have to try the revival of political parties on priority basis (Pakistan, Senate Debates, July 6, 1985). To address this issue, committees were devised in Senate as well. On 7<sup>th</sup> July 1985, Law Minister identified that Prime Minister ordered to devise a committee to examine the situation of political parties and it would formulate future policy, so the government constituted committee which would report within one month. The members of the committee, i.e. Mr. Fida Muhammad Khan (Chairman), Mr. Hassan A. Sheikh, Mr. Ahmad Mian Soomro, Qazi Abdul Majid, Mr. Abdul Qayyum Khan, Dr. Muhammad Asad, Amir Abdullah Khan Rokari, Qazi Abdul Latif, Qazi Hussain Ahmad, Mir Nabi Bukhsh Zehri, Mr. Fasih Iqbal and Nawabzada Jahangir Shah Jogizai (Pakistan, Senate Debates, July 7, 1985). Prime Minister Muhammad Khan Junejo further added that after the recommendation of committee we would try to lift Martial Law earliest.

Islamization firstly introduced in Pakistan by General Zia-ul-Haq who tried to enforce Islamic laws in every sector of life. In 1978, Zia announced to follow the Nizam-e-Mustafa Tehreek (Shan, Waris, & Basit, 2016). In 1979, the courts started to apply Sharia laws, and in 1980, Federal Shariah Court was established. In 1984, Qanoon-e-Shahadat Ordinance was adopted. However, Shariah was not fully enforced yet so a bill to enforce Shariah in the country was presented to Senate. Qazi Abdul Lateef presented the bill on 13 July and stated that Constitution ensured that sovereignty would belongs to Allah, our individual and collective lives would be according to Quran-o-Sunnah, and the country would oblige Islamic Laws. Approximately seven times the country tried to set up permanent Constitution but could not do so. He condemned that those people were deriving Islamic laws who did not know a single thing about Islam (Pakistan, Senate Debates, July 13, 1985). The Law Minister opposed this bill and discussion went long. After that, it was decided to constitute the standing committee to look after the matter that would formulate the collective stance. The committee was ordered to report back within one month.

The process of Islamization was under consideration but the Senate witnessed banking tribunal Amendment bill to Islamize the banking sector. The bill was already under consideration so Dr. Mahbub-ul-Haq explained that in case of non-returning of loan within time, the government was considering to abolish the panel interest rate due to Islamization in the banking system. Alternative arrangement would be substituted to keep the pressure for returning of interest-free loans (Pakistan, Senate Debates, July 11, 1985). During the discussion, the issue was raised for the private and foreign banks so the bill was referred to committee for further consideration. The Select Committee was based on twelve members, i.e. Dr. Mahbub-ul-Haq (Chairman), Professor Khurshid Ahmad, Mr. Ahmad Mian Soomro, Sheikh Ejaz Ahmad, Malik Muhammad Ali Khan, Syed Abbas Shah, Malik Haji Faridullah Khan, Mr. Ghulam Faruq, Brig. Hayat Muhammad, Syed Faseih Iqbal, Nawabzada Sheikh Umer Khan and Minister of Justice and Parliamentary Affairs was added as ex-officio member (Pakistan, Senate Debates, July 13, 1985).

Similarly, on 12 November 12 1985, three amendment bills were presented to Senate. It included the loans for Agricultural Purposes, The establishment of the Federal Bank for Cooperatives and regulation of cooperatives and the Agricultural Development Bank. These bills were passed by the National Assembly and transmitted to Senate for further consideration. Senators did not accept the bill on the spot and proposed some amendments. The issues were referred to the

concerned standing committees and House asked to propose the suitable amendments. The reports on these bills were asked for presentation within two weeks (Pakistan, Senate Debates, November 12, 1985).

The rulers of Pakistan always highlighted the agenda of transformation of country from a secular state to Islamic state. Therefore, the legal system of Pakistan had undergone from significant changes. There were fewer areas of law, which had not been subjected to amend to create consistency with Islamic injunctions (Lau, 1992). During 1986, Senate of Pakistan went under several discussions to amend the criminal law. Professor Khurshid Ahmad presented a bill as criminal law (amendment) bill on 9 February by raising an interesting point about contradictory laws to right of privacy and right of honor. He alleged that law of 1979 was contradictory to the interest and consent of common people. It contained weird laws such as if someone talked verbally about a public office holder, that would not be illicit but if the same thing get published in any newspaper, magazine or a book it becomes unlawful. He accentuated his amendment and Interior Minister Muhammad Aslam Khattak also endorsed this. The bill as Senate considered Criminal Law (Amendment) bill 1986 and under Rule 82, it stood referred to the standing committee (Pakistan, Senate Debates, February 9, 1986).

Under Ayub Khan's Martial Law, Pakistan adopted its second constitution in 1962 and so-called democracy was restored. In 1963 press and publication act was enforced by suspending the 1960's law, which limited the jurisdictions of press (Dawn, 2010). These limits were stricter than British Raj imposed in 1867 and 1931 as these Acts allowed the public to file a petition in High Court but 1963's Pakistani Act did not allow this. The act was still enforced so in February 1986, Professor Khurshid Ahmad asked to amend this act. Minister for Information and Broadcasting, Chaudhary Shujaat Hussain said that matter was already under consideration of Supreme Court of Pakistan so it could not be addressed in the Senate. However, Chairman Senate Ghulam Ishaq Khan admitted the motion by mentioning the power of the House. He agreed with Professor Khurshid Ahmad and in spite of this, the matter was *subjudiced*, he accepted the motion. He propounded the powers of House as the Senate was empowered to change the laws even any other law enforcement institution placed a verdict on the matter. Parliament could change that precedents of Supreme Court and it would not be disrespect of the Supreme Court (Pakistan, Senate Debates, February 9, 1986). The bill Pakistan Press and Publication Act, 1986 stood referred to the standing committee.

The Senate of Pakistan continued playing its vital role for legislation and standing committees remained behind this smooth working. On January 6, 1987, five different bills were deferred to standing committees. Mr. Wasim Sajjad presented the Electoral Rolls (Amendment) Bill to amend Electoral rolls act 1974, and Pakistan Space and Upper Atmosphere Research Commission (Amendment) Bill, 1987. Furthermore, Interior Minister Muhammad Aslam Khan Khattak presented two bills as the Suppression of Terrorist Activities (Special Courts) (Amendment) Bill, 1987 and the Dangerous Drug (Amendment) Bill, 1987. The first bill was to amend the 1975's act and the second one was to amend 1930's drug act. Mr. Naseem Ahmad Aheer presented a bill named as The Quaid-i-Azam University (Amendment) Bill 1987, which was moved to amend the Quaid-i-Azam University Act 1973 (Pakistan, Senate Debates, January 6, 1987). These five bills were quite different in nature and quite important as well.

On 15<sup>th</sup> of January, three bills were introduced in Senate and referred to the concerned standing committees. Mr. Wasim Sajjad introduced the Service Tribunals (Amendment) Bill, 1987, which dealt with the amendment of Service Tribunals Act 1973. Another bill the Ex-Government Servants (Employment with Foreign Governments) (Prohibition) (Amendment) Bill was introduced by him. This bill was introduced to further amend the Ex-Government Servants (Employment with Foreign Governments) (Prohibition) Act, 1966. Ghulam Muhammad Mehr introduced third bill dealt with the medicine and practitioner. The Unani, Ayurvedic and

Homeopathic Practitioners (Amendment) Bill, 1987 was presented to propose amendments in the Unani, Ayurvedic and Homeopathic Practitioners Act 1965 (Pakistan, Senate Debates, January 15, 1987). Pakistan established Water and Power Development Authority (WAPDA) to regulate water and power in the country through an Act of Parliament in 1958 (WAPDA). On 17 March 1987, Mr. Wasim Sajjad presented a Bill to amend the Pakistan Water and Power Development Authority Act, 1958. The Chairman referred this to the standing committee, however, Ahmad Mian Soomro asked for the copy of the presented bill. The presenter said that bill would be provided on the time of discussion on the report of standing committee. Ahmad Soomro pointed that when bill stood introduced it becomes the property of the House. However, Chairman replied that bill stood introduced and the rules did not give any choice to argue on government bill before the presentation of report (Pakistan, Senate Debates, March 17, 1987). The bill was referred to the standing committee.

The year 1988 witnessed the demise of President Zia ul Haq due to plane crash on August 17, 1988 and the Chairman Senate took charge as President of Pakistan (Congress). In March 1988, Senate elected its new members, Chairman and Deputy Chairman (Pakistan, Senate Debates, March 21, 1988). However, when Chairman Ghulam Ishaq Khan vacated seat, once again Senate elected new Chairman held in the same year (Pakistan, Wasim Sajjad: Political Career). The House introduced only two bills in that year. Nawab Zada Jehangir Shah presented the Pakistan Penal Code (Amendment) Bill 1987 on July 10, 1988 to amend the Pakistan Penal Code 1860 (Pakistan, Senate Debates, July 10, 1988). Later on, in December he introduced another bill as Pakistan Welfare State Bill, 1987. The bill was actually laid in 1987, however, reintroduced as the Pakistan Welfare State Bill 1988 (Pakistan, Senate Debates, December 11, 1988). The bills were accepted initially and Chairmen referred bills to the concerned Committees.

On November 16, 1988, General Elections held in Pakistan and on 4 December 1988 Benazir Bhutto emerged as the first female Prime Minister of a Muslim country. The new Cabinet, headed by Benazir Bhutto was subsequently announced (Union). During first year of her government, only two bills were referred to Standing Committees. On May 14, 1989, Nawab Zada Jehangir Shah Jogezeai introduced a bill in the House named as “the Capital Development Authority (Amendment) Bill, 1989 to amend the Capital Development Authority Ordinance, 1960 (XXIII of 1960) (Pakistan, Senate Debates, May 14, 1989). The second bill that was referred to the standing committee was basically come from National Assembly for further consideration. Syed Iftikhar Hussain Gilani moved a bill as the Code of Criminal Procedure (Amendment) Bill, 1989 to amend further the Code of Criminal Procedure, 1898. Ikhwan Zada Behraver Saeed proposed this to defer to concerned standing committee (Pakistan, Senate Debates, December 7, 1989).

During 1985 to 1991, Senators were elected through party-less Electoral College so majority of Senators were independent. Some of Senators were previously linked to Pakistan Peoples Party but majority was from other political parties so PPP saw a flaw in the Senate. During the government of Benazir Bhutto, least number of new bills was initiated. However, Senate worked on those bills that were transmitted through National Assembly. Senate standing committees critically analyzed those bills and played vital role in legislation. Similar to the Code of Criminal Procedure (Amendment) Bill, National Assembly forwarded the Representation of the People (Amendment) bill, 1990, which led by Syed Iftikhar Hussain Gilani on the floor of the House. Prof. Khurshid Ahmad pointed that the caretaker government already laid the bill and Federal Sharia Court opposed its some clauses. Sharia Court nominated the clauses 13, 14, 49, 50 and 52 against the Sharia so the bill needed to amend. Therefore, the concerned standing committee had to examine its holdings and important developments must be added. Syed Iftikhar Hussain, the presenter of bill asked for assurance that committee report within short span of time. The

Chairman referred the bill to the concerned standing committee by fixing time of 30 days for reasonable changes (Pakistan, Senate Debates, March 29, 1990).

Mr. Faisal Saleh Hayat presented National Tariff Commission Bill 1990 on the same day. The bill was received from National Assembly and stood refer to the concerned standing committee (Pakistan, Senate Debates, March 29, 1990). However, the said bill was withdrawn on May 15, 1990 by motion under rule 104. The new bill was presented with suitable changes, as received from National Assembly. Khawaja Muhammad Tariq Raheem presented the bill and asked for further consideration. The Chairman Senate allowed him and the motions were adopted. Finally, the bill was adopted unanimously (Pakistan, Senate Debates, May 15, 1990).

Pakistan is an agro based land and contributes about 24 percent of the GDP (Statistics) so it is necessary to solve the issues of farmers and agricultural industry. The Upper House of the Parliament of Pakistan raised voices in this regard. Mr. Ahmad Mian Soomro raised the issue of revision of produce index units from 10/= to 50/= per unit. The increase resulted in great indignation and resentment in the agriculture class who were overburdened by the high rates of inputs due to withdrawal of subsidies. After a long discussion, the matter was handed over to the standing committee on agriculture (Pakistan, Senate Debates, January 19, 1991). However, after some days the presenter asked for the revision on the standing committee so on 23 January 1991 the matter was handed over to the Standing Committee on Finance and Economic Affairs (Pakistan, Senate Debates, January 23, 1991).

In 1960, Field Martial Ayub Khan ordered to shift the capital from Karachi to Islamabad and passed an ordinance on 27 June 1960 to establish the capital development authority. The objective of Ordinance was planning and development of Capital and to provide for cleanliness, health and education of inhabitants, supply of goods, articles of food and mild, to promote interest of different sections of public. It authorized CDA to perform functions of a Municipal Committee. The CDA was an autonomous body working under the umbrella of federal government. On November 10, 1991, Malik Farid Ullah Khan introduced the Capital Development Authority (Amendment) Bill. The reason behind the presentation of this bill was the appointment of the Chairman and members of the board, which were hired from outside of the department. Farid Ullah Khan emphasized to elect the Chairman from its employees and within the institution (Pakistan, Senate Debates, November 10, 1991).

Agriculturists use pesticides to control the harmful pests in Pakistan as well as across the world. There is need to subsidize the pesticides so farmers can easily avail this. The tendency of overpricing was seen in Pakistan during 1992 by using the brand names. National Assembly passed an Agricultural Pesticides (amendment) bill, 1992 to amend 1971's ordinance. Ch. Abdul Ghafoor presented the bill for further consideration and unfolded that the tendency of overpricing of pesticides and its use had gone threefold to its original shape. Therefore, it was decided during a meeting with agriculturists, that the pesticides would be imported under its generic name instead of brand names, to arrest the tendency. As Ch. Abdul Ghafoor asked for consideration but Syed Iqbal Haider and Mr. Alam Ali Laleka opposed this and asked to refer the bill to concerned standing committee. After a long discussion on agricultural issues and on import of pesticides, Chairman Senate referred the bill to the standing committee of agriculture (Pakistan, Senate Debates, July 6, 1992).

To ensure control, reduction and elimination of pollution in country, Federal Government passed Pakistan Environmental Protection Ordinance on December 31, 1983. In Punjab, Environmental Pollution Control Organization (EPCO) was already working under the umbrella of Public Health Engineering Department since 1975 (Department). EPCO focused on some areas but due to least capacity and limited support it was unable to do meticulous work. There was need to change some clauses in the ordinance so Mr. Anwer Saif Ullah Khan presented Pakistan Environmental Protection (Amendment) bill 1992, to amend the ordinance of 1983. Madam

Deputy Chairperson, Noor Jehan Panezai referred this bill to the concerned standing committee on 22 December (Pakistan, Senate Debates, December 22, 1992).

According to the Manual on Appointment, Promotion and Transfer of Pakistan, an *ad-hoc* appointment means, “appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment, pending recruitment in accordance with such method” (Centre, 2013). However, the ad-hoc employees can be regularized with the permission of the appointing authority. In 1993, Syed Abdullah Shah moved the Ad-hoc Employees (Regularization of Appointments) bill 1992 for the regularization of the Federal Government appointed Ad-hoc employees. He indicated that the previous government had given undertaking for legislation to regularize these appointments but the issue was still pending in Parliament. The previous government chosen few sections of the ad-hoc employees for regularization and the others were left out. Dr. Muhammad Rehan and Professor Khurshid Ahmad added that they presented bills in 1992 to regularize the ad-hoc employees. However, Syed Amir Hussain asked for withdrawal of bill and assured that government would introduce a bill for this. Syed Pervez Ali Shah favored the bill and stated that Government said there must be increase in employment but they were trying to unemployed the employed persons. The bill was accepted without interference and referred to the concerned committee for further consideration (Pakistan, Senate Debates, May 9, 1993).

In 1964, the Family Courts Act was enforced for the establishment of family courts. The purpose was the expeditious settlement and disposal of disputes relating to marriage and family affairs and for matters connected therewith (Pakistan G. o.). With the span of time, the law was amended severally. In 1994, Syed Iqbal Haider introduced a bill to amend the said act. Molana Sami ul Haq proposed to send the bill to the Islamic Ideology Council or at least to consult with the Chairman Islamic Ideology Council. The proposal was led for the legislation under the rules of Sharia. Deputy Chairperson did not agree this but allowed him to submit his proposal for council; however, the bill was referred to the standing committee (Pakistan S. o., Senate Debates, January 11, , 1994).

Pakistan adopted the Limitation Act that was enforced by the British Raj in Sub-continent. The act was amended as per requirements of law of Pakistan. In 1908, the act was promulgated to consolidate and amend the laws for the limitation of suits and other relevant purposes. It was expedient to consolidate and amend the law relating to the limitation of suits, appeals and certain applications to Courts. It also provided rules for acquiring the ownership of easements and other property. Syed Iqbal Haider introduced a bill on 28 July to amend the said act under the header of Limitation (Amendment) bill 1994. On the same day, two other bills that were received from National Assembly were also referred to the concerned standing committee. The bills were to amend the CrPC and the PPC (Pakistan S. o., Senate Debates, July 28, 1994).

In September 1994, Senate referred four bills to the committees. Syed Iqbal Haider, the Minister of Law, Justice and Parliamentary Affairs presented two bills including the Islamabad Consumers Protection Bill 1994, to protect the basic rights of the consumer and the Human Organs Bill 1994 to allow the transplantation of parts and organs of deceased person who donate their parts to other persons (Pakistan S. o., Senate Debates, September 15, 1994). Similarly, on 25 September, Ch. Muhammad Anwar Bhindar introduced two bills, i.e. Code of Criminal Procedure (Amendment) bill 1994, and The Representation of People (Amendment) bill 1994. The first bill was to amend the Code of Criminal Procedure 1898 and the second to amend the Representation of People Act 1918 (Pakistan S. o., Senate Debates, September 25, 1994).

During the year 1995, several bills were introduced in the Senate but some of them were deferred, some were negated and only four were referred to the standing committees. The referred bills were introduced by, Mr. Shehzad Gul, Mr. N.D. Khan and Chaudhary Muhammad Anwar Bhindar to the House in different times. In March, Mr. Shehzad Gul presented two

identical bills about political parties with different proposals. The Political Parties (Amendment) bill, 1994 was introduced to amend the Political Parties Act, 1962, and the Political Parties (Amendment) bill, 1995 was presented to amend the Political Parties Act, 1972 (Pakistan S. o., Senate Debates, March 19, 1995). The proposed bills carried the amendments to avoid the floor crossing. The bill presented by Mr. N.D. Khan in November, was about to abolish the punishment of whipping named as the Abolition of Punishment of Whipping Bill, 1995 (Pakistan S. o., Senate Debates, November 20, 1995). While the fourth bill introduced by Chaudhary Muhammad Anwar Bhinder was about the Supreme Court of Pakistan (Power to Review) Bill, 1994. The bill was presented to fulfill the Article 188 of the Constitution of Pakistan in which power of review was vested to Supreme Court under their rules but with the suggestions of Parliament (Pakistan S. o., Senate Debates, December 31, 1995). Therefore, the purpose of the bill was making rules for Supreme Court.

During Benazir Bhutto's second reign, Senate legislated more than the first tenure of Benazir's Premiership and numbers of bills were introduced. During March 1996, three bills were introduced to the House and were referred to the standing committees. The Foreign Exchange (Prevention of Payments) (Amendment) Bill, 1996 was presented by Minister of Law and Parliamentary Affairs, Mian Raza Rabbani to amend the Foreign Exchange (Prevention of Payments) Act, 1972 (Pakistan S. o., Senate Debates, March 7, 1996). The second bill was presented by Mr. Saifullah Khan Piracha to prevent immoral wall chalking. The matter was related to local bodies but House allowed him to present the bill as a private member bill. Mian Raza Rabbani familiarized the House that Punjab Government already legislated for this and Sindh Government also took measures under section 144. Saifullah Khan Piracha clarified that primarily bill was for those areas, which were under the jurisdictions of Federal Government (Pakistan S. o., Senate Debates, March 10, 1996). The third bill during the month was led by Mr. Aftab Ahmad Sheikh to promote public health and to stop smoking on public places. The Smoking-Free Areas (Enclosed Public Places) Bill, 1996 was presented (Pakistan S. o., Senate Debates, March 17, 1996). All three bills stood introduced and Chairman assigned it to the standing committee for further legislation.

Contrary to March 1996, April confronted five referred bills on April 21, 1996. Mr. Aftab Ahmad Sheikh introduced one bill while Chaudhary Muhammad Anwar Bhinder led rest of four. The Islamabad Capital Territory Rent Restriction Bill, 1996 was initiated by Mr. Aftab Ahmad Sheikh to deal with the control of rents of certain class of buildings within the limits of Islamabad Capital Territory and for eviction of tenants therefrom. The other bills were identical bills instigated by Chaudhary Muhammad Anwar Bhinder as two bills were to amend the Code of Civil Procedure, 1908, while two identical bills on Code of Criminal Procedure 1898 (Pakistan S. o., Senate Debates, April 21, 1996).

In July 1996, Chaudhary Muhammad Anwar Bhinder introduced the Price Control and Prevention of Profiteering and Hoarding (Amendment) Bill 1996, to make changes in act of 1977 for controlling the prices of commodities (Pakistan S. o., Senate Debates, July 7, 1996). Similarly, the month witnessed four more bills i.e. the Islamabad Buildings (Height Control) Bill 1996, the Islamabad Green Area (Protection and Conservation) Bill 1996 presented by Professor N.D. Khan for new legislation (Pakistan S. o., Senate Debates, July 8, 1996). However, two bills were for further amendments as "West Pakistan Maintenance of Public Order Ordinance (Amendment) Bill, 1996" to amend 1960's ordinance, led by Mr. Aftab Ahmad Sheikh and "The Specific Relief (Amendment) Bill, 1996 to amend 1977's Act (Pakistan S. o., Senate Debates, July 21, 1996). During the sessions of Senate, it was observed that more than one person sponsored a bill. In October 1996 a bill was moved by Raja Muhammad Zafar-ul-Haq was sponsored by ten members i.e. Muhammad Anwar Bhinder, Sartaj Aziz, Aftab Ahmad Sheikh, Shehzad Gul, Prof. Khurshid Ahmad, Ch. Shujaat Hussain, Abdul Sattar Khan Niazi, Prof. Sajid



Mir, Bashir Ahmad Khan Tareen and Zafar-ul-Haq himself. The bill was about to constitute the accountability commission. The bill was introduced as “Ehtasab (Accountability) Commission Bill, 1996” and was referred to the committee on 12<sup>th</sup> of October 1996 (Pakistan S. o., Senate Debates, October 12, 1996). The second government of Benazir Bhutto was working effectively; however, the situation became worse when President Leghari raised issue of senior ministers’ involvement in corruption and appointment of her husband as Investment Minister. He also suspected Benazir Bhutto and Asif Zardari’s involvement in controversial murder of Murtaza Bhutto (Rizvi, 2000). Using power under Article 58 (2) b of the Constitution of Pakistan, President Farooq Leghari subverted the government of Benazir on 5 November 1996. The National Assembly was dissolved but Senate as ‘Chamber of Continuity’ (Kant, 1997) remained as it was and continued working as legislature.

During the period of caretaker government of Malik Meraj Khalid, Senate introduced five new bills that were referred to the committees by Chairman. On December 8, Senator Aftab Ahmad Sheikh asked to establish National In-land Waterways Authority so National In-land Waterways Authority Bill, 1996 was presented to the House. Similarly, he moved a bill for Railways and PIA as the Pakistan Essential Public Utility Services Regulation Bill, 1996. He further presented trade Organization Ordinance (Amendment) Bill, 1996 to amend 1961’s ordinance for speedy disposal of the matters relating to trade organization (Pakistan S. o., Senate Debates, December 8, 1996). While on December 29 Mr. Aftab Ahmad Sheikh familiarized the Suppression of Terrorist Activities (Special Courts) (Repeal) Bill 1996, to amend 1975’s Act. Furthermore, he added a bill on the floor of the House dealt with the drugs, “The Drugs (Amendment) Bill, 1996,” to legislate Drugs Act of 1976 (Pakistan S. o., Senate Debates, December 29, 1996).

Under the rules of Senate, the presence of concerned Minister is mandatory in Senate when Senators intend to introduce the bill. The absence of ministers was witnessed several times and bills were deferred to the next sitting. However, Chairman can allow the presenter to introduce the bill by using his extraordinary powers. Such type of bill was approved on March 31, 1997 when Law Minister was absent from the House even, he did not ask for leave. Chaudhary Muhammad Anwar Bhinder led the bill but Mian Raza Rabbani opposed it due to absence of Minister. He raged and condemned the move of Law Minister as leader of the House assured about his presence. Mr. Chairman did not put the motion to the vote of the House, as it was not opposed so leave stand granted for introducing the bill. The bill was introduced to define the powers and privileges of Parliament and its members. The bill, “The Parliament and its Members Privileges Bill, 1997” stood introduced and referred to the committee (Pakistan S. o., Senate Debates, March 31, 1997).

Article 163 of the Constitution of Pakistan prohibited the Provincial Assembly from imposing taxes beyond the prescribed limits of Majlis-e-Shoora (Parliament) on professionals and on traders’ callings or employments (Pakistan G. o., Constitution of Pakistan, 2012). The said article and price of tax Rs. 50/- was adopted from Government of India Act 1935. The same article was added to Constitution of 1956 and 1973. Chaudhary Anwar Bhinder purposed a bill to increase this limit up to Rs. 2000/- as per requirement of Constitution. The issue was also raised in Supreme Court of Pakistan and Court said it would be treated as Tax on income and if Parliament did not legislate on this issue, it would be illegal and unconstitutional. Therefore, the bill was not accepted and House deferred it (Pakistan S. o., Senate Debates, March 31, 1997). The bill was quite necessary; therefore, Chaudhary Anwar Bhinder presented it again and it was referred to committee on May 19, 1997 as “The Professional Tax Limit Bill, 1997” (Pakistan S. o., Senate Debates, May 19, 1997).

Furthermore, in 1997, five bills were introduced in Senate about different matters. On 3 July, Suppression of Terrorist Activities (Special Courts) (Second Amendment) Bill, 1997 was introduced by Mr. Muhammad Ishaq Dar to amend 1975’s Act (Pakistan S. o., Senate Debates,

July 3, 1997) however it was withdrawn later, (Pakistan S. o., Senate Debates, September 15, 1999) while on 12 August Sartaj Aziz presented the National Fund for Cultural Heritage (Amendment) Bill, 1997 to amend 1994's Act (Pakistan S. o., Senate Debates, August 12, 1997). Similarly, Muhammad Yasin Khan Wattoo led the Senate (Elections) (Amendment) Bill, 1997 and Mr. Khalid Anwer introduced the Family Courts (Second Amendment) Bill, 1997 (Pakistan S. o., Senate Debates, August 17, 1997). The fifth bill was introduced by Muhammad Saddiq Khan Kanju to further amend the Companies Ordinance 1984 as the Companies (Amendment) Bill, 1997" (Pakistan S. o., Senate Debates, December 5, 1997). All bills were referred to the concerned standing committees.

The Senate of Pakistan discussed the situation of country and atomic bombing in the year 1998 majorly. However, seven bills were presented to the House, which were sent to committees. Muhammad Yasin Khan Wattoo led the Compulsory Services in the Armed Forces (Amendment) Bill 1998 (Pakistan S. o., Senate Debates, April 23, 1998). The other six bills introduced to the House were, the Income Tax (Amendment) Bill 1998, the Pakistan Penal Code (Amendment) Bill 1998, the Pakistan Commission of Inquiry (Amendment) Bill 1998, the Exit form Pakistan (Control) (Amendment) Bill 1998, the Banking Companies (Amendment) Bill 1998 and The Companies (Amendment) Bill 1998 (Pakistan S. o., Senate Debates, April 27, 1998). However, in 1999, only two bills were introduced by Mian Raza Rabbani, i.e. "The Drugs (Amendment) Bill, 1998" and "The Constitution (17<sup>th</sup> Amendment) Bill, 1999" (Pakistan S. o., Senate Debates, March 1, 1999).

### **Conclusion**

The Senate of Pakistan unequivocally depended on its standing committees for the thorough examination and discussion of legislative issues. This dependence was apparent in the regular procedure of presenting measures to the House and assigning them to specialized committees for comprehensive review. The selection of committee members from inside the Senate enhanced the institution by uniting a diverse Assembly of legislators with differing skills, experience, and viewpoints. Collaborating in smaller, specialized groups enabled members to engage more profoundly with intricate topics, so improving their skills in negotiation, analysis, and legislative drafting. The collaborative endeavors of these committees facilitated their operation with enhanced fluency and efficiency, so assuring a streamlined legislative process. Through the division of labor and concentration on particular policy or legal domains, the committees were comprehensively posed to evaluate the technical, legal, and political aspects of the issues assigned to them. This delegation approach guaranteed that legislation was meticulously evaluated and refined prior to its presentation to the whole Senate for deliberation.

The importance of the Senate committees transcended its procedural function; they were an essential component of Pakistan's governing structure. The committees investigated intricate topics and surely resolved national concerns necessitating specialized attention. Furthermore, these committees offered a venue for comprehensive discussion. Consequently, these smaller legislative bodies served as an extension of the larger parliamentary system, operating as a crucial instrument for government in a democratic nation. The Senate committees guaranteed the complexity of Senate of Pakistan.

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