

NATIONAL ASSEMBLY OF PAKISTAN

FAFEN PARLIAMENT MONITOR

16th Session

November 07 - November 15, 2019



FREE AND FAIR ELECTION NETWORK

www.fafen.org | www.openparliament.pk

ABBREVIATIONS

ANP	AWAMI NATIONAL PARTY
AMLP	AWAMI MUSLIM LEAGUE PAKISTAN
BNP	BALUCHISTAN NATIONAL PARTY
CANS	CALLING ATTENTION NOTICES
IND	INDEPENDENT MEMBER
MQMP	MUTTAHIDA QAUMI MOVEMENT PAKISTAN
PML	PAKISTAN MUSLIM LEAGUE
PML-N	PAKISTAN MUSLIM LEAGUE (NAWAZ)
PPPP	PAKISTAN PEOPLES PARTY PARLIAMENTARIANS
PTI	PAKISTAN TEHREEK-E-INSAF
GDA	GRAND DEMOCRATIC ALLIANCE
BAP	BALUCHISTAN AWAMI PARTY
JWP	JAMHOORI WATTAN PARTY
MMAP	MUTTAHIDA MAJLIS-E-AMAL PAKISTAN

Session Number

16

Total Days

09

Working Days

09

Total Sittings

05

NA ADDRESSES 23% SCHEDULED AGENDA DURING 16TH SESSION

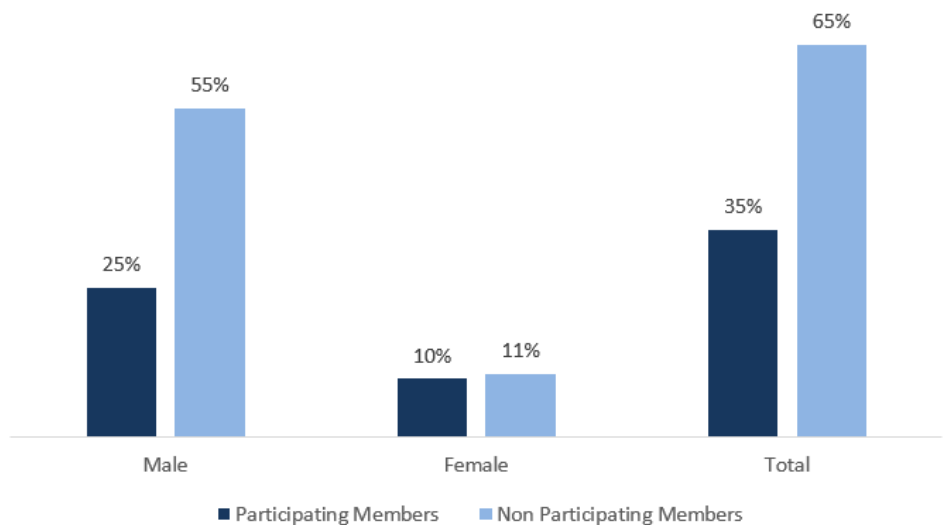
- Leaders of House and the Opposition remain absent throughout the session
- Ordinances withdrawn after Govt-Opposition deal

The National Assembly addressed 23 percent of its scheduled business during its 16th session that continued between November 7, 2019 and November 15, 2019 observes Free and Fair Election Network in its session report.

Of 342 lawmakers, 118 (35 percent) including 85 men and 33 women contributed to the proceedings of the House by sponsoring various parliamentary interventions and/or contributing in the debates. The active lawmakers belonged to BNP-M, BAP, MMAP, MQM, PML-N, PPPP and PTI. On the other hand, 223 (65 percent) lawmakers including 187 men and 36 women did not participate in the proceedings throughout the session.

The overall business including regular and supplementary agenda brought before the House during 16th session comprised 113 legislative proposals, 17 resolutions, 21 Standing Committees' Reports, 12 amendments to the Rules of Procedure and Conduct of Business in National Assembly 2007, six Calling Attention Notices (CANs), five Motions under Rule 259, discussion on the Motion of Thanks to the President for his annual address to the Parliament and a motion under Rule 87 regarding eradication of polio from the country.

Members' Participation



Members at
Start (Average)

58

Members at
End (Average)

65

Maximum
Members
(Average)

219

Minority
Members
(Average)

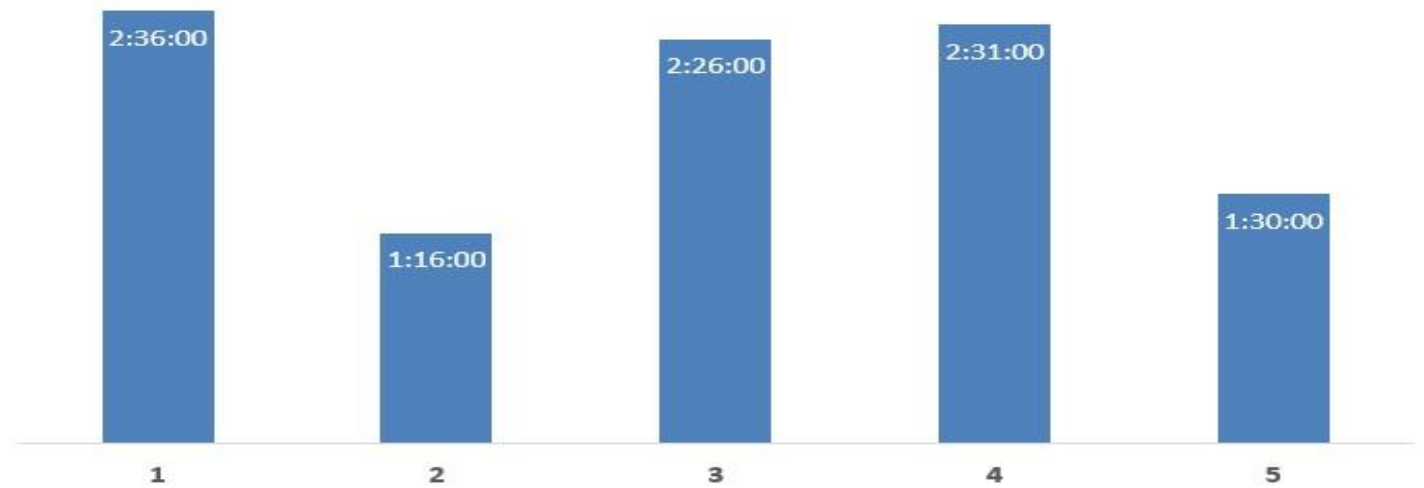
06

1 Session, Duration and Attendance

The 16th session of the National Assembly spanned over nine working days and comprised of five sittings held between November 7, 2019 and November 15, 2019. The cumulative duration of the sittings was 10 hours and 19 minutes while the proceedings remained suspended for 59 minutes due to prayer as well as casual breaks. Each sitting, on an average, started 32 minutes behind the scheduled time and lasted two hours and four minutes. The Prime Minister and the Leader of the Opposition did not attend any sitting during the session. The parliamentary leader of MMAP, PML-N and BAP attended all five sittings and was followed by leaders of PPPP, GDA and AMLP who attended three sittings each. The leader of PML attended two sittings and ANP leader attended one sitting. The leaders of MQM and BNP-M did not attend any sitting.

According to the headcount conducted by FAFEN observer, an average of 58 (17%) lawmakers were present at the outset and 65 (19%) at the adjournment of each sitting. The Speaker attended four sittings and presided for seven hours and ten minutes (69 percent of the proceedings) while the Deputy Speaker attended three sittings and chaired two hours and ten minutes (21 percent of the proceedings). Ten percent (59 minutes) of the remaining time was consumed in breaks.

SITTINGS DURATION (hh:mm)



KEY MEMBERS' ATTENDANCE



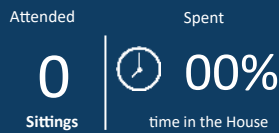
Speaker



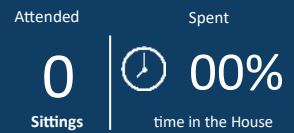
Deputy Speaker



Prime Minister

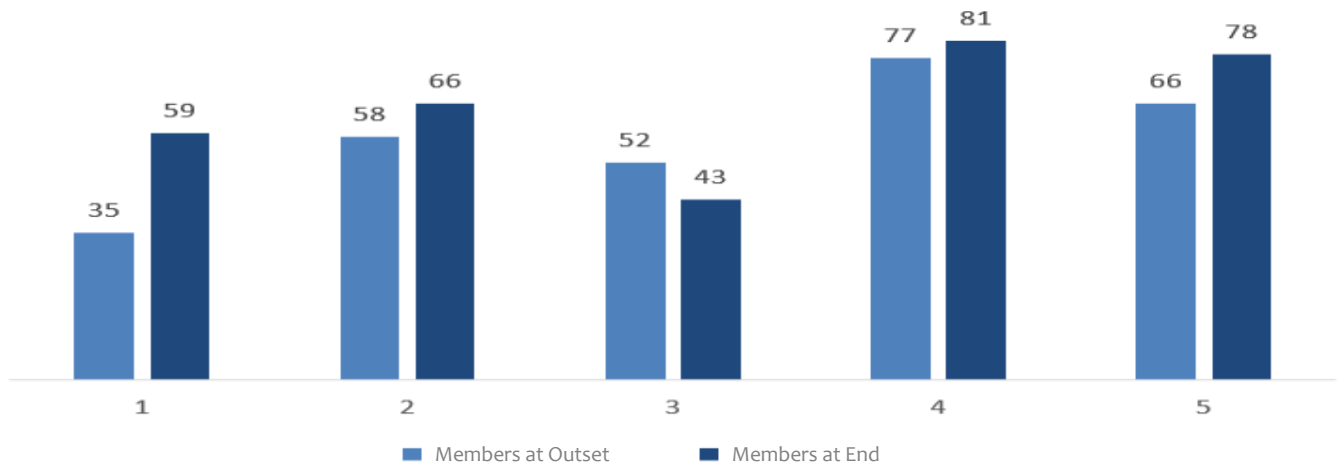


Leader of the Opposition



* 10% of the session time was consumed in breaks

SITTING WISE MEMBERS' ATTENDANCE



PARLIAMENTARY LEADERS ATTENDANCE



Khalid Hussain Magsi



BAP

05

Attended



Khawaja M. Asif



PML-N

05

Attended



Asad Mehmood



MMAP

05

Attended



Ghaus Bux Mahar



GDA

03

Attended



Syed Naveed Qammar



PPPP

03

Attended



Sheikh Rasheed Ahmed



AMLP

03

Attended



Ch. Tariq Bashir Cheema



PML

02

Attended



Amir Haider Azam Khan



ANP

01

Attended



Khalid Maqbool Siddiqui



MQMP

00

Attended



M. Akhtar Mengal



BNP-M

00

Attended

Total
Bills

113

Government
Bills

29

Private Members'
Bills

84

Legislation
Passed

11

2 Assembly Output

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

2.1 Legislation

The legislative business scheduled for 16th session included 113 bills including 83 amendments in the existing laws, 17 new legislative proposals and 13 ordinances. The legislative business of the House comprised of 84 Private Members' bills and 29 government-sponsored bills including 13 Ordinances.

The House passed 11 government bills while six bills including four government bills and two private member's bills were referred to the relevant committees after their introduction. Out of 11 passed bills, nine were tabled in the House as Ordinances but the government announced to withdraw them after consensus with the Opposition which also withdrew no-confidence motion against Deputy Speaker.

Four government and 82 private members' bills were not considered by the House while the Recovery of Mortgage-backed Security Ordinance, 2019 was also laid in the House. The laying of an Ordinance – the China Pakistan Economic Corridor Authority Ordinance, 2019 – was deferred due to absence of relevant minister.

Minister for Parliamentary Affairs announced that all the bills passed, and ordinances tabled, in the National Assembly during first sitting on November 7 would be re-presented for debate. Of the ordinances passed, the one dissolving the Pakistan Medical and Dental Council (the Pakistan Medical Commission Bill, 2019) and the Whistleblower Protection and Vigilance Commission Bill, 2019 as well as the Medical Tribunal Bill, 2019 would be debated on the floor of the House. Similarly, the Letters of Administration and Succession Certificates Ordinance 2019; Enforcement of Women's Property Rights Ordinance 2019; Legal Aid and Justice Authority Ordinance 2019; and Superior Courts (Court Dress and Mode of Address) Ordinance 2019 would be withdrawn and resubmitted.

The Benami Transaction (Prohibition) (Amendment) Bill 2019 and the National Accountability (Amendment) Bill 2019, meanwhile, would be sent back to relevant committees prior to being discussed in the National Assembly.

2.1.1 Passed Bills

Two bills passed by the House other than Ordinances were as follows:

Ordinance Laid

13

Bills Referred to Committee

06

Non-considered Government Bills

04

Non-considered Private Members' Bills

82

1. The Code of Civil Procedure (Amendment) Bill, 2019

The bills aim to introduce new concept of a two-tier system where two different judges will hear the entire suit. In the first tier, the main case would be heard by one judge and not going to be interrupted till finalization of the proceedings. If there are miscellaneous application, in particular stay/injunction application, these are going to be heard in second tier where a separate file is going to be opened and adjudicated by a different judge without interfering with the main case being adjudicated in the first tier.

The primary objective is to enables courts to deal with the cases justly and fairly, encourage parties to alternate dispute resolution procedure, save expense and time both of courts and litigants.

- Date of Introduction: May 2, 2019
- Date of Presentation of Committee Report: November 7, 2019
- Date of Passage: November 7, 2019

2. The Naya Pakistan Housing and Development Authority Bill, 2019

It aims to provide for housing and real estate development and other activities related to land and construction through the establishment of Naya Pakistan Housing and Development Authority.

- Date of Introduction: July 29, 2019
- Date of Presentation of Committee Report: November 7, 2019
- Date of Passage: November 7, 2019

2.1.2 Introduced Bills

1. The Constitution (Amendment) Bill, 2019

The bill seeks to substitute some words in two different clauses of Article 48 of the Constitution of Pakistan. It proposes to amend clause (4) of the Article 48 of the Constitution which is related to President of Pakistan to act on advice of the cabinet and the Prime Minister. The amendment seeks to substitute the words "the Cabinet, the Prime Minister, a Minister or Minister for State" with the words "Cabinet or the Prime Minister". The purpose of this amendment is to bring it in conformity with cause (1) of the same Article which was previously amended through the Constitutional 8th Amendment Act 1985.

- Mover: Parliamentary Secretary on Law and Justice
- Date of Introduction: November 7, 2019

Men
Sponsored
Legislation

99

Women
Sponsored
Legislation

14

2. The Islamabad Capital Territory Senior Citizens Bill, 2019

The bill proposes to establish a fund (Senior Citizens' Fund) along with instituting a Council (Senior Citizens Council), including members from all relevant departments of the government to ensure well-being, comfort and dignity of senior citizens residing in the ICT.

- Mover: Minister of State for Parliamentary Affairs
- Date of Introduction: November 7, 2019

3. The National Highways Safety (Amendment) Bill, 2019

The bill aimed to amend the National Highways Safety Ordinance, 2000 in light of the decision of the Federal Cabinet Meeting held on September 8, 2017 which proposed all ministries and departments to consult with Law and Justice division to make necessary changes/ amendments in law and rules by replacing the word "Federal Government" with appropriate authorities. The bill seeks to amend as many as 17 sections and sub-sections of the said ordinance.

- Mover: Minister for Communications
- Date of Introduction: November 7, 2019

4. The Anti-terrorism (Amendment) Bill, 2019

The bill proposes two major amendments to the Anti-terrorism Act, 1997. First, it suggests to extend the scope of the Act to "economic-terrorism", a term defined in the bill as overseas funds transfer of fifty million rupees or above through informal channels, such as hundi or hawala. Second, it seeks to empower the governments to detain a person against whom, they have "any reasonable grounds to believe that he is connected to an offence" under the Act. This preventive detention for inquiry may be as long as three months, and is extendable for a further period of three months.

- Mover: Minister of State for Parliamentary Affairs
- Date of Introduction: November 7, 2019

Total Resolutions
On Agenda

17

Adopted
Resolutions

04

Reports & Papers
Presented

02

Not Taken Up
Amendment
Motions

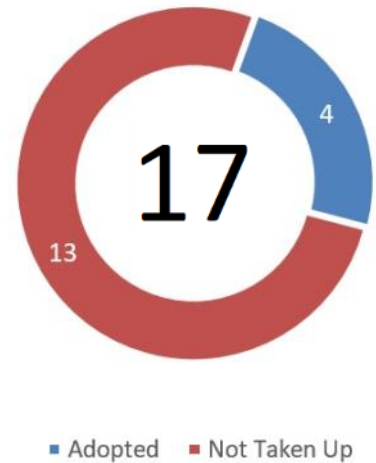
12

2.2 Resolutions

The lawmakers initiated 17 resolutions in the National Assembly during its 16th session. The House adopted four of these resolutions which sought extension for four Ordinances for a further period of 120 days including the Federal Government Employees Housing Authority Ordinance, 2019; the National Counter Terrorism Authority (Amendment) Ordinance, 2019; the Pakistan Penal Code (Amendment) Ordinance, 2019 and the Recovery of Mortgaged-backed Security Ordinance, 2019. The House did not consider 13 other resolutions appearing on the agenda during the 4th sitting of the session.

The five unaddressed resolutions demanded to take steps to pull the Pakistan Steel Mills out of crisis, remove discrepancy in the prices of medicines, do away with load shedding of gas; provide safe and clean water in all schools and control price hike. The House did not consider eight other resolutions seeking disapproval of various Ordinances laid in the House.

Status of Resolutions



2.3 Reports

A total of 21 reports were part of the agenda during the session. A report of the Standing Committee on Cabinet Secretariat regarding the Federal Public Service Commission (Validation of Rules) Bill, 2018 and a statutory report of the Securities and Exchange Commission of Pakistan on the statement of accounts of SECP, certified by the auditors for the year ended on June 30, 2017 were presented in the House. As many as nineteen (19) other reports were not considered by the House during the session.

2.4 Amendments in Assembly Rules

The House did not take up 12 motions for amending the Assembly's Rules of Procedure and Conduct of Business, 2007. These proposals for amendments were initiated by the private lawmakers belonging to PTI, PML-N and MMAP.

Total
Questions

235

Starred
Questions

159

Un-Starred
Questions

76

Questions
Remained
Unaddressed

130

3 Representation and Responsiveness

This section gives statistical as well as qualitative overview of legislator's interventions in the House – Questions, Calling Attention Notices (CANs), Motions under Rule 259 or any other motions – for the oversight of government and to articulate issues of public interest and importance.

3.1 Questions

A total of 235 questions including 159 starred questions and 76 un-starred questions were listed for answers during the session. The House took up only 29 out of 159 starred questions during the proceedings. Under the Assembly Rules of Procedure, the government is required to respond to a starred question orally as well as in writing. The remaining 130 starred questions remained unaddressed and were taken as read in absence of their movers or due to lapse of the Question Hour. The lawmakers asked 56 supplementary questions as well for further elucidation of the answers.

As many as 87 questions were sponsored by female lawmakers belonging to BAP, BNP-M, MMAP, MQM, PML-N, PPPP, PTI while male lawmakers belonging to PTI, PPPP, PML-N, MQM, MMAP, BNP-M and BAP raised 148 questions. The questions appearing on the list were addressed to 35 ministries/departments of the government and their break-up is as following:

Ministries/Departments	Starred Questions	UnStarred Questions	Total Questions
Interior	24	17	41
Energy	17	10	27
Finance & Revenue	16	7	23
Commerce and Textile	11	4	15
Housing & Works	6	8	14
Federal Education and Professional Training	7	5	12
National Health Services, Regulations and Coordination	6	6	12
Water Resources	7	1	8
Communication	5	2	7
Poverty Alleviation and Social Safety Division	4	3	7
Cabinet Division	4	1	5
Establishment Division	3	2	5
Industries & Production	2	3	5
National Food Security and Research	4	1	5
Overseas Pakistanis and Human Resource Development	5		5
Railways	5		5
Climate Change Division	4		4

Total
CANs

06

CANs
Addressed

04

CANs
Not Taken Up

02

Total
MUR 259

05

Ministries/Departments	Starred Questions	UnStarred Questions	Total Questions
Religious Affairs and Inter-faith Harmony	2	2	4
Aviation Division	3		3
Defence	2	1	3
Human Rights	3		3
Information and Broadcasting	3		3
Inter-Provincial Coordination	2	1	3
Economic Affairs	2		2
Maritime Affairs	1	1	2
Narcotics Control	2		2
Parliamentary Affairs	2		2
Defence Production	1		1
Foreign Affairs	1		1
Kashmir Affairs and Gilgit-Baltistan	1		1
Law and Justice	1		1
Planning, Development and Reform	1		1
Postal Services	1		1
Prime Minister's Office	1		1
Science and Technology		1	1
Total	159	76	235

3.2 Calling Attention Notices

The lawmakers raised six CANs seeking government's response on the issues related to non-utilization of funds of Rs. 2981.069 million approved in 2015 for scholarships; slow process for issuance of study visas by the German Embassy; non-fixation of price of sugarcane; tragic accident of Tezgam Express (Train) near Rahim Yar Khan; non-registration of Nikah Certificate of Minorities especially Christians community in Islamabad and violation of children rights. These notices were sponsored by the lawmakers belonging to PML-N, MMAP, PTI and PPPP. The relevant government ministers responded to four of the notices while remaining two were left unaddressed.

3.3 Motions

The House did not address five Motions under Rule 259 on the matters of public importance initiated by private lawmakers belonging to PM-N, MMAP, PTI and PPPP.

The House also skipped a Motion of Thanks to the President for his annual address to the Parliament. A motion jointly by five PML-N lawmakers under Rule 87 regarding eradication of polio from the country was also not taken up during the session.

Total
Points of Order

17

Walkout &
Protest

01

Instances of
Identification of
Quorum

01

4 Order and Institutionalization

Order and institutionalization are important for an efficient and productive legislature. This section provides information about the members' Question of Privilege, Points of Order, Quorum and any instances of walkout, protest or boycott during the proceeding.

4.1 Points of Order

As many as 17 Points of Order (POs) were raised during the proceedings that consumed an hour and 26 minutes. These POs highlighted the political issues and hasty passage of bills laid in the House as Ordinances. Moreover, two hours and 12 minutes were consumed on matters taken up in the House under Rule 18 which were about plague of locusts in Sindh, governance, political and foreign affairs.

4.2 Protest and Walkouts

The entire opposition protested during first sitting of the session for 29 minutes against hasty passage of the bills and reliance of the government on Ordinances for legislation.

4.3 Quorum

A lawmaker belonging to PPPP identified the lack of quorum during third sitting of the session which led to the adjournment of House.

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 25,000 followers on Twitter and around 144,000 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

Free and Fair Election Network

www.fafen.org

www.openparliament.pk

www.parliamentfiles.com



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.