

NATIONAL ASSEMBLY OF PAKISTAN

# FAFEN PARLIAMENT MONITOR

## 39th SESSION

January 26 – February 07, 2017



**FREE AND FAIR ELECTION NETWORK**

[www.fafen.org](http://www.fafen.org) | [www.openparliament.pk](http://www.openparliament.pk)

## 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)                 |

Total  
Sittings

9

Working  
Days

13

Cumulative  
Duration

28

Hours & 45 Minutes

Total  
Break Time

2

Hours & 23 Minutes

# National Assembly Passes Two Private Members' Bills Since 2013

- NA Starts Releasing Daily Bulletin of Proceedings
- Prime Minister, PTI leader, among 22 lawmakers, who remain absent during entire session

The National Assembly transacted heavy legislative agenda during 39th session and passed 17 bills, including two Private Members' bills. It is first time since 2013 that the incumbent Assembly passed any Private Member bill. The passed bills related to the economy, judiciary, women and children rights, institutional reforms, climate change and health. The House also referred 14 new legislative proposals (nine Private Members' Bills and five Government Bills) to the relevant standing committees for review. The session comprising nine sittings also passed four resolutions on Quebec Mosque Attack, Kashmir Solidarity Day, performance of Pakistan Television and simplifying pension procedure.

This entire legislation took place in the absence of Leader of the House (Prime Minister) and Leader of the Opposition. The Prime Minister and Parliamentary leader of PTI were amongst the members who did not attend the entire session while the Leader of the Opposition came to only one sitting. Besides them, 20 more lawmakers also remained absent throughout the session.

FAFEN has been advocating for releasing daily bulletin of the National Assembly's proceedings as has been started by the Senate of Pakistan. From the 39th Session, the National Assembly

Secretariat also started sharing proceedings of the House on its website, which has been one of the hallmarks of Parliamentary transparency.

The House did not address a quarter of its agenda during the session. The left-over agenda included the Private Members' interventions on issues of public importance. The majority of Calling Attention Notices were addressed but the Motions under Rule 259 were not taken up for discussions. No adjournment motion could become part of the business due to the presence of Motion of Thanks to the President on Orders of the Day. The Motion of Thanks is pending on the agenda since July 2016 and was not discussed even once during the session.

The session also witnessed scuffle between members of the ruling PML-N and opposition party PTI. The following sitting after the incident was adjourned without taking up any agenda. Moreover, lawmakers also staged six walkouts to record their protest over various issues, including increase in electricity tariff, absence of ministers and attack on PPP leader Shaukat Basra.

## Duration and Attendance

The National Assembly's 39th session started on January 26 and continued till February 7, 2017. The cumulative

## Average Sitting Delay

4  
Minutes

### Members at Outset (Average)

28  
present

### Members at End (Average)

52  
present

### Maximum Members (Average)

216  
present

working hours during nine sittings were 28 hours and 45 minutes. Each sitting, on average, continued for three hours and 11 minutes which is a longer duration than previous session when each sitting lasted for two hours and 15 minutes on average. The proceedings remained suspended for two hours and 23 minutes for various reasons, including prayer breaks. Unlike the previous session, most of the sittings during the reporting session started almost on time. The average delay in commencement of sitting was four minutes while the maximum delay was 14 minutes.

Both the Speaker and the Deputy Speaker attended seven sittings each with former presiding over 41% proceedings (11 hours 55 minutes) and later 44% proceedings (12 hours and 46 minutes). Nearly six percent of the proceedings were presided over by members of Panel of Chairpersons while remaining time was lost in suspensions and prayer breaks. The Prime Minister did not attend any sitting. It is continuously fourth session that the Leader of the House has not attended the proceedings. The Leader of the Opposition too remained absent throughout the session except one sitting. On average, 28 members were observed present on headcount conducted at the outset of a sitting and 49 at the adjournment of a sitting.

Like previous sessions, the leaders of smaller parties were more regular than leaders of major parliamentary parties. The parliamentary leader of AJIP was present in every sitting while AMLP leader attended eight out of nine sittings and leaders of JI, PML-Z, QWP-S, and ANP attended seven sittings each. As many as 22 lawmakers, including the Prime Minister, PTI leader, Minister of State for Water & Power did not attend any sitting. On the other hand, 59 lawmakers attended all sittings during the session.

According to official attendance records published on the website of the National Assembly<sup>1</sup>, on average 216 lawmakers (63 percent of total membership) attended each sitting of the session. The highest attendance was recorded during

first sitting when 253 members were marked present while the lowest was 182 during seventh sitting. According to FAFEN headcounts, on average, 28 (8%) lawmakers were present at the outset and 49 (14%) at the adjournment of each sitting.

## Legislation

The National Assembly passed 17 bills, including two Private Members' bills during 39th session. This is first time in four years of present Assembly that it passed any Private Member bill. Besides this, current session also witnessed introduction of 14 bills (5 Government and 9 Private Members) which were referred to the relevant standing committees. Moreover, the House also referred the State Life Insurance Corporation (Re-organization and Conversion) Bill, 2016 to the relevant committee for further deliberations. This bill provides for reorganization and conversion of the State Life Insurance Corporation into a public limited company. It has been passed by the Lower House on May 11, 2016 during 32nd session but was received back under Article 70 (2) of the Constitution from the Senate where it was passed with amendments.

Furthermore, nine other Private Members' bills also appeared on Orders of the Day for introduction. Of these, seven bills were rejected and two were dropped due to the absence of movers. Another bill of JI lawmakers listed for introduction was withheld on government's assurance to introduce a similar legislation. Meanwhile, a PPPP lawmaker's bill brought for consideration was deferred till next session.

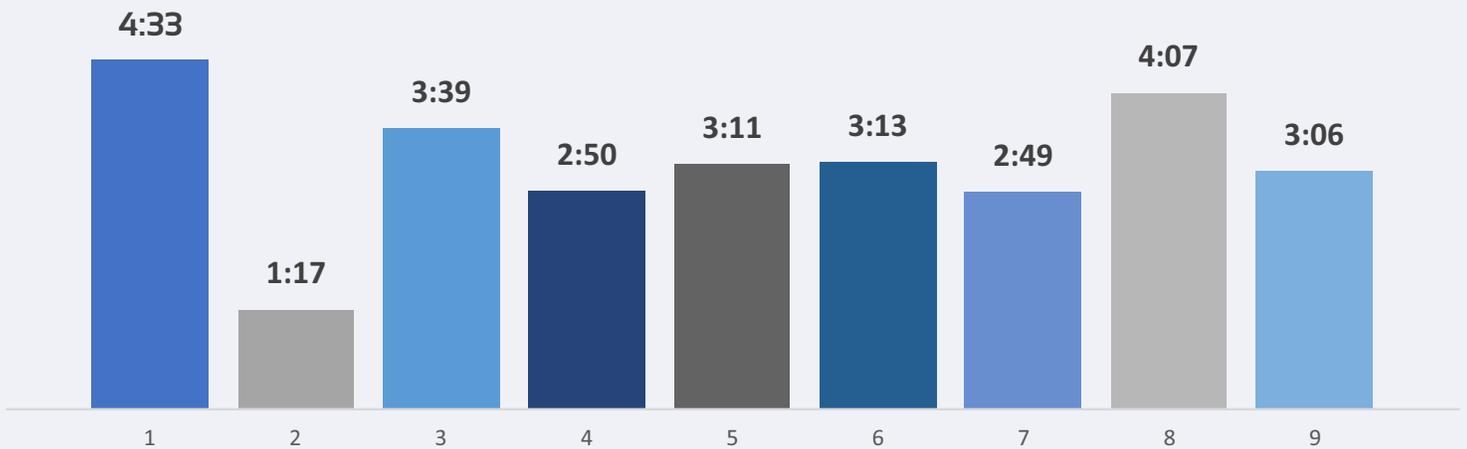
## Passed Bills

### Government Bills

- *The Central Law Officers (Amendment) Bill, 2016*  
  
*The bill seeks to rename the post of the Standing Counsel as Assistant Attorney-General.*
- *The Pakistan Climate Change Bill, 2016*

<sup>1</sup> <http://www.na.gov.pk/en/attendance2.php>

## SITTINGS DURATION (hh:mm)



## KEY MEMBERS ATTENDANCE



Speaker



Deputy Speaker



Prime Minister

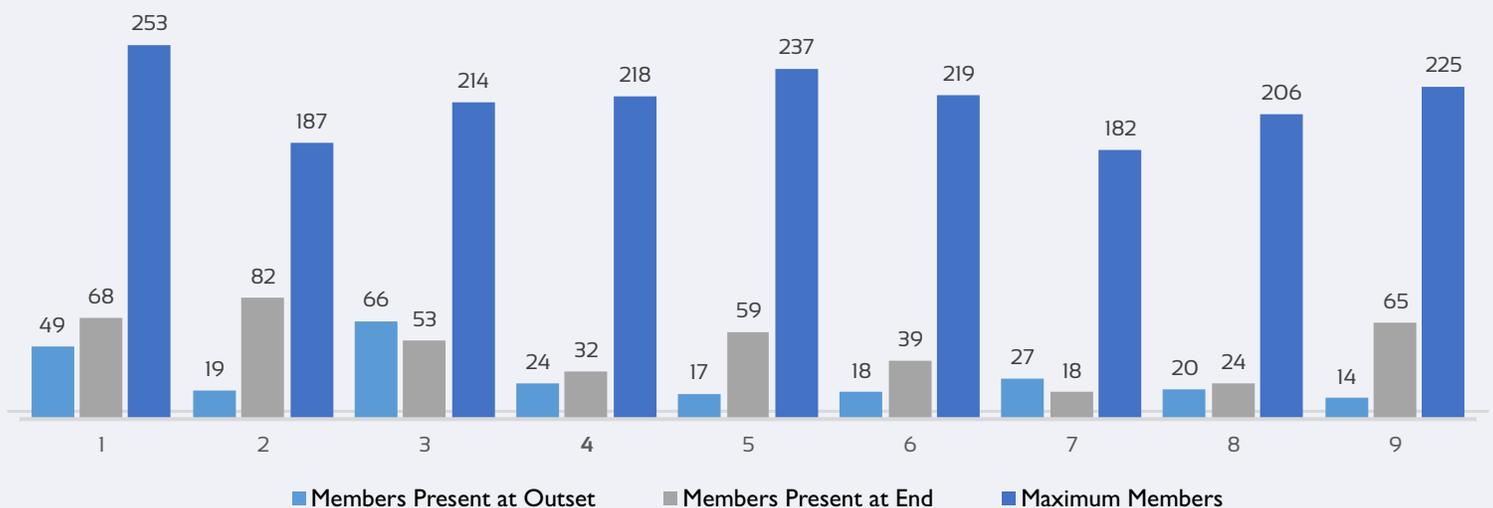


Leader of the Opposition



\*Two percent duration of session was consumed in prayer breaks or suspension of proceedings.

## MEMBERS ATTENDANCE



# PARLIAMENTARY LEADERS ATTENDANCE



**Engr. Usman Khan Tarakai**



AJP

9

attended



**Sheikh Rasheed Ahmed**



AMLP

8

attended



**Aftab Ahmed Sherpao**



QWP-S

7

attended



**Ghulam Ahmed Bilour**



ANP

7

attended



**Muhammad Ijaz-ul-Haq**



PML-Z

7

attended



**Sahibzada Tariqullah**



Ji

7

attended



**Mahmood Khan Achakzai**



PKMAP

6

attended



**Sardar Kamal Bangulzai**



NP

6

attended



**Iftikhar Uddin**



APML

4

attended



**Syed Naveed Qammar**



PPPP

4

attended



**Ghulam Murtaza Jatoi**



NPP

3

attended



**Sayed Essa Nori**



BNP

3

attended



**Ch. Pervez Ellahi**



PML

2

attended



**Dr. M. Farooq Sattar**



MQM

1

attended



**Maulana Fazal-ur-Rehman**



JUI-F

1

attended



**Saddar-ud-Din Rashidi**



PML-F

1

attended



**Imran Khan**



PTI

0

attended

15

Government  
Bills Passed

2

Private Members'  
Bills Passed

5

Government  
Bills Introduced

9

Private Members'  
Bills Introduced

The bill seeks to establish institutional mechanism to address the climate change and to meet obligations under international conventions relating to climate change.

- *The Benami Transactions (Prohibition) Bill, 2017*

The bill provides for prohibition of holding property in benami.

- *The Legal Practitioners and Bar Councils (Amendment) Bill, 2016*

The bill seeks to bring various Bar Councils and Associations of the country in the ambit of Federal grants.

- *The Companies (Appointment of Legal Advisers) (Amendment) Bill, 2016*

This amendment to the Companies (Appointment of Legal Advisers) Act, 1974 seeks to ensure compliance and better regulation of the law by providing for timely cognizance of the violation.

- *The Explosive Substances (Amendment) Bill, 2016*

The bill seeks to remove the requirement of trying the persons for offences under Explosive Substances Act 1908 only with the consent of the provincial government.

- *The Limited Liability Partnership Bill, 2016*

The bill provides for incorporation, regulation and winding up of limited liability partnerships as body corporate.

- *The National Commission on the Rights of the Child Bill, 2016*

The bill seeks to fulfill national obligations under United Nations Convention on the Rights of Child (UNCRC) by setting up a National Commission on the Rights of Child.

- *The Illegal Dispossession (Amendment) Bill, 2016*

The bill seeks to prevent forced dispossession of property and

provides for the right of appeal before the High Court to a person aggrieved by decision of court under Illegal Dispossession Act, 2005.

- *The Cost and Management Accountants (Amendment) Bill, 2016*

The bill seeks to authorize Institute of Cost and Management Accountants to offer certification in Cost Accountant for specific sectors of the economy and industry.

- *The Costs of Litigation Bill, 2016*

The bill seeks to empower courts to impose costs to discourage false and frivolous litigation and unnecessary adjournment.

- *The Alternate Dispute Resolution Bill, 2016*

The bill provides for out-of-court dispute resolution through arbitrators appointed by trial courts with the consent of parties.

- *The Companies Bill, 2016*

The bill seeks to reform and re-enact the law relating to companies with objective of facilitating corporatization, encouraging use of technology, and regulating corporate entities.

- *The Criminal Laws (Amendment) Bill, 2016*

The bill seeks to prevent religious hate speech, forced marriages and lynching.

- *The Pakistan Air Force (Amendment) Bill, 2016*

The amendment seeks to bring the Pakistan Air Force Act 1953 at par with provisions of Pakistan Army Act 1952 and Pakistan Navy Ordinance 1961 with regards to offences in respect of property.

#### Private Members' Bills

- *The Compulsory Blood Test of the Relatives of Thalassemia Patient Bill, 2016*

The bill provides for compulsory screening of blood relatives of the

7

Private Members' Bill Rejected

- Thalassemia patient children.
- *The National Commission on the Status of Women (Amendment) Bill, 2016*  
The amendment seeks to define timeframe for the appointment of Permanent Chairperson of the National Commission on the Status of Women.

### Introduced Bills

#### Government Bills

- *The National School of Public Policy (Amendment) Ordinance, 2017*  
The bill seeks to make administrative reforms to the functioning of National School of Public Policy with regards to provincial representation in its Board and office of its Rector.

- *The Constitution (Twenty-fifth Amendment) Bill, 2017*  
The bill proposes to increase the entitlement of pension to widows of the Judges of Supreme Court of Pakistan and High Court from 50% to 75%.

- *The Compulsory Teaching of the Holy Quran Bill, 2017*  
The bill provides for making compulsory the teaching of Naazrah Quran at primary level and translation of Quran at Secondary and Higher Secondary levels in educational institution of Islamabad Capital Territory and public sector institutions controlled by Federal Government.

- *The Apprenticeship Bill, 2017*  
The bill seeks to make provisions for promoting, developing and regulating systematic apprenticeship programmes in the industrial, commercial, business, mining, exploration, services or informal sectors.

- *The Public Interest Disclosures Bill, 2017*  
The bill provides a mechanism for protection of persons making such disclosures and

protection of persons making such disclosures.

#### Private Members' Bills

- *The Criminal Law (Amendment) Bill, 2017*  
The bill seeks to amend the Section 167 of the Code of Criminal Procedure 1898 to protect the right to fair trial of accused persons.

- *The Compulsory Solid Waste Management and Recycling Bill, 2017*  
The bill provides for making it compulsory for Housing Schemes to establish Solid Waste Management Systems for recycling and reuse of recoverable resources and disposal of solid waste.

- *The Health Insurance Scheme for Disabled Persons Bill, 2017*  
The bill provides for free health insurance coverage to persons with disabilities.

- *The Constitution (Amendment) Bill, 2017 (Amendment in Article 37)*  
The bill seeks to remove the exception for non-Muslims from the ban on consumption of alcoholic liquor.

- *The Poisons (Amendment) Bill, 2017*  
The bill seeks to define the acid as poison to regulate its manufacturing and supply in the country in wake of growing incidents of acid-throwing.

- *The Indus River System Authority (Amendment) Bill, 2017*  
The amendment seeks to incorporate a compulsory provision in the law for the Authority to make an annual performance report to the Parliament and make it available on its website.

- *The Legal Practitioners and Bar Councils (Amendment) Bill, 2017*  
The amendment provides for reservation of one fourth seats for women in Provincial Bar Councils and Pakistan Bar Council.

2

Private Members' Bill Dropped

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2

Bill Deferred

4

Resolutions Adopted

# 7

Statutory  
Reports Laid

# 21

Committee  
Reports  
Presented

# 8

CANs  
Taken Up

# 356

Questions  
Asked

- *The Compulsory Sewage Water Management and Reprocessing Bill, 2017*

The bill provides for the establishment of an efficient system for sewage water and its reprocessing by the housing societies.

- *The Federal Investigation Agency (Amendment) Bill, 2017*

The bill proposes to bring the Offences punishable under Transplantation of Human Organs and Tissues Act, 2010 in the ambit of Federal Investigation Agency.

#### Rejected Bills

- *The National Database and Registration Authority (Amendment) Bill, 2017*
- *The Capital Development Authority (Amendment) Bill, 2017*
- *The Constitution (Amendment) Bill, 2017 (Amendment in Article 156)*
- *The Pakistan Penal Code (Amendment) Bill, 2017*
- *The National Commission for Child Rights Bill, 2017*
- *The Pakistan Citizenship (Amendment) Bill, 2017*
- *The Prohibition of Smoking and Protection of Non-Smokers Health (Amendment) Bill, 2017*

#### Dropped Bills

- *The Transplantation of Human Organs and Tissues (Amendment) Bill, 2017*
- *The Constitution (Amendment) Bill, 2017 (Amendment in Article 37)*

#### Resolutions

The House adopted four resolutions during 39th session of which two were moved jointly by treasury and opposition while two others were Private Members' resolutions. The joint resolutions condemned the attack on mosque in Quebec, Canada and reiterated the resolve to support Kashmiris in their struggle for right to self-determination.

The Private Members' resolutions were sponsored by PML-N and JI lawmakers, urging the government to improve the performance of Pakistan Television and simplify the pension payment procedure. The Orders of the Day included six more Private Members' resolutions that remained unaddressed.

#### Committee/Statutory Reports

Various Standing Committees presented their reports to the National Assembly on legislative proposals and their performance. The Standing Committee on Law and Justice presented its reports on 10 bills while the committees on Interior & Narcotics Control, Finance, Revenue, Economic Affairs, Statistics & Privatization, Human Rights and Defence presented six reports on the bills referred to them by the House. Meanwhile, five committees submitted their biannual performance reports. Besides committee reports, the government also laid seven statutory reports before the National Assembly.

#### Amendments to Rules of Procedure

A JUI-F lawmaker proposed an amendment to the National Assembly's Rules of Procedure and Conduct of Business. But the amendment was not taken up despite appearing twice on the agenda.

#### Motions under Rule 259

Eleven Motions under Rule 259 were listed on the Orders of the Day for discussions on various matters of public importance. However, the House did not take up any of these motions. Meanwhile, a Motion of Thanks to the President was also part of the Assembly's agenda but it also remained unaddressed.

#### Calling Attention Notices

Nine Calling Attention Notices appeared on Orders of the Day during nine sittings. The ministers or parliamentary secretaries made statements on eight of these notices while one notice remained unaddressed. The lawmakers drew

67

Starred  
Questions  
Taken Up

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97

Supplementary  
Questions Asked

---

6

Walkouts

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67

Points of  
Order

attention of the government to the issues relating to supply of toxic milk, high mark-up on agricultural loans, incidents of alleged harassment against female anchorpersons in Pakistan Television Network, dysfunctional water testing labs, substandard stents and lenses, rehabilitation and reconstruction works in NA-47, illegal maternity hospitals, non-inclusion of a column for persons with disabilities in the National Census Form and increase in electricity tariff by Karachi Electric.

PML-N and MQM lawmakers submitted two CANs each while PPPP, PTI and JUI-F lawmakers submitted one CAN each. The remaining two CANs were jointly submitted by various parties.

### Questions

The National Assembly held the Question Hour during six out of nine sittings. Two of the remaining three sittings were Private Members' Day and once the Question Hour was not held due to the meeting of parliamentary leaders over the scuffle during an earlier sitting.

As many as 356 Questions – 259 Starred and 97 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-fourth of 259 Starred Questions (67) were taken up for oral answers. The lawmakers asked 97 supplementary questions. Moreover, the government did not submit written answers to 60 questions – 32 Starred and 28 Unstarred.

The Questions were addressed to 37 government ministries and departments. The Ministry of Interior & Narcotics Control received highest number of questions (49), followed by the Ministry of Finance, Revenue, Economic Affairs, Statistics & Privatization (47). Less than 30 questions were addressed to all other ministries, divisions or departments.

### Protests:

The lawmakers staged six walkouts

during the reporting session while a scuffle between PML-N and PTI lawmakers also made headlines. The session started with the brawl between treasury and opposition lawmakers on the floor of the House during first sitting. Due to the parliamentary leaders' meeting after the incident, the second sitting was adjourned without taking up any formal business. Following the incident, the opposition parties walked out of the House while MQM lawmakers staged their own token walkout against the belligerent members. Opposition parties also staged a walk out against the attack on PPPP's leader Shaukat Basra and absence of ministers from the House. Furthermore, MQM and a PTI member staged walkouts on excessive billing by Karachi Electric and non-provision of gas, respectively.

### Points of Order/Matters under Rule 18:

Nearly 19% of the session's working hours (five hours and 36 minutes) were consumed by Points of Order (POs) or Matters under Rule 18 (MUR 18). The lawmakers raised 67 POs/MUR 18 consuming one fifth part of the proceedings. Most of the Points of Order were related to political developments in the country.

### Quorum

The quorum was found missing twice during the session on identification by PTI lawmakers. These lawmakers pointed out quorum in second and ninth sitting. On first instance, the Chair adjourned the sitting while on second occasion, the session was prorogued.

*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 17,900 followers on Twitter and around 92,600 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

**Free and Fair Election Network**  
[www.fafen.org](http://www.fafen.org)

