

NATIONAL ASSEMBLY SECRETARIAT

SECOND INTERIM REPORT

OF THE PARLIAMENTARY COMMITTEE ON ELECTORAL REFORMS

I, Chairman of the **Parliamentary Committee on Electoral Reforms**, have the honor to present Second Interim Report on Electoral Reforms to the august Senate and National Assembly.

2. Pursuant to motions adopted by the National Assembly on 19th June, 2014 and Senate on 30th June, 2014, the Honourable Speaker, in consultation with the Chairman Senate and Parliamentary Leaders, had been pleased to constitute the Parliamentary Committee on Electoral Reforms (PCER) on 25th July, 2014 comprising the following:-

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| 1) Senator Mohammad Ishaq Dar,
<i>Minister for Finance, Revenue, Economic Affairs,
Statistics and Privatization</i> | Chairman |
| 2) Mr. Zahid Hamid, MNA
<i>Minister for Law and Justice & Climate Change</i> | Member |
| 3) Rais Ghulam Murtaza Khan Jatoi, MNA
<i>Minister for Industries and Production</i> | Member |
| 4) Lt. Gen. (Retd.) Abdul Qadir Baloch, MNA
<i>Minister for States and Frontier Regions</i> | Member |
| 5) Mr. Murtaza Javed Abbasi, MNA
<i>Deputy Speaker, National Assembly</i> | Member |
| 6) Senator Molana Abdul Ghafoor Haideri,
<i>Deputy Chairman Senate</i> | Member |
| 7) Ms. Anusha Rehman Khan Advocate, MNA
<i>Minister of State for Information Technology and
Telecommunications</i> | Member |
| 8) Dr. Tariq Fazal Chaudhry, MNA
<i>Minister of State for Capital Administration and
Development Division</i> | Member |
| 9) Syed Naveed Qamar, MNA | Member |
| 10) Shazia Marri, MNA | Member |
| 11) Mr. Shafqat Mehmood, MNA | Member |
| 12) Dr. Shireen Mehrunnisa Mazari, MNA | Member |
| 13) Dr. Arif Alvi, MNA | Member |

14) Dr. Muhammad Farooq Sattar, MNA	Member
15) Sahibzada Tariq Ullah, MNA	Member
16) Ms. Naeema Kishwar Khan, MNA	Member
17) Mr. Abdul Qahar Khan Wadan, MNA	Member
18) Mr. Ghous Bux Khan Mahar, MNA	Member
19) Mr. Usman Khan Tarakai, MNA	Member
20) Mr. Aftab Ahmed Khan Sherpao, MNA	Member
21) Mr. Muhammad Ijaz-ul-Haq, MNA	Member
22) Sheikh Rasheed Ahmed, MNA	Member
23) Syed Ghazi Gulab Jamal, MNA	Member
24) Senator Mushahid Ullah Khan	Member
25) Senator Saleem Zia	Member
26) Senator Aitzaz Ahsan	Member
27) Senator Farooq Hamid Naek	Member
28) Senator Saeed Ghani	Member
29) Senator Col (Retd.) Syed Tahir Hussain Mashhadi	Member
30) Senator Syed Shibli Faraz	Member
31) Senator Sitara Ayaz	Member
32) Senator Mushahid Hussain Syed	Member
33) Senator Hidayat Ullah	Member

3. Terms of Reference of the PCER were / are as follows:-

- 1) The Committee shall elect its Chairman at its first meeting.
- 2) The scope of work of the Committee will include, but shall not be limited to, making recommendations in respect of electoral reforms, required to ensure free, fair and transparent elections, including adoption of the latest technology, available for holding elections, alongwith draft legislation, including constitutional amendrnents, if required for this purpose.
- 3) The Speaker may replace any Member of the Committee on request of the Leader of Parliamentary party concerned.
- 4) The Committee may make rules for regulating its procedure.
- 5) Quorum to constitute a sitting of the Committee shall be one fourth of its total membership.
- 6) The Committee shall present its report to the Parliament within three months from the date of the notification of the Committee.

4. The PCER invited proposals for electoral reforms from civil society organizations, lawyers (including Pakistan Bar Council and Provincial Bar Councils, Supreme Court and High

Courts Bar Associations) and the general public through Notice in print and electronic Media in August-September, 2014. In response, more than 1200 proposals covering more than 4000 pages were received from various Parliamentarians, CSOs, lawyers and the general public in response to the Public Notice issued by PCER.

5. On 24th October, 2014, the Committee constituted a Sub-Committee headed by Mr. Zahid Hamid, MNA (**Annex-A**) with the following Terms of Reference:-

- 1) To examine and make recommendations regarding the tabulated proposals received by the Committee in respect of electoral reforms required to ensure free, fair and transparent elections including adoption of latest available technology along with draft legislation/constitutional amendments, if required.
- 2) The sub-committee shall complete its task and submit its report to the Committee as expeditiously as possible.

6. The Sub-Committee has held 70-meetings and submitted 7 Progress Reports to the PCER. On the basis of an Interim Report of the Sub-Committee, the PCER approved the draft Constitution (Twenty-Second Amendment) Bill, 2016 relating to appointment of the Chief Election Commissioner and Members of the Election Commission and ancillary matters. It has considered all proposals relating to nine Election Laws along with the relevant provisions of the Constitution. These nine Laws are the following:

- 1) The Electoral Rolls Act, 1974 (Act No. XXI of 1974);
- 2) The Delimitation of Constituencies Act, 1974 (Act No. XXXIV of 1974);
- 3) The Senate (Election) Act, 1975 (Act No. LI of 1975);
- 4) The Representation of the People Act, 1976 (Act No. LXXXV of 1976);
- 5) The Election Commission Order, 2002 (Chief Executive's Order No.1 of 2002);
- 6) The Conduct of General Elections Order, 2002 (Chief Executive's Order No.7 of 2002);
- 7) The Political Parties Order, 2002 (Chief Executive's Order No.18 of 2002);
- 8) The Qualifications to Hold Office Order 2002 (Chief Executive's Order No. 19 of 2002); and
- 9) The Allocation of Symbols Order, 2002.

The Sub-Committee also considered Reports/Proposals of various organizations and parliamentary committees.

7. On 20th December, 2016, the Sub-Committee unanimously submitted its Report regarding the Draft Elections Bill, 2017(**Annex-B**), the Draft Elections Rules, 2017 (being sent to the Election Commission of Pakistan for finalization as per Elections Bill, 2017) for consideration and approval of the PCER. The PCER has also been informed about the Draft Constitution (Twenty-seventh Amendment) Bill, 2017.

8. The PCER has held 20 meetings so far. In its meeting held on 20th December, 2016 the PCER discussed the Report of the Sub-Committee referred to above and adopted the same and decided that the Draft Elections Bill, 2017 (**Annex-B**), be presented to the Senate and National Assembly of Pakistan for consideration and views of the honorable parliamentarians within 30-days to the National Assembly Secretariat for the consideration of the PCER. A number of honorable members of the PCER expressed their reservations regarding the 10% turnout of the women voters with reference to clause 9 of the Draft Elections Bill, 2017 and proposed that the same should be 5%. About this matter final decision will be taken in subsequent meeting of the PCER. With reference to the Draft Constitution (Twenty-seventh Amendment) Bill, 2017, the PCER decided that it may be finalized by the Sub-Committee by keeping in view the other proposals relating to the Constitutional provisions requiring amendments, as and when received.

9. As Chairman of the PCER, I would like to express my appreciation to all the Members, especially the Convener and Members of the Sub-Committee, as well as officers and staff of the ECP, NADRA, Ministry of Law and Justice, and National Assembly Secretariat for their hard work in finalizing the Report and accompanying Drafts/Annexures.

Sd/-

(**SENATOR MOHAMMAD ISHAQ DAR**)

Chairman, PCER

Minister for Finance, Revenue, Economic
Affairs, Statistics and Privatization

Sd/-

(**ABDUL JABBAR ALI**)

Secretary

National Assembly Secretariat
Islamabad, the 20th December, 2016

**COMPOSITION OF THE SUB-COMMITTEE OF THE
PARLIAMENTARY COMMITTEE ON ELECTORAL REFORMS**

1.	Mr. Zahid Hamid, <i>Minister for Law and Justice & Climate Change</i>	Convener
2.	Ms. Anusha Rehman Khan Advocate, <i>Minister of State for Information Technology & Telecommunications</i>	Member
3.	Senator Aitzaz Ahsan	Member
4.	Senator Farooq Hamid Naek	Member
5.	Syed Naveed Qamar, MNA	Member
6.	Shazia Marri, MNA	Member
7.	Mr. Shafqat Mahmood, MNA	Member
8.	Dr. Arif Alvi, MNA	Member
9.	Dr. Shireen Mehrunnisa Mazari, MNA	Member
10.	Dr. Muhammad Farooq Sattar, MNA/Nominee	Member
11.	Ms. Naeema Kishwar Khan, MNA	Member
12.	Sahibzada Tariq Ullah, MNA	Member
13.	Senator Sitara Ayaz	Member
14.	Mr. Aftab Ahmad Khan Sherpao, MNA	Member
15.	Senator Hidayat Ullah	Member
16.	Dr. Syiad Ghazi Gulab Jamal, MNA	Member