

NATIONAL ASSEMBLY OF PAKISTAN

FAFEN PARLIAMENT MONITOR

37th SESSION

November 18 - November 30, 2016



FREE AND FAIR ELECTION NETWORK

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ABBREVIATIONS

AJIP	Awami Jamhoori Ittehad Pakistan
ANP	Awami National Party
APML	All Pakistan Muslim League
AMLPP	Awami Muslim League Pakistan
BISP	Benazir Income Support Program
BNP	Balochistan National Party
CANs	Calling Attention Notices
CDA	Capital Development Authority
FATA	The Federally Administered Tribal Areas
ICT	Islamabad Capital Territory
IND	Independent Member
JI	Jamaat-e-Islami
JUI-F	Jamiat-e-Ulema-Islam (Fazlur Rehman)
MQM	Muttahida Qaumi Movement
MUR	Motion under Rule
NP	National Party
NPP	National Peoples Party
PKMAP	Pakhtunkhwa Milli Awami Party
PML	Pakistan Muslim League
PML-F	Pakistan Muslim League (Functional)
PML-N	Pakistan Muslim League (Nawaz)
PML-Z	Pakistan Muslim League (Zia-ul-Haq Shaheed)
PPPP	Pakistan Peoples Party Parliamentarians
PTI	Pakistan Tehreek-e-Insaf
QWP-S	Qaumi Watan Party (Sherpao)

Pakistan Inquiry Commission Bill, Extension in Ordinances Get Opposition's Ire

Total
Sittings

9

Working
Days

13

Cumulative
Duration

26

Hours & 2 Minutes

Total
Break Time

58

Minutes

■ 64 Lawmakers including PM, leaders of PTI and MQM Absent during Entire Session

The National Assembly passed five government bills and extended the term of two tax-related ordinances during its 37th session that ended on November 30, 2016. The government also introduced six new legislations which, along with a Private Member's bill, were referred to the relevant standing committees following their first reading.

In addition to two resolutions for the extension of ordinances, the House adopted five resolutions on issues of public importance. Two of these resolutions denounced Indian aggression at the Line of Control as well as in Occupied Jammu and Kashmir. The lawmakers also offered condolences to the Cuban people on the demise of the revolutionary leader Fidel Castro.

The attendance remained low in a number of sittings as three meetings had to be adjourned due to lack of quorum. According to official attendance records published on the website of the National Assembly, only 168 (49%) lawmakers attended each sitting on average. The actual attendance was even lower throughout the session as according to FAFEN headcount, on average, 34 (10%) lawmakers were present at the outset and 54 (15%) at the adjournment of each sitting. As many as 64 lawmakers including the Prime Minister, Federal Minister for Housing and parliamentary leaders of PTI, MQM, NP and AJIP did not attend any sitting of the session. The Leader of the Opposition also remained absent from five sittings.

The Assembly, on a number of instances, deviated from Orders of the Day and preferred supplementary agenda over the listed business. However, the House showed slightly improved performance in Private Members' business as unlike the previous session most of resolutions and motions were taken up. But the second-stage reading of five Private Members' bills was deferred due to treasury's hesitation to approve these bills despite recommendations by the relevant standing committees. The ministers argued that the government was planning to introduce similar legislation and, therefore, the Private Member's Bills should not be passed.

The confrontation between the treasury and opposition benches became more visible during the 37th session with the passage of the Inquiry Commission Bill amidst opposition's boycott. The extension of two tax ordinances also drew opposition's strong criticism.

Human Rights Issues

The lawmakers underscored a number of human rights-related issues through questions during the reporting session. They inquired about Afghan refugees, Pakistanis jailed in the Kingdom of Saudi Arabia (KSA), Qatar and Japan. The problems being faced by Pakistani laborers and workers in Kingdom of KSA were also raised during the Question Hour. The Ministry of Human Rights answered three questions about honor-killings and the awareness about human rights. The questions were also raised on human trafficking, assistance to poor

Average Sitting Delay

8
Minutes

Members at Outset (Average)

34
present

Members at End (Average)

52
present

Maximum Members (Average)

168
present

segments of society and misuse of blasphemy laws.

Although no specific case of human rights issue was taken up in other parliamentary interventions, the House took up a bill providing for welfare of disabled persons. The bill was deferred for a month on the government assurance that it would introduce a comprehensive legislation on the subject.

Duration and Attendance

The National Assembly's 37th session started on November 18th following the Joint Session of the Parliament. The session spanned over nine sittings and each sitting, on average, continued for nearly two hours and 53 minutes. The average duration of the sittings marked an increase of ten minutes as compared to previous session. Each sitting, on average, started eight minutes behind its scheduled time. The longest delay in the outset of a sitting was of 17 minutes while three sittings of the session began with a delay of more than ten minutes. The cumulative duration of nine sittings was 26 hours and two minutes while the proceedings remained suspended for 58 minutes due to breaks.

The Prime Minister was present in the Joint Session of the Parliament called a day before the commencement of 37th session but he remained absent from Lower House proceedings throughout the reporting session. The Leader of the Opposition attended only four sittings and remained in the House for three hours and 13 minutes. The Speaker attended five sittings and presided over 31% of the proceedings while the Deputy Speaker attended the entire session and chaired 67% of the proceedings. The rest three percent duration of the session was consumed in prayer breaks. The parliamentary leaders of PkMAP, PPP, JI, APML and QWP-S were amongst most regular members. As many as 64 lawmakers including 29 of PTI, 21 of PML-N, 4 of MQM and two of PPP remained absent throughout the session while only 34 attended all sittings. The absentees also included Federal Minister for Housing and Works and

parliamentary leaders of PTI, MQM, AJP and NP.

Legislation

The National Assembly passed five government bills during the session including the controversial Pakistan Commission of Inquiry Bill 2016. The government introduced six new legislative proposals as well while a Private Member's bill was also admitted. The House referred these newly introduced bills to relevant standing committees for further consideration. Moreover, two Private Member bills were withdrawn and one was deferred on treasury's request while three bills were dropped due to absence of the movers.

Besides these bills, the legislative business of the National Assembly also included five Private Members' bills which were set for consideration. These four bills have been recommended for passage by relevant standing committees and have been appearing on Orders of the Day since last two sessions. One of these bills namely the Law Reforms (Amendment) Bill 2015 was rejected by the House while three bills – the Disabled Persons (Employment and Rehabilitation) (Amendment) Bill, 2014; the Trade Organizations (Amendment) Bill, 2016 and the Publication of the Holy Quran (Elimination of Printing and Recording Errors) (Amendment) Bill, 2015 – were deferred for next session on request of the government. Meanwhile, a bill titled the Transplantation of Human Organs and Tissues (Amendment) Bill, 2016 was again referred to the relevant standing committee for further deliberations.

Passed Bills

The Pakistan Council for Science and Technology Bill, 2016

The bill seeks to establish Pakistan Council for Science and Technology to advise the government on national policies regarding science, technology and innovation.

PARLIAMENTARY LEADERS ATTENDANCE



Mahmood Khan Achakzai



PkMAP

9

attended



Syed Naveed Gammarr



PPPP

8

attended



Aftab Ahmed Sherpao



QWP-S

7

attended



Iftikhar Uddin



APML

7

attended



Sheikh Rasheed Ahmed



AMLP

7

attended



Sahibzada Tariqullah



JI

7

attended



Ghulam Ahmed Bilour



ANP

5

attended



Muhammad Ijaz-ul-Haq



PML-Z

5

attended



Soddar-ud-Din Rashidi



PML-F

2

attended



Ch. Pervez Ellahi



PML

2

attended



Maulana Fazal-ur-Rehman



JUI-F

1

attended



Sayed Essa Nori



BNP

0

attended



Sardar Kamal Bangulzai



NP

0

attended



Ghulam Murtaza Jatoi



NPP

0

attended



Dr. M. Farooq Sattar



MQM

0

attended



Engr. Usman Khan Tarakai



AJIP

0

attended



Imran Khan

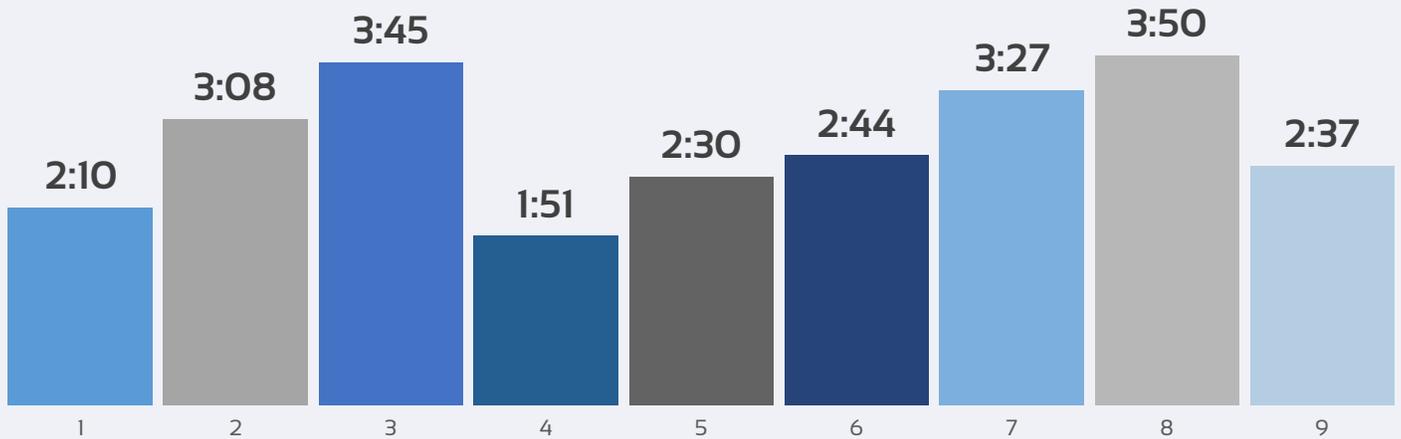


PTI

0

attended

TOTAL SITTING TIME (hh:mm)



KEY MEMBERS' ATTENDANCE



Speaker



Deputy Speaker



Prime Minister



Leader of the Opposition



*Two percent duration of proceedings was consumed in prayer breaks.

MEMBERS' ATTENDANCE



5

Government Bills Passed

7

Resolutions Adopted

23

Statutory Reports Laid

12

Committee Reports Presented

The Pakistan National Accreditation Council Bill, 2016

The bill seeks to establish the Pakistan National Accreditation Council for accreditation of Conformity Assessment Bodies enabling them to assure the quality of products, services and management system in accordance with the international and national standards for sustainable socioeconomic development.

The Pakistan Commissions of Inquiry Bill, 2016

The bill seeks to replace the Pakistan Commission of Inquiry Act 1956 and provide for additional powers to the fact-finding and inquiry commissions. This is the government drafted legislation to set up commission for inquiry into Panama Papers.

The Income Tax (Amendment) Bill, 2016

The bill seeks to amend the Income Tax Ordinance 2001 and introduces new rate of Advance Taxes on registration and attestation of immovable property.

The Public Private Partnership Authority Bill, 2016

The bill seeks to establish a regulatory framework to execute public private partnership in Pakistan with an aim to promote domestic and foreign private investment in infrastructure sector. The bill includes provisions for reduced transaction costs, regulatory controls and resolution of contract disputes.

Introduced Bills

Government Bills

The Companies Ordinance, 2016 (VI of 2016)

The Companies Ordinance, 2016 intends to replace the Companies Ordinance, 1984 in order to consolidate and amend the laws relating to companies so as to encourage and promote corporatization in Pakistan based on best international practices.

The Constitution (Twenty-fourth Amendment) Bill, 2016

The proposed amendment provides for

right of appeal against an order of the Supreme Court made under clause (3) of Article 184 (suo-moto notice on issues of public importance).

The Alternate Dispute Resolution Bill, 2016

The bill proposes to employ Alternate Dispute Resolution methods such as conciliation, arbitration, mediation and Panchayat for settlement of disputes to overcome delays, provide inexpensive justice and reduce burden on Courts.

The Costs of Litigation Bill, 2016

The bill seeks to empower the courts of law to impose costs to discourage false and frivolous litigation and unnecessary adjournments of the case hearings.

The Pakistan Air Force (Amendment) Bill, 2016

The bill seeks to make provision in the Pakistan Air Force Act 1953 regarding maintenance of discipline and eradication of corruption and bring it at part with the Pakistan Army Act 1952 and Pakistan Naval Ordinance 1961.

The Pakistan Climate Change Bill, 2016

The bill seeks to establish an independent Pakistan Climate Change Authority which will, under the guidance of a high-powered Pakistan climate change council (chaired by the Prime Minister and with representation from all provinces), provide a framework for mitigating and adapting to the effects of the changing climate on various sectors of the economy and developing response strategies to the effects of climate change.

Private Member's Bill

The Transplantation of Human Organs and Tissues (Amendment) Bill, 2016

The bill proposes amendments to the Transplant of Human Organs and Tissues Act 2010 with an aim to make the donation of organs more transparent and to avoid misuse of the facility for commercial purposes.

9

CANs
Taken Up

262

Questions
Asked

60

Starred
Questions
Taken Up

91

Supplementary
Questions Asked

Resolutions

The National Assembly adopted seven resolutions during the reporting session. Two of these resolutions were individually sponsored by Private Members belonging to PPPP and PML-N while three resolutions were jointly sponsored by treasury and opposition lawmakers. The remaining two were treasury-backed resolutions for extension in the term of the Income Tax (Amendment) Ordinance, 2016 and the Tax Laws (Amendment) Ordinance, 2016. The PPPP lawmaker's resolution recommended Hajj subsidy for poor citizens while the Private Member's resolution of PML-N lawmaker suggested government to send official delegation to Kingdom of Saudi Arabia on the eve of Holy Prophet's Birthday. Two joint resolutions denounced the Indian aggression at the Line of Control as well as in Occupied Jammu and Kashmir. The third joint resolution expressed grief over demise of Cuban leader Fidel Castro.

The House rejected two Private Member's resolutions which had suggested unification of employees' pay scales and increasing minimum pension limit to 50,000 Rupees. A JUI-F lawmaker's resolution regarding gas load-shedding was discussed but not put for voting. Moreover, five Private Member's resolutions remained unaddressed.

Amendments to the Rules

The House passed four amendments to the Assembly's Rules of Procedure. These amendments were not placed on Orders of the Day and were passed on the same day without referring them to the Committee on Rules of Procedure. Moreover, an amendment of MQM lawmaker suggesting playing National Anthem was rejected by the House.

Committee Reports/Government Papers

The Standing Committees presented eight reports to the House during the session. Seven of these reports were Periodical Performance Reports of the

Standing Committees on Foreign Affairs, Planning Development & Reforms and Interior & Narcotics Control while one was the report of the Standing Committee on Law & Justice on the Pakistan Commissions of Inquiry Bill, 2016. The Public Accounts Committee also presented four reports; three Reports on the Accounts of Federation for 1998-99, 2003-04, 2007-08 and one Implementation and Monitoring Report for 1996-1997.

The government also presented the Annual Report of the State Bank of Pakistan on Economy and 22 reports of the Council of Islamic Ideology.

Motions under Rule 259

The House held discussion on five out of eleven Motions under Rule 259 which appeared on Orders of the Day. The discussions related to minimum pension rates, population census, performance of Benazir Income Support Programme, railway's land utilization policy and Indian aggression at the Line of Control. The Motion of Thanks to the President for Addressing the Parliament remained unaddressed throughout the session.

The discussion on motion regarding situation at Line of Control was the longest as it continued for two hours and 12 minutes and 19 lawmakers took part in it. The pension rate for retired employees was discussed for nine minutes. Twenty-two minutes were spent on discussing population census while the performance of Benazir Income Support Programme was discussed for 23 minutes.

Calling Attention Notices

The lawmakers brought various issues of public concern to the floor of the House through 11 Calling Attention Notices. The House took up nine of these notices and the relevant ministers or parliamentary secretaries made statements on behalf of the executive. The parliamentarians of treasury party PML-N submitted five CANs while PPPP and JUI-F lawmakers brought two CANs each. The lawmakers of MQM also submitted a CAN while one was co-sponsored by lawmakers of JUI-

3

Walkouts

68

Points of Order

F, PML-N and an Independent member.

The lawmakers highlighted the issues regarding spread of hepatitis, oil tanker explosion in Gadani ship-breaking yard, PIA Hajj flights, increasing rate of drug addiction amongst Islamabad's students, National Economic Council, increasing divorce rate due to dramas, allegations levelled on parliamentarians in TV program of Amir Liaquat Hussain, South Waziristan's Temporarily Displaced Persons and high markup on agricultural and commercial loans.

Questions

The Question Hour was held in five out of nine sittings of 37th session. Among the remaining four sittings, two were reserved for Private Member's business and twice the House suspended regular agenda including Questions on government's motion. As many as 262 Questions (178 Starred and 84 Unstarred) were listed for answers during the session. The Rules of Procedure require the executive to answer a Starred Question orally as well as in writing while the Unstarred Questions are to be replied only in writing. However, only one third (60) Starred Questions were taken up for oral answers. The lawmakers asked 91 supplementary questions for further elucidation of these 60 questions.

The Questions were addressed to Prime Minister's Office and 31 other government ministries and departments. The Ministry of Interior & Narcotics Control received highest number of Questions (33) followed by Capital Administration and Development Division (30).

Points of Order

The lawmakers raised 68 Points of Order consuming five hours and 33 minutes of the proceedings. The Points of Order ate up one fifth of total duration of proceedings during the entire session. Most of the POs were concerned with constituency matters, political developments and current affairs.

Quorum

The PPPP lawmakers identified the missing quorum four times during the session. Three sittings were adjourned due to lack of quorum while once the quorum was found complete.

Protests

The main opposition parties staged five walkouts during the session. They left the proceedings to protest against extension of ordinances and passage of Pakistan Inquiry Commission Bill 2016. Moreover, once the opposition parties also walked out when a fellow lawmaker was disallowed to discuss land utilization policy of Railways department. The opposition party Jamaat-e-Islami staged a solo walkout when a member of the party was not allowed to convert his Point of Order into Privilege Motion. The third largest parliamentary party PTI did not attend the proceedings throughout the session. The party had announced boycott of the parliamentary proceedings, however no such announcement was made on floor of the Lower House.

This report is based on direct observation of the proceedings of the National Assembly conducted by Free and Fair Election Network. Every effort has been made to keep this report, which deals with on-floor performance of the Members, accurate and comprehensive. Errors and omissions are excepted.

ABOUT FAFEN

- FAFEN is one of the most credible networks of civil society organizations working for strengthening citizens' voice and accountability in Pakistan since 2006.
- FAFEN has harnessed information technology for real-time monitoring, facilitation and technical backstopping of partners for effective and result-based program delivery.
- FAFEN is the only civil society group to have been invited by the Judicial Commission to present the evidence of illegalities and irregularities documented through the course of General Elections 2013 Observation. The systemic and procedural issues identified by FAFEN have been acknowledged by the commission in its detailed findings.
- FAFEN's recommendations for electoral reforms have contributed to the work of Parliamentary Committee for Electoral Reforms.
- FAFEN's advocacy for parliamentary transparency, accountability and reforms has shaped public discourse on parliamentary reforms. Improved citizens' access to parliamentary information including daily public release of parliamentarians' attendance records can be directly attributed to FAFEN's work.
- FAFEN deployed 18,000 and 40,000 non-partisan and trained observers for the systematic observation of general election 2008 and 2013, respectively, largest citizens' observation ever undertaken in Pakistan.
- FAFEN's evidence and recommendations for reforms have improved the quality of public and political discourse on elections, its issues and need for reforms. Leading political parties and media houses extensively use FAFEN's election findings and analysis to build a case for reforms.
- With more than 17,300 followers on Twitter and around 72,000 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

Free and Fair Election Network
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