



PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

FAFEN PARLIAMENT MONITOR 16th SESSION

March 11 – April 1, 2016

Free and Fair Election Network
www.fafen.org

LIST OF ABBREVIATIONS

ANP	Awami National Party
CAN	Calling Attention Notice
CM	Chief Minister
JI	Jamaat-e-Islami
PML-N	Pakistan Muslim League - Nawaz
JUI-F	Jamiat Ulema-e-Islam (F)
PO	Points of Order
PPPP	Pakistan People's Party Parliamentarian
PTI	Pakistan Tehreek-e-Insaf
QWP	Qoumi Wattan Party

EXECUTIVE SUMMARY

ISLAMABAD, April 1, 2016: The 16th session of the Khyber Pakhtunkhwa Assembly was marked by low interest as well as attendance of lawmakers and witnessed passage of three bills, says the Free and Fair Election Network (FAFEN).

The session, comprising eight sittings, started on March 11, 2016 and concluded on April 1, 2016. On average, each sitting started 23 minutes behind the schedule and lasted an hour and 32 minutes

According to FAFEN's observation, the lawmakers' attendance remained low throughout the session – with an average of 36 (29%) members present at the start and 33 (27%) at the end of each sitting. PTI lawmakers pointed out quorum on three occasions which led to the adjournment of the sittings twice (2nd and 8th) and suspension of proceedings for 15 minutes (4th sitting) due to the presence of less than 25 percent lawmakers.

The Chief Minister remained absent throughout the session, while the Opposition Leader attended three out of eight sittings for a total of 44% of the session's time.

Nearly 31% of the session was chaired by the Speaker, who was present in four sittings. The Deputy Speaker was present in six sittings and chaired 62% of the session while seven percent of the session time was consumed in a break. Among the parliamentary

leaders in the House, PML-N and ANP leaders attended six sittings each followed by JI (4), QWP-S (3) and PPPP (2).

The House passed three bills including the Khyber Pakhtunkhwa Public Service Commission (Amendment) Bill, 2016; the Khyber Pakhtunkhwa Antiquities Bill, 2016 and the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Bill, 2016. A bill – the Khyber Pakhtunkhwa Civil Servants Retirement Benefits and Death Compensation (Amendment) Bill, 2016 – was introduced while three Ordinances including the Khyber Pakhtunkhwa Public Service Commission (Amendment) Ordinance 2016; the Khyber Pakhtunkhwa Universities (Amendment) Ordinance, 2016 and the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Ordinance, 2016 were laid before the House.

The House took up one Privilege Motion of PTI male lawmaker regarding misbehavior of government officials with him while two other privilege motions – one each of PTI and JUI-F – were not taken up by the House.

Seven Calling Attention Notices (CANs) addressed to Home Department, Finance, Local Government and Rural Development, Education, Relief and Law and Justice were taken up by the House. Two CANs in the last sitting remained unaddressed due to early adjournment of the sitting after lack of quorum.

Lawmakers raised ten Points of Order which consumed 83 minutes of the session's time. Out of 74 starred questions, only 30 (41%) were taken up during the session and responded to by the relevant ministries/departments. The legislators also raised 30 supplementary questions to gain further clarity on government's responses.

Four reports of Standing Committees, one report of Public Accounts Committee on account of Government of Khyber Pakhtunkhwa for the year 2012-13 and another report on Second Biannual Monitoring on the Implementation of NFC Award (January-June 2015) were presented.

The House passed a motion seeking extension in the presentation time of report of the Public Accounts Committee. A report of Standing Committee on Elementary and Secondary Education was not moved in the House.

A total of eight lawmakers – JUI-F and PTI (2 each), ANP, PML-N, PPPP, JI (one each) – discussed law and order in the province. Similarly, ten lawmakers – PTI (4), ANP, PML-N, JUI-F, QWP-S, PPPP and JI – participated in debate held to pay tribute to the deceased PML-N lawmaker Arbab Akbar Hayat for his parliamentary services.

SECTION 1

SESSION TIME, ATTENDANCE AND PARTICIPATION

This section gives a statistical overview of the session covering the number of sittings and duration of sitting attendance.

Total
Sittings

8

Session
Duration

12 hours
13 minutes

Average
Delay

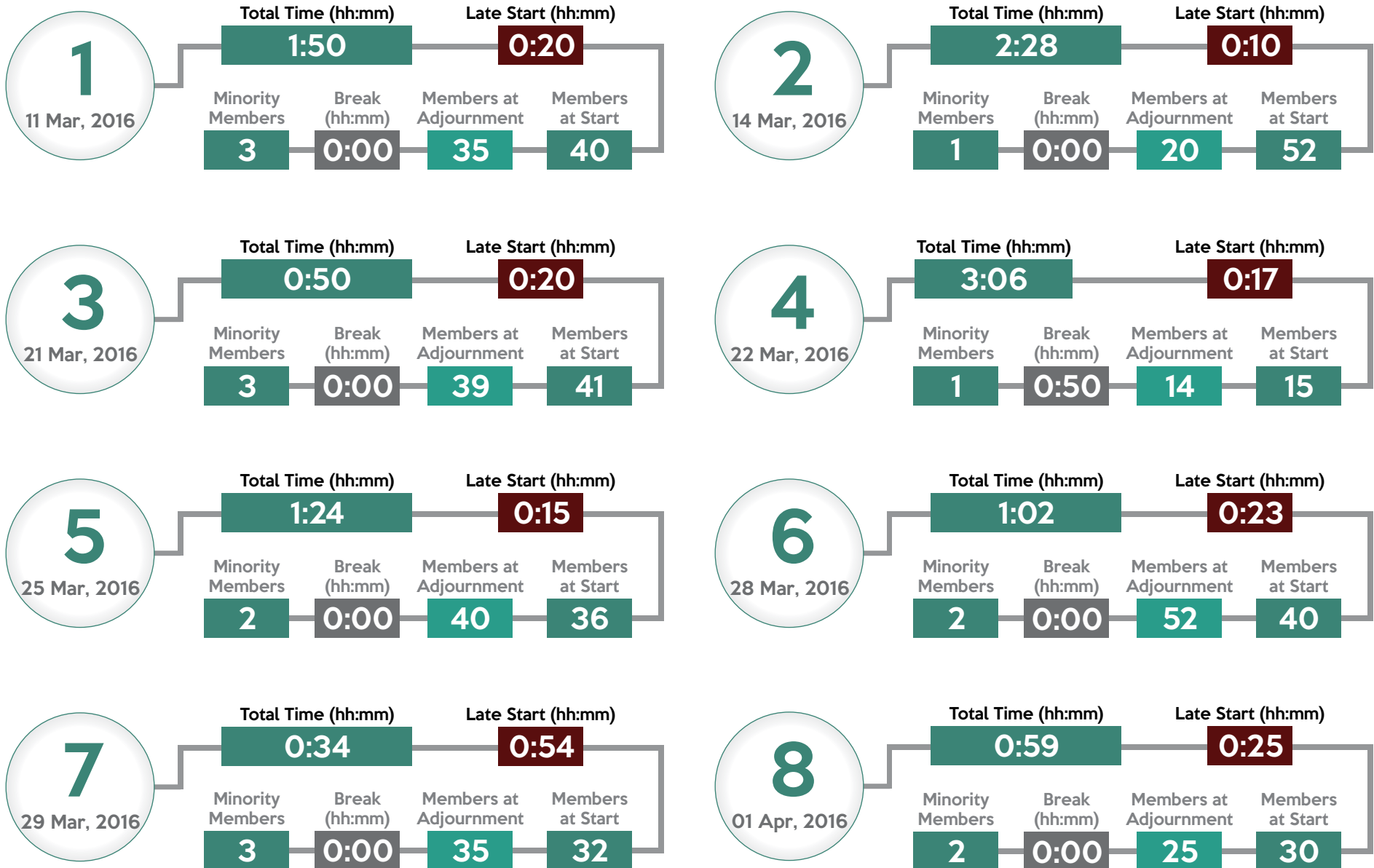
23
minutes

Total
Break

50
minutes

SITTING DATE, DURATION AND ATTENDANCE

The session, comprising eight sittings, started on March 11, 2016 and concluded on April 1, 2016. On average, each sitting started 23 minutes behind the schedule and lasted an hour and 32 minutes



PARLIAMENTARY LEADERS ATTENDANCE



Sardar Aurangzeb



PML-N

attended

6

sittings



Sardar Hussain Babak



ANP

attended

6

sittings



Inayat Ullah



JI

attended

4

sittings



Sikandar Hayat Khan



QWP-S

attended

3

sittings



Muhammad Ali Shah



PPPP

attended

2

sittings

KEY MEMBERS ATTENDANCE



SPEAKER

Sittings Attended

4

Presided Time (hh:mm)

3:50



DEPUTY SPEAKER

Sittings Attended

6

Presided Time (hh:mm)

7:33



CHIEF MINISTER

Sittings Attended

0

Attended Time (hh:mm)

0:00



LEADER OF OPPOSITION

Sittings Attended

3

Attended Time (hh:mm)

5:20

The Panel of Chairpersons attended all 8 sittings

SECTION 2

REPRESENTATION, RESPONSIVENESS AND GOVERNMENT OVERSIGHT

This section gives statistical as well as qualitative overview of legislator's interventions in the House – Calling Attention Notices (CANs), Questions, or any other motions – for the oversight of government and to articulate issues of public interest and importance.

Starred
Questions

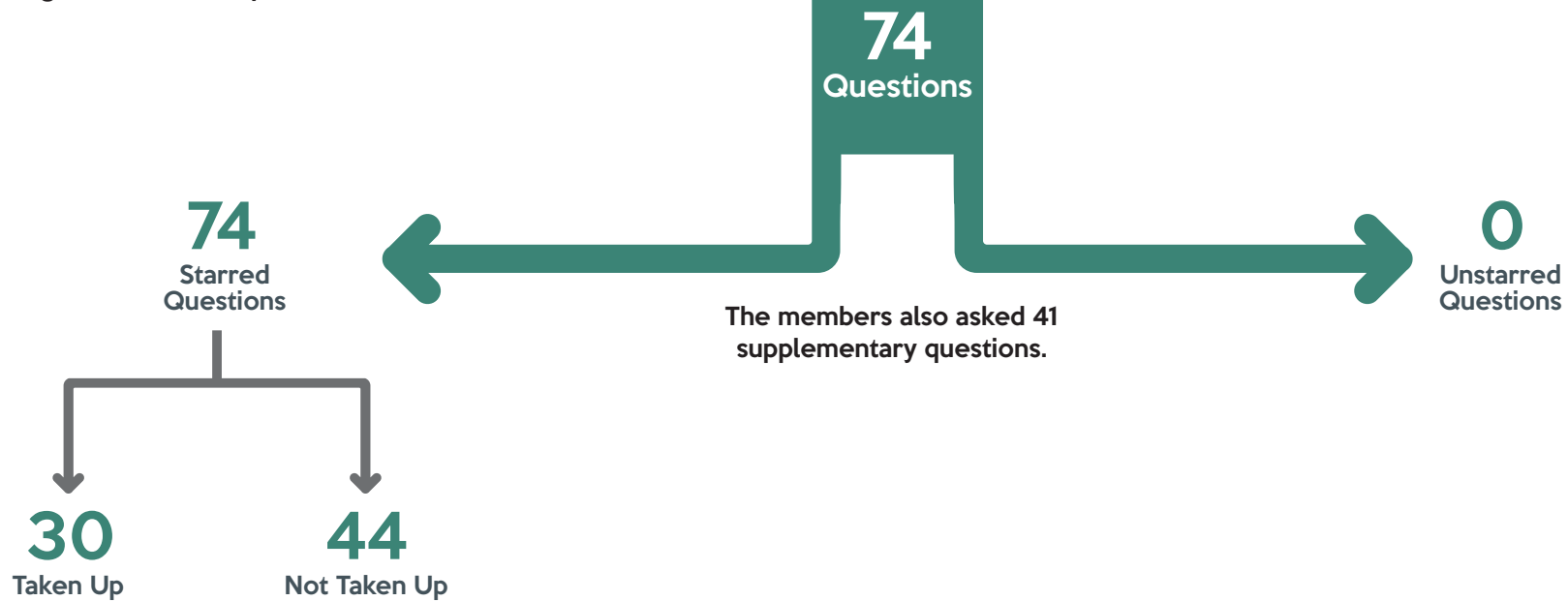
74

CANs

9

QUESTIONS

. Out of 74 starred questions, only 30 (41%) were taken up during the session and responded to by the relevant ministries/departments. The legislators also raised 30 supplementary questions to gain further clarity on government's responses.



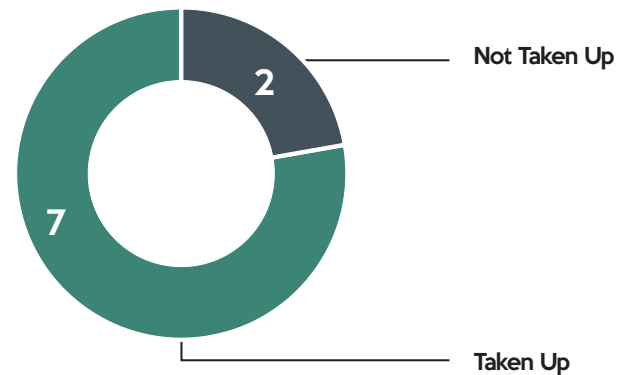
LIST OF MINISTRIES

- Releif, Rehabilitation and Setteltment
- Irrigation
- Agriculture
- Livestock, Fisheries and Cooperation
- Establishment, Home and Tribal Affairs
- Health
- Industries
- Technical Education
- Labour and Envirnment Department
- Socail Welfare
- Information Technology
- Population Welfare
- Planning and Development
- Revenue
- Administration
- Zakat, Usher, Hajj and Relegious Affairs
- Women Empowerment Department
- Minority Affairs

CALLING ATTENTION NOTICES

According to sub-rule 52-A, a Member may with the previous permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement during the same or next sitting

Seven Call Attention Notices (CANs) addressed to Home Department, Finance, Local Government and Rural Development, Education, Relief and Law and Justice were taken up by the House. Two CANs in the last sitting remained unaddressed due to early adjournment of the sitting after lack of quorum.



TAKEN UP CANs

- Neglecting Malakand region after earthquake
- Increase in cheating practices at educational institutions
- Death of personnel of Law Enforcement Agencies in Naran and Kaghan
- Non-allotment of 10 marla land to flood-hit families in Chitral
- Death of Children in Peshawar after being bitten by the mice
- Increase in Court fees
- Postings of teachers at various schools

QUESTION OF PRIVILEGE



Amjad Ali



Misbehavior of government officials working in public health department Swat

Referred to Committee



Faisal Zaman



Misbehavior of female DEO

Not Taken Up



Mulana Mufti Fazal Ghafoor



Privilege Motion No. 92

Not Taken Up

SECTION 3

PARLIAMENTARY OUTPUT

This section deals with the legislative business, resolutions, reports and documents presented before the House during the session.

**Bills on
Agenda**

8

**Bills
Passed**

3

Resolutions

0

LEGISLATION

According to sub-rule 1 of Rule 78, a Minister may move for leave to introduce a Bill after giving to the Secretary a written notice of his intention to do so.



LIST OF BILLS

Passed

- The Khyber Pakhtunkhwa Public Service Commission (Amendment) Bill, 2016
- The Khyber Pakhtunkhwa Antiquities Bill, 2016
- The Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Bill, 2016

Introduced

- The Khyber Pakhtunkhwa Public Service Commission (Amendment) Ordinance 2016

- The Khyber Pakhtunkhwa Universities (Amendment) Ordinance, 2016

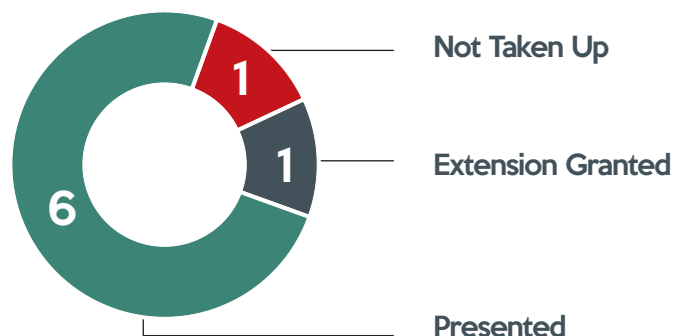
- The Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Ordinance, 2016

- The Khyber Pakhtunkhwa Civil Servants Retirement Benefits and Death Compensation (Amendment) Bill, 2016

Not Taken Up

- The Khyber Pakhtunkhwa Universities (Amendment) Bill, 2016

REPORTS



LIST OF PRESENTED REPORTS

- The Report on Second Biannual Monitoring on the Implementation of NFC Award (January-June 2015)
- The Report of Public Accounts Committee on the account of Government of Khyber Pakhtunkhwa for the year 2012-13
- The report of the Standing Committee No. 08 on Higher Education
- The report of the Standing Committee No. 22 on Revenue
- The report of the Standing Committee No. 05 on Agriculture, Livestock and Cooperation
- The report of the Standing Committee No. 16 on Irrigation

SECTION 4

ORDER AND INSTITUTIONALIZATION

Order and institutionalization is important for an efficient and productive legislature. This section provides information about Points of Order, Questions of Privilege and Quorum.

Points of
Order

10

QUORUM

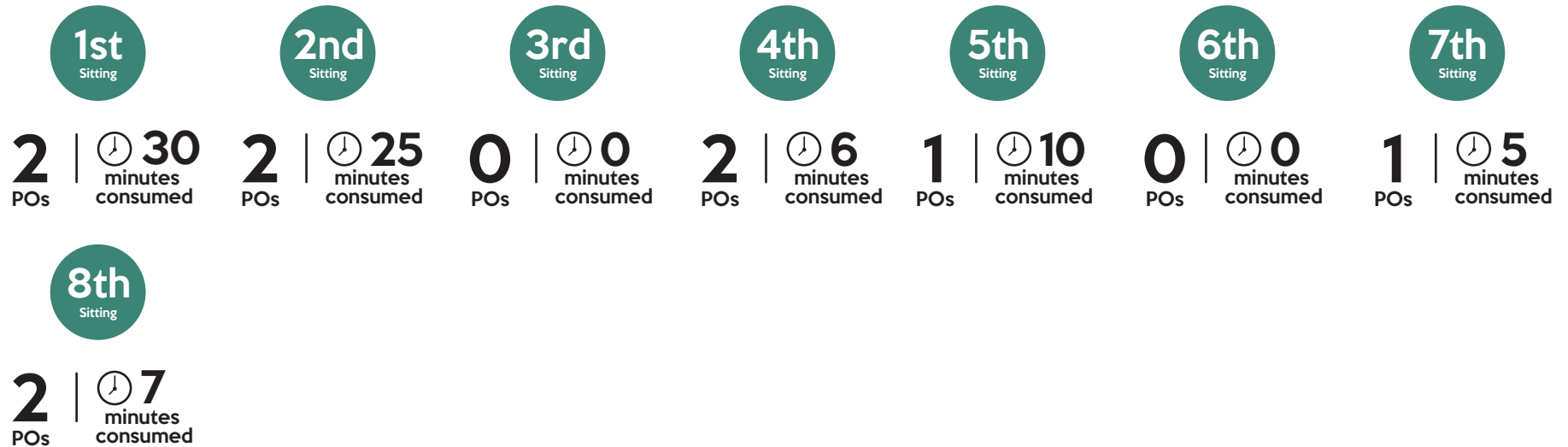
3

POINTS OF ORDER

According to the sub-rule 1 of Rule 225, a point of order shall relate to the interpretation or enforcement of these rules or such Articles of the Constitution as regulate the business of the Assembly and shall confine to a question which is within the cognizance of the Speaker.

According to sub-rule 4, the Speaker shall decide all points of order which may arise and his decision shall be final. Similarly, sub-rule 5 says that no discussion or debate shall be allowed on any point of order but the Speaker may, if he thinks fit, hear Members before giving his decision.

Lawmakers raised ten Points of Order which consumed 83 minutes of the session's time.



QUORUM



Mehmood Jan



PTI

Speaker's Action:
Adjournment of the sitting



Javed Nasim



PTI

Speaker's Action:
Suspended for 15 minutes



Shuakat Ali Yousaf Zai



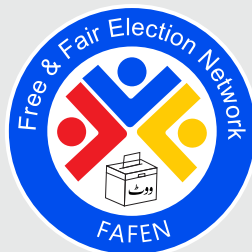
PTI

Speaker's Action:
Adjournment of the sitting

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 16,500 followers on Twitter and around 63,000 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

www.openparliament.pk | www.parliamentfiles.com



Free and Fair Election Network
www.fafen.org