

Provincial Assembly of Punjab

FAFEN LEGISLATIVE TRACKER



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Free and Fair Election Network
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HEAVY RELIANCE ON ORDINANCES FOR LEGISLATION IN PUNJAB

Standing Committees Take Longer Time to Report Back on Legislative Proposals

No Private Member Bill Passed in 16th Punjab Assembly so far

The 16th Provincial Assembly of Punjab passed 137 government bills during 25 sessions held between June 1, 2013 and December 5, 2016, mainly focusing on Governance, Education, Elections and Human Rights. The lawmakers expressed less interest in introducing Private Members' bills as only five such bills were introduced during the last three and half years. A total of 152 government bills were introduced during the reporting period, and among these 137 sailed through easily in the PML-N dominated House having majority of 312 out of 371 seats. The Private Members' bills, however, remained stuck at the committee stage.

The previous (15th) Punjab Assembly, on the other hand, witnessed introduction of 154 government bills during its five-year tenure (2008 to 2013). It saw the passage of 133 bills, while 10 bills were withdrawn by their respective movers and 11 legislative proposals remained pending with relevant standing committees. A total of 22 Private Members' bills were introduced during the tenure, and only one bill was passed. The Assembly disposed of 16 Private Members' bills while six other legislative proposals were sent to respective standing committees.

The incumbent Provincial Government had greater reliance on legislation through ordinances as 64 of them were laid in the House and were approved. According to the sub section 6 of Section 91 of Rules of Procedure of Punjab Assembly 1997, "an Ordinance laid before the Assembly under clause (2) of Article 128 of the Constitution shall be deemed to be a Bill introduced in the Assembly on the day it is so laid".

The standing committees also slowed down the pace of legislation as they took longer than stipulated time to report on legislative proposals referred to them by the House. The

committees are normally required to report on bills within 30 days, however, on average, each committee took 52 days to give its recommendations on a bill. In addition, one of the committees took the longest duration of 272 days to report on the Punjab Drugs (Second Amendment) Bill, 2015 while the shortest period between introduction and passage of the Punjab Local Government (First Amendment) Bill 2016, the Punjab Local Government (Second Amendment) Bill 2016 and the Punjab Agriculture, Food And Drug Authority Bill, 2016 was just two days.

Provincial Assembly of Punjab		
16th	ASSEMBLY	15th
June 2013 to December 2016	DURATION	April 2008 to February 2013
152	GOVERNMENT BILLS INTRODUCED	154
137	GOVERNMENT BILLS PASSED	133
5	PRIVATE MEMBERS BILLS INTRODUCED	22
0	PRIVATE MEMBERS BILLS PASSED	1
25	TOTAL SESSIONS	45

As many as 12 government bills were passed without waiting for the recommendations of

16th Punjab Assembly

Bills Passed **137**

Bills Passed After Deliberation in Standing Committee **125**

Bills Passed without referring to Standing Committees **12**

the committees; five among them were Finance Bills, which are not sent to the committee as per rules. Of the seven other bills, two each were related to Human Rights, Governance while one each to Economy, Judiciary and the Issues of Employees.

Similarly, the committees did not submit

reports on four Private Members' bills as the government seems reluctant to allow consideration of these bills.

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GOVERNMENT LEGISLATION

The 16th Provincial Assembly of Punjab has so far passed 137 government bills since June 1, 2013, of these 64 have been introduced as ordinances. Of these bills, all have become Act after getting assent of the Governor, Punjab.

The Assembly, on average, took 84 days (12 weeks) to pass each government bill. Twelve bills were passed without being referred to the relevant standing committees. However, the House incorporated recommendations of the committees in 113 bills before their passage.

Maximum delay in the introduction and passage of a bill was witnessed in the Punjab Commission on the Status of Women (Amendment) Bill, 2015. The bill sailed through after a lengthy period of 325 days. Another bill – the Punjab Institute of Qura'n and Seerat Studies Bill, 2015 – was passed after 310 days after being introduced in the House. The Punjab Protection of Women against Violence Bill, 2015 was passed after a gap of 275 days while the Punjab Drugs (Second Amendment) Bill, 2015 was passed after being introduced and with a gap of 273 days.

The Punjab Local Government (First Amendment) Bill 2016 and the Punjab Local Government (Second Amendment) Bill 2016 were passed within a shortest

time of three days. Four other bills, the Punjab Reproductive, Maternal, Neo-Natal and Child Health Authority Bill, 2014; Khwaja Fareed University of Engineering and Information Technology Rahim Yar Khan Bill, 2014; the Punjab Local Government (Second Amendment) Bill, 2014 and the Punjab Agriculture, Food And Drug Authority Bill, 2016 were passed in seven days.

As many as 64 (47%) passed bills were originated as ordinances. Majority of these were related to the matters of Governance (19), followed by Law and Order (7), Education (5), Economy and Food (4 each), Elections (3), Judiciary, Health, Human Rights and Overseas Pakistanis (two each). In addition, one bill each passed by the House and originated as an ordinance was related to Employment, Culture, Forestation, Freedom of Expression, Justice System and issues related to Transport. The analysis of legislative proposals passed by the 16th Provincial



16th Punjab Assembly

64 Ordinances Passed

85 Amendments Passed

52 New Legislations

Assembly during PML-N led political government in four parliamentary years showed that the House could pass 52 (38%) new bills on various issues while the remaining 85 bills (62%) passed sought amendments to the existing laws.

The Standing Committee on Home Affairs forwarded the maximum 18 government bills to the House, followed by Standing Committee on Education (16), Special Committee No. 1 (15), Local Government and Community Development (9), Services & General Administration; Health (7 each), Livestock and Dairy Development (6), Housing, Urban Development and Public Health Engineering (5), Labour & Human Resource; Local Government and Rural Development; Transport (4 each), Social Welfare and Bait-ul-Maal; Excise and Taxation (3 each), Communications & Works; Forestry, Wildlife and Fisheries; Planning and Development; Auqaf and Religious Affairs; Laws; Special Committee No. 2; Food; Finance; Information & Culture; Irrigation and Power (2 each) and one each by Gender Mainstreaming; Standing Committee on Industries; Revenue, Relief and Consolidation and Agriculture. Twelve bills were passed without referring to standing committees. The Rule 94 of Punjab Assembly's Rules of Procedure and Conduct of Business requires that upon introduction, a Bill other than a Finance Bill, shall be referred by the Speaker to the appropriate Standing Committee with directions to submit its report by a date fixed by him in this behalf unless the House suspends this rule.

According to Rule 166, the report of a Committee shall be presented within the limit fixed by the Speaker under rule 94 or within thirty days from the date on which reference

was made to it by the Assembly unless the Assembly, on a motion being made, directs that the time for presentation of the report be extended to a date specified in the motion.

The due procedure of Rule 94 was followed in the case of 121 bills. In all, 113 bills were passed as recommended by the standing committee and twelve were passed as introduced in the House. Seven legislative proposals were passed without referring them to the standing committees while five Finance bills were passed without referring them to the standing committee as per provision of the rule.

The House usually refers the bills to the standing committees without fixing any time that means the committees have 30 days to report back on those bills under Rule 166. On average, a period of 52 days (Seven weeks and three day) was witnessed between introduction of these bills and presentation of the committee report.

On average, it took 84 days (12 weeks) for a government bill to sail through various stages from the date of introduction to the passage of the bill. The time between presentation of standing committee report in the House and the passage of bill by the Assembly was recorded on average as 31 days (four weeks and three days).

The committees proposed amendments to 120 bills while five bills were recommended in the same manner in which they were introduced in the Assembly. Twelve bills were passed without referring to relevant standing committees, including five Finance Bills presented in the House during different budget years.

House ✓
Decisions

Passed as recommended by the Standing Committees

113

Passed as introduced in the House

12

Passed without referring to relevant Standing Committees including 5 finance bills

12

Total

137

Standing Committees Recommendations

Passed as Introduced **9** Bills Amendments Recommended by Standing Committees **116** Bills

During tenure of incumbent 16th Punjab Assembly, governance remained a prevailing theme of the Assembly's legislation. The House passed 34 bills focusing on improving infrastructure in various cities, registration of vehicles, land issues, maintenance of public order, control on arms trade by making rules to regulate it and regulation of marriage functions and other related ceremonies.

The other favorite legislative area of the current Assembly is Education. The House passed 22 bills related to establishing educational institutions, including universities in various districts of the province and bringing further reforms to them, setting up Punjab Higher Education Commission and Punjab Curriculum and Textbook Board. Legislation was also done on effective management of privately managed educational institutions and regulating fee structure by amending the Punjab Private Educational Institutions (Promotion and Regulation) Ordinance, 1984.

The House also legislated for reforms in the election process with main focus on

delimitation issues and establishment of an elected local government to promote good governance through institutionalized participation of the people at local level. The Assembly passed 15 bills which were related to local government and empowering them to sell immovable property after prior approval of the government and through public auction.

Twelve government bills were passed with main focus on Human Rights. These bills were related to the protection of rights of women, laborers and children and freedom of expression. A bill – the Punjab Muslim Family Laws (Amendment) Bill, 2015 – was passed to protect women from exploitation and providing them with expeditious resolution of family disputes.

Economy has been another important theme of 16th Assembly legislation. The House passed 10 bills, of these nine were related to amendments. These bills were regarding taxation corporatization, trade and revenue activities.

Legislative Interest of 16th Punjab Assembly

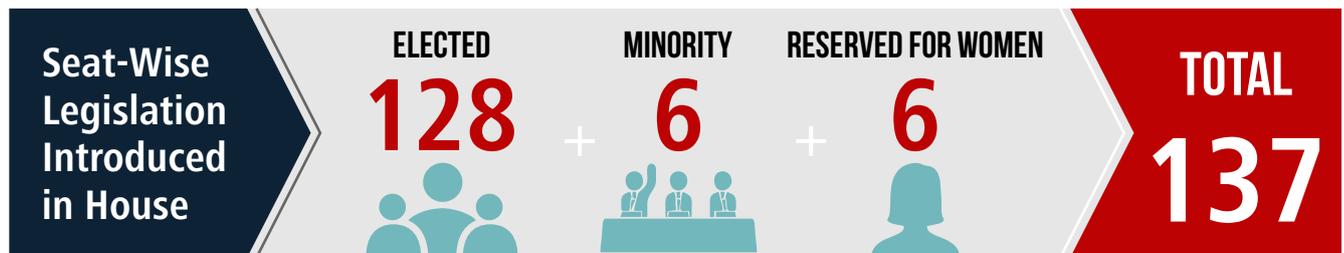
Governance  34	Education  22	Elections  15	Human Rights  12	Economy  10	Law & Order  7
Health  6	Food  6	Livestock  5	Employees issues  5	Budget  5	Judiciary  4
Overseas  2	Culture  1	Forestation  1	Transport  1	Justice System  1	Total 137

Seven bills passed were directly linked to law and order situation in the province. These were regarding reforms in policing affairs, establishment of Provincial Security Council and Punjab Strategic Coordination Board to counter terrorism, registration of tenants, formulation of vigilance committees and to redress the hardships faced by civilian victims of terror and their families.

The remaining bills were related to the

subjects, including Health and Food (6 each), Livestock, Budget and Employees issues (5 each), Judiciary (4), Overseas (2), Culture, Forestation, Transport, Justice System and Freedom of Expression (one each).

Of 137 bills passed by the House, 128 were introduced by the elected lawmakers, six by minority lawmakers and three by treasury party women elected on reserved seats.



Male lawmakers introduced 134 legislative proposals which were passed by the House while the remaining three bills were presented by female lawmakers.



While making final decision by the committee, 113 bills were decided in the presence of relevant chairpersons of the committees. On the other hand, the final recommendations of

12 bills were made in the absence of chairpersons of the relevant standing committees.

PRIVATE MEMBERS' LEGISLATION

Five Private Members' bills were introduced in the House during the reporting period. None of these bills have so far been passed by the House. The committees did not submit their reports on four out of five Private Members' bills and the report on one bill – the Child Marriage Restraint (Amendment) Bill 2015 – was laid before the House after receiving

recommendations from the standing committee. However, this bill was later withdrawn by the mover after presentation of the committee's report as the proposed punishments had already been considered and passed by the Assembly through a government bill on the eve of International Women Day held on March 18, 2015.

No.	Bill Name	Introduction Date	Movers' Party	Referred to Committee	Current Status
1	The Punjab Prohibition of Sheesha Smoking Bill 2014	March 11, 2014	PML-N	Health	Pending
2	The Child Marriage Restraint (Amendment) Bill 2015	March 3, 2015	PPPP	Local Government & Community Development	Report Laid and Bill withdrawn
3	The Forest (Amendment) Bill 2016	May 24, 2016	PML-N	Forestry, Wildlife and Fisheries	Pending
4	The Prisons (Amendment) Bill 2016	August 23, 2016	PML-N	Home Affairs	Pending
5	The Punjab Consumer Protection (Amendment) Bill 2016	August 23, 2016	PML-N	Industries, Commerce and Investment	Pending

Bills Referred to Standing Committees by 16th Punjab Assembly

No.	Standing Committee	Bills
1	Home Affairs	18
2	Education	16
3	Special Committee No. 1	15
4	Local Government and Community Development	9
5	Services & General Administration	7
6	Health	7
7	Livestock and Dairy Development	6
8	Housing, Urban Development and Public Health Engineering	5
9	Labour & Human Resource	4
10	Local Government and Rural Development	4
11	Transport	4
12	Social Welfare and Bait-ul-Maal	3
13	Excise and Taxation	3
14	Communications & Works	2
15	Forestry, wildlife and fishries	2
16	Planning and Development	2
17	Auqaf and Religious Affairs	2
18	Laws	2
19	Special Committee No. 2	2
20	Food	2
21	Finance	2
22	Information & Culture	2
23	Irrigation and Power	2
24	Gender Mainstreaming	1
25	Standing Committee on Industries	1
26	Revenue, Relief and Consolidation	1
27	Agriculture	1
28	Bills not referred to the Standing Committee	12
	Total	137

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 17,500 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.



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