

# 17th National Assembly Session

# Lack of Quorum, Low Attendance Persist

- NA takes 174 minutes to amend Constitution and Army Act
- 39 Legislators debate on Peshawar Attack for 504 minutes



## Report on 17th Session of the National Assembly

January 1-16, 2015

The passage of 21st Amendment to the Constitution and Army Amendment Bill amid low attendance, lack of quorum, late starts and points of order interrupting regular proceedings were the highlights of 17th session of the National Assembly.

Two bills – the Constitution (Amendment) Bill and the Pakistan Army (Amendment) Bill – were passed during the session. Almost 10% of the session time was taken up by legislators to debate the passage of these two bills. Further, three of the eight resolutions appearing on the Orders of the Day were adopted by the House.

The session lasted for a total of 29 hours and 25 minutes spread over 13 sittings from January 1-16 also debated the motion under rule 259 regarding the terrorist attack on Army Public School in Peshawar.

The motions regarding Kashmir Affairs, Employment, Law and Justice and Overseas Pakistanis were not taken up during the session.

The motion regarding the terrorist attack on Army Public School in Peshawar was debated for 504 minutes (29% of the total session time). In all, 39 legislators spoke on the motion which was moved in the first sitting

Since the National Assembly Secretariat does not make public the attendance records of legislators, FAFEN conducts a headcount at the start and end of each sitting to keep track of lawmakers' attendance.

Low attendance of legislators persisted during the 17th session as on average only 79 legislators were present at the outset while 75 were present at the end of each sitting. Legislators' attendance reflects upon their interest and presence in the parliamentary proceedings.

The Prime Minister attended three sittings for 11% (192 minutes) of the total time while the Leader of the Opposition was there in nine sittings, accounting for 35% (613 minutes) of the total time. The Speaker chaired the session for 35% of the time; Deputy Speaker chaired the proceedings for 55% of the session time while 6% of the time was presided over by Members of Panel of Chairpersons. Breaks consumed the remaining 4% of the session time.

In terms of oversight over the executive, a total of 277 starred questions (requiring oral replies) - on average 21 per sitting - were raised during the session. Of these, only 69 (25%) were taken up. An additional 109 supplementary questions were asked.

Six out of nine Calling Attention Notices (CANs) appearing on the Orders of the Day were taken up by the House. Four taken up CANs were directed to the Cabinet Secretariat and one each to the Ministries of Defence and Petroleum & Natural Resources.

Speeches by legislators and treasury responses on points of order consumed 16% of the total session time otherwise allocated for the regular agenda. Unless the Chair gives a formal ruling on a point of order, speeches and responses do not contribute to any Assembly output.

### Parliament Watch Project

An essential component of democracy is publicly accessible information about the political decision-making processes, such as parliamentary deliberations among elected representatives. Citizens must have information on their representatives' performance in the legislatures in order to hold them accountable.

The Parliament Watch and Reforms Project (PWRP), an initiative of the Free and Fair Election Network (FAFEN), aims to collect and publish information about the performance of MNAs, MPAs and Senators by directly observing the parliamentary proceedings. FAFEN intends to foster informed engagement between constituents and elected representatives by providing objective and statistically-sound information on parliamentary processes and decisions.

The methodology of PWRP is to deploy trained observers in order to monitor the performance of lawmakers using a detailed, standardized checklist and reporting forms covering all types of parliamentary business. The information gathered is measured against a neutral and objective framework of the rules of parliamentary procedure.

The house witnessed 16 walkouts during the session which lasted 761 minutes.

### Comparison between 16th and 17th Session

Sr. No	Agenda Items	16 <sup>th</sup> Session	17 <sup>th</sup> Session
1	Starred Questions Taken Up	70	69
2	Starred Questions Not Taken Up	202	208
3	Un-Starred Questions	187	148
4	Calling Attention Notices Taken Up	15	6
5	Calling Attention Notices Not Taken Up	2	3
6	Legislative Business Taken Up	0	7
7	Legislative Business Not Taken Up	6	3
8	Standing Committee Reports Presented	2	8
9	Standing Committee Reports Not Presented	0	1
10	Motion Under Rule 259 Taken Up	1	1
11	Motion Under Rule 259 Not Taken Up	5	6
12	Resolutions Taken Up	3	3
13	Resolutions Not Taken Up	5	5
14	Matter of Public Importance Taken Up	0	0
15	Matter of Public Importance Not Taken Up	0	1
16	Amendment to the Rules and Procedure Taken Up	0	0
17	Amendment to the Rules and Procedure Not Taken Up	0	1
18	Points of Order	110	104

## 1.0 Parliamentary Outputs

Considering legislation on matters of national significance through careful debate and discussion is arguably an assembly's prime function. Legislation comes in the form of government bills, private-legislator bills and ordinances. This section is concerned with the presentation, introduction, passage and subject-matter of bills and ordinances.

### 1.1 Bills' Details

Two bills – the Constitution (Twenty-First Amendment) Bill and the Pakistan Army (Amendment) Bill – were passed during the session. Almost 10% of the session time was taken up by legislators to debate the passage of the two bills. The following table shows the party-wise participation of legislators:

Sitting	Party	Time (Minutes)
4	PML-N	46
4	JUI	33
4	MQM	28
4	PKMAP	16
4	Jl	11
4	PML-Z	11
4	PML-F	3
4	IND	10
5	PPPP	16
<b>Total</b>		<b>174 minutes (10% of session time)</b>

#### *Constitution (Twenty-first Amendment) Bill 2015*

The amendment sought to setup speedy trial through military courts for offences relating to terrorism, waging of war against Pakistan and prevention of acts threatening the security of Pakistan. The duration of such courts would be two years.

#### *Pakistan Army (Amendment) Bill 2015*

It aims to take special measures for speedy trial of certain offences relating to terrorism, waging of war or insurrection against Pakistan and prevention of acts threatening the security of Pakistan by any terrorist group using the name of religion or a sect and legislators of such armed groups, wings and militia. The Federal Government shall have the

Sitting	Party	Name of Legislation	Type	Status
13	PML-N	The Prevention of Electronic Crimes Bill, 2015	Government	Introduced
	PML-F	The Minimum Wages for Unskilled Workers (Amendment) Bill, 2015	Government	Introduced
6	PML-N	The Patents (Amendment) Bill, 2015	Government	Introduced
10	JUI	The Compulsory Education of Arabic Bill, 2015	Private	Not Taken Up
	JUI			
	PPPP	The Pakistan Private Courier Services Regulatory Authority of Pakistan Bill, 2015	Private	Not Taken Up
	JUI	The Constitution (Amendment) Bill, 2014 (Amendment in Article 31)	Private	Deferred
	JUI			
	JUI			
	PPPP	The Special Citizens Bill, 2015	Private	Introduced
PPPP	The Emigration (Amendment) Bill, 2014	Private	Introduced	
5	PML-N	The Pakistan Army (Amendment) Bill, 2015	Government	Passed
	PML-N	The Constitution (Twenty-first Amendment) Bill, 2015	Government	Passed

power to transfer any proceedings pending in any court for a trial under this act against any person who is accused of belonging to any terrorist group or organization using the name of religion or sect, raising arms or wage war against Pakistan.

Under this law, it shall not be necessary to recall any witness or record any evidence that may have been recorded earlier. In case there is any conflict between the provisions of this Act and any other law for the time being in force, the provisions of this Act shall prevail to the extent of inconsistency.

## 1.2 Resolutions

Through resolutions, the house expresses its opinion, makes recommendations, or conveys a message on a definite and important issue. Resolutions may be moved by ministers or private members. This section contains information on the types and amount of resolutions considered or adopted by the assembly during the session.

Three of the eight resolutions appearing on the Orders of the Day were adopted by the House. The House adopted the resolution condemning the printing and reprinting of the blasphemous caricatures of Prophet Muhammad (PBUH); Gas Infrastructure Development Cess Ordinance; and to follow the "Uswa-e-Hasana" (tradition) of Prophet Muhammad (PBUH).

Sitting	Resolution	Status
13	The Gas Infrastructure Development Cess Ordinance, 2014 (No. 6 of 2014) be extended for a further period of one hundred and twenty days w.e.f. 22nd January, 2015 under provisio to sub-paragraph (ii) of paragraph (a) of clause (2) of Article 89 of the Constitution of the Islamic Republic of Pakistan	Adopted
12	This House strongly condemns printing and reprinting of the blasphemous caricatures of the Holy Prophet of Islam (PBUH) by the French journal and also takes serious note of the continued trend of their re-production in numerous other newspapers and magazines of other Western capitals. This House genuinely believes that freedom of expression should not be misused as means to attack or hurt public sentiments or religious beliefs and in this regard Article 20 of the International Covenant of Civil and Political Rights must be followed by all states. The House is of a firm opinion that such malicious attacks on the sanctity of the Holy Prophet (PBUH) and all other Messengers of Allah are means to "Hate Speech". These are deliberate attempts to incite violence, create discord, widen misunderstandings among civilizations and thereby provide opportunities to the terrorist elements to capitalize on public sentiments. This House strongly condemns all kinds of violence under whatever pretext. Islam is a faith of peace and tolerance. Nobody should be allowed to disrupt this universal and all-pervading message and spirit of Islam. The House calls on the international community, particularly the Member States of the European Union, the OIC and the UN community to take decisive steps to stop such practice	Adopted
10	Government should bound all the Holy Quran publishing companies to use quality paper for the publication of the Holy Quran	Not Taken Up
	Government should take steps to do away with load shedding of Gas in the country	Not Taken Up
	Government should take steps to construct small dams to overcome the shortage of water in Khuzdar	Not Taken Up
	Government should take steps to control unemployment in the country	Not Taken Up
	Government should take steps to reduce the tariff of gas	Not Taken Up
8	The National Assembly reiterates to follow the "Uswa-e-Hasana" of Holy prophet in a true sense on the occasion of holy birth of Hazrat Muhammad (peace of upon him)	Adopted

## 2.0 Session Duration and Legislators' Participation

This section of the report deals with the duration the National Assembly met for during the session; the attendance of legislators, their participation and maintenance of quorum – at least 1/4th (86) of the total membership. The participation of a legislator is recorded when he or she takes part in the proceedings of the house, or submits an agenda item. The section also looks at the presence of the Speaker, Deputy Speaker, Prime Minister, Leader of the Opposition and parliamentary leaders during the session.

### 2.1 Session Time

The 17th session that comprised 13 sittings, started on January 1st, and prorogued sine die on January 16, 2014.

The assembly met for 29 hours and 25 minutes at an average of two hours and 16 minutes per sitting. All sittings started late with an average delay of 36 minutes.

The shortest sitting lasted nine minutes (January 3rd); while the longest spanned three hours and 36 minutes (January 12th).

Date	Sitting No	Delays	Session Time	
			Hours	Minutes
Thursday, January 1, 2015	1	20	3	20
Friday, January 2, 2015	2	40	2	44
Saturday, January 3, 2015	3	58	0	9
Monday, January 5, 2015	4	5	3	25
Tuesday, January 6, 2015	5	95	1	51
Wednesday, January 7, 2015	6	25	2	38
Thursday, January 8, 2015	7	25	2	47
Friday, January 9, 2015	8	19	1	26
Monday, January 12, 2015	9	95	3	36
Tuesday, January 13, 2015	10	29	2	0
Wednesday, January 14, 2015	11	26	0	34
Thursday, January 15, 2015	12	15	3	6
Friday, January 16, 2015	13	19	1	49
<b>Total</b>		<b>Average 36 minutes</b>	<b>29 Hours and 25 minutes</b>	

### 2.2 Legislators' Attendance

The National Assembly does not make public the attendance records of legislators. FAFEN conducts a headcount at the start and end of each sitting to keep track of members' attendance in each elected house.

The National Assembly currently has a total membership of 340. Despite their responsibility to represent such a vast number of people, low attendance persisted during the 17th session as, wherein the average number of lawmakers present at the outset was only 79 and at the end of each sitting was 75. Legislators' attendance reflects upon their interest and presence in the parliamentary proceedings.

Clause (2) of Article 55 of the Rules of Procedure of the National Assembly states that if at any time during a sitting, attention of the chairperson is drawn to the fact that less than one-fourth of the total membership of the assembly is present, he/she shall either suspend the business of the assembly until at least one-fourth of such membership is present, or cause the bells to be rung for five minutes, but if no quorum is available even on resumption of the proceedings after suspension or, when the bells stop ringing, he/she shall adjourn the sitting for the next working day: provided that the suspension of the business of the sitting shall not be for more than one hour.

The quorum was visibly lacking at various stages of the sitting. However it was not pointed out by any of the legislators.

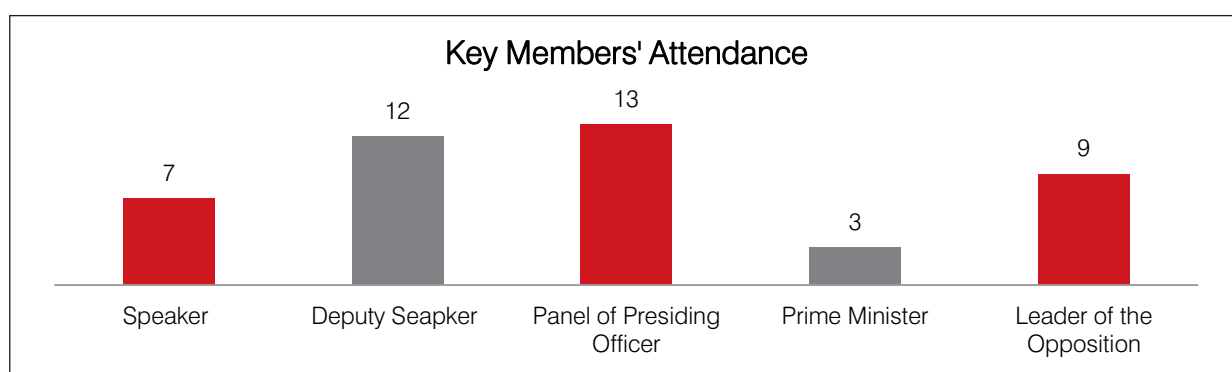
Sitting No.	Legislators At Outset	Legislators At End
1	35	62
2	70	38
3	115	120
4	208	29
5	226	231
6	49	52
7	37	23
8	22	74
9	36	27
10	47	97
11	78	112
12	51	64
13	51	48
<b>Average</b>	<b>79</b>	<b>75</b>

## 2.3 Key Members' Attendance

Attendance in sittings is crucial for legislators, especially those holding important positions (Speaker, Deputy Speaker, Prime Minister and the Leader of the Opposition) to perform their legislative and representative roles.

The Prime Minister attended three sittings for 11% (192 minutes) of the total time while the Leader of the Opposition attended nine sittings for 35% (613 minutes). The Speaker chaired the session for 35% of the time; Deputy Speaker chaired the proceedings for 55% of the session time while 6% of the time was presided over by Members of Panel of Chairpersons. Breaks consumed the remaining 4% of the session time.

The parliamentary leaders of PTI, NPP, AJIP and NP did not attend the entire session. However, the party heads of APML and PkMAP attended 11 sittings each, followed by MQM (10), JI and QWP-S (seven each), ANP and PML-Z (six each), AMLP (four), PML (three) and JUI-F, PML-F and BNP (two sittings each).



### 3.0 Representation, Responsiveness and Government Oversight

This section is concerned with legislators' efforts to represent the interests of their constituents through calling attention notices and to hold government accountable, especially through questions submitted during the Question Hour, and the ministers' response to those questions.

#### 3.1 Questions and Responses

Question Hour gives the legislators opportunity to monitor government's performance. Answers to questions may be demanded in written or oral form, referred to as un-starred or starred questions respectively.

As many as 277 starred questions (requiring oral replies) - on average 21 per sitting - were raised during the session. Of these, only 69 (25%) were taken up. An additional 109 supplementary questions were asked.

Similarly, 148 un-starred questions (requiring written replies) appeared on the agenda.

Sitting No.	Date	Starred Question	Taken Up	Unstarred	Supplementary	Total
1	January 1, 2015	36	0	24	0	60
2	January 2, 2015	0	0	0	0	0
3	January 3, 2015	0	0	0	0	0
4	January 5, 2015	0	0	0	0	0
5	January 6, 2015	Private Members' Day				
6	January 7, 2015	32	9	11	21	43
7	January 8, 2015	38	14	22	14	60
8	January 9, 2015	39	13	32	14	71
9	January 12, 2015	29	8	20	15	49
10	January 13, 2015	Private Members' Day				
11	January 14, 2015	32	3	23	6	55
12	January 15, 2015	32	11	6	19	38
13	January 16, 2015	39	11	10	20	49
<b>Total</b>		<b>277</b>	<b>69</b>	<b>148</b>	<b>109</b>	<b>425</b>

#### 3.2 Calling Attention Notices (CANS)

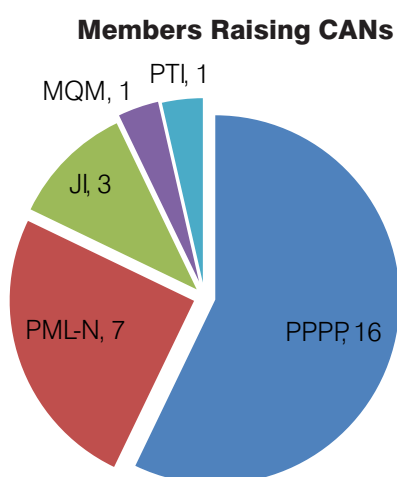
This section highlights the efforts of legislators in raising matters of public interest through Calling Attention Notices (CANS). Under rule 88 (chapter XI) of the Rules of Procedure and Conduct of Business, a legislator may call the attention of a minister to any matter of urgent public importance and the minister may make a brief statement or ask for time to make a statement at a later hour or date provided that no more than one notice shall be allowed to a legislator per sitting.

Six out of nine CANS appearing on the Orders of the Day were taken up by the House. Four taken up CANS were directed to the Cabinet Secretariat and one each to the Ministries of Defence and Petroleum and Natural Resources.

Sitting No.	Calling Attention Notices	Ministry	Status
6	Failure of CDA to maintain the Government buildings on its pool and corruption in the CDA	Cabinet Secretariat	Taken Up
6	Discontinuation of PIA flights from and to Hyderabad Airport	Cabinet Secretariat	Taken Up
9	Theft of crude oil from Karak Oil Field valuing more than 20 billion rupees	Petroleum and Natural Resources	Taken Up
10	Inclusion of three surcharges in power consumer tariff valuing Rs. 2.4 per unit and the additional cost incurred on account of transmission and distribution losses, which put extra burden of 75 billion rupees on the users per year	Cabinet Secretariat	Not Taken Up
11	Sale of Roosevelt Hotel of PIA in New York	Finance, Revenue, Economic Affairs, Statistics and Privatization	Not Taken Up
12	Difficulties including deprivation of civil amenities being faced by the residents of village Sultan Pur, Havelian, Abbottabad due to non-separation of the said area from the Cantonment Board, Havelian	Defence	Taken Up
12	Reduction of PIA flights to only one flight a day between Karachi and Mohenjo Daro	Cabinet Secretariat	Taken Up
13	Deteriorating standards of educational institutions in the ICT, under the administrative control of the Federal Directorate of Education Islamabad	Cabinet Secretariat	Taken Up
13	Prospective closure of the regional office of the National Bank of Pakistan in Larkana, Sindh	Finance, Revenue, Economic Affairs, Statistics and Privatization	Not Taken Up

### 3.2.1 Legislators Raising CANs

A total of 28 legislators – 18 men and 10 women – sponsored nine CANs. The following graph shows the party-wise representation of legislators raising CANs:



### 3.3 Motion under Rule 259

Any minister or a legislator may give notice of a motion so that any policy, situation, statement or any other matter may be taken into consideration. No question shall be put at the conclusion of the debate unless any minister or a



legislator, with the consent of the Chair, moves a substantive motion immediately after in appropriate terms in which case, a question shall be put.

The motions regarding Kashmir Affairs, Employment, Law and Justice and Overseas Pakistanis were not taken up during the session.

The motion regarding the terrorist attack on Army Public School in Peshawar was debated for 504 minutes (29% of the total session time). A total of 39 legislators spoke on the motion which was moved in the first sitting. The following table shows the details of the participating legislators:

Party	Women		Men		Total
	Legislators	Time	Legislators	Time	
ANP			1	6	6
APML			1	14	14
IND			2	25	25
JI	1	16	2	12	28
JUI	1	3	2	30	33
MQM	2	14	5	68	82
NPP	1	4			4
PKMAP			3	44	44
PML-N	2	11	10	150	161
PPPP	2	39	2	24	63
PTI			1	15	15
QWP			1	29	29
<b>Total</b>	<b>9</b>	<b>87 minutes</b>	<b>30</b>	<b>417 minutes</b>	<b>504 minutes (29% of session time)</b>

## 4.0 Order and Institutionalization

This section deals with issues raised through points of order and the time consumed by them. It also reviews the questions of privileges and the instances of protests, walkouts or boycotts during the session.

### 4.1 Points of Order

Points of Order (POs) are raised on the floor of the House when a legislator has to highlight a breach in the assembly rules and procedures and code of conduct. A point of order's admissibility in the assembly output is subject to the chair's ruling.

Speeches by legislators and treasury rejoinders on points of order consumed 16% of the total session time otherwise allocated for the regular agenda. Unless the Chair gives a formal ruling on a point of order, speeches and rejoinders do not contribute to any Assembly output.

Sitting No.	Date	Points of Order	Time (Minutes)
1	January 1, 2015	12	40
2	January 2, 2015	2	5
3	January 3, 2015	0	0
4	January 5, 2015	0	0
5	January 6, 2015	0	0
6	January 7, 2015	1	2
7	January 8, 2015	8	17
8	January 9, 2015	9	12
9	January 12, 2015	7	29
10	January 13, 2015	18	80
11	January 14, 2015	12	12
12	January 15, 2015	21	54
13	January 16, 2015	14	24
<b>Total</b>		<b>104</b>	<b>275</b>

### 4.2 Walkouts Boycotts and Protests

The house witnessed 16 walkouts during the session which lasted 761 minutes. The following table shows the details of the walkouts:

Sitting	Party/	Reason	Time (Minutes)
1	Entire opposition except the parliamentary leaders of MQM and PkMAP	The government's decision to increase GST on petroleum products	2
	MQM	Against the hike	4
	PPP	The absence of ministers in the House	200
2	Legislator of FATA	Delay in development projects and the Khyber Pakhtunkhwa Governor for not taking them on board in decision making process about their regions	213
4	Legislator of FATA	To express their reservations with the bill	163
6	Legislator of FATA	The Khyber Pakhtunkhwa Governor for not taking them on board in decisions regarding their region	39

Sitting	Party/	Reason	Time (Minutes)
7	Entire opposition	A report of taking back 650MW electricity from Karachi Electric Supply Company	5
8	Opposition benches except MQM and FATA legislators	To lodge their protest against the Khyber Pakhtunkhwa Governor for not taking them on board in decisions pertaining to the region	15
	PML-F	The government's failure to purchase sugarcane in Sindh	10
9	MQM	The killing of their party workers in Sindh	6
10	Legislator of FATA PPP JI	To lodge their protest against the Khyber Pakhtunkhwa Governor for not taking them on board in decisions pertaining to the region	3
	PML-N	After he was denied permission to speak on a point of order	10
12	Legislator of FATA	To lodge their protest against the Khyber Pakhtunkhwa Governor for not taking them on board in decisions pertaining to their region	49
	MQM	The killing of their party workers in Sindh	15
13	Legislator of FATA	The Khyber Pakhtunkhwa Governor for not taking them on board in decisions pertaining to their region	5
	Entire Opposition and QWP-S	Against the resolution regarding gass cess	22

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This report is based on direct observation of the National Assembly proceedings conducted by Centre for Peace and Development Initiatives (CPDI), a member organization of FAFEN

# About FAFEN

Free and Fair Election Network (FAFEN) is a nationwide network of 42 Pakistani civil society organizations. It has been working since 2006 to strengthen democratic systems and promote active citizenship and is now governed by Trust for Democratic Education and Accountability (TDEA). With its primary mandate to observe elections and seek reforms to improve the quality of elections, FAFEN managed unprecedented long-term voter education and election observation initiatives that got 20,000 Pakistani citizens from every district of the country directly involved in the general election process in 2007-08.

In 2013, FAFEN deployed more than 40,000 trained, non-partisan long- and short-term observers to monitor all phases of general election. FAFEN election observation has yielded valuable insights into the quality of the electoral process and enabled generation of critical recommendations for reforms in the constitutional, legal and procedural frameworks that govern elections in Pakistan.

In addition to its vibrant Electoral Oversight, Research and Reforms Program, FAFEN has developed innovative techniques to observe the functioning of Parliament and Provincial Assemblies in order to advocate for parliamentary reforms for a more accountable, transparent and responsive legislative governance. Under its Parliament Oversight, Research and Reforms Program, FAFEN directly observes and objectively reports on the proceedings of all elected Houses in Pakistan.

FAFEN mobilizes and facilitates citizens engagements with elected and public institutions across Pakistan as a prerequisite for strengthening democratic accountabilities as part of its Electoral Governance Oversight, Research and Reforms Program. These activities fit in with the core FAFEN's objective of promotion of active citizenry—a critical ingredient of a vibrant democratic system.



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