PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

FAFEN PARLIAMENT MONITOR

26th SESSION

September 19 - October 27, 2017

LIST OF ABBREVIATIONS

ANP	Awami National Party
CAN	Call Attention Notice
CM	Chief Minister
CPEC	China Pakistan Economic Corridor
JI	Jamaat-e-Islami
JUI-F	Jamiat Ulema-e-Islam
KP	Khyber Pakhtunkhwa
PML-N	Pakistan Muslim Leaguse - Nawaz
PO	Points of Order
PPPP	Pakistan People's Party Parliamentarian
PTI	Pakistan Tehreek-e-Insaf
QWP-S	Qoumi Wattan Party - Sherpao

KP ASSEMBLY PASSES NINE BILLS, ADOPTS 10 RESOLUTIONS DURING 26TH SESSION

- Chief Minister attends three out of 12 sittings

The Khyber Pakhtunkhwa (KP) Assembly passed nine bills including a private member's bill and adopted ten resolutions during 26th session, says Free and Fair Election Network in its session report.

The session comprised 12 sittings held between September 19, 2017 and October 27, 2017. The House did not take up a majority of the oversight agenda as 15 out of 20 (75%) Call Attention Notices (CANs), 67 out of 140 (48%) Starred Questions and one out of two (50%) Adjournment Motions lapsed without being discussed during the proceedings due to the absence of relevant lawmakers or ministers.

With an average of 30 lawmakers (24% of the total membership – 124) present at the start and 27 members (22%) at the end of each sitting, the 26th session of the KP Assembly also witnessed low attendance of lawmakers as four out of eight (50%) sittings were adjourned due to lack of quorum. A maximum of 45 (36%) members including two minority lawmakers, on average, attended the session. The quorum was pointed out on a total of six occasions during the session. On four of these instances, the proceedings were adjourned while once the quorum was completed following suspension of 25 minutes. On one occasion, the quorum was found complete on counting.

The Speaker attended three sittings and presided over 21% of the proceedings during the session while the Deputy Speaker was present during 11 sittings presiding over 73% of the proceedings. Six percent of the session was lost in breaks or suspension of the proceedings. The Leader of the House was present during two sittings and attended 22% of the proceedings, while the Leader of the Opposition attended four sittings for 22% of the proceedings. Among the parliamentary leaders, the leader of the PML-N attended nine sittings and was followed by leaders of JI (7), ANP (6), PPPP (4) and QWP-S (3). The parliamentary leader of JUI-F did not attend any of the sittings.

The House passed eight government bills and a private member's bill. These bills included the KP Regularization of Services of Teaching Assistants as Lecturers Bill, 2017 (private member's bill), the Peshawar Development Authority Bill, 2017, the KP Public Private Partnership (Amendment) Bill, 2017, the KP Public Health (Surveillance and Response) Bill, 2017, the KP Elementary and Secondary Education Foundation (Amendment)

Bill, 2017, the KP Minerals Sector Governance Bill, 2017, the KP Local Government (Amendment) Bill, 2017, the KP Public Service Commission (Amendment) Bill, 2017 and the KP Housing Authority (Amendment) Bill, 2017. The KP Public Health (Surveillance and Response) Bill, 2017 was originated as ordinance and laid in the House during the same session

The House also witnessed introduction of three private members' bills – the KP Appointment of Employees of Establishment of M & E System in KP Bill, 2017, the KP Capacity Building, Planning and Development Department Employees (Regularization of Services) Bill, 2017 and the KP Employees of Energy and Power Department (Regularization of Services) Bill, 2017 – and two government bills - the KP Control of Narcotic Substances Bill, 2017 and the KP Energy Development Organization (Amendment) Bill, 2017. Moreover, the government withdrew two bills including the KP Censorship of Motion Pictures (Films, CDs, Videos, Stage Dramas and Shows) Bill, 2015 and the KP Prohibition of Usurious Loans Bill, 2014.

The House adopted ten resolutions during the session condemning the violence against Rohingya Muslims in Myanmar and human rights violation in Kashmir and urging the government to appoint the Vice Chancellor of the University of Swat, provide suitable facilities to the women prisoners, regularize the employees of District Development Accounts Committees; provide electricity to people of Mastooj from Pakhtunkhwa Energy Development Organization (PEDO), launch plantation campaigns in educational institutions, pay compensation to the families of Balochistan mine incident victims, set up Hazara Electric Supply Company, and accelerate diplomatic efforts to resolve tension between Saudi Arabia and Qatar.

The government presented the Annual Report of the Public Service Commission for the year 2015, the Annual Report of the Khyber Pakhtunkhwa Prosecution Service for the year 2016 and the report on Observance and Implementation of Principles of Policy in relation to the affairs of the KP Province for the year 2015. The Public Accounts Committee also presented its report on the Accounts of the Government for the financial year 2013-14.

The House took up five out of 21 CANs submitted by the lawmakers. The relevant government ministers responded to these CANs. The remaining 16 CANs were not addressed due to absence of the relevant lawmakers or ministers. The lawmakers highlighted the issues related to inductions in Health Care Commission during 2016, difficulties faced by students due to online college admission system, irregularities in results of Matric and Intermediate examinations conducted by Malakand Education Board, closure of development schemes in PK-93 constituency, depriving graduates of foreign or private medical colleges from paid house jobs in government hospitals, demarcation of land of other districts in newly notified District Kolai Pallas Kohistan, delay in construction of road in Gulshanabad Peshawar, self-made speed breakers on various roads, lack of facilities at Police Housing Colony Abbottabad and reservations of the Dasu Dam

affectees over amount of compensation paid to them by the government.

The House took up a JUI-F lawmaker's Adjournment Motion regarding nepotism in District Education Office (DEO) in Hangu and referred it to the relevant committee for further discussion. Another adjournment motion of ANP lawmaker regarding spread of dengue fever in the Province was not taken up.

The House held the Question Hour during ten out of 12 sittings of the session. Out of 140 Starred Questions, the House took up 73 (52%) questions for answers during the proceedings. The lawmakers also raised 40 supplementary questions to gain further clarity on government's replies to these questions. The remaining questions were not orally replied during the proceedings.

The lawmakers belonging to JUI-F and PTI moved five privilege motions against the government departments and their officials. The House referred these motions to the relevant committee for further consideration.

The lawmakers raised 12 Points of Order (POs) consuming an hour and five minutes whereas the proceedings witnessed two instances of walkout throughout the session. Entire opposition left the House for to register their protest against the privatization of government colleges and not referring a Starred Question to the concerned committee. The lawmakers remained absent from the proceedings for 57 minutes on pretext of walkout.

Two lawmakers belonging to the ruling party PTI also staged protests during the proceedings against the Chair for disallowing a point of order and against the federal government for utilizing of the Peshawar's development funds for bye-election campaign in NA-4. The lawmakers of PTI and PML-N chanted slogans against each other during a sitting.

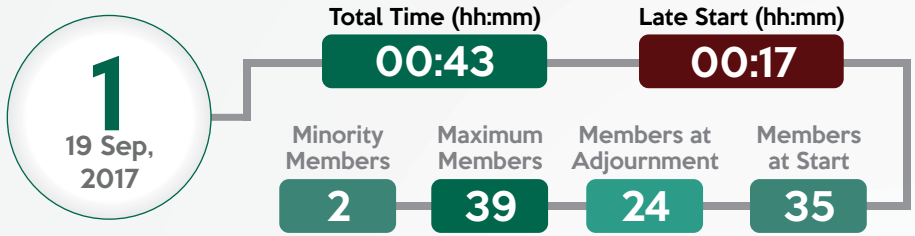
SECTION 1

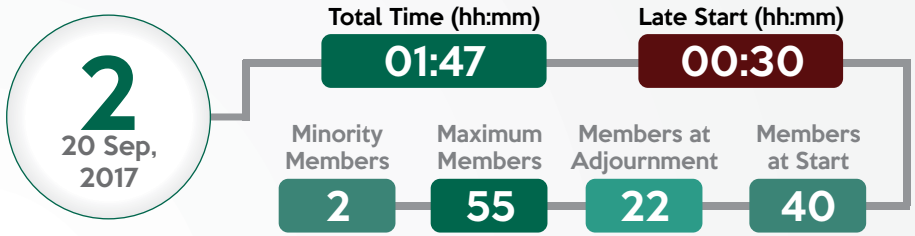
SESSION TIME AND ATTENDANCE

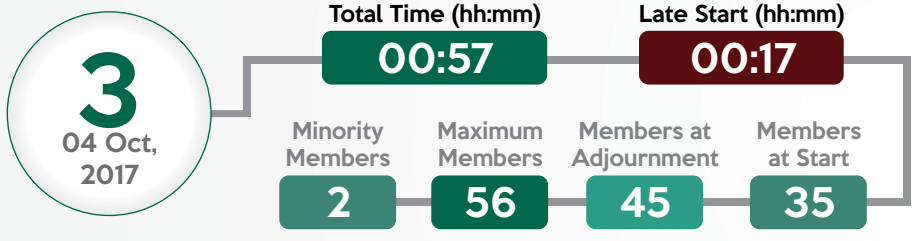
This section gives a statistical overview of the session covering the number of sittings, duration of sittings, attendance and participation of members in the House proceedings.

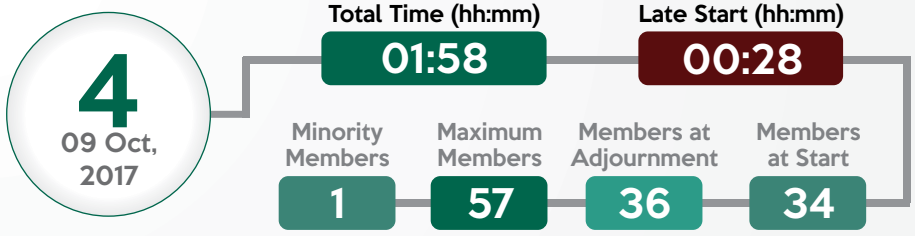
Total Sittings	Session Duration	Average Delay	Break / Suspension
12	19 hours & 36 minutes	24 minutes	1 hour & 10 minutes

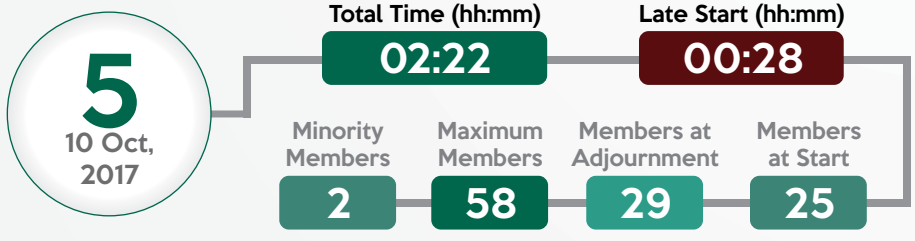
SITTINGS, DURATION AND ATTENDANCE

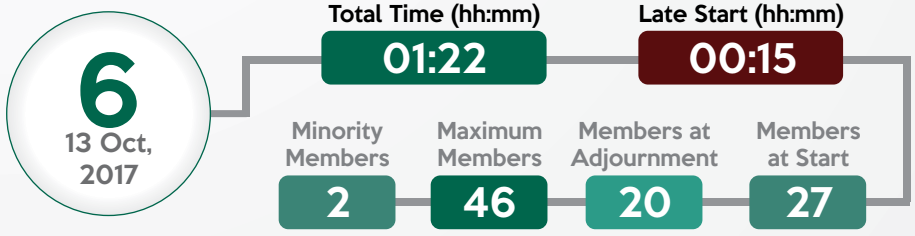


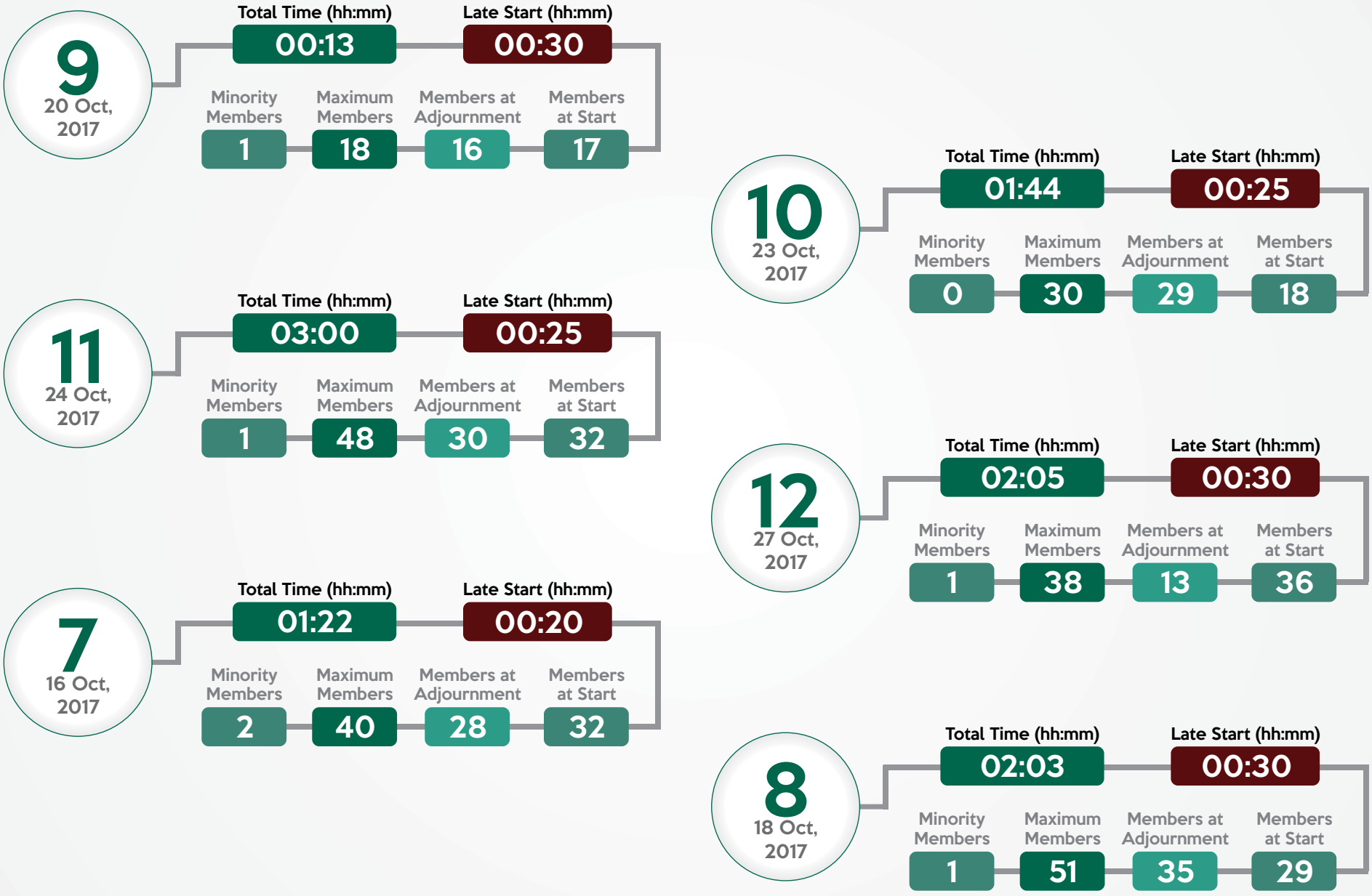










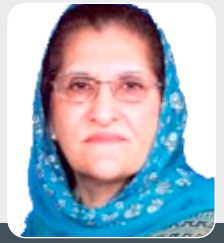

9
20 Oct, 2017
Total Time (hh:mm)
00:13
Late Start (hh:mm)
00:30
Minority Members
1
Maximum Members
18
Members at Adjournment
16
Members at Start
17
10
23 Oct, 2017
Total Time (hh:mm)
01:44
Late Start (hh:mm)
00:25
Minority Members
0
Maximum Members
30
Members at Adjournment
29
Members at Start
18
11
24 Oct, 2017
Total Time (hh:mm)
03:00
Late Start (hh:mm)
00:25
Minority Members
1
Maximum Members
48
Members at Adjournment
30
Members at Start
32
12
27 Oct, 2017
Total Time (hh:mm)
02:05
Late Start (hh:mm)
00:30
Minority Members
1
Maximum Members
38
Members at Adjournment
13
Members at Start
36
7
16 Oct, 2017
Total Time (hh:mm)
01:22
Late Start (hh:mm)
00:20
Minority Members
2
Maximum Members
40
Members at Adjournment
28
Members at Start
32
8
18 Oct, 2017
Total Time (hh:mm)
02:03
Late Start (hh:mm)
00:30
Minority Members
1
Maximum Members
51
Members at Adjournment
35
Members at Start
29

KEY MEMBERS ATTENDANCE

SPEAKER

Sittings Attended
3

Presiding Time
04:02



DEPUTY SPEAKER

Sittings Attended
11

Presiding Time
14:24

CHIEF MINISTER

Sittings Attended
2

Attended Time
04:21

LEADER OF OPPOSITION

Sittings Attended
4

Attended Time
04:22

PARLIAMENTARY LEADERS ATTENDANCE

Sardar Aurangzeb

PML-N

attended **9** sittings

Inayat Ullah

JI

attended **7** sittings

Sardar Hussain Babak

ANP

attended **6** sittings

Sikandar Hayat Khan

QWP-S

attended **3** sittings

Muhammad Ali Shah

PPPP

attended **4** sittings

SECTION 2

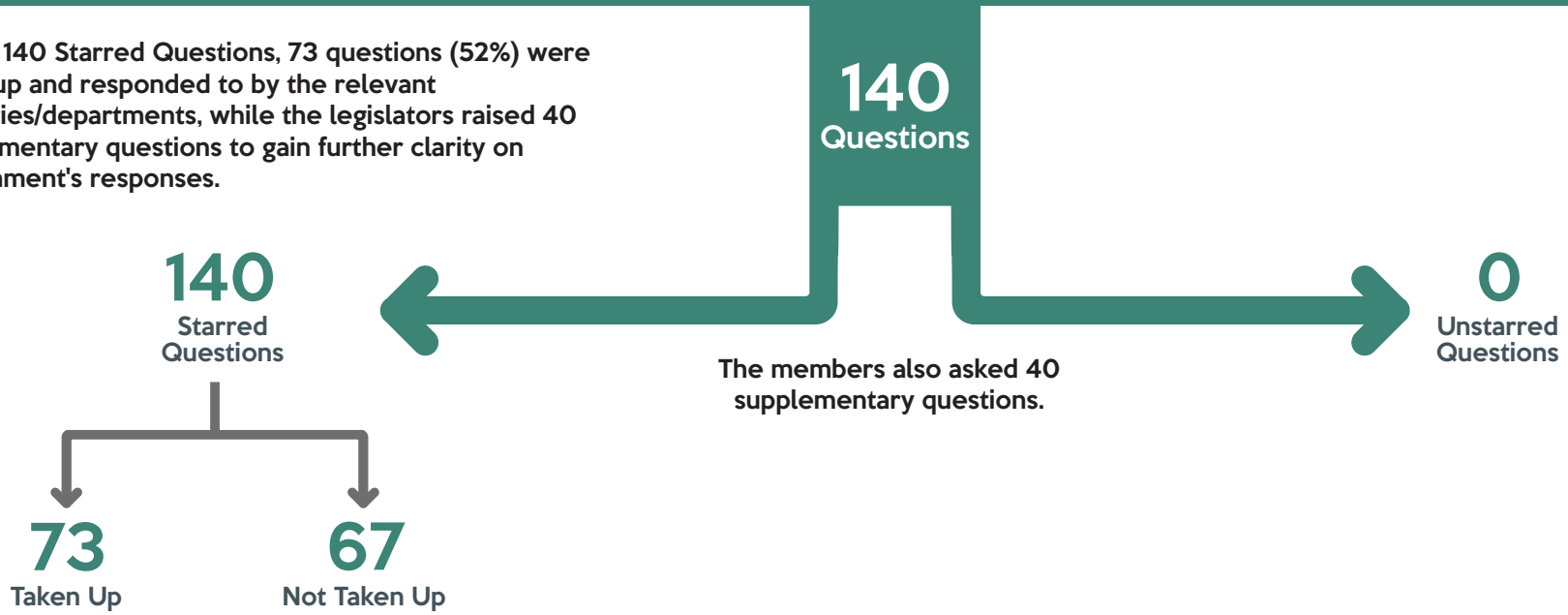
REPRESENTATION, RESPONSIVENESS AND GOVERNMENT OVERSIGHT

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

Questions	Adjournment Motion	CANs
140	2	21

QUESTIONS

Out of 140 Starred Questions, 73 questions (52%) were taken up and responded to by the relevant ministries/departments, while the legislators raised 40 supplementary questions to gain further clarity on government's responses.



CALL 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

The House took up five out of 21 CANs submitted by the lawmakers. The relevant government ministers responded to these CANs. The remaining 16 CANs were not addressed due to absence of the relevant lawmakers or ministers. The lawmakers highlighted the issues related to inductions in Health Care Commission during 2016, difficulties faced by students due to online college admission system, irregularities in results of Matric and Intermediate examinations conducted by Malakand Education Board, closure of development schemes in PK-93 constituency, depriving graduates of foreign or private medical colleges from paid house jobs in government hospitals, demarcation of land of other districts in newly notified District Kolai Pallas Kohistan, delay in construction of road in Gulshanabad Peshawar, self-made speed breakers on various roads, lack of facilities at Police Housing Colony Abbottabad and reservations of the Dasu Dam affectees over amount of compensation paid to them by the government.

ADJOURNMENT MOTION

As per Rule 69 a motion for an adjournment of the business of the assembly for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

The House took up a JUI-F lawmaker's Adjournment Motion regarding nepotism in District Education Office (DEO) in Hangu and referred it to the relevant committee for further discussion. Another adjournment motion of ANP lawmaker regarding spread of dengue fever in the Province was not taken up.

Mufti Said Janan

JUI-F

Referred to Committee

Subject: Nepotism in District Education Office Hangu

Sardar Hussain Babak

ANP

Not Taken Up

Subject: Spread of dengue virus in Peshawar and other areas of the province

SECTION 3

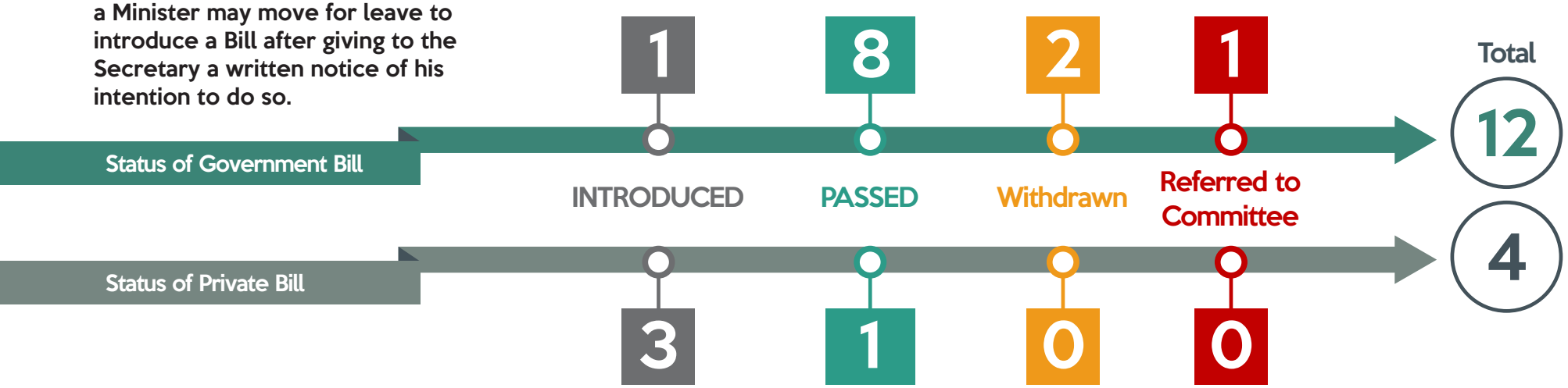
PARLIAMENTRY OUTPUT

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

Bills Passed	Resolutions Adopted	Reports
9	10	4

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 PASSED BILLS

- The KP Regularization of Services of Teaching Assistants as Lecturers Bill, 2017
- The Peshawar Development Authority Bill, 2017
- The KP Public Private Partnership (Amendment) Bill, 2017
- The KP Public Health (Surveillance and Response) Bill, 2017
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- The KP Local Government (Amendment) Bill, 2017
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RESOLUTIONS

The House adopted ten resolutions during the session condemning the violence against Rohingya Muslims in Myanmar and human rights violation in Kashmir and urging the government to appoint the Vice Chancellor of the University of Swat, provide suitable facilities to the women prisoners, regularize the employees of District Development Accounts Committees; provide electricity to people of Mastooj from Pakhtunkhwa Energy Development Organization (PEDO), launch plantation campaigns in educational institutions, pay compensation to the families of Balochistan mine incident victims, set up Hazara Electric Supply Company, and accelerate diplomatic efforts to resolve tension between Saudi Arabia and Qatar.

REPORT

The government presented the Annual Report of the Public Service Commission for the year 2015, the Annual Report of the Khyber Pakhtunkhwa Prosecution Service for the year 2016 and the report on Observance and Implementation of Principles of Policy in relation to the affairs of the KP Province for the year 2015. The Public Accounts Committee also presented its report on the Accounts of the Government for the financial year 2013-14.

SECTION 4

ORDER AND INSTITUTIONALIZATION

Order and institutionalization is important for an efficient and productive legislature. This section provides information about Points of Order and protests/Walkouts.

Points of Order	Protest/ Walkout
26	5

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 the 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.

The lawmakers raised 12 Points of Order (POs) consuming an hour and five minutes.

1st Sitting	2nd Sitting	3rd Sitting	4th Sitting	5th Sitting	6th Sitting
7 | 15 minutes	1 | 1 minutes	1 | 4 minutes	2 | 10 minutes	2 | 5 minutes	1 | 1 minutes

7th Sitting	8th Sitting	9th Sitting	11th Sitting	12th Sitting
2 | 4 minutes	2 | 4 minutes	2 | 5 minutes	3 | 6 minutes	3 | 10 minutes

WALKOUT/PROTEST

The proceedings witnessed two instances of walkout throughout the session. Entire opposition left the House for to register their protest against the privatization of government colleges and not referring a Starred Question to the concerned committee. The lawmakers remained absent from the proceedings for 57 minutes on pretext of walkout.

Two lawmakers belonging to the ruling party PTI also staged protests during the proceedings against the Chair for disallowing a point of order and against the federal government for utilizing of the Peshawar's development funds for bye-election campaign in NA-4. The lawmakers of PTI and PML-N chanted slogans against each other during a sitting.

1st Sitting	**Walkout (Entire Opposition)** Reasons: Over the issue of the privatization of government colleges and upgradation of pay scale of lecturers	13 min
2nd Sitting	**Walkout (Entire Opposition)** Reasons: For not referring a Starred Question related to Industries Department to concerned committee	44 min
4th Sitting	**Protest (PTI)** Reasons: Over not being allowed to speak on a point of order	5 min
4th Sitting	**Protest (PTI)** Reasons: Against the federal government for utilizing the Peshawar's development funds for bye-election campaign in NA-4	1 min
10th Sitting	**Protest (PTI and PML-N)** Reasons: Both parties protested against each other levelling allegations of corruption.	4 min

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 19,000 followers on Twitter and around 121,200 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

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Free & Fair Election Network
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