



## Citizens Report

# 5 Years of the 13th National Assembly of Pakistan

March 17, 2008 - March 16, 2013



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PILDAT is an independent, non-partisan and not-for-profit indigenous research and training institution with the mission to strengthen democracy and democratic institutions in Pakistan.

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Printed in Pakistan

Published: March 2013

ISBN: 978-969-558-336-4

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*Published with financial support from:*

**FRIEDRICH  
EBERT  
STIFTUNG**

**PILDAT**  
Pakistan Institute of  
Legislative Development  
And Transparency

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### PREFACE

#### Preface

For the first time in Pakistan's history, under a civilian President, an elected National Assembly completed its 5-year term. The 13<sup>th</sup> National Assembly, which was voted in after February 2008 General Election, stood dissolved at the expiration of its term of 5 years on March 16, 2013. The elected democratic Government also completed its 5-year term.

From 2002 onwards, PILDAT has consistently looked at the performance of Pakistan's successive Parliaments from the citizens' perspective. Its annual reports have helped highlight critical areas of performance as well as that of required reform in the Parliament of Pakistan over the years.

The Report of the 5-Year Performance of the 13<sup>th</sup> National Assembly of Pakistan covers the period of March 17, 2008 to March 16, 2013.

In keeping with the PILDAT tradition of compiling and disseminating National Assembly's performance on a periodic basis since 2002, the current report also glances at some of the main categories of legislative performance at the completion of the 5 years of the 13<sup>th</sup> National Assembly's term.

#### Acknowledgments

PILDAT acknowledges the support provided by the Friedrich Ebert Stiftung (FES) Pakistan in publishing this report.

This report has been prepared by PILDAT team including **Mr. Hammal Dostain**, Projects Manager, PILDAT, and **Ms. Aasiya Riaz**, Joint Director-PILDAT, under the supervision of **Mr. Ahmed Bilal Mehboob**, President PILDAT.

#### Disclaimer

This report has been prepared using the information and data from public resources. PILDAT team has made every effort to ensure accuracy of data and content in this report and any omission or error, therefore, is not deliberate.

Islamabad  
March 2013



## EXECUTIVE SUMMARY

### Executive Summary

The 13<sup>th</sup> National Assembly of Pakistan completed its 5 years term on March 16, 2013. It stood dissolved under Article-52 of the Constitution on the expiration of its five years term. This is a landmark development in the history of Pakistan that a democratically elected Assembly, under a civilian, democratically-elected President, has completed its tenure for the first time.

The 13<sup>th</sup> National Assembly of Pakistan has also performed significantly better compared to the 12<sup>th</sup> National Assembly (2002-2007). However, weak oversight of the Assembly on crucial areas such as national security and alleged systemic corruption and incompetence remain as key areas of concern.

### Positive Trends

Following can be termed as encouraging trends that have had a positive impact on the working of the 13<sup>th</sup> National Assembly of Pakistan:

1. The Assembly laid the foundation of many important firsts; it was for the first time that a tradition of committee chairpersonship, based on party representation in the House, was put in place. This ensured that not only the ruling PPP and its coalition partners were elected to chair Standing Committees but also opposition MNAs were elected as chairs of Standing Committees of the Assembly in proportion to their representation.
2. Similarly, the appointment of the Leader of the Opposition as head of the Public Accounts Committee (PAC) for the first time in Pakistan in the 13<sup>th</sup> National Assembly was celebrated as a major positive step towards deepening democracy.

However, as a somewhat negative development, the maiden trend set-up by the current Parliament to have opposition chair the PAC could not continue as the Chairman PAC, Leader of the Opposition, Chaudhry Nisar Ali Khan, MNA (NA-53 Rawalpindi-IV, Punjab, PML-N) had resigned from the PAC Chairmanship in November 2011. Despite the reported insistence of the Government, combined opposition declined to propose a new chairman from the ranks of opposition after which the ruling PPP appointed Mr. Nadeem Afzal Gondal, MNA, (NA-64 Sargodha-I, Punjab, PPP) as the new Chairman PAC in April 2012. The PAC continued its examination of federal government audited accounts through reports by the Auditor General, and prepared recommendations and analysis on government expenditure. In five years, the PAC published and issued 13 reports and cleared a backlog of the past 10 years and claimed to have recovered Rs. 115 billion.

3. The Parliamentary Committee on National Security (PCNS), formed on November 08, 2008 through a Joint Resolution of the House, remained another one of the effective Committees during the past five years. The unanimous passage of 14-point recommendations of the Parliamentary Committee on National Security by the Parliament marked the beginning of an oft-demanded Parliamentary overview and ownership of Pakistan's foreign policy. In the traditional foreign policy realm of Pakistan, Parliament and Parliamentary bodies have had little influence,<sup>1</sup> if any. While the Government did not entirely follow Parliament's recommendations on restructuring Pak-US relations, major thrust of Parliamentary resolution, the facilitation of this review and the unanimous approval of these recommendations indicated the Government's maturity and due regard to the institution of Parliament which has set an exemplary traditions of Parliamentary oversight of governmental policies.
4. After the 1973 Parliament, which had the honour of passing the 1973 Constitution of Pakistan, the 13<sup>th</sup> National Assembly has unanimously passed the largest number of bills during its five year terms. Most of the bills were passed with consensus. While the outgoing Government deserves appreciation as it did not bulldoze legislation through the House, the opposition should also be applauded for playing a positive and constructive role in bringing major changes in the 1973 constitution and for positively contributing to key legislation.

1. For details, please see The Process of Foreign Policy Formulation in Pakistan, PILDAT Briefing Paper, authored by Ambassador (Retd.) Javid Husain. April 2004: <http://www.pildat.org/Publications/publication/FP/TheProcessofForeignPolicyFormulationinPakistan.pdf>



5. During the 13<sup>th</sup> National Assembly, the Constitution of Pakistan saw major changes in the shape of the 18<sup>th</sup> Constitutional Amendment. As a result of the Amendment, 97 Articles (out of a total 280) of the Constitution were amended. The Amendment restored the Parliamentary character of the Constitution, which was subverted during military rules. Furthermore, Parliament and Provincial Assemblies were strengthened, fundamental rights were reinforced and personal discretion of the executive was minimized. An across-the-board consensus was reached regarding some of the most divisive issues such as provincial autonomy.
6. The 19<sup>th</sup> Constitutional Amendment, which was also passed with bi-partisan consensus, introduced a new way to appoint Judges in the superior Judiciary.
7. The passage of the 20<sup>th</sup> amendment paved the way for a consensus appointment of caretaker governments in the centre and the provinces to oversee future polls. The Government and the Opposition agreed on a “*system of reaching consensus*” on the appointment for the caretaker governments in the centre and the provinces in the 20<sup>th</sup> Amendment to the Constitution which was passed unanimously by the Parliament. The term of ECP members was also fixed at five years through the 20<sup>th</sup> Amendment.
8. Even though control over the purse strings is one of the most crucial powers of elected representatives, 5 budget sessions in the National Assembly have passed without reforms to allow for meaningful input of members and Standing Committees in the budget process. Towards the tail end of the term of the Assembly, however, an amendment has finally been passed, after considerable bipartisan reform efforts by PILDAT over the years, through which Standing Committees in the National Assembly will have the power to scrutinise Public Sector Development Program (PSDP) proposals of relevant ministries before these are made part of the Federal Budget.
9. For the first time in the National Assembly's history, the Assembly began its journey of greater transparency and public access by providing key information about the Assembly sittings and proceedings to the media and public through its website. The National Assembly's new website now carries the Orders of the Day (Daily Agenda of the Sittings), details of the Legislative Business and the Questions-Answers of the Question Hour. The detail provided, however, needs to be further improved keeping in view the Parliamentary openness and transparency standards in the South Asian region and worldwide.
10. A staff canteen and Parliamentarians' cafeteria have also been renovated and made operational in the National Assembly. Contrary to the negative publicity that the Parliament cafeteria provides exceptionally low and subsidized rates of food for MPs, the cafeteria provides food on reasonable rates and its major clientele includes over 1000 members of staff of the Parliament as well as constituents who travel to meet their representatives from far-flung constituencies of Pakistan. Under an arrangement with the Parliament, the caterers running the cafeteria do not have to pay bills of electricity and gas usage and in return provide food on subsidized rates.

## Areas of Concern

Following is an account of trends in which the National Assembly has not been able to adequately play its due role. These remain the lingering areas of concern which have negatively impacted on the 13<sup>th</sup> National Assembly:

1. Apart from some historic achievements during its five year term, the 13<sup>th</sup> National Assembly remained unsuccessful in providing workable recommendations on resolving Pakistan's key issues including terrorism, law and order situations in Balochistan, Karachi and FATA, and growing sectarianism. Regardless of the severity of these issues, the Assembly's response never moved beyond expressing sorrow.
2. Even though the ruling PPP and the PML-N had pledged under the Charter of Democracy (CoD) of May 2006 to replace what they termed as “politically motivated” National Accountability Bureau (NAB) by a consensus-based Accountability Commission, accountability of public officials remained a cause of serious concern as the Government and Opposition remained unable to reach a consensus on an effective and comprehensive accountability law in 5 years.

3. Despite the continuity and maturity of democracy, achieved through a large part by the continuation of the term of the Parliament, the performance of democracy, also known as governance, remained dismal in 5 years. Over the course of these five years, challenges in Governance have transformed into crises. There have been palpable failures in the domain of Economy, control of corruption, maintenance of peace and order in the society and provision of speedy justice to the citizens in which National Assembly remained unable to play an effective oversight role. There have been charges of corruption on Cabinet members while the state of Economy is worse than in 2008.
4. Even though good trend of giving committee chairpersonship to opposition parties was established, a system could not be evolved in which only subject-specialists and persons most suited to chair committees could be elected. The most important committee of the Assembly, Standing Committee on Foreign Affairs, remained almost entirely dormant under the chairmanship of Mr. Asfandyar Wali Khan (MNA, NA-7, Charsadda-I, ANP) who hardly ever convened meetings of the committee. As a result, the committee failed to play its due role. The National Assembly Standing Committee on Defense also failed to play an effective role and this was part of the reason that a special Parliamentary Committee on National Security had to be formed.
5. Dr. Fehmida Mirza, MNA (NA-225, Badin-cum-Tando Muhammad Khan-II, Sindh: PPP), whose election as the first-ever Woman Speaker of the National Assembly was lauded, failed to maintain a balance in effectively discharging her responsibilities as the custodian of the House. With the exception of setting up a Woman's Caucus that she took great pride in, that also led many to question if she only preferred to be the Speaker for female members, in the views of many members, she has not left behind a trail blazing legacy many expected from a woman Speaker. Her ill-health, unfortunately, kept her away from most of her professional responsibilities during the last year of the term.

While newspaper records carry details of what is termed as a much-deprecated and undue package of life-time of perks and privileges she reportedly got approved for herself and preceding and forthcoming Speakers from the House Finance Committee,<sup>2</sup> it is also understood that she resisted the approval of the package of perks and privileges of Presiding Officers and MNAs until the end even though the Finance Act 2010 allowed the Finance Committee of the House to approve a package of perks. Also, reportedly, the package approved by the Finance Committee for National Assembly Presiding Officers is lower than the one approved for Senate Chairmen. (PILDAT has sought comparative details of both packages)

6. Yet another term later, the National Assembly failed to provide for office space and research assistants, both for individual MNAs as well as Standing Committees. Pakistan suffers from being one of the very few countries where elected representatives continue to work unassisted without office space and assistance. Committees, which are considered the work horses of Parliament, work without committee room suites. Only committee chairs are provided with office space for themselves which is also not part of the main Parliament House. The elected leadership at the helm of affairs of the National Assembly failed to prioritise once again as it sanctioned the construction of extension of the Parliamentary lodges instead of constructing an office block for Standing Committees even though the office block was to cost less in comparison to extension of the lodges.
7. For all the improvements in the 13<sup>th</sup> National Assembly on providing greater public access to Assembly's work, it has remained regressive on some of the key issues of public information. PILDAT, which has been carrying out citizens assessment of Parliamentary performance since 2002, recently sought from the National Assembly of Pakistan the complete record of attendance of each Member of the National Assembly for the term ending in 2013. The National Assembly secretariat, however, declined to share the required information maintaining that the attendance record of MNAs
2. Reportedly, the package approved by the National Assembly Finance Committee on March 12, 2013, would allow Speaker Dr. Fehmida Mirza, besides other ex-speakers of the National Assembly, to avail free medical facilities inside and outside the country at the State's expense; at least five National Assembly staffers, including private secretary, driver, waiter, Naib Qasid and telephone operator for the Speaker's use for the lifetime; a 1600cc car would also be available to the speaker from the NA Secretariat Transport Pool; an amount of Rs. 100,000 per month would also be given to the former speaker for a lifetime. For details, please see Ashraf selects squads for his lifetime security, The News, March 22, 2013: <http://www.thenews.com.pk/Todays-News-13-21743-Ashraf-selects-squads-for-his-lifetime-security>. This, however, has neither been confirmed nor denied so far by the National Assembly Secretariat. While the National Assembly website provides details of members who were part of the House Finance Committee Meeting and the figure of budget passed, it does not mention the package of perks passed by the Committee. Please see details at: Dr. Fehmida Mirza Chairs Meeting of the NA Finance Committee, March 12, 2013: [http://www.na.gov.pk/en/pressrelease\\_detail.php?id=575](http://www.na.gov.pk/en/pressrelease_detail.php?id=575)

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“does not constitute a public record under section 7 of the Freedom of Information Ordinance, 2002.” PILDAT has filed a complaint before the Ombudsman of Pakistan maintaining that attendance of Parliamentarians does not constitute 'excluded information' under section 15-18 of the Freedom of Information Act 2002 and that PILDAT, as an indigenous organisation by Pakistani citizens, has the right to know the commitment and dedication of the Members of the Parliament towards their legislative duties for which they were elected through an electoral process.

Now that the voters are about to choose their MNAs and MPAs for a new term, it is important for them to know the performance of their representatives during the past 5 years. It is important to note that daily attendance of all members of Indian Lok Sabha and Rajya Sabha is posted on their official website.

8. According to the Rule 201 (3) in the National Assembly of Pakistan when the House makes a reference (bill or any other matter) to a particular Standing Committee and if the Committee does not give its report within the 'prescribed' time then the House can consider the report upon a motion. However, if no time is prescribed for the presentation of the report then there is no limit for the Committee to present the report. In contrast, the Rules of Procedure in the Lok Sabha in Indian Parliament state that when the time period has not been fixed for the Committee to present a report it should be presented within one month of the reference made to it. This issue is of particular importance because there are a number of important bills that are stuck at the Committee level sometimes for years but are not brought in the House. An amendment in rules, therefore, is needed which sets the time period for a committee to return to the House with its report/deliberations.
9. The process with which though MNAs submit questions and through which those are chosen to appear on the Orders of the Day is a very complicated process in the National Assembly of Pakistan. According to the Rules, Questions should be submitted 15 days in advance to the Secretary. The Questions are submitted manually in the Notice Office and are placed in the House on first come first serve basis. The questions are submitted to the Notice Office in Parliament by a Member or, on the member's behalf a staff member on the last day of every session after it is prorogued. Members, however, feel that the National Assembly should reform the process of submitting Question and use other more viable and quick procedures such as Email for submission of Questions.
10. Question Hour is the most crucial part of the Assembly's proceedings through which the elected members hold the Government to account. Very useful details are shared with members in response to their questions. The Question Hour is telecast on Pakistan Television (PTV) only. The National Assembly should extend this facility to other private television channels also who should also telecast this section.
11. The Assembly also failed to institute a specific Question Hour for the Prime Minister while this is a Parliamentary tradition around the World.
12. Despite repeated demands, the Assembly has failed to reform the procedure for the recruitment and promotion of National Assembly Staff. Under the garb of 'independence' of the Assembly, recruitment and promotion issues are left to be decided internally with Speaker having final word. As a result, the Assembly may have some of the largest staff members on extension while induction of new staff is also made based on the personal choice of Speakers and not based on professional requirements of the job at hand. Pakistan's former Premier, Syed Yusuf Raza Gilani, has also been convicted and jailed for his role in appointments when he served as Speaker of the National Assembly.

On March 12, 2013, just 3 days before the expiry of the term of the 13<sup>th</sup> National Assembly, the House Finance Committee, chaired by the Speaker, approved the “*continuation of 116 temporary posts in different cadres for the financial year 2013-2014.*” According to the press release available at the Assembly website, the “*said posts were required to be continued for the smooth functioning of the National Assembly Secretariat.*”<sup>3</sup>

Like all other Government employment, an institutionalised recruitment and promotion policy of Assembly Staff through the Public Service Commission is required. The promotions of staff also needs to be subject to successful completion of courses at the National School of Public Policy like other Civil Service officials in Pakistan.

3. Please see details at: Dr. Fehmida Mirza Chairs Meeting of the NA Finance Committee, March 12, 2013:  
[http://www.na.gov.pk/en/pressrelease\\_detail.php?id=575](http://www.na.gov.pk/en/pressrelease_detail.php?id=575)

## Introduction

According to the Constitution of Pakistan the Majlis-e-Shoora (Parliament) of Pakistan consists of the President and two Houses to be known respectively as the National Assembly and Senate. There are three hundred and forty two (342) seats in the National Assembly including the reserved seats for women and non-Muslims. The seats are allocated to provinces and women as under:

In addition to these there are ten (10) seats reserved for

non-Muslims.

The party-wise distribution in the National Assembly is as follows:

Outgoing Prime Minister of Pakistan, Raja Pervez Ashraf, in his farewell address to the nation on March 16, 2013, the day the 13<sup>th</sup> National Assembly was dissolved, said that democracy is rooted in Pakistan; all avenues leading to forcible derailing of democracy have been closed; and there is no threat to democracy in Pakistan.<sup>4</sup>

**Table 1: Division of Seats in the National Assembly**

Province/Territory/Area	General Seats	Women	Total
Balochistan	14	3	17
Khyber Pakhtunkhwa	35	8	43
Punjab	148	35	183
Sindh	61	14	75
Federally Administered Tribal Areas (FATA)	12	-	12
Federal Capital	2	-	2
<b>Total</b>	<b>272</b>	<b>60</b>	<b>332</b>

**Table 2: Party Representation in the 13th National Assembly of Pakistan**

No.	Party	Members	Percentage
1	Pakistan Peoples Party-Parliamentarian	127	37%
2	Pakistan Muslim League – Nawaz	92	27%
3	Pakistan Muslim League	50	15%
4	Muttahida Quami Movement	25	7%
5	Awami National Party	13	4%
6	Muttahida Majlis-e-Amal	8	2%
7	Pakistan Muslim League-Functional	5	1%
8	Balochistan National Party-Awami	1	0.3%
9	National Peoples Party	1	0.3%
10	Pakistan Peoples Party – Sherpao	1	0.3%
11	Independent	18	5%
	<b>Total</b>	<b>342</b>	<b>-</b>

4. Please see details at: Dr. Fehmida Mirza Chairs Meeting of the NA Finance Committee, March 12, 2013: [http://www.na.gov.pk/en/pressrelease\\_detail.php?id=575](http://www.na.gov.pk/en/pressrelease_detail.php?id=575)

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**Dr. Fehmida Mirza** (MNA, NA-225, Badin-II, Sindh, PPPP) was elected on March 19, 2008 as the first woman Speaker of the National Assembly. Similarly, **Mr. Faisal Karim Kundi** (MNA, NA-24, D. I. Khan, Khyber Pakhtunkhwa, PPPP) was elected as the youngest Deputy Speaker in the history of Pakistan, at age 33, on March 19, 2008.

**Syed Yousuf Raza Gilani** (MNA, NA-151 Multan-IV, Punjab, PPPP) was unanimously elected as the Prime Minister of Pakistan on March 24, 2008<sup>5</sup> and unanimously obtained the Vote of Confidence from the House on March 29, 2008. He served until he was disqualified as MNA for his conviction on charges of contempt of court on June 19, 2012.

Subsequently, **Raja Pervez Ashraf** (MNA, NA-51, Rawalpindi-II, Punjab, PPPP) was elected as the Prime Minister of Pakistan on June 22, 2012 by the 13<sup>th</sup> National Assembly and was administered the oath of office of the Prime Minister of Islamic Republic of Pakistan on the same day.

The 13<sup>th</sup> National Assembly held its first session on March 17, 2008 and its 50<sup>th</sup> and last session on February 18, 2013, 5 years later to the day the 9<sup>th</sup> General Election was held in Pakistan in 2008. In addition to holding 50 Sessions, the 13<sup>th</sup> National Assembly also held 13 Joint Sessions during the five years term, of which two in camera sessions were also held during second and tenth session of the Assembly's joint sessions.

The 13<sup>th</sup> National Assembly met for a total of 666<sup>6</sup> days in its 50 sessions in its 5 year term. The National Assembly met for 132 days in its 1<sup>st</sup> Parliamentary year, 136 days in its 2<sup>nd</sup> Parliamentary year, 140 days in its 3<sup>rd</sup> Parliamentary year and 144 days each during 4<sup>th</sup> and 5<sup>th</sup> Parliamentary years.

The total number of working hours during 5 year of the 13<sup>th</sup> National Assembly is calculated to be 1345 hours. In the 1<sup>st</sup> parliamentary year, the Assembly met for 277 Hours and 15 minutes. It met for 355 and 20 Minutes in the 2<sup>nd</sup> Parliamentary year; in its 3<sup>rd</sup> year the Assembly met for 300 hours and 35 minutes; 228 hours and 06 minutes in the 4<sup>th</sup>

year and 184 hours and 34 minutes in its 5<sup>th</sup> and final parliamentary year.

The National Assembly passed 139 bills during 5 years. This is a significant improvement of 178 % from the 12<sup>th</sup> National Assembly, which only passed 50 bills during its 5 year term (2002-2007).

The total Private member Bills introduced during five years is 205. Out of these 205, the 13<sup>th</sup> National Assembly passed 1 Bill in the first year; 3 Bills in the second year, 1 Bill in the third year, 3 Bills in fourth year and 11 Bills in the fifth Parliamentary Year. Thus, as compared to only 1 Private Member Bill passed by the 12<sup>th</sup> National Assembly in 5 years, the 13<sup>th</sup> National Assembly passed 19 Private Members Bills in 5 years.

President of the Islamic Republic of Pakistan, **Mr. Asif Ali Zardari**, addressed the 13<sup>th</sup> National Assembly 5 times, once at the beginning of each Parliamentary year. He addressed the National Assembly first on September 20, 2008; after his election as President on September 06, 2008; second time on March 28, 2009; thirdly on April 05, 2010; on March 22, 2011 for the fourth time and March 17, 2012 for the fifth and final time.

During these five years, the National Assembly was also addressed by His Excellency **Mr. Recep Tayyip Erdogan**, Prime Minister of the Republic of Turkey, on October 26, 2009 and May 21, 2012 respectively; as well as His Excellency **Mr. Wen Jiabao**, Prime Minister of the Peoples Republic of China on December 19, 2010.

5. Syed Yusuf Raza Gilani stood disqualified from his membership of the National Assembly of Pakistan, and therefore from his premiership, on April 26, 2012
6. According to the Constitution of Pakistan (Article 54 (2)), the National Assembly has to meet for "not less than one hundred and [thirty] working days in each year." However the working days are calculated, according to the Constitution as including "any day on which there is a joint sitting and any period, not exceeding two days for which the National Assembly is adjourned." However, for the purpose of this report, actual working days have been calculated on the basis of days on which the House actually met disregarding any weekend or breaks.

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## 5 Years of the 13<sup>th</sup> National Assembly

After the General Election in February 2008, the 13<sup>th</sup> National Assembly held its first session on March 17, 2008 and completed its 5 year term on March 16, 2013.

Following is an analysis of the 13<sup>th</sup> National Assembly's major events:

### Passage of the 18<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> Constitutional Amendments

The passage of the 18<sup>th</sup> Constitutional Amendment remained the greatest achievement of the 13<sup>th</sup> National Assembly. This amendment restored the supremacy of the Parliament as envisaged in the original Constitution of 1973 and provided for greater provincial autonomy and put restrictions on the personal discretions of the Executive.

The 18<sup>th</sup> Amendment Bill, passed on April 08, 2010 in the National Assembly, and April 15, 2010 in the Senate, consisted of 100 Amendments to 97 Articles of the Constitution. The 18<sup>th</sup> Amendment package was debated for more than 9 months with 982 persons and organisations giving the Parliamentary Committee on Constitutional Reforms (PCCR) their input. The Amendment was adopted with a rare consensus in both Houses. The vote in National Assembly was 292 in favour and none against while the vote in Senate was 90 in favour and none against.<sup>7</sup>

Originally, the mandate of the Parliamentary Committee on Constitutional Reforms (PCCR) was to propose amendments for giving effect to the Charter of Democracy signed between the Leaders of Pakistan Muslim League-Nawaz (PML-N) and Pakistan Peoples Party Parliamentarians (PPPP). However, the Committee extended its mandate to include the *Transparency, Reduction of individual discretion, Strengthening of Parliament and Provincial Assemblies, Provincial Autonomy, Independence of Judiciary, Strengthening of fundamental rights, Improving merit, Good governance and Strengthening of institutions* as objectives/targets.

According to the 19<sup>th</sup> Amendment adopted by the Parliament on December 22, 2010, the number of senior Judges in the Judicial Commission was increased to four from two, in line with the order of the Supreme Court. The nominations of the Commission will be sent to a Parliamentary Committee which can confirm or reject nominations but the Committee will have to cite reasons for rejections. However, the Commission cannot resend a nomination once rejected by the Committee and will have to send a new nomination in place of the one rejected. The 19<sup>th</sup> Constitutional Amendment has also specified 15 years' experience for the concerned Bar Council representative in the Judicial Commission responsible for nominating High Court Judges.

As a landmark development in strengthening democracy and ensuring free, fair and transparent elections under an independent Election Commission and neutral interim set-ups, the 13<sup>th</sup> National Assembly passed **'the 20<sup>th</sup> Constitution Amendment Bill 2012' on February 14, 2012**. The bill sought to amend Articles 48, 214, 215, 216, 218, 219, 224 and added a new Article, 224-A, in the Constitution to make the Election Commission truly independent. The passage of the 20<sup>th</sup> amendment paved the way for a consensus appointment of caretaker governments in the centre and the provinces to oversee future polls. The Government and the Opposition agreed on a "*system of reaching consensus*" on the appointment for the caretaker governments in the centre and the provinces in the 20<sup>th</sup> Amendment to the Constitution which was passed unanimously by the Parliament on February 20, 2012.<sup>8</sup> The term of ECP members has also been fixed at five years.

### The Role of the Public Accounts Committee

The Public Accounts Committee in the 13<sup>th</sup> National Assembly was formed on April 10, 2008 and the Chairman was elected on September 19, 2011. The PAC in Pakistan has continued to actively perform its duties in this period in keeping with its performance as the most active committee of the 13<sup>th</sup> National Assembly during 5 years. It

7. For details please see Impact of the 18<sup>th</sup> Constitutional Amendment on Federation-Province Relations, PILDAT Briefing Paper, July 2010, Link: <<http://www.pildat.org/Publications/publication/PAP/Impactofthe18thConstitutionalAmendmentonFederalProvincesRelations-BriefingPaper.pdf>>

8. Fearing that without a prior agreement on the definition of "consultation" between the Government and the Opposition on the appointment of Caretaker Government, the country may face a political deadlock close to the General Election, PILDAT had filed a Constitution Petition in February 2012 before the Supreme Court asking the Court to interpret the scope of 'Consultation' between the President and the outgoing Leader of the House and the Leader of the Opposition in the National Assembly for the formation of Caretaker Governments before the next General Election. This prompted the Opposition and the Government to seize this issue and move swiftly to address this through the 20<sup>th</sup> Amendment to the Constitution.

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continued<sup>9</sup> its examination of federal government audited accounts through reports by the Auditor General, and prepared recommendations and analysis on government expenditure. During five year term of the 13<sup>th</sup> National Assembly, the Committee published and issued 13 reports<sup>10</sup> and cleared a backlog of the past 10 years and recovered Rs. 115 billion. The PAC also successfully probed financial irregularities in the National Logistics Cell (NLC) – an organisation generally headed by a senior serving or retired Army officer.

### **Amendment to the Rules of Procedure and Conduct of Business in the National Assembly**

On December 24, 2010, the National Assembly passed Amendments to the Rules of Procedure and Conduct of Business in the National Assembly. The Amendment in the rules changed the procedure of the election of the Prime Minister and the Leader of the Opposition. The new rules made submission of nomination papers mandatory. After insertion of two new rules 39 (A) and 39 (B) the opposition benches, under the amended rules, can now remove the Leader of the Opposition with a majority of opposition members. Earlier there was no clause for the removal of the Leader of the Opposition by the Opposition benches.

An Amendment has also been made in Rule 244 for the appointment of Chief Election Commissioner of Pakistan in line with the 18<sup>th</sup> Constitutional Amendment to the Constitution. The 18<sup>th</sup> Constitutional Amendment had necessitated that a Parliamentary Committee will nominate the Election Commissioner of Pakistan. According to Rule 244 (C), (1) there shall be a Parliamentary committee to be constituted by the Speaker in terms of Clause (2B) of Article 213 read with Article 218 of the constitution. (2) The Committee shall comprise 50 per cent members from the treasury benches and 50 per cent from the opposition parties, based on their strength in the Majlis-e-Shoora (Parliament) to be nominated by respective Parliamentary leaders.

For the first time in Pakistan, after considerable bipartisan reform efforts by PILDAT over the years, Standing Committees in the National Assembly have now the power to scrutinise ministerial budget proposals (PSDP) before

these are made part of the Federal Budget.

### **Important Legislations**

The National Assembly passed '**The Election Laws (Amendment) Bill, 2013**' on March 12, 2013. This law sought to undo changes made by General (Retd.) Pervez Musharraf to prevent leadership of Pakistan Peoples Party (PPP) and Pakistan Muslim League-Nawaz (PML-N) standing as candidates while they were in foreign exile by making it mandatory for candidates to personally deliver their nomination papers to returning officers. This Act to restore the pre-2002 position declared that "Every nomination paper shall be delivered to the returning officer by the candidate or by his proposer or seconder or, if so authorised in writing by the candidate, by his nominee, and the returning officer shall acknowledge receipt of the nomination paper specifying the date and time of receipt."

Better late than never, finally, the National Assembly passed '**The Anti-Terrorism (Second Amendment) Act, 2013**' on February 20, 2013. The bill was a reproduction of the earlier draft of the Anti-Terrorism Bill 2010, withdrawn in 2012. It is worth noting here that this bill, together with the two earlier laws passed by the Parliament, the Anti-terrorism (Amendment) Act 2013 (dealing with terrorism-financing) and the Investigation for Fair Trial Act, 2013, (allowing the law enforcement agencies to use modern techniques and devices against terrorists and making e-mails, SMS, phone calls and audio-visual recordings as admissible evidence) can contribute to strengthening the anti-terrorism legal regime in Pakistan. Under the new law, activists of banned outfits would not be issued passports, arm licenses and credit cards. All the licenses, which have previously been issued to them, would be cancelled. According to new legislation, leaders of outlawed organisations would not be allowed to travel abroad. The new amendments provides for detention of suspects, which could not be challenged in any court. However, no suspect could be held more than 90 days. The detainee would be produced before an anti-terrorism court within 24 hours. Phone data, emails and identity cards could be presented as evidences.

To ensure free and compulsory education to all children of

9. As a somewhat negative development, the maiden trend set-up by the current Parliament to have opposition chair the PAC could not continue as the Chairman PAC, Leader of the Opposition, Chaudhry Nisar Ali Khan, MNA (NA-53 Rawalpindi-IV, Punjab, PML-N) had resigned from the PAC Chairmanship in November 2011. Despite the reported insistence of the Government, combined opposition declined to propose a new chairman from the ranks of opposition after which the ruling PPP appointed Mr. Nadeem Afzal Gondal, MNA, (NA-64 Sargodha-I, Punjab, PPP) as the new Chairman PAC in April 2012.
10. PAC Reports, <http://www.na.gov.pk/pac/?q=reports.html>

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aged five to sixteen years as enshrined in the Article 25-A of the Constitution, the National Assembly passed '**The Right to Free and Compulsory Education Act 2012**' on November 13, 2013. The statement of objects and reasons of the bill said, Article 25A of the constitution of the Islamic Republic of Pakistan 1973 provides for free education to all children of aged five to sixteen as a fundamental right and its provision is a responsibility of the state. Under the bill, every child, regardless of sex, nationality or race, now have a fundamental right to free and compulsory education in a neighbourhood school.

The National Assembly passed '**The National Commission for Human Rights Act, 2012**' on May 04, 2012. According to the Act, a Commission, consisting of ten members including a Chairperson and a member each from the four provinces, FATA and Islamabad Capital Territory, minority communities and the Chairperson of the National Commission on the Status of Women, may perform its functions either taking suo-moto or on a petition presented to it by a victim or any person on his behalf for violation of Human Right or abetment thereof and the negligence in the prevention of such violation, by a public servant. The Commission can also intervene in any proceeding involving any allegation of violation of human rights pending before a court by making application for becoming a party to the proceeding before the court.

To ensure protection to the rights of workers and promote trade union culture, the National Assembly also passed '**The Industrial Relations Act 2012**' on March 14, 2012. The bill paved way towards better rights to workers and contribute towards better relations between the employers and the employees as well as industrial growth in the country. This law helped to consolidate and rationalise the law relating to formation of trade unions and federations of trade unions, determining the collective bargaining agents, regulation of relations between employers and workers, the avoidance and settlement of any differences or disputes arising between them or matters connected therewith and ancillary thereto.

Setting up a National Commission for Women for empowerment and equalisation of opportunities for women and to provide them social, economic, political and legal rights, the 13<sup>th</sup> National Assembly passed '**the National Commission on the Status of Women Bill, 2012**' on January 19, 2012.

In order to prohibit situations which tend to lessen, distort or eliminate competition such as actions constituting an

abuse of market dominance, competition restricting agreements and deceptive market practices, the National Assembly passed the '**The Competition Act, 2010**' on September 23, 2010. This law also set out procedures relating to review of mergers and acquisitions, enquiries, imposition of penalties, grant of leniency and other essential aspects of law enforcement.

To make Computerised National Identification Card (CNIC) necessary to register and cast vote, the National Assembly also passed '**The Election Laws (Amendment) Act, 2011**' on April 18, 2011. The bill proposed that Computerised National Identity Cards (CNICs) issued by the National Database and Registration Authority (NADRA) to be the legal tender and made mandatory for the purpose of registration as voters or casting votes. The bill also offered a limited set of electoral reforms partly corresponding to the constitutional requirements after the passage of the Eighteenth Constitutional Amendment. The bill shifted the authority of the Chief Election Commissioner (CEC) to the Election Commission in keeping with the constitutional change under the Eighteenth Constitutional Amendment which had substituted the 'Commission' for 'Commissioner' regarding the functions earlier assigned to the Chief Election Commissioner thereby strengthening the institution of the Election Commission and diluting the powers of an individual (CEC).

The National Assembly passed '**The Anti-Money Laundering Bill, 2009**' on January 27, 2010. The bill provided, whosoever commits offences of money laundering shall be punishable with rigorous imprisonment for a term which shall not be less than one year but may extend to ten years and shall also be liable to fine which may extend to Rs one million and shall also be liable to forfeiture of property involved in the money laundering. It further provided that the aforesaid fine may extend to Rs five million in case of a company and every director, officer or employee of the company found guilty under this section, shall also be punishable under this section.

The National Assembly also passed '**The Protection against Harassment of Women at the Workplace Act, 2010**' on January 21, 2010. This bill protected women employees and if they were harassed at their workplaces, the culprit will be now liable to punishment of imprisonment term as well as fine. The law defined for constitution of institutions to redress the grievances of women and appointment of Mohtasib at provincial and federal level for women.



The National Assembly passed '***The Transplantation of Human Organs and Tissues Act 2009***' on November 12, 2009. This Act banned citizens from donating body organs to foreigners. The legislation also banned the removal of any human organ except for treatment. According to the Act, those involved in trafficking human organs could be now punished with up to 10 years in jail and a fine of up to Rs 1 million. Institutions and hospitals involved in removing human organs without legal authority also face punishment. The government now can suspend the registration of doctors for three years for a first offence and permanently for repeated offences. Under the act, transplantation of human organs are only be carried out by competent professionals working with recognised institutions after certification from an evaluation committee in each case.

To provide protection to women, children and families vulnerable to domestic violence, the National Assembly passed '***The Domestic Violence (Prevention and Protection) Act 2009***' on August 04, 2009. As per the law, the provincial governments constituted protection committees in every Tehsil consisting of one police officer of the rank of sub-divisional police officer, a female station house officer (SHO) and two women councillors, from Tehsil council concerned. And the perpetrators can be now subjected to punishment under criminal code.

## Debates and Resolutions

The 13<sup>th</sup> National Assembly had the privilege of passing many important resolutions on the internal security issues and the foreign policy especially in reference to the war on Terror. The resolutions were also passed for conducting Swat and Waziristan operations against militants, Drone attacks in the FATA areas by the US forces and Abbottabad's Osama Bin Laden operation, etc.

The National Assembly also condemned the airing of a defamatory video clip in the US, maligning the revered and pious personality of Prophet Muhammad (PBUH), on the eve of September 11, 2012. Members raised their concerns during the sessions that such actions provoke hatred, discord and enmity within societies and between peoples of various faiths. They debated that the event has deeply hurt the feelings of the people of Pakistan and the Muslims all over the world. They also strongly condemned the printing and re-printing of the sacrilegious and blasphemous caricatures of the Holy Prophet of Islam and the release of an offensive and derogatory documentary on Islam entitled "Fitna" by the Dutch Parliamentarian.

On Human Rights issues, the National Assembly debated that Government should take steps to make legislation to ensure survival, development, protection and participation of children without any discrimination and formulate Parliamentarians Forum to ensure Child Rights. It was also debated that Government should take pragmatic steps to control the incidents of target killings in the country. The debates on Human rights also revealed on the arrest and detention of Pakistani national Dr. Aafia Siddiqui.

The 13<sup>th</sup> National Assembly in its 5 years term also debated for affirmation of its commitment to strengthening the true and genuine democratic system and democratic institutions, which alone can ensure national integrity and solidarity, inter-provincial harmony, balanced economic development and the well-being and prosperity of the people of the Pakistan. It was debated that the deviation from the democratic/ constitutional path has been disastrous for the country, invariably leading to political instability, differences between the Federation and the Provinces, disruption of the rule of law and lack of confidence in the judicial system. It was also debated in the Assembly that any attempt to adopt extra-constitutional or non-democratic measures, amounts to endangering the future of Pakistan.

A Resolution was also adopted by the National Assembly

on September 03, 2012 on Commitment to Strengthening the Democratic System and Democratic Institutions. It was debated in the Assembly to uphold the supremacy of the Constitution, guaranteeing fundamental rights of the people and the rule of law. The debates also revealed to an independent judiciary under the Constitution, which too is a guardian of the Constitution and the rule of law, and to a free and responsible media which plays a vital role in ensuring public awareness, transparency and across the board accountability.

The debates in the 13<sup>th</sup> National Assembly also revealed that in order to address the grievances and to secure the political, administrative and economic interests of the people of the Southern Region of the Province of the Punjab and to empower them in this regard, it is expedient that a new province to be known as Province of "*Janoobi Punjab*" be created from the present Province of the Punjab. A resolution was passed that calls upon the Provincial Assembly of the Punjab to present a Bill in the Punjab Assembly to amend the Constitution in accordance with Article 239(4) of the Constitution for passage which may have the effect of altering the limits of Province of the Punjab, thereby creating Province of Janoobi Punjab. A parliamentary committee was also constituted to deal with the subject and build consensus among all stakeholders but remained unsuccessful till end of the term of the National Assembly.

Pakistan Railways, which faced administrative and financial crisis, remained under National Assembly's scrutiny throughout the five years of its term. Range of the questions of Parliamentarians during the National Assembly sessions revealed around the closure of Pakistan Railways routes, financial difficulties, delay in employees salaries, corruption, land and property and other issues from the Ministry of Railways.

Parliamentarians also debated on increase in prices of petroleum products throughout five years. They debated that Government should consider withdrawal of increase in prices of petroleum products immediately in the interest of people of Pakistan, as it will have serious impact on common man by increasing inflation in the country.

The National Assembly also debated the Israeli attacks on Gaza and other Palestinian cities and condemned that Israel's aggression wherein hundreds of innocent men, women and children have been killed and critically injured. It was discussed in the House that such brutal attacks over

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ordinary citizens are intolerable and demanded that United Nations and Organisations of Islamic Countries (OIC) should take immediate and serious notice of such attacks and take an appropriate action against such barbarism of Israel.

Despite several Resolutions by the 13<sup>th</sup> National Assembly against Drone Attacks on the territory of Pakistan it continued though out five years. During the Assembly Session, Parliamentarians debated that Drone are not only unacceptable but also constitute violation of the principles of the Charter of the United Nations, international law and humanitarian norms and such drone attacks must be stopped forthwith, failing which the Government will be constrained to consider taking necessary steps including withdrawal of transit facility allowed to NATO/ISAF forces. The Parliament passed a Resolution to block the NATO supply from Pakistan to Afghanistan after the NATO attack on Military check post at Salala along with Pak-Afghan border in FATA. The Resolution was implemented immediately.

Incidents of brutal killings of female anti-polio vaccinators (Health Workers) in Karachi and Pakhtunkhwa and causing injury to workers on December 18, 2012 were also noticed by the 13<sup>th</sup> National Assembly. During the debates, Parliamentarians strongly demanded that all the culprits should be arrested and maximum punishment be awarded and reasonable amount of compensation be paid to the hires of the victims and also to the injured workers of the Government.

Water and Power Issues, Radicalisation, Issue of Blasphemy, increase Trade Deficit, Development of Agriculture Sector, Street Crime, Hajj Arrangements, Price of Flour, Increase in prices of Gas and Electricity, Mumbai Attacks, Unreleased funds to Higher Education commission-HEC, Fast spreading of Hepatitis disease in the country, Textile Problem, Screening of Pakistanis at US Airports, Diamer-Bhasha Dam, Failing to Control Infiltration, Load shedding, Government Borrows, Sugar Crisis, Dual Nationality, Contempt of Court etc. were among major issues those were discussed during the five years of the 13<sup>th</sup> National Assembly.

## Areas of Concern

Following is an account of trends in which the National Assembly has not been able to adequately play its due role. These remain the lingering areas of concern which have negatively impacted on the 13<sup>th</sup> National Assembly:

1. Apart from some historic achievements during its five year term, the 13<sup>th</sup> National Assembly remained unsuccessful in providing workable recommendations on resolving Pakistan's key issues including terrorism, law and order situations in Balochistan, Karachi and FATA, and growing sectarianism. Regardless of the severity of these issues, the Assembly's response never moved beyond expressing sorrow.
2. Even though good trend of giving committee chairpersonship to opposition parties was established, a system could not be evolved in which only subject-specialists and persons most suited to chair committees could be elected. The most important committee of the Assembly, Standing Committee on Foreign Affairs, remained almost entirely dormant under the chairmanship of Mr. Asfandyar Wali Khan (MNA, NA-7, Charsadda-I, ANP) who hardly ever convened meetings of the committee. As a result, the committee failed to play its due role.
3. **Dr. Fehmida Mirza**, MNA (NA-225, Badin-cum-Tando Muhammad Khan-II, Sindh: PPP), whose election was as the first-ever Woman Speaker of the National Assembly was lauded, failed to maintain a balance in effectively discharging her responsibilities as the custodian of the House. For the most part of 4 years, her business concerns appeared to be worthy of most of her time as she remained in Karachi looking after her business. With the exception of setting up a Woman's Caucus that she took great pride in, that also led many to question if she only preferred to be the Speaker for female members, she has not left behind a trail blazing legacy many expected from a woman Speaker. Her ill-health, unfortunately, kept her away from most of her professional responsibilities during the last year of the term. Unfortunately the only legacy she seems to have left-behind is the much-deprecated undue package of life-time of perks and privileges she had approved for herself and preceding and forthcoming Speakers.
4. Yet another term later, the National Assembly failed to provide for office space and research assistants both for individual MNAs as well as Standing Committees. Pakistan suffers from being one of the very few countries where elected representatives continue to work unassisted without office space and assistance. Committees, which are considered the work horses of Parliaments, work without committee room suites. Only committee chairs are provided with office space for themselves which is also not part of the Parliamentary estate. The elected leadership at the helm of affairs of the National Assembly failed to prioritise once again as it sanctioned the construction of extension of the Parliamentary lodges instead of constructing an office block for Standing Committees even though the office block was to cost less.
5. For all the improvements in the 13<sup>th</sup> National Assembly on providing greater public access to Assembly's work, it has remained regressive on some of the key issues of public information. PILDAT, which has been carrying out citizens assessment of Parliamentary performance since 2002, recently sought from the National Assembly of Pakistan the complete record of attendance of each Member of the National Assembly for the term ending in 2013. The National Assembly secretariat, however, declined to share the required information maintaining that the attendance record of MNAs "*does not constitute a public record under section 7 of the Freedom of Information Ordinance, 2002.*" PILDAT has filed a complaint before the Ombudsman of Pakistan maintaining that attendance of Parliamentarians does not constitute 'excluded information' under section 15-18 of the FOI 2002 and that PILDAT, as an indigenous organisation by Pakistani citizens, has the right to know the commitment and dedication of the Members of the Parliament towards their legislative duties for which they were elected through an electoral process.  
  
Now that the voters are about to choose their MNAs and MPAs for a new term, it is important for them to know the performance of their representatives during the past 5 years. It is important to note that daily attendance of all members of Indian Lok Sabha and Rajya Sabha is posted on their official website.
6. According to the Rule 200 (3) in the National Assembly of Pakistan when the House makes a reference (bill or any other matter) to a particular

Standing Committee and if the Committee does not give its report within the 'prescribed' time then the House can consider the report upon a motion. However, if no time is prescribed for the presentation of the report then there is no limit for the Committee to present the report. In contrast, the Rules of Procedure in the Lok Sabha in Indian Parliament state that when the time period has not been fixed for the Committee to present a report it should be presented within one month of the reference made to it. This issue is of particular importance because there are a number of important bills that are stuck at the Committee level sometimes for years but are not brought in the House.<sup>11</sup> An amendment in rules, therefore, is needed which sets the time period for a committee to return to the House with its report/deliberations.

Pakistan. Over the course of five years challenges in Governance have transformed into crises. There have palpable failures in the domain of Economy, control of corruption, maintenance of peace and order in the society and provision of speedy justice to the citizens. There have been charges of corruption on Cabinet members while the state of Economy is worse than in 2008. Furthermore, the Government has allowed many state owned companies to default.

7. The process with which though MNAs submit questions and through which those are chosen to appear on the Orders of the Day is a very complicated process in the National Assembly of Pakistan. According to the Rules Questions should be submitted 15 days in advance to the Secretary. The Questions are submitted manually in the Notice Office and are placed in the House on first come first serve basis. The questions are submitted on the last day of every session after it is prorogued. Members, however, feel that the National Assembly should reform the process of submitting Question and use other more viable and quick procedures such as Email for submission of Questions.
8. Question Hour is the most crucial part of Assembly's proceedings through which the elected members hold the Government to account. Very useful details are shared with members in response to their questions. The Question Hour is telecast live on Pakistan Television (PTV) only. The National Assembly should extend this facility to other private television channels also who should also telecast this section.
9. The Assembly also failed to institute a specific Question Hour for the Prime Minister while this is a Parliamentary tradition around the World.
10. The domain of Governance remains the greatest cause of concern in the current state of Democracy in
11. A very good example of this is the Holders of Public Office (Accountability) 2009 bill which is in the Parliament since April 2009. Moreover, during the consultation session Parliamentarians over the performance of the Parliament, Justice (Retd.) Fakhar un Nissa Khokhar MNA, (NA-295 Punjab-XXIII-PPPP) said 12 bills submitted by her were stuck at the Committee level.

## Key Performance Indicators

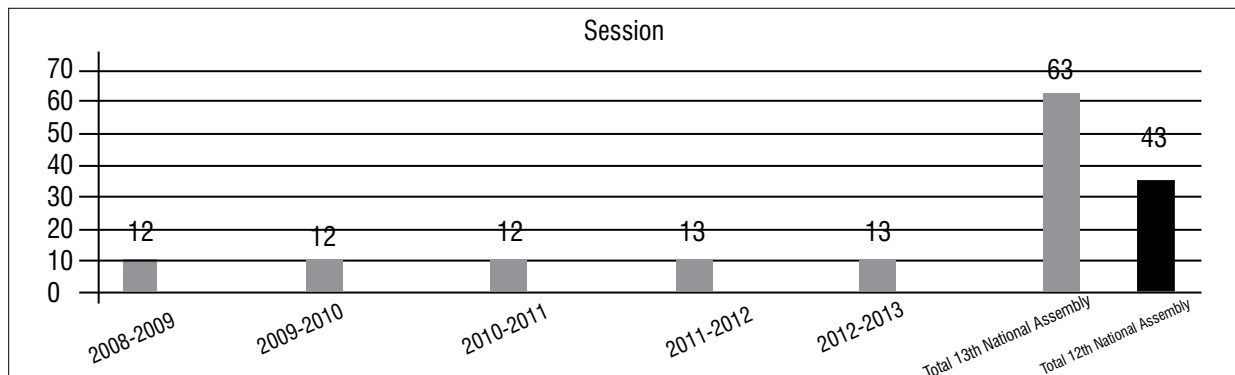
### Sessions

1. The 13<sup>th</sup> National Assembly held a total of 63 Sessions, 50 regular and 13 Joint Sessions, during its 5 year term.
2. It held 13 Sessions during first year, 12 Sessions each during second and third year and 13 Sessions each during fourth and fifth Parliamentary year.
3. The Assembly held 2 Joint Sessions during first Parliamentary year, 4 Joint Sessions during second Parliamentary year, 2 Joint Sessions each during third and fourth Parliamentary years and 1 Joint Session during fifth Parliamentary year. 2 Joint in-camera Sessions were also held during the first and fourth Parliamentary year from October 08 to 22, 2008 and May 13 to 14, 2011 respectively.
4. President of Pakistan addressed the 13<sup>th</sup> National Assembly 5 times, once during each Parliamentary year. He addressed the National Assembly first on September 20, 2008, second time on March 28, 2009, thirdly on April 05, 2010, on March 22, 2011 for the fourth time and March 17, 2012 for the fifth time.
5. The Assembly was also addressed by His Excellency Recep Tayyip Erdogan, Prime Minister of the Republic of Turkey on October 26, 2009 and May 21, 2012 respectively, His Excellency Wen Jiabao, Prime Minister of the Peoples Republic of China on December 19, 2010.

### Working Days and Hours

According to Article 54 (2) of the Constitution of Pakistan,

**Figure 1: Sessions**



the National Assembly has to meet for a minimum of 130 days in a year. A break of two days during an on-going session is also counted while computing the number of days in the context of this constitutional requirement.

1. The 13<sup>th</sup> National Assembly met for a total of 696 days in 63 sessions, including thirteen (13) Joint Sessions, during its 5 Parliamentary years. The National Assembly met 132 days in its 1<sup>st</sup> Parliamentary year, 136 days in its 2<sup>nd</sup> Parliamentary year, 140 days in its 3<sup>rd</sup> Parliamentary year, 144 days each during 4<sup>th</sup> and 5<sup>th</sup> Parliamentary years.
2. The actual (excluding breaks or non-working days) number of days the Assembly met was 97 during the 1<sup>st</sup> year, 104 working days each for 2<sup>nd</sup> and 3<sup>rd</sup> Parliamentary year, 113 day for its 4<sup>th</sup> year and 98 for its final Parliamentary year. The 12<sup>th</sup> National Assembly of Pakistan, in comparison, had met on an average of 77 days a year during its 5-year term while the combined average of working days in 5 years of the 13<sup>th</sup> National Assembly stands at 103 days, registering a welcome increase of 31% in the number of days the Assembly met.
3. The total number of working hours during the 5 year of the 13<sup>th</sup> National Assembly is 1345. During 1<sup>st</sup> Parliamentary year the Assembly met for 277 hours and 15 minutes. It met for 355 and 20 Minutes during 2<sup>nd</sup> Parliamentary year, in its 3<sup>rd</sup> year the Assembly met for 300 hours and 35 minutes and 228 hours and 06 minutes during 4<sup>th</sup> year and 184 hours and 34 minutes during its 5<sup>th</sup> Parliamentary year.
4. The average working hours per day for the five years comes out to be around 2 hours and 06 minutes compared to the average of a little over 3 hours of the 12<sup>th</sup> National Assembly.

### Working Days of the Budget Session

The Annual Budget Statement is generally presented at the National Assembly during the second week of June and is passed by the National Assembly by the beginning of last week of June. This process generally leaves fifteen (15) to twenty (20) calendar days and around twelve (12) to seventeen (17) working days for the various stages of budget debate in the National Assembly. The table below shows the number of days allocated for budget debate in the National Assembly in since 1998-1999.

The 13<sup>th</sup> National Assembly met for a total of 61 days during the five years to debate and passed the each year's

financial budget since 2008-2009. On average 169 Members participated in the budget sessions during the five years for an average of 37 hours.

### Legislation

1. The National Assembly passed 139 bills during the 5 years. This is a significant improvement of 178 % from the 12<sup>th</sup> National Assembly which only passed 50 bills during its 5 years.
2. The 13<sup>th</sup> National Assembly passed 5 bills during the 1<sup>st</sup> Parliamentary year, 32 bills during its 2<sup>nd</sup> Parliamentary years, 31 Bills in its 3<sup>rd</sup> year, 28 bills during the 4<sup>th</sup> Parliamentary year and 43 bills in its 5<sup>th</sup>

Figure 2: Days

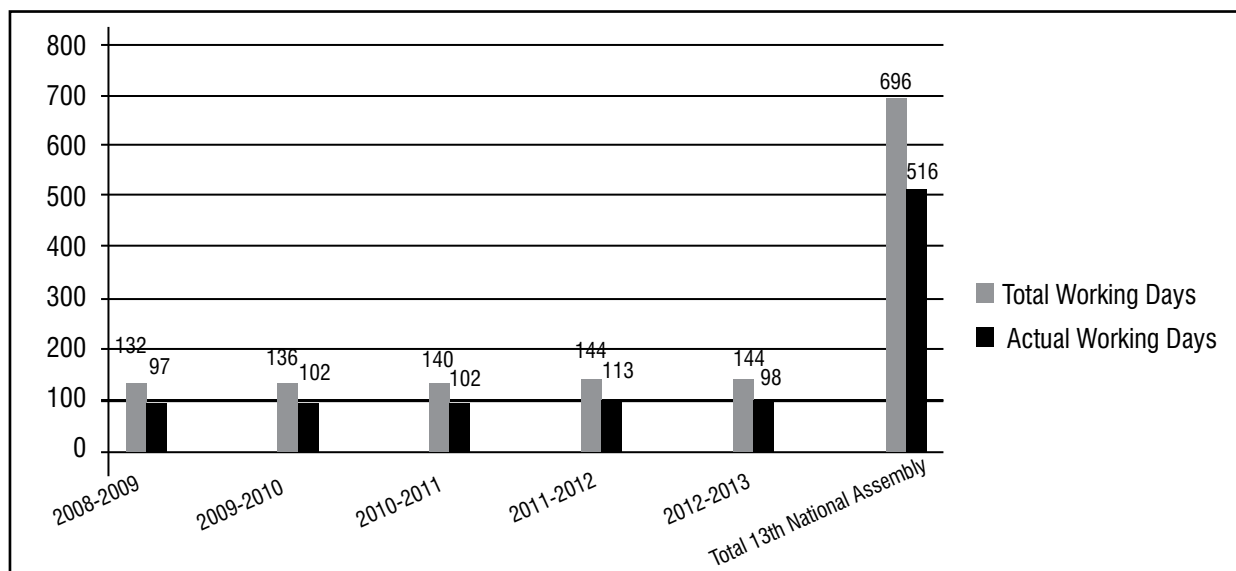


Table 3: A Comparison of Budget Sessions 1999-2013

	1998-99	1999-2000	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
Total Working Days of the Budget Session	11	13	5	9	8	13	11	19	10	15	17	10
Number of Members Participated	80	66	48	191	132	183	187	229	170	161	139	147
Time Consumed in the Budget Sessions	17.00 hours	13.50 hours	09.40 hours	45.32 hours	34.20 hours	55.50 hours	45.22 hours	41.46 hours	42 hours	39 hours	35 hours	25.5 hours

Parliamentary years. 19 Bills among the totals bill passed are those which were presented by the Private Members. The total Private member Bills introduced during the five years is 205. Out of these 205, the 13<sup>th</sup> National Assembly passed 1 Bill in the first year, 3 Bills in the second year, 1 Bill in the third year, 3 Bills in fourth year and 11 Bills in during the fifth Parliamentary Year. In contrast, the 12<sup>th</sup> National

Assembly of Pakistan passed only 1 Private Member Bill during 5 years.

- Among these entire passed bills during the five years of the 13<sup>th</sup> National Assembly, the total number of reports presented on government Bills were 108 whereas 38 reports were also presented on private Members' Bills. 5 Bills were passed during the Joint Sessions of the National Assembly.

Figure 3: Working Days of the Budget Sessions

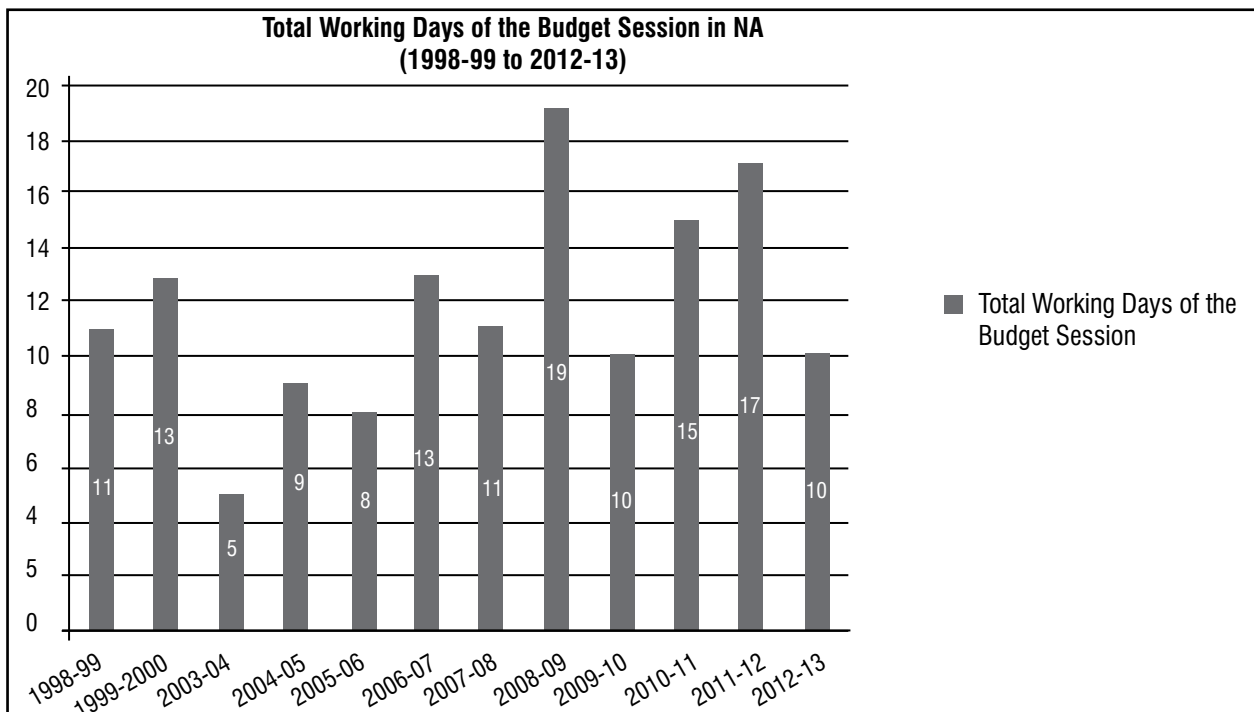
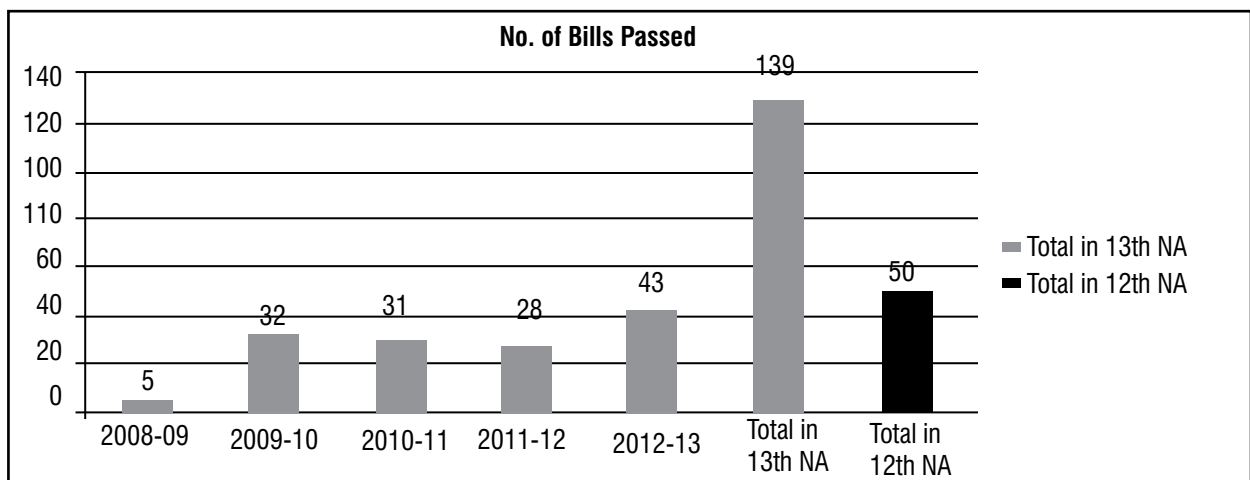


Figure 4: Bills Passed





**Questions**

The number of questions asked by the members during the 5 years of the 13<sup>th</sup> National Assembly is 43900. 10843 questions were asked during the first parliamentary year, 10572 questions were asked during second year of the Assembly, 8321 question were asked during third parliamentary year, 7895 questions were asked during fourth year and 6269 question were asked during the final parliamentary year of the 13<sup>th</sup> National Assembly. In response to all the questions asked during the 5 years of the 13<sup>th</sup> National Assembly only 29 % of the were answered, which means the total number of questions answered during the 5 year of the 13<sup>th</sup> National Assembly is 12556. 3044 questions were answered during the first year, 3447 in second year, 2285 in third year, 1962 in its fourth year and 1818 questions were answered in its fifth Parliamentary year.

A total of 47014 questions were asked in 12 National Assembly during 5 years out of which only 10099 or 21% were answered during five years period, this shows an increase of 8 % improvement in 13<sup>th</sup> National Assembly.

This is an area of serious concern as lack of an effective system of accepting questions and their disposal through an efficient timeline of receiving answers from concerned ministries and departments is resulting in a declining interest in members to raise issues of national concern in

the Assembly in the form of questions.

It is recommended that the National Assembly Committee dealing with the Rules of Procedure and the concerned staff work to see how the percentage of questions answered can be improved. It may require orientations for members to follow the rules and it may also require amendment to rules.

**Resolutions**

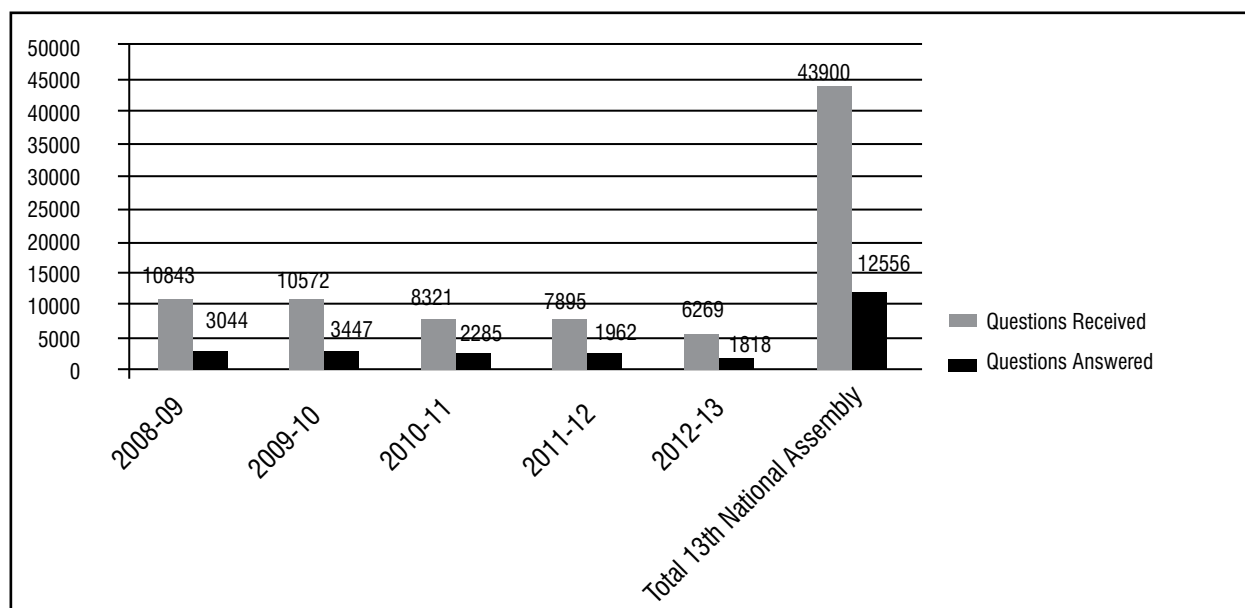
The 13<sup>th</sup> National Assembly received a total of 3414 resolutions during the 5 years. 64 % (2064) of these Resolutions were admitted in the House and only 4 % (85) resolutions were passed by the 13<sup>th</sup> National Assembly in five year.

During its first and second Parliamentary year, the Assembly adopted 15 Resolutions each. 13 resolutions were adopted in second year and 8 were adopted in fourth year. The National Assembly adopted 34 Resolution during its fifth and final Parliamentary year.

**Privilege Motions**

A total of 299 questions of breach of privilege were submitted in the 13<sup>th</sup> National Assembly as Privilege Motions. Among these 50 were brought before the House

**Figure 5: Questions**



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and only 100 (32 %) were referred to the Standing Committee on Rules of Procedures and Privileges. The total Number of privilege Motions submitted during the 12<sup>th</sup> National Assembly was 693; 249 among them were brought before the House and 104 were referred to the Standing Committee on Rules of Procedures and Privileges.

### **Adjournment Motions**

In order to consider a matter of public importance by moving an adjournment motion in the House, the 13<sup>th</sup> National Assembly received 1880 Motions during the 5 years. Among all these 84 motions were brought before the House and 31 motions were discussed for two hours during all these years while 08 were referred to the Standing Committees.

In comparison to the 13<sup>th</sup> National Assembly, the total numbers of Adjournment Motions received during the 5 years of the 12th National Assembly were 2910. 547 among those were brought before the house and discussion were held on only 47 motions.

During the 5 years, the 13<sup>th</sup> National Assembly also received 197 Motions under Rule 87. Among these 142 Motions were admitted to the House but the discussion held on only 19 Motions.

In order to consider a policy, situation, and statement or any other matter for consideration in National Assembly 1961 Motions Under Rule 259 were also received in five years and 1398 were admitted while among these only 14 motions were discussed in the House during the five years of the National Assembly.



# APPENDICES



# Citizens Report

## 5 Years of the 13th National Assembly of Pakistan

March 17, 2008 - March 16, 2013

### Appendix A:

### Comparison of the Legislative Performance of the Five Years of the 13<sup>th</sup> National Assembly of Pakistan (2008-2013)

#### Working Days and Hours

Working Days and Working Hours	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	13th National Assembly Total
Total No. of Days the House Met	132	136	140	144	144	696 <sup>12</sup>
Actual No. of Days the House Met	97	104	104	113	98	516 <sup>13</sup>
Total No. of Hours the House Met	277 hours and 15 minutes	355 hours and 20 minutes	300 hours and 35 minutes	228 hours and 06 minutes	184 Hours and 34 minutes	1345 Hours and 50 Minutes
No. of Hours met Per Day	2.09	3.49	3.07	2.02	1.88	2.61

#### Government Bills

Parliamentary Year	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	13th National Assembly Total
Bills/Ordinances Introduced/laid	30	90	34	-	-	222
Passed	03	29	24	28	46	120
Withdrawn	01	2	1	-	-	25
Pending	26	89	102	-	-	99

#### Private Members' Bills

Parliamentary Year	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	13th National Assembly Total
Received	104	91	28	-	-	-
Introduced	39	64	17	40	45	205
Passed	01	3	1	03	11	19

12. Including 13 Joint Session of the NA in 5 years

13. Including Sitzings of the 13 Joint Sessions of the Parliament in 5 years

# Citizens Report

## 5 Years of the 13th National Assembly of Pakistan

March 17, 2008 - March 16, 2013

### Questions

Parliamentary Year	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	13th National Assembly Total
Received	10843	10572	8321	7895	6269	43900
Admitted	-	5625	-	-	-	-
Admitted but lapsed	2852	2370	1674	-	-	25447
Answered	3044	3447	2285	1962	1818	12556
Processed but Lapsed	2749	3308	3318	-	-	14213

### Calling Attention Notices

Parliamentary Year	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	13th National Assembly Total
Received	708	894	706	-	-	3175
Statements Made on	94	106	70	-	-	430
Disallowed/Lapsed	-	777	-	-	-	2745

### Privilege Motions

Parliamentary Year	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	13th National Assembly Total
Total Privilege Motions Received	50	60	76	-	-	299
Brought before the House	08	19	23	-	-	50
Referred to the Standing Committee	07	18	25	-	-	100
Motions disallowed	-	09	-	-	-	-

**Citizens Report**  
**5 Years of the 13th National Assembly of Pakistan**

March 17, 2008 - March 16, 2013

**Adjournment Motions**

<b>Parliamentary Year</b>	<b>2008-2009</b>	<b>2009-2010</b>	<b>2010-2011</b>	<b>2011-2012</b>	<b>2012-2013</b>	<b>13th National Assembly Total</b>
Total Adjournment Motions Received	367	402	409	-	-	<b>1880</b>
Brought before the House	15	28	24	-	-	<b>84</b>
Referred to the Standing Committee	01	-	2	-	-	<b>08</b>
Lapsed	-	124	22	-	-	-
Discussed in the House	-	13	11	-	-	<b>31</b>
Disallowed	144	242	-	-	-	-

**Motions under Rule 259**

**(Motion that Policy, Situation, Statement or any other matter be taken into consideration)**

<b>Parliamentary Year</b>	<b>2008-2009</b>	<b>2009-2010</b>	<b>2010-2011</b>	<b>2011-2012</b>	<b>2012-2013</b>	<b>13th National Assembly Total</b>
Total Motions Received under Rule 259	305	658	304	-	-	<b>1961</b>
Total Motions Admitted but Lapsed	140	616	208	-	-	<b>1398</b>
Discussed in the House	05	-	1	-	-	<b>14</b>



March 17, 2008 - March 16, 2013

## Appendix B:

### Important Legislation<sup>14</sup>

No.	Bill	Date of Passage
1.	The Election Laws (Amendment) Bill, 2013	March 12, 2013
2.	the Anti-Terrorism (Amendment) Act, 2013	February 20, 2013
3.	The Right to Free and Compulsory Education Act 2012' on	November 13, 2012
4.	The National Commission for Human Rights Act, 2012' on	May 04, 2012
5.	The Industrial Relations Act 2012	March 14, 2012
6.	The Constitution (Twentieth Amendment) Act, 2012	February 14, 2012
7.	The National Commission on the Status of Women Bill, 2012	January 19, 2012
8.	The Election Laws (Amendment) Act, 2011	April 18, 2011
9.	The Constitution (Nineteenth Amendment) Act, 2010	December 22, 2010
10.	The Competition Act, 2010	September 23, 2010
11.	The Constitution (Eighteenth Amendment) Act, 2010	April 08, 2010
12.	Anti-Money Laundering Bill, 2009	January 27, 2010
13.	The Protection against Harassment of Women at the Workplace Act, 2010	January 21, 2010
14.	The Transplantation of Human Organs and Tissues Act 2009	November 12, 2009
15.	The Domestic Violence (Prevention and Protection) Act 2009	August 04, 2009

14. A complete account of laws passed by National Assembly can be obtained at [www.na.gov.pk](http://www.na.gov.pk)



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