



# Score Card

## 13th National Assembly of Pakistan

*The 3rd Year*

March 17, 2010 - March 16, 2011



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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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# Score Card

## 13th National Assembly of Pakistan

*The Third Year*  
April 09, 2010 - April 08, 2011

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### PREFACE

While the world increasingly embraces democracy as a preferred system of governance, twenty-first century has seen the emergence of a paradox termed the “Democracy Paradox” by Political theorists. It deals with the contrast between the high expectations from a democracy and what comes about from it.<sup>1</sup> It is widely recognized that Parliaments today have a key role in addressing this paradox. The Parliament as the central institution of a democracy should perform towards fulfilling the expectation from it. It is responsible for effectively legislating over matters relevant to the people. Furthermore, it should oversee matters of the Government and ensure its accountability. In summary, the Parliament faces enormous challenges. Given the peculiar political trajectory of Pakistan, these challenges become all the more important for Pakistan's Parliament.

From 2002 onwards, PILDAT has consistently looked at the performance of the Pakistan's Parliament, reviewing it 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 Citizens Report of the Performance of the 13<sup>th</sup> National Assembly of Pakistan: the 3<sup>rd</sup> Year** covers the period of March 17, 2010 to March 16, 2011. In keeping with the PILDAT tradition of compiling and disseminating National Assembly's performance on a periodic basis since 2002, the current report also looks at some of the main categories of legislative performance at the completion of the 3<sup>rd</sup> year of the 13<sup>th</sup> National Assembly's term.

The report shows that as compared to the Assembly's first and second year, the third year has seen a downward trend. However, the average performance of the three (3) years of the 13<sup>th</sup> National Assembly has shown considerable improvement from the average performance of the 12<sup>th</sup> National Assembly.

### Acknowledgments

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### 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  
December 2011

1. Parliament and Democracy in the Twenty-First Century: A Guide to Good Practice, Inter-Parliamentary Union, 2006, as accessed on August 17, 2011 Link: [http://www.ipu.org/PDF/publications/democracy\\_en.pdf](http://www.ipu.org/PDF/publications/democracy_en.pdf)



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### EXECUTIVE SUMMARY

**D**uring the third parliamentary year which concluded on March 16, 2011, the 13<sup>th</sup> National Assembly of Pakistan did not show any specific improvement in its performance as compared to the 2<sup>nd</sup> Parliamentary year. There was no improvement recorded in key areas such as Working hours and Days, Government bills, Private Members bills and Questions as compared to the second year. However, overall the 13<sup>th</sup> National Assembly of Pakistan has performed significantly better compared to the 12<sup>th</sup> National Assembly (2002-2007) in terms of legislation passed and the Ordinance to Bills ratio.

The National Assembly of Pakistan achieved an overall score of **44%** in an evaluation of the Parliamentary year 2010-2011 performance against an Evaluation Framework developed by Inter-Parliamentary Union-IPU. The aspect of the performance of the National Assembly namely **The Transparency and Accessibility of the National Assembly scored the highest, i.e. 54%. In 2009-2010, second year of the 13<sup>th</sup> National Assembly, Transparency and Accessibility of the National Assembly**, had received the highest score (57%) also. The weakest aspect of performance in the third year is evaluated to be **Effectiveness of the National Assembly's Involvement in Foreign Policy** which got a score of **33 %**. In 2009-2010, the weakest aspect of the Assembly's performance was evaluated to be **Accountability of Parliament**, the least scorer with a score of **43%**.

In keeping with the overall downward trend in the performance indicators of the 13<sup>th</sup> National Assembly of Pakistan, the Assembly's performance evaluation scores, assigned by Parliamentarians, media persons and analysts, also witness a significant drop.

On conclusion of the third year of the National Assembly of Pakistan, it received an overall average score of **44%**. The overall score has **decreased by 6%** this year as the overall average score received by the National Assembly was **50%** in 2009-2010. Areas that scored highest in evaluation this year included **Transparency and Accessibility of the National Assembly** which received an evaluation score of **54%** this year compared to last year, *Transparency and Accessibility of the National Assembly* had received the score of **58%** in 2009-2010 which means a **decrease of 4%** score in the 3<sup>rd</sup> year. **The Representativeness of the National Assembly** received a score **53%** while in second year this aspect of performance of the National Assembly scored at **52%**, registering a **decrease of 1%** in the 3<sup>rd</sup> year. The **National Assembly's Legislative Capacity** was scored at **49%** this year, compared to **54%** score in 2009-2010 showing a **decrease of 5%**. **Parliamentary Oversight over the Executive** got a score of **41%** in the third year performance evaluation, compared to **50%** in 2009-2010 showing a **decrease of 9%**. **Effectiveness of the National Assembly's involvement in Foreign Policy** scored **33%** this year as compared to **44%** in 2009-2010, registering a **decrease of 11%**. **Accountability of Parliament** received the score of **36%** this year compared to **44%** in 2009-2010, showing a **8% drop** in scores.

This evaluation is based on the value judgement of an Evaluation Group consisting of 32 members including 16 members of the Parliament representing various political parties, a representative of the Parliamentary Staff and 16 journalists who cover the proceedings of the Parliament. PILDAT had carried out a similar evaluation of the first and second year of performance of the 13<sup>th</sup> National Assembly in 2009 and 2010 respectively.

Looking at performance indicators, the actual number of Working days<sup>6</sup> during the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> parliamentary years were 97, 104 and 104 respectively. This signifies an increase of 7% in the 2<sup>nd</sup> year and no change in the 3<sup>rd</sup> year. The total number of working hours of the 13<sup>th</sup> National Assembly were recorded to be 277 in the first year (2008-2009), 355 in the second year (2009-2010) and 300 during the third year which shows a decrease of 15% in the actual hours the National Assembly met in its 3<sup>rd</sup> year.

As far as the number of bills is concerned, the National Assembly passed 3, 29 and 24 Government bills in the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> parliamentary year respectively which shows an increase of 867% in the 2<sup>nd</sup> year and a decrease of 17% in the 3<sup>rd</sup> year. The 13<sup>th</sup>

2. 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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National Assembly which has so far passed 5 Private members' bills in 3 years (1 bill in the first year; 3 bills in the second year and 1 bill in the third year), has already surpassed the 12<sup>th</sup> National Assembly of Pakistan in which only 1 Private Member Bill was passed during 5 years.

A comparison of the legislative performance of the National Assembly with the Indian Lok Sabha for the calendar year 2010-2011 reveals that the Lok Sabha passed 60% more bills than the National Assembly of Pakistan during this period.

National Assembly of Pakistan passed 71% of the bills introduced in the Assembly over a period of 2010-2011. The same percentage is 88% for the Indian Lok Sabha.

The number of questions asked by members has been significantly decreasing over the past 3 years in the 13<sup>th</sup> National Assembly of Pakistan. Members asked 10843 questions in the first year, 10572 questions in the second year and 8321 in the third parliamentary year, registering a year-to-year decrease of 2% in the 2<sup>nd</sup> year and 21% in the 3<sup>rd</sup> year. Furthermore, the percentage of Questions answered remained at 28% in the 1<sup>st</sup> year, 33% in the 2<sup>nd</sup> year and 28% in the 3<sup>rd</sup> year. 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.

The number of Privilege motions received during the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> parliamentary year remained at 50, 60 and 76 respectively. This shows an increase of 20% in the 1<sup>st</sup> year and 27% in the 3<sup>rd</sup> year, thus registering an overall increase of 52% in members resorting to raising issues of privilege. Similarly, the number of Adjournment motions received during the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> parliamentary year was 367, 402 and 409 respectively, which signifies an increase of 10% in the 2<sup>nd</sup> year and 2% in the 3<sup>rd</sup> year.

Major highlights of the performance of the National Assembly during the 3<sup>rd</sup> year were the passage of the 19<sup>th</sup> Constitutional Amendment and the Amendment to the Rules of Procedure regarding the removal of the Leader of Opposition. The Public Accounts Committee's performance is also worth highlighting as the PAC held an average of 34 meetings per year during the past three years and it has cleared a backlog of audit reports for the past 09 years i.e., 1989-90, 1990-91, 1991-1992 1992-93, 1994-95, 1997-98, 2001-02, 2005-06 and 2008-09. It also presented to the House a Compliance Report 2010 on October 18, 2011.

The most active Standing Committees of the National Assembly include **Standing Committee on Health** which held 21 meetings, **Standing Committee on Finance, Planning, Revenue and Development** which held 19 meetings and **Standing Committee on Food and Agriculture** which held 18 meeting during the 3<sup>rd</sup> Parliamentary year

A bill originally titled 'Holders of Public Office (Accountability) Bill, 2009' is before the National assembly since April 15, 2009. The failure of the Assembly to pass an effective accountability law during the past 3 years remains its greatest failure.

Despite promises by the Government and demands from across the political spectrum inside the National Assembly, the National Assembly yet again failed to institute required reforms in the Parliamentary Budget Process. The role of the Assembly in analysing and scrutinising the national budget remains ineffective with no role for the parliamentary committees in the budget process.

Weak oversight of the Parliament on crucial areas such as national security and foreign policy, remain other areas of concern.

# PART-I

## **An Overview of the 13<sup>th</sup> National Assembly of Pakistan**



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## 13th National Assembly of Pakistan

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### An Overview of the 13<sup>th</sup> National Assembly

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:

### Annual National Assembly Budget

Annual National Assembly Budget for 2011-2012  
**Rs. 1,803,092,000** (13% increase from 2010-2011)

Annual National Assembly Budget for 2010-2011  
**Rs. 1,593,856,000** (22% increase from 2009-2010)

Annual National Assembly Budget for 2009-2010  
**Rs. 1,301,449,000**

**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>

In addition to these there are ten (10) seats reserved for non-Muslims.

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

**Table 2: Party Representation in the 13<sup>th</sup> National Assembly of Pakistan**

No.	Party	Members	Percentage
01	Pakistan Peoples Party -Parliamentarian	127	37%
02	Pakistan Muslim League Nawaz	92	27%
03	Pakistan Muslim League	50	15%
04	Muttahida Quami Movement	25	7%
05	Awami National Party	13	4%
06	Muttahida Majlis -e -Amal	8	2%
07	Pakistan Muslim League -Functional	5	1%
08	Balochistan National Party -Awami	1	0.3%
09	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>



# PART III

## **Key Performance Indicators**



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## 13th National Assembly of Pakistan

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### Key Performance Indicators

The 13<sup>th</sup> National Assembly completed its 3<sup>rd</sup> Year on March 16, 2011. However, in comparison to the second year (2009-2010), a slight decrease in the performance of the Assembly was witnessed with respect to almost every performance indicator, including legislation, the number of questions that received a reply as well as the average number of work hours.

#### Working Days and Hours

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

The 13<sup>th</sup> National Assembly met for a total of 140 days in 12 sessions, including two (2) joint sessions, during its 3<sup>rd</sup> parliamentary year. This shows an increase of about 3% as compared to the 2<sup>nd</sup> parliamentary year where the Assembly had met for 136 days in 12 sessions including four (4) joint sessions. The 2<sup>nd</sup> parliamentary year saw a slight increase of 3% compared to the 1<sup>st</sup> year in which the Assembly had met for 132 days.

The actual (excluding breaks or non-working days) number of days the Assembly met was 104 during the 3<sup>rd</sup> year, with the same number of actual days of work during the 2<sup>nd</sup> year and 97 working days in the 1<sup>st</sup> year. This shows an increase of 7% in the 2<sup>nd</sup> year and no change in the 3<sup>rd</sup> 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 3 years of the 13<sup>th</sup> National Assembly stands at 102 days, registering a welcome increase of 31% in the number of days the Assembly met.

The total number of working hours during the 3<sup>rd</sup> year decreased from 355 Hours and 20 Minutes in the 2<sup>nd</sup> year to 300 Hours and 35 Minutes, a decrease of 15%. The 2<sup>nd</sup> year had seen an increase of 28% compared to the 1<sup>st</sup> parliamentary year in which the Assembly met for 277 Hours and 15 minutes.

The average working hours per day for the three years comes out to be around 3 hours and 04 minutes compared to the average of a little over 3 hours of the 12<sup>th</sup> National Assembly. This means that the 13<sup>th</sup> National Assembly has witnessed nominal or no change in this area.

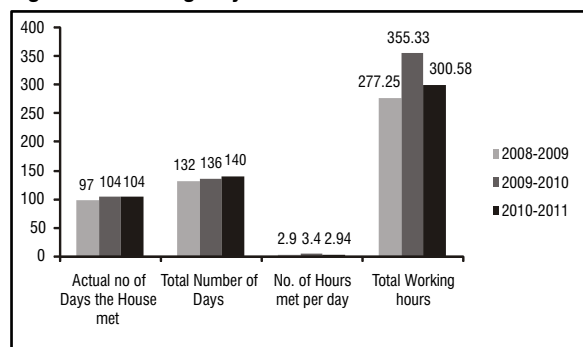
#### Legislation

The 3<sup>rd</sup> year of the 13<sup>th</sup> National Assembly saw a decrease of 17% in the number of bills passed compared to its 2<sup>nd</sup> year. The second year, it must be noted, had seen an increase of 867% in the number of Bills passed compared to the 1<sup>st</sup> year of the 13<sup>th</sup> National Assembly of Pakistan. The National Assembly passed 25 Bills<sup>3</sup> (24 Government and 01 Private Members' Bill) during the 3<sup>rd</sup> year compared to 32 bills (29 Government and 3 Private Members Bills) in the 2<sup>nd</sup> year and 04 Bills (03 Government and 01 Private Members Bill) in the 1<sup>st</sup> year. This means that the 13<sup>th</sup> National Assembly, at an average, passed 20 bills every year. This is a 100% improvement from the 12<sup>th</sup> National Assembly which only passed an average of 10 bills per year during its 5 year term.

The 13<sup>th</sup> National Assembly which has so far passed 5 Private members' bills in 3 years (1 bill in the first year; 3 bills in the second year and 1 bill in the third year), has already surpassed the 12<sup>th</sup> National Assembly of Pakistan in which only 1 Private Member Bill was passed during 5 years.

During the evaluation of the 3<sup>rd</sup> year performance of the National Assembly by the evaluating group facilitated by PILDAT the sub-areas "How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation" received a score of 46% indicating no different from previous year. Similarly,

Figure 1: Working Days and Hours



3. 06 Bills were passed twice by the National Assembly (05 from the previous calendar year). They are only included once in the total count, as per the NA procedure.



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the sub-area "How adequate are the opportunities for individual members to introduce draft legislation" received a score of 49% indicating a decrease of 14% from the previous year.

Another sub-area of the category The Representativeness of the National Assembly "How adequate are the procedures for ensuring that opposition and minority parties or groups and their members can effectively contribute to the work of Parliament" received a score of 48% registering a decrease of 3% from the previous year.

A comparison of the legislative performance of the National Assembly with the Indian Lok Sabha for the calendar year 2010-2011 reveals that the Lok Sabha passed 60% more bills than the National Assembly of Pakistan during this period.

National Assembly of Pakistan passed 71% of the bills introduced in the Assembly over a period of year 2010-2011. The same percentage is 88% for the Indian Lok Sabha.

### Ordinances

During the 3<sup>rd</sup> parliamentary Year, a total of 11 Presidential Ordinances were laid in front of the House as compared to 25 bills passed. The Ordinances to Bills ratio stands at 0.44:1 i.e. 0.44 ordinances issued for every law passed during the 3<sup>rd</sup> year. This is a significant improvement from the previous years as during the 2<sup>nd</sup> year, the Ordinances to Bills ratio was 2.1:1 (68 Ordinances promulgated compared to 32 laws). During the 1<sup>st</sup> year, for every bill passed in the National Assembly, 2 presidential ordinances

**Table 3: Comparison between the 13<sup>th</sup> National Assembly of Pakistan and the 15<sup>th</sup> Indian Lok Sabha**

Year	Bills Passed	
	National Assembly of Pakistan	Indian Lok Sabha
2010-2011	25	40

were issued (04 Bills passed compared to 08 Ordinances), a ratio of 2:1.

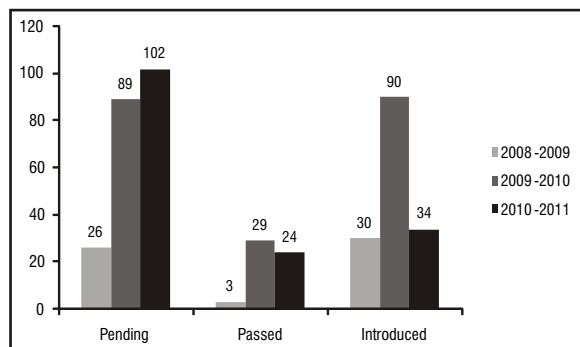
The average ordinance to bills ratio during the first three years of the 13<sup>th</sup> National Assembly comes out to be 1.4 ordinances for every law passed (1.4:1). This has improved considerably, as compared to the 12<sup>th</sup> National Assembly which had witnessed an ordinance to bill ratio of 2.5 ordinances issued against every Act passed (2.5:1) by the 12th National Assembly.<sup>4</sup>

The improvement in the ordinance to bill ratio in 3<sup>rd</sup> year depicts maturity in Executive's management of the legislative business. More laws passed by the National Assembly translates into more inclusive and democratic legislation. Credit should also be given to the 18<sup>th</sup> Constitutional Amendment under which the promulgation of ordinances has been restricted.

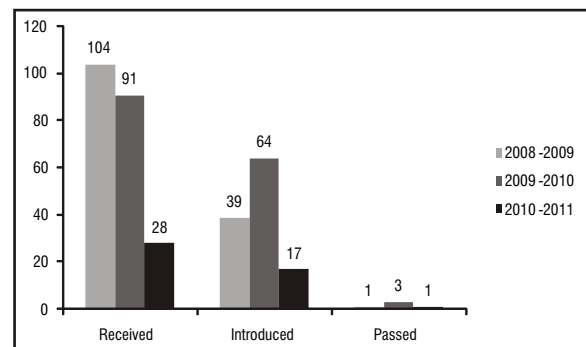
### Questions

The number of questions asked by the members declined 21% from 10572 in the 2<sup>nd</sup> year to 8321 in the 3<sup>rd</sup> year. The number of questions asked declined 2% in the 2<sup>nd</sup> year

**Figure 2: Government Bills**



**Figure 3: Private Member Bills**



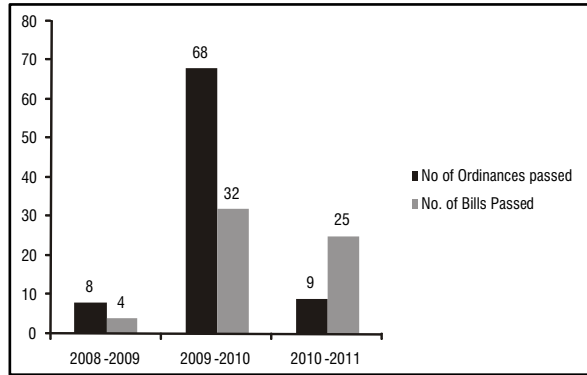
4. 50 pieces of legislations were passed by the 12<sup>th</sup> National Assembly in 5 years while 121 Presidential Ordinances were promulgated during this period overshadowing the role of the national legislature. See Performance of the 12<sup>th</sup> National Assembly of Pakistan, Five Parliamentary Years, November 16, 2002 - November 15, 2007. As accessed on August 08, 2011 Link: < <http://www.pildat.org/Publications/publication/Democracy&LegStr/5Yearsof12thNationalAssemblyofPakistan-CitizensReport.pdf> >

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**Figure 4: Ordinances versus Bills**



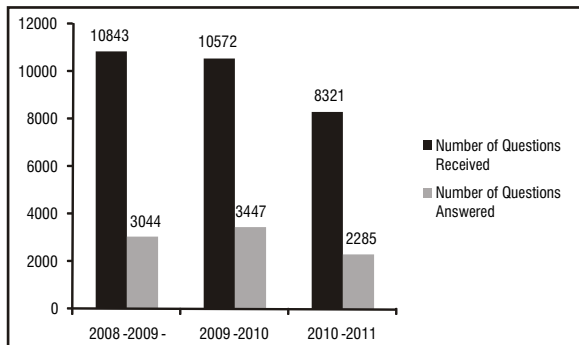
compared to the 1<sup>st</sup> year in which 10843 Questions were asked.

Only 28% of the questions asked were answered during the 3<sup>rd</sup> year while 33% were answered in the 2<sup>nd</sup> year and 28% were answered in the 1<sup>st</sup> year. This means that about three-fourth or 73% of the questions went unanswered and were wasted during the 3<sup>rd</sup> Parliamentary year alone. The situation only worsened in the third year as the percentage of the questions answered decreased.

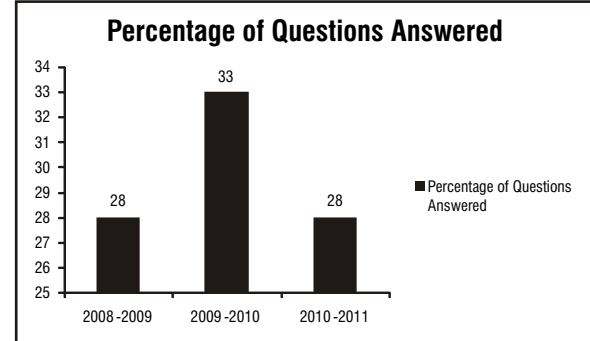
This is an area of serious concern as lack of an effective system of accepting questions and their disposal through an efficient timeline of receiving answers from concerned ministries and departments is resulting in a declining interest in members to raise issues of national concern in the Assembly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

**Figure 5: Questions**



**Figure 6: Percentage of Questions Answered**



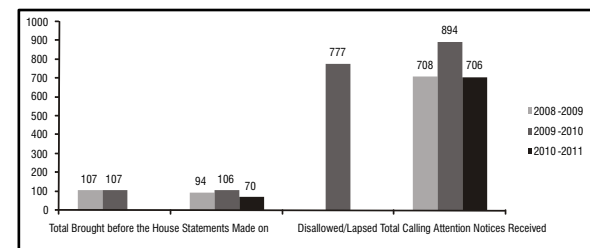
be improved. It may require orientations for members to follow the rules and it may also require amendment to rules.

In the evaluation the sub-area "How effective is the Parliament as a forum for debate on questions of public concern" stood at 61% showing a decrease 3% from the previous year. Another sub-area "How rigorous and systematic are procedures whereby members can question the executive and secure adequate information format" also showed a decline of 4% from the previous year and stood at 52%.

### Attendance

The attendance of members continues to be a problem during this year as well. The average attendance remained at 66% during the 3<sup>rd</sup> parliamentary year compared to 62% in the 2<sup>nd</sup> year and 74% in the 1<sup>st</sup> year. Despite this relatively higher attendance percentage, there have been issues of maintaining quorum in the House. At times even 25 % members were not found in the House to maintain the quorum. The system of attendance is such that a member who is present at the time of marking the attendance may leave the House but he or she will be marked present for the

**Figure 7: Calling Attention Notices**

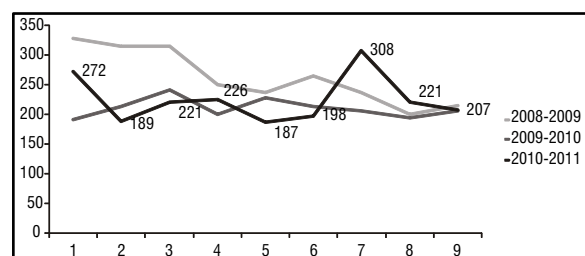


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**Figure 8: National Assembly Attendance**



entire sitting.

### Attendance by the Prime Minister

The Prime Minister attended the Assembly during the 3<sup>rd</sup> Parliamentary year for a record 99 days which means he attended 95% of the sittings compared to 87% during the 2<sup>nd</sup> year.<sup>5</sup> This is one of the highest attendance records by any Prime Minister of Pakistan and should be commended. The Prime Minister also actively takes part in the debates, answers questions etc. However, despite demands, no formal Question Hour for the Prime Minister has been included in the Rules.

### Budget Session

Budget session during the third year (June 05-25, 2010) saw an increase of 2 days from the previous year, i.e., June 13-25, 2009. However, the increase in the number of days did not lead to an increase in the number of hours of debate.

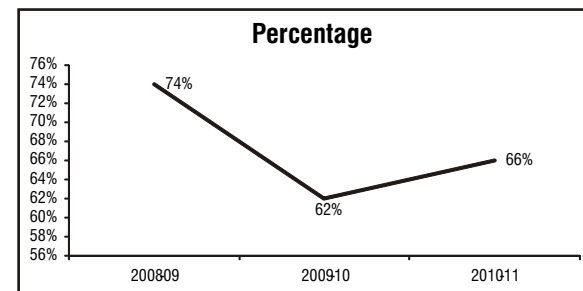
**Table 4: A comparison of Budget Sessions 1999-2011**

	1999 - 2000	2003 - 2004	2004 - 2005	2005 - 2006	2006 - 2007	2007 - 2008	2008 - 2009	2009 - 2010	2010 - 2011
Total Working Days of the Budget Session	13	5	9	8	13	11	19	10	12
No of Members participated	66	48	191	132	183	187	229	170	161
Total Working Hours	13.60 Hours	09.40 Hours	45.32 Hours	34.20 Hours	55.50 Hours	45.22 Hours	41.46 Hours	42 Hours	40 Hours

5. The President's Address to the National Assembly of Pakistan, March 22, 2011, Link: < [http://www.na.gov.pk/uploads/documents/1306920118\\_572.pdf](http://www.na.gov.pk/uploads/documents/1306920118_572.pdf)>

6. For further reading, please see **Budget and Budgetary Process in the Parliament of India**, PILDAT Background Paper, authored by Mr. Gyana Ranjan Panda, Programme Officer, Centre for Budget and Governance Accountability, Delhi; May 2010 Can be accessed at <http://www.pildat.org/Publications/Publication/Budget/BudgetandBudgetaryProcessintheParliamentofIndia06052010.pdf> and Rules of Procedure and Conduct of Business in Lok Sabha' especially Rules 204-221 and Rule 331G <http://parliamentofindia.nic.in/ls/rules/rules.html>

**Figure 9: Session-wise Attendance**



This increase in the number of days made no significant difference to the substance of the debate or lack thereof either. There was a serious lack of pre-budget consultation with members and general public. The budget was passed in 12 working days and 40 hours compared to 10 working days and 42 Hours in the 2<sup>nd</sup> year and 19 working days and 41.46 hours in the 1<sup>st</sup> year. This signifies a decrease of 5% in 3<sup>rd</sup> parliamentary year and an increase of 1% during the 2<sup>nd</sup> year.

The average number of actual working days during Budget Sessions, since 1998-1999 stands at 11.9 days during which the entire process of presentation, discussion and voting on the budget took place. This is in glaring contrast to our neighbouring country India, where the budget process starting from the presentation of the budget to its passage has been on the **average 75 days long**.<sup>6</sup> Similarly, the budget is tabled in the Canadian Parliament in February, while deliberations continue until June 23 and the final

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approval is granted by June 26, roughly four (04) months after it is tabled.<sup>7</sup>

A continuing decrease is witnessed in the time spent on budget debate across the 4 years of budget sessions in the 13<sup>th</sup> National Assembly. In the first budget session of the Assembly in 2008, total time spent on budget debate stood at 41.6 hours which slightly increased in year 2009 to 42 hours but decreased to 39 hours in 2010 while witnessing nearly 16% drop in time consumed in budget debate 2011 compared to 2008.

A sharp decline is witnessed in the number of MNAs participating in the budget debate over the last 4 years of the 13<sup>th</sup> National Assembly. In 2008 budget session, a total of 229 members participated in the budget debate whereas only 139 members participated during the 2011 budget session indicating a 39 % decline. A similar decrease has been witnessed in the time used by opposition members in budget debate which has decreased 4 per cent from 2008 in budget session 2011.

The dwindling number of participants may be indicative of the waning interest of members in the budget debate. The budget session is considered by many MPs as a mere formality in which not much role is there for MPs to make any significant contribution. Year after year, MPs demand during the budget debate a greater role for influencing the budget at its preparation stages suggesting that the National Assembly should institute a pre-budget session seeking members' input at the start of the federal budget cycle from December to February. It has also been repeatedly suggested that once the budget is presented, the National Assembly should have an increased duration to review it and the demands for grants for ministries should be referred to the respective standing committees for scrutiny before the budget is passed. This key reform in the Parliamentary budget process, however, remains elusive despite various promises made by the sitting Government. It is also worth mentioning that the Provincial Assembly of

the Punjab pioneered the tradition in Pakistan of holding a special session well ahead of the Budget Session as a **Pre-Budget Session** to allow MPAs to give their proposals and input for the next budget and Annual Development Programme. The Assembly has held pre-budget sessions in the period between January-February since 2009. The Punjab Assembly also amended its Rules of Procedure on October 13, 2010 introducing provisions for holding pre-budget discussion in the Assembly.<sup>8</sup>

In the evaluation, the sub-area "*How well is parliament able to influence and scrutinize the national budget, through all its stages?*" scored 41% compared to 46% in the previous year which also shows downward trend in performance.

### Committees

There were 49 Standing Committees of the National Assembly, out of which 17 Committees have now been dissolved in line with the devolution of ministries to the provinces under 18<sup>th</sup> Constitutional Amendment, bringing the total number of Standing Committees at 32.<sup>9</sup> There are also 3 other special committees namely Parliamentary Committee on Constitutional Reforms (which has representation from the Senate as well), Parliamentary Committee on National Security (which also has representation from the Senate as well) and Special Committee on Railways. Along with these there are also Committees such as the Parliamentary Committee on Judges Appointments in Superior Courts, with eight members (4 from treasury and 4 from opposition benches), and Parliamentary Committee on appointment of Chief Election Commissioner and members of the Election Commission with 12 members, half of whom are from treasury and half from opposition.

The Parliamentary Committee on Appointment of Chief Election Commissioner and Members of the Elections Commission was notified on February 22, 2011 and is chaired by Syed Khurshid Ahmed Shah, MNA (NA-199,

7. For further reading, please see **Parliamentary Budget Process in Pakistan and Canada**, PILDAT Baseline Report, authored jointly by PILDAT and the Parliamentary Centre, Canada; January 2010 can be accessed at <http://www.pildat.org/Publications/publication/Budget/BASLINEREPORTParliamentaryBudgetProcessinPakistanandCanada100210.pdf>

8. Amended Rule of the Punjab Assembly: "**Pre-budget discussion.**-(1) Notwithstanding anything contained in these rules, the Minister for Law and Parliamentary Affairs, in consultation with the Finance Minister, shall include, in the list of business, the general discussion seeking proposals of the Members for the next budget in a session of the Assembly which is held during the months of January to March each year.(2) The general discussion on budget proposals shall take place for at least four days during the session.(3) The Assembly may recommend the proposals to the Government for the next budget on a resolution moved by the Finance Minister after the conclusion of the discussion." Rule 133-A, Chapter XV-A, Rules of Procedure, Punjab Assembly.

9. Those Standing Committees that have been dissolved include: Standing Committees on Culture, Education, Environment, Food and Agriculture, Health, Labour and Manpower Development, Live Stock and Dairy Development, Local Government and Rural Development, Minorities, Population Welfare, Social Welfare and Special Education, Special Initiative, Sports, Tourism, Women Development, Youth Affairs, and Zakat and Ushr.

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Sukkur II, PPP, Sindh).

The Committees held a total of 429 meetings compared to the previous year in which 403 meetings were held and the 1<sup>st</sup> year in which 91 meetings were held. This shows an increase of 343% in the 2<sup>nd</sup> year and 6% in the 3<sup>rd</sup> year. This yields an average of 308 meeting per year for the past three years.

Although most of these Committees were formed immediately after the 13<sup>th</sup> National Assembly was sworn in, 6 of these committees were constituted in the second parliamentary year. 13 of these committees elected chairs during the second parliamentary year.<sup>10</sup> This delay in the election of the Chairman is a waste of precious amount of time despite the condition in the Rules of Procedure and Conduct of Business that the election of the Chair should take place within 30 days of the formation of the Committee. It is recommended that the rules be amended such that the senior most member of the Committee is notified as the interim Chairman of the Committee 30 days after its formation in case the Chairman is not elected. This will at least activate the Committees even if the parties are unable to reach a consensus.

The most active Standing Committees of the National Assembly include **Standing Committee on Health** which held 21 meetings, **Standing Committee on Finance, Planning, Revenue and Development** which held 19 meetings and **Standing Committee on Food and Agriculture** which held 18 meeting during the 3<sup>rd</sup> Parliamentary year.

In the evaluation the sub-area *“How effective are specialist committees in carrying out their oversight function”* scored 49% compared to 54% in the previous year.

### **Public Accounts Committee**

The Public Accounts Committee (PAC) headed by the Leader of the Opposition, Chaudhry Nisar Ali Khan (NA-53 Rawalpindi-IV, Punjab, PML-N), comprises 21 members, 6 from the Opposition and 15 from the ruling party, coalition partners and independents. The Committee has continued to be the most active among the Committees. As it examines federal government audited accounts through reports by the Auditor General, it continues to make recommendations and analysis on government expenditure. The PAC held 46 committee meetings during the third

parliamentary year compared to 29 in the 2<sup>nd</sup> year and 28 in the 1<sup>st</sup> year; an increase of 3% in the 2<sup>nd</sup> year and 58% in the 3<sup>rd</sup> year.

The PAC held an average of 34 meetings per year during the past three years and it has cleared a backlog of audit reports for the past 09 years i.e., 1989-90, 1990-91, 1992-93, 1994-95, 1997-98, 2001-02, 2005-06 and 2008-09. It also presented to the House a Compliance Report 2010 on October 18, 2011.

### **Parliamentary Committee on Constitutional Reforms**

The Parliamentary Committee on Constitutional Reforms came into being as a result of the motions passed by the National Assembly and the Senate on April 10, 2009 and April 29, 2009 respectively. The committee was formally constituted on June 23, 2009 through a circular issued by the National Assembly Secretariat. The Committee has 27 members out of which 13 are Members of the National Assembly and 14 are Senators. Despite talk of growing importance of women in the National Assembly, no woman is a part of the Committee. Although the Committee still exists, it is performing no function.

The significance of the Committee lies in the fact that it successfully steered the process of amending 97 out of a total of 280 Articles of the Constitution in the 18<sup>th</sup> Amendment and 6 more Articles in the 19<sup>th</sup> Constitutional Amendment following the 18<sup>th</sup> Amendment Order of the Supreme Court of Pakistan. The Committee held 77 meetings for the 18<sup>th</sup> Constitutional Amendment and 7 meetings for the 19<sup>th</sup> Constitutional Amendment.

### **Parliamentary Committee for National Security**

In October 2008, an in-camera joint session of the Pakistan Parliament (Senate and the National Assembly) was convened to discuss security situation in the country and devise by consensus a comprehensive strategy to counter terrorism and extremism. The session concluding on October 22, 2008, adopted a joint resolution calling for, among other clauses, *“an urgent review of the national security strategy and revisiting the methodology of combating terrorism in order to restore peace and stability through an independent foreign policy.”* The resolution also called for constituting a *“Special Committee of Parliament... to periodically review, provide guidelines and monitor the implementation of the principles framed and roadmap*

10. A Committee remains non-functional for all practical purposes without a chair.

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given in this resolution.” It is in this backdrop that a Parliamentary Committee on National Security was formed in November 2008.

The Parliamentary Committee for National Security held 8 meetings during the 3<sup>rd</sup> year compared to 15 in the 2<sup>nd</sup> year and 12 in the first year. This shows an increase of 25% in the 2<sup>nd</sup> year and a decrease of 47% in the 3<sup>rd</sup> year.<sup>11</sup> The Parliamentary Committee on National Security presented a set of recommendation in its April 2009 Report on the basis of the consensus Resolution passed during the Joint Sitting of the Parliament held on October 8-22, 2008. The Committee has, however, complained of lack of implementation of its recommendations.<sup>12</sup>

In the evaluation the sub-area “*How effective are specialist committees in carrying out their oversight function*” scored 49% compared to 54% in the previous year.

### **National Assembly versus the Senate of Pakistan**

The 13<sup>th</sup> National Assembly of Pakistan met for 97 working days in the first year and 104 working days each in the second and third Parliamentary years. In comparison, the Senate of Pakistan met for 62 days in 2008-2009, 70 days in 2009-2010 and 84 days in 2010-2011. This shows that the National Assembly averages at 102 days per year which is 44% higher compared to the Senate which averaged at 71 days per year.<sup>13</sup> The Senate was required to meet for a minimum of 90 days as per the Constitution before the 18<sup>th</sup> Constitutional Amendment. This requirement has now been increased to 110 days under the 18<sup>th</sup> Constitutional Amendment.

The National Assembly spent an average of 2.9 hours per sitting during the 1<sup>st</sup> parliamentary year 3.49 hours per day during the 3<sup>rd</sup> year and 3.07 during the third year. In comparison the Senate averaged at 4 hours per sitting during the year 2008-09, 3 hours during the year 2009-10 and 2.8 hours during the year 2010-2011.

Similarly, the National Assembly passed 3 Government bills in the 1<sup>st</sup> year, 29 bills in the 2<sup>nd</sup> year and 24 bills in the 3<sup>rd</sup> year. On the other hand the Senate passed 2 Government bills in the year parliamentary year 2008-

2009, 12 bills in year 2009-2010 and 25 bills in the year 2010-11. This shows that the National Assembly averages at 19 Government bills per parliamentary year which is 46% more than the Senate which averages at 13 Government bills per year.

As far as the Private Members' bills are concerned, the National Assembly of Pakistan passed 5 bills during the first three years compared to 10 private member bills passed by the Senate in the three parliamentary years (6 in the 1<sup>st</sup> year, 4 in the 2<sup>nd</sup> and 0 in the 3<sup>rd</sup> year), depicting more active involvement of individual Senators in the legislation process.

### **Gender-wise Performance**

There has been a lot of talk surrounding the role of female legislators in the Parliament. The submission of Private Members' bills is a good measure of interest of the lawmakers in legislation. The female legislators, despite their small proportion in the National Assembly, 22% of the total, and have fared well compared to their male counterparts.

Statistics reveal that during the first three Parliamentary years women legislators introduced 25% more Private Members' bills in the National Assembly as compared to men i.e., for every Private bill introduced by a male member 1.25 bills were introduced by female legislators.

Similarly, out of the 40 Resolutions passed during the three years of the National Assembly 17 were moved by women Parliamentarians, i.e., for every Resolution moved by a female legislator 1.35 were moved by male legislators. Given the small proportion of female legislators, 22% of the total, the average Resolutions passed by a single female legislator is more than the average Resolutions passed by a male legislator in the National Assembly.

In the evaluation, sub area “*How careful is the parliament in ensuring a gender-equality perspective in its work*” received a score of 58% registering an increase of 17 from the previous year.

11 For a detailed analysis see **Performance of the Parliamentary Committee on Defence and National Security during the first 3 years of the National Assembly of Pakistan**, PILDAT Citizens Monitoring Report, March 15, 2008 to March 15, 2011, May 2011, Link: < [http://www.pildat.org/Publications/publication/CMR/Report\\_PerformanceoftheParliamentaryCommitteesofDefenceandNationalSecurity/Mar08toMar11.pdf](http://www.pildat.org/Publications/publication/CMR/Report_PerformanceoftheParliamentaryCommitteesofDefenceandNationalSecurity/Mar08toMar11.pdf) >

12 No operation Under Foreign Pressure, The News, July 09, 2010 Link: < <http://www.thenews.com.pk/TodaysPrintDetail.aspx?ID=29931&Cat=13&dt=7/10/2010> >

13 It is worth noting that the number of compulsory working days for the Senate of Pakistan has been increased from 90 to 110 through the 18<sup>th</sup> Constitutional Amendment Article 61 (April 2010).



# PART-III

## **Positive Initiatives during the 3<sup>rd</sup> Year of the 13<sup>th</sup> National Assembly**





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### Positive Initiatives during the 3<sup>rd</sup> Year of the 13<sup>th</sup> National Assembly

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

The passage of the 18<sup>th</sup> Constitutional Amendment remains the greatest achievement of the current Parliament till date. The 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 organizations 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>14</sup> Originally, the mandate of the 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.

Some controversial changes have also been made through the 18<sup>th</sup> Amendment for example: the condition of intra-Political party elections has been done away with through amending Article 17. Similarly Article 63-A, which deals with defection, has been amended as such so that disqualification for defection will be triggered by the Head of the Party in place of Head of the Parliamentary Party, and the Speaker or Presiding Officer will not be able to sit on i.e. delay the reference.

According to the mechanism laid out in the 18<sup>th</sup> Constitutional Amendment, there shall be a Judicial Commission and a Parliamentary Committee involved in the

process of appointing Judges. The Judicial Commission shall consist of the Chief Justice of Pakistan, two most senior Judges of the Supreme Court, a former Chief Justice or a former judge of the Supreme Court of Pakistan, Federal Ministry for Law and Justice, Attorney General of Pakistan and senior Advocate of the Pakistan Bar Council. The Parliamentary Committee shall consist of eight (8) members, out of which four shall be from the treasury and four from the Opposition benches. In the 18<sup>th</sup> Constitutional Amendment, the Judicial Commission is responsible for sending out nominations for the judges to the Parliamentary Committee for confirmation and if the Parliamentary Committee does not confirm the nomination, the Commission is to send another nomination.

The Supreme Court's order on the 18<sup>th</sup> Amendment, known as the 18<sup>th</sup> Amendment Order given on October 21, 2010, advised the Parliament to increase the number of the senior judges from two to four in the Judicial Commission, it had also suggested a change in the mechanism which required that the Parliamentary Committee cite sound reasons if it rejects a nomination from the Judicial Commission and if the Judicial Commission resends the nomination after considering the reasons, that nomination shall be deemed final.

According to the 19th Amendment adopted by the Parliament on December 22, 2010, the number of senior Judges in the Judicial Commission has been 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.

#### The Role of the Public Accounts Committee

In any Parliament, Public Accounts Committee plays a vigilant role in the process of accountability. 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

14. 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>

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actively perform its duties in this period in keeping with its performance as the most active committee of the 13th National Assembly during the past 3 years. The Committee held 28 meetings in the first Parliamentary year, 29 in the 2nd (increase of 4%) and 46 in the 3rd year (increase of 59%) with an average of 34 meetings per year. It has cleared a backlog of the past 10 years and recovered Rs. 115 billion.<sup>15</sup> The PAC has now picked up the Audit Reports of year 2008-2009 which is the first year of the incumbent Government. The PAC also successfully probed financial irregularities in the National Logistics Cell (NLC) an organization generally headed by a senior serving or retired Army officer. On July 01, 2011 the Committee indicted two Lt. Generals and one Major General in the National Logistics Cell (NLC) scam and called upon the Ministry of Defence to move against those indicted. It also directed the Secretary Planning to forward the reports to the National Accountability Bureau's Chairman for further investigation.

### **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 make 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.

### **Improved Website**

The National Assembly has improved its website with regards to presentation of information. More information, for example the verbatim record of House Debates, is also made available on the National Assembly website. This is a step worth commending and the elected leadership of the National Assembly, including the Speaker and the Deputy Speaker, deserve credit for making National Assembly information promptly accessible to public for the first time in the history of the country.

### **Parliament Cafeteria**

A staff canteen and Parliamentarians' cafeteria have been renovated and made operational during this year. 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.

15. Public Accounts Committee: Watchdog Chairman threatens to quit, The Express Tribune, August 14, 2011, <http://tribune.com.pk/story/231016/public-accounts-Committee-watchdog-chairman-threatens-to-quit/>

# PART-IV

## **Key Areas of Concern**



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### Key Areas of Concern

#### A Downward Trend in the Performance

In almost every sector of the legislative activity, the National Assembly witnessed a decrease in performance from that of last year. These include a decrease in attendance, questions asked, notices received, etc. This may be reflective of the lack of interest in the members of the House. The elected leadership of the National Assembly as well as Parliamentary leaders must look into this trend and find ways to address this.

#### No Time Limit for Committees to Report to the House

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>16</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.

#### Weak Process of Questions

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.

According to the Rules the first Hour of every sitting would be the Question Hour. According to many members, allocating only an Hour to Questions is insufficient given the number of Questions. This should be increased to two hours per day.

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.

Some members have complained that the quality of the Questions asked is below standard and initiatives should be taken to ensure that a minimum standard for Questions be followed in order to improve the quality of debate and avoid repetition.<sup>17</sup> However, quality of Questions also depends upon the personal interest of the members as well. Since members work unassisted by any research or personal staff or offices, the required focus and attention is also lacking sometimes in this important segment of Assembly's performance.

There is no specific Question Hour for the Prime Minister in the Parliament of Pakistan while this is a Parliamentary tradition around the World.

Unlike just the tradition of written questions, the Canadian Parliament has an oral Question Hour Session in which no prior notice for questions is given by the members.

In the Indian Parliament although the procedure is largely the same as Pakistan they have a half-an-hour discussion over a question asked on a matter of public importance which could take place at a 3 day notice or less.<sup>18</sup>

#### Bills not passed by the Parliament

In order to become law a bill needs to be passed by both Houses and assented to by the President. While the National Assembly has passed some important laws, some important pieces of legislation still remain pending

16. 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.

17. When contacted Ms. Yasmeen Rehman MNA, (NA-298, Punjab-XXVI) offered this opinion.

18. 55 (1), Rules of Procedure and Conduct of Business in Lok Sabha, India

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even after 3 years. Since bills presented during the term of one House cannot be carried over to the next, the 13<sup>th</sup> National Assembly of Pakistan has lived more than half its life without moving forward on some important pieces of legislation. At the end of 3 years it has at least 209 bills pending before it including 102 Government and 107 submitted by Private Members.

Along with the Holders of Public Office (Accountability) 2009 bill, there are several important bills that are pending before the National Assembly of Pakistan some are pending since the past three years. One of such bills is National Commission for Human Rights Bill 2009. In pursuance of UN General Assembly Resolution No. 48/134 of December 20, 1993, all member states are under obligation to establish that such an institution with a single criterion to judge the State's commitment towards protection and promotion of Human Rights.

Another important bill is a Private Members' bill by Dr. Donya Aziz; MNA (NA-304 Punjab-XXXII, PML) titled Privatization Commission (Amendment) Bill 2010. This Amendment to the Privatization Commission Act 2000, allows for direct Parliamentary representation on the Board of the Commission, which is responsible for developing policy guidelines for the Cabinet on Privatization. The Amendment requires that two members from the National Assembly and two from the Senate shall be members of the Board of the Commission at all times with equal representation from the Opposition and Treasury.

A bill by Ms. Yasmeen Rehman (NA-298 Punjab-XXVI, PPP) titled Domestic Violence (Prevention and Protection) Act 2009 was passed unanimously by the National Assembly on August 04, 2009 but lapsed because the Senate could not pass it within the period of three months and a Joint Sitting as stipulated by the Constitution was not called.<sup>19</sup>

Terrorism and violence saw almost unparalleled growth during the tenure of this Parliament. Security establishment and agencies have time and again publicly conveyed the frustration with what they term "weaknesses" of the existing anti-terrorism law. Echoing this demand, on December 31, 2010, Prime Minister Gilani also called for a tougher Anti-Terrorism law. On July 27, 2010, an Anti-terrorism (Amendment) Bill, 2010 was introduced in the

Senate of Pakistan but it continues to be pending with the Senate Committee on Law. Whether or not Government's proposed amendments are acceptable, the Parliament needs to step forward on taking effective measures to curb the menace of terrorism in Pakistan. The three year period, however, shows nothing more than lip service in this regard.

### **Need for Improvements in the Budget Process**

Parliamentary Control of the Purse Strings is one of the most crucial powers of any Parliament. As the representative of the people, Parliament is the appropriate place to ensure that the Budget best matches the nation's needs with available resources. Such an exercise demands detailed engagement of the Parliament with the Budget Process and this detailed engagement is only possible inside the Standing Committees, an exercise that most democratic countries' Parliaments and Standing Committees perform yearly, including the neighbouring India where Standing Committees take a fixed time period for which the House is adjourned after the General discussion to scrutinize demands for grants before the House discusses the budget as a whole.

Canada offers another example, among other countries, where Parliamentary Committees both consult the people on what should form part of the budget and submit those proposals to the Government, as well as scrutinize estimates / demands for grants of each ministry.

Despite promises by the Government and demands from across the political spectrum inside the National Assembly, the National Assembly yet again failed to institute required reforms in the Parliamentary budget process.

*PILDAT's recommendations to strengthen the Parliamentary Budget Process have included* holding of pre-budget session of the Parliament as early as February every year to get systematic Parliamentary input for the Budget and Annual Development Programme; holding of hearings by Finance and other Parliamentary Committees to solicit expert and public input for upcoming Budget every year; a sufficient time period for the Standing Committees to review the demands for grants relating to their respective ministries or divisions and extension in the duration of the annual Budget Session to allow a more meaningful input and debate in the Parliament.

### **The National Accountability Ordinance**

19. Domestic Violence Bill, Dawn, March 28, 2011, Link: <<http://www.dawn.com/2011/03/28/domestic-violence-bill.html>>

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Prime Minister, Syed Yousaf Raza Gillani, in his very first speech in the National Assembly on March 29, 2008, promised to disband the National Accountability Bureau (NAB) and create instead an independent Accountability Commission as envisaged in the Charter of Democracy signed by the PML-N and PPP leaders. More than three years down the line, this unfulfilled promise is one of the greatest failings of the current Government and to some extent of the Parliament which has allowed the Holders of Public Offices (Accountability) Bill 2009 to stay with the National Assembly Standing Committee on Law, Justice and Parliamentary Affairs since its introduction in April 15, 2009.

In an analysis of The Holders of Public Offices (Accountability) Bill 2009,<sup>20</sup> PILDAT termed the bill to be deficient on meaningful accountability provisions for the holders of public offices draft legislation not only limits the scope of accountability, it also fails to meet Pakistan's international obligations such as the UN Convention Against Corruption (UNCAC).

The disagreements between the ruling PPP and the PML-N may have contributed to the delay in its presentation. According to the media reports, the issues that still need to be resolved are the PML-N's objections on the eligibility for appointment of the head of the proposed commission, "immunity" proposed for a holder of public office for any wrongdoing committed in "good faith" and the repeal of the clause allowing government to ask foreign countries to freeze the accounts and assets of a person involved in any corruption scam in the country.<sup>21</sup>

### **Oversight of Security Sector**

Parliamentary control and oversight of the security sector, though an accepted democratic principle in the world, has not been able to take firm root due to peculiar civil-military relations in Pakistan. The principle of Parliamentary oversight on the Executive is enshrined in the Constitution of Pakistan mandated mainly through Parliamentary powers of legislation and passage of the budget. Currently,

three (03) different Parliamentary Committees have been entrusted with the task of monitoring the defence and security sector, namely the National Assembly Standing Committee on Defence, Senate Standing Committee on Defence and Defence Production and Parliamentary Committee on National Security.

The analysis of the performance of Pakistani committees on defence and national security<sup>22</sup> shows that much more effort needs to be put in if these committees are to achieve the level of efficiency and effectiveness required for Parliamentary oversight of security sector in Pakistan. An informed interaction needs to take place inside the Parliamentary Committees which should engage in seeking a periodic assessment of the security scenario and offer guidelines. Furthermore, it is important that these committees also maintain a liaison with the public at large to create the ownership of the people on national security policies. Public hearings, inviting public comments and opening these hearings to the media and public will enhance the public trust in the Parliamentary committees, the Parliament as an institution and in the state policies. It is recognized that transparency cannot be the principle at the cost of undermining any aspect of national security and therefore committee meetings discussing national security are sometimes needed to be held in camera but this does not need to be the overriding principle in all cases. Parliament, first and foremost, is an accountable institution to the citizens and citizens views, opinions and voices need to be heard and incorporated into policies that define national security priorities for Pakistan.

The National Assembly Standing Committee on Defence did not examine the Defence budget or the demands for grants of the Ministry of Defence until the first three Parliamentary years.<sup>23</sup> Apparently, the Parliament has not yet demanded the details of the Status of Forces Agreement, if there is any, between Pakistan and the US.

During the evaluation the sub-area "*How far is the parliament able to hold non-elected public bodies to*

20 Please see PILDAT Legislative Brief on **The Holders of the Public Offices (Accountability) Bill, 2009** at <http://www.pildat.org/Publications/publication/LB/PILDATLegislativeBrief5-HoldersofPublicOfficesAccountabilityBill2009.pdf>

21 Consensus bill may be introduced soon, Dawn, September 09, 2010 Link: <<http://www.dawn.com/2010/09/09/consensus-bill-may-be-introduced-soon.html>>

22 For a detailed analysis see **Performance of the Parliamentary Committee on Defence and National Security during the first 3 years of the National Assembly of Pakistan**, PILDAT Citizens Monitoring Report, March 15, 2008 to March 15, 2011 May 2011, Link: <<http://www.pildat.org/Publications/publication/CMR/ReportPerformanceoftheParliamentaryCommitteesofDefenceandNationalSecurityMar08toMar11.pdf>>

23 However, the Committee did examine the demands for grants of the Defence Budget 2011-2012 for the first time in start of the fourth Parliamentary year. Official Notice of Meeting of the National Assembly Standing Committee on Defence dated March 31, 2011. Accessed from the National Assembly Website: [www.na.gov.pk](http://www.na.gov.pk) on April 13, 2011



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*account*” scored 39%, down from 49% the previous year a drop of 10%.

#### **Oversight on Foreign Affairs**

Despite enormous challenges in the domain of Foreign Policy including ever complex Pak-US relations, Pak-Afghan relations and impasse with India over Mumbai attacks, the National Assembly Standing Committee on Foreign Affairs has shown little interest to oversee or contribute to the foreign policy adopted by the executive in the past three Parliamentary years.<sup>24</sup>

The National Assembly Standing Committee on Foreign Affairs held only 16 meetings during three Parliamentary years out of which 09 times (56%) it only convened to meet visiting delegates.<sup>25</sup> The Committee Chair, Mr. Asfandyar Wali Khan (NA-7, Charsadda-I, KPK, ANP) only chaired 7 out of 16 meetings. The overall attendance of the Committee members hovers around a disappointing 38%, with the Chairman attending only 44% of the meetings. During these three years the Committee did not table any report.

The evaluation of the category *Effectiveness of National Assembly's involvement in Foreign Policy* resulted in a score of 31% which is down from 44% the previous year a drop of 14%. The sub-area “How rigorous is parliamentary oversight of the deployment of the country's armed forces abroad?” was awarded a score of 27% which is the lowest in all evaluation. The sub-area “*How effectively is the parliament able to scrutinize and contribute to the government's foreign policy?*” scored 32% down from 42% the previous year. Similarly, the sub-area “*How adequate and timely is the information available to parliament about the government's negotiating positions in regional and universal?*” had a score of 32% down from 42% previous year. The sub-area “*How far is parliament able to scrutinize the policies and performance of international organizations like the UN, World Bank and IMF to which its government contributes financial, human and material resources?*” was evaluated at 33% down from 43% the previous year a drop of 11%.

24. For a detailed analysis see **Performance of the National Assembly Standing Committee on Foreign Affairs during the first three years of the 13<sup>th</sup> National Assembly of Pakistan**, Citizen's Report, March 2008 – July 2011, Link: <  
<http://www.pildat.org/Publications/publication/Democracy&LegStr/PerformanceoftheNASStandingCommitteeonForeignAffairsJuly2011-CitizensReport.pdf>>

25. Ibid

# PART-V

## **Evaluation of the 13<sup>th</sup> National Assembly of Pakistan using the IPU Toolkit**



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### Evaluation of the 13<sup>th</sup> National Assembly of Pakistan using the IPU Toolkit

#### Evaluation of the 13<sup>th</sup> National Assembly of Pakistan for Year 2010-2011

The National Assembly of Pakistan achieved an overall score of **44%** in an evaluation of the Parliamentary year 2010-2011 performance against an Evaluation Framework developed by Inter-Parliamentary Union-IPU. The aspect of the performance of the National Assembly namely ***The Transparency and Accessibility of the National Assembly scored the highest, i.e. 54%. In 2009-2010, second year of the 13<sup>th</sup> National Assembly, Transparency and Accessibility of the National Assembly***, had received the highest score (57%) also. The weakest aspect of performance in the third year is evaluated to be ***Effectiveness of the National Assembly's Involvement in Foreign Policy*** which got a score of **33 %**. In 2009-2010, the weakest aspect of the Assembly's performance was evaluated to be ***Accountability of Parliament***, the least scorer with a score of **43%**.

In keeping with the overall downward trend in the performance indicators of the 13<sup>th</sup> National Assembly of Pakistan, the Assembly's performance evaluation scores, assigned by Parliamentarians, media persons and analysts, also witness a significant drop.

On conclusion of the third year of the National Assembly of Pakistan, it received an overall average score of **44%**. The overall score has **decreased by 6%** this year as the overall average score received by the National Assembly was **50%** in 2009-2010. Areas that scored highest in evaluation this year included **Transparency and Accessibility of the National Assembly** which received an evaluation score of **53%** this year compared to last year, **Transparency and Accessibility of the National Assembly** had received the score of **58%** in 2009-2010 which means a **decrease of 4%** score in the 3<sup>rd</sup> year. **The Representativeness of the National Assembly** received a score of **53%** comparing to the **52%** in 2009-2010, registering a **decrease of 1%** in the 3<sup>rd</sup> year. The **National Assembly's Legislative Capacity** was scored at **49%** this year, compared to **54%** score in 2009-2010 showing a **decrease of 5%**. **Parliamentary Oversight over the Executive** got a score of **41%** in the third year performance evaluation, compared to **50%** in 2009-2010 showing a **decrease of 9%**. **Effectiveness of the National Assembly's involvement in Foreign Policy** scored **33%** this year as compared to **44%** in 2009-2010, registering a **decrease of 11%**. **Accountability of Parliament** received the score of **36%** this year compared to **44%** in 2009-2010, showing a **8% drop** in scores.

Since the evaluation is based on value judgements of a group of Parliamentarians and non-Parliamentarians (journalists, analysts, etc.), it is significant to point out that Parliamentarians have evaluated Assembly's performance to be just **1%** higher than their non-Parliamentary colleagues.

This evaluation is based on the Score card developed by the Inter-Parliamentary Union (IPU)<sup>26</sup> and the scores have been assigned based on the value judgement of an Evaluation Group consisting of 30 members including Parliamentarians representing various political parties, journalists who cover the proceedings of the Assembly and analysts who keep their eyes on the performance of the Parliament.

#### Questions and Topics in the Evaluation Framework

The IPU defines a democratic Legislature as the one that is

- *Representative*
- *Transparent*
- *Accessible*
- *Accountable*
- *Effective*

<sup>26</sup> The Inter-Parliamentary Union-IPU is the international organisation of Parliaments of sovereign States with 154 members and 8 associate members including Pakistan. Drawing extensively from the International Institute of Democracy and Electoral Assistance's (IIDEA) State of Democracy Assessment methodology, the IPU developed framework and a self assessment toolkit for the Evaluation of Parliaments in 2008. The purpose of the IPU Framework is to assist Parliaments and their members in assessing how their Parliament performs against widely accepted criteria for democratic Parliaments.

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The Evaluation Framework consists of a set of questions of which covers one aspect of a democratic legislature. The method of evaluation involves answering the questions which relates to the nature and work of the legislature concerned. These questions, 44 in total and called sub-areas, are grouped under the following six (6) topics also called Areas.

1. The Representativeness of the Legislature
2. Legislative Oversight over the Executive
3. Legislative Capacity
4. The Transparency and Accessibility of the Legislature
5. The Accountability of the Legislature
6. The Legislature's Involvement in International Policy

The evaluation is based on the value judgements of how the legislature measures against each of these criteria. It is to be expected that a legislature may not attain the highest score for every question since a legislature, like democracy, can always be strengthened.

The evaluators had to assign a score from 1-5 against each question; 1 representing the minimum score and 5 representing the maximum. PILDAT averaged the score assigned by 30 evaluators and converted the score in percentages for better understanding.

### **Objective of the Evaluation**

PILDAT is an independent, non-partisan think tank dedicated to strengthening of democracy and democratic institutions in Pakistan and elsewhere. PILDAT focuses on Parliament and Provincial Assemblies for capacity building of the Parliamentarians, Parliamentary Committees, Parliamentary Process and Legislature as a whole as an institution. PILDAT complies and publishes a yearly, and later for the entire term, Citizens' Report on the performance of the National Assembly. PILDAT had released performance reports of first two years of the 13<sup>th</sup> National Assembly. The 3<sup>rd</sup> year started on March 17, 2010 and concluded on March 16, 2011.

The purpose of the evaluation is to make Parliament more effective, responsive and accountable institution for the people. We hope that this evaluation will help in identifying the weak and strong points of the National Assembly which in turn will help the Assembly, its members, leadership and the Secretariat to set in a reform process to address the weaknesses and acknowledge the strengths. The effort is not meant to malign, defame or even criticise the National Assembly of Pakistan but it has been undertaken as a collaborative effort involving key stakeholders as a modest initiative to strengthen the bond between the citizen and the National Assembly and assist the institution to further improve and strengthen.

### **The Evaluation Group**

The evaluation has been carried out by a diverse group consisting of Members of the Parliament representing various political parties, journalists who cover the proceedings of the Parliament and key analysts. The group consists of the following persons.

### **Members of the Parliament**

1. **Senator Abdul Haseeb Khan**, (Sindh, MQM)
2. **Senator Muhammad Humayun Khan Mandokhel**, (Balochistan, Independent)
3. **Senator Mir Hasil Bizenjo**, (Balochistan, NP)
4. **Senator Saeeda Iqbal**, (Islamabad Capital Territory, PPPP)
5. **Senator Salim Saifullah Khan**, (KP, PML)
6. **Lt. Gen (Retd.) Abdul Qadir Baloch**, MNA, (NA-271, Panjgur, Balochistan, PML-N)
7. **Mr. Aftab Shahban Mirani**, MNA, (NA-202 Shikarpur-I, PPPP)
8. **Ms. Fouzia Ejaz Khan**, MNA, (NA-317 Sindh-X, MQM)
9. **Mr. Humayun Saifullah Khan**, MNA, (NA-27, Lakki Marwat, PML)
10. **Nawabzada Malik Amad Khan**, MNA, (NA-7, Mianwali-I, PPPP)

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11. **Mr. Naseer Bhutta**, MNA, (NA-127, Lahore-X, PML-N)
12. **Ms. Shaheen Ishtaq**, MNA, (287, Punjab-XV, PML-N)
13. **Mr. Pervaiz Khan**, MNA, (NA-13, Swabi-II, ANP)
14. **Ms. Shahnaz Saleem**, MNA, (280, Punjab-VIII, PML-N)
15. **Ms. Parveen Masood Bhatti**, MNA, (281, Punjab-IX, PML-N)
16. **Ms. Tasneem Siddiqui**, MNA, (285, Punjab-XIII, PML-N)

### Parliamentary Staff

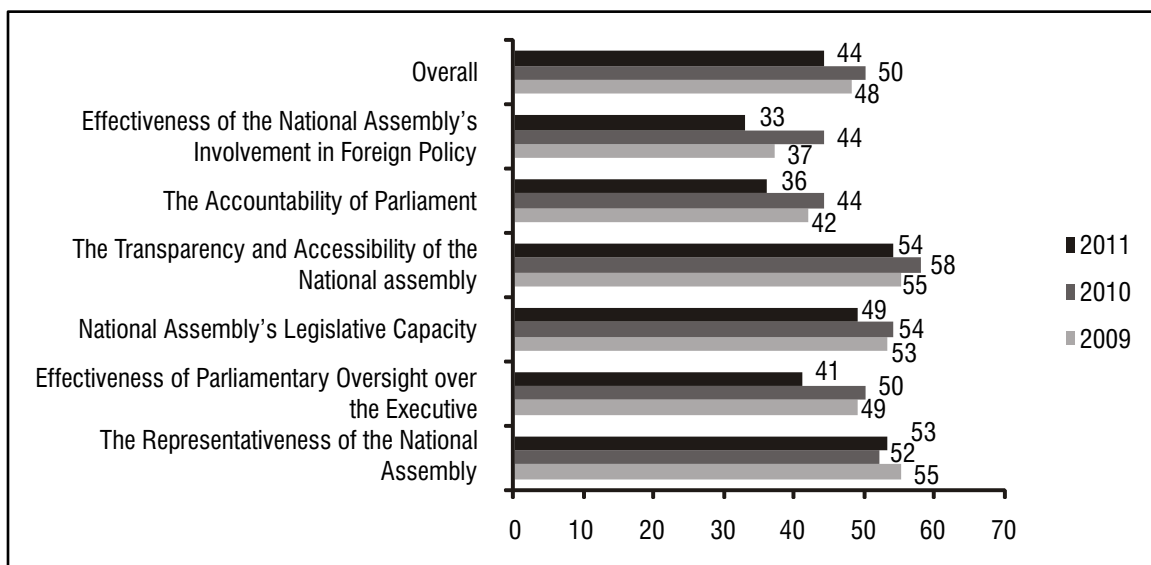
1. **Mr. Iftikharullah Babar**, Special Secretary, Senate of Pakistan

### Journalists and Analysts

1. **Mr. Absar Alam**, Senior Anchorperson, Aaj News
2. **Mr. Ahmad Hassan**, Senior Correspondent, Dawn Newspaper
3. **Mr. Asif Bashir Chaudhry**, In charge Investigation Cell, ARY News
4. **Mr. Arif Nazami**, Editor, Pakistan Today
5. **Mr. Ghazi Salahuddin**, Senior Analyst, The News
6. **Dr. Hasan-Askari Rizvi**, Defence Analyst
7. **Mr. Jonaid Iqbal**, Journalist, Dateline Pakistan
8. **Dr. Moeed Pirzada**, Director, PTV
9. **Mr. Mujeeb-ur-Rehman Shami**, Editor In Chief, Daily Pakistan
10. **Syed Anwar-ul-Hassan**, Anchorperson, PTV News
11. **Dr. Shahid Masood**, Senior Analyst, Express News
12. **Mr. Sabir Shakir**, Bureau Chief, ARY News
13. **Air Vice Marshal (Retd.) Shahzad Chaudhry**, Defence Analyst
14. **Mr. Tahir Khalil**, Senior Correspondent, The News
15. **Ms. Aasiya Riaz**, Joint Director-PILDAT

Figure 10 gives the overall evaluation score in each of the six areas of the Assembly performance for the three Parliamentary years, March 2008 - March 2011. These scores are out of 100 or expressed in percentages.

**Figure10: Overall and area wise score and comparison with previous years**

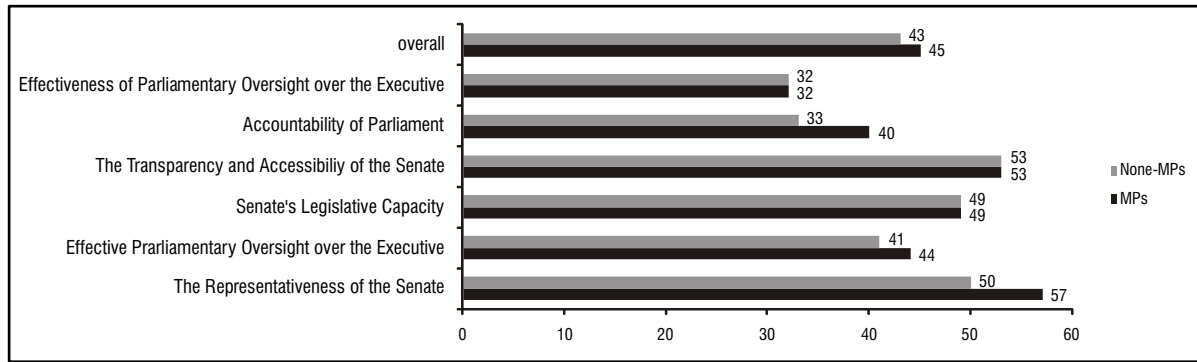


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**Figure11: Comparison of Evaluation by Parliamentarians and Non-Parliamentarians**



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### Analysis of the Evaluation Scores in each of the Six (6) Areas

#### 1. Representativeness of the National Assembly of Pakistan

Nine (9) sub areas were evaluated to determine the representativeness of the National Assembly of Pakistan. These sub-areas are:

- a. Diversity of Representation
- b. Women's Representation
- c. Representation of Marginalised Groups and Regions
- d. Electability of a person of Average Means
- e. Internal Party Arrangements to Ensure Balanced Representation
- f. Freedom to the Opposition
- g. Infrastructure of the National Assembly of Pakistan
- h. Freedom and Security for Dissenting Members
- i. Assembly's Effectiveness for Debate on Questions of Public Concern

#### **The weakest aspect of the Representativeness of the National Assembly of Pakistan: Near impossibility of a person of average means to get elected to the Assembly**

The weakest aspect of the representativeness of the National Assembly is that it is extremely difficult for a person of average means to get elected to the Assembly. The question “**How easy is it for a person of average means to be elected to Parliament**” received 35%, which is the lowest among the scores received by 9 sub-areas under the Representativeness of the National Assembly of Pakistan.

Comparing it to the first two Parliamentary years of the National Assembly, the weakest aspect of the representativeness of The National Assembly of Pakistan was scored to be the same and had received score of 28% in both years.

#### **The strongest aspect of the Representativeness of the National Assembly of Pakistan: representativeness of women in the composition of Parliament**

The strongest aspect of the representativeness of the National Assembly turned out to be “**How representative of women is the composition of Parliament?**” This question received 69% score in evaluating the representativeness of the National Assembly of Pakistan for third year. During first and second Parliamentary years the same question received 71% and 56% which shows a decrease of 13% in the 2<sup>nd</sup> year and an increase of 11% in the 3<sup>rd</sup> year giving an overall decrease of 4%. Same aspect was scored highest in the first parliamentary year while for the second Parliamentary year the highest scored aspect was the effectiveness the Parliament on Questions of public Concerns.

It is important to note that women's representation was increased in Pakistan's National and Provincial Legislatures in 2002 which surpassed the world average of 15% of women representation in the national legislatures. At present women members constitute 23% of the Assembly.

#### **The overall score for the representativeness of the National Assembly of Pakistan**

The representativeness of the National Assembly received a net score of 53%; the score is slightly higher than the second year which was 52% and lower than the first year in which it had a score of 55%. This signifies a decrease of 3% in the 2<sup>nd</sup> year and an increase of 1% in the 3<sup>rd</sup> year. Overall there is a decrease of 2%.

The average percentage for three years, if combined together is 53%. The score awarded by MPs in this area is 56% which is higher than the score awarded by Non-MPs which is 50%.



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### 2. Effectiveness of the Parliamentary Oversight over the Executive

Eight (8) sub-areas were evaluated to determine the effectiveness of the Assembly's oversight over the Executive. These sub-areas included:

- a. Procedures
- b. Effectiveness of Committees
- c. The Budget Process
- d. Scrutiny of Executive Appointments
- e. Ability to hold Non-Elected Public Bodies Accountable
- f. Autonomy of the Assembly
- g. Expertise of Professional Staff
- h. Research Facilities

#### **The weakest aspect of the Parliamentary Oversight over the Executive: inability to scrutinise executive appointments**

The weakest aspect of Parliamentary oversight over the executive was evaluated to be the inability of the National Assembly to scrutinise executive appointments and to hold public bodies to account. The question "**How effectively can parliament scrutinize appointments to executive posts, and holds their occupants to account**" received the lowest 32% score under the evaluation of the effectiveness of Parliamentary Oversight over the Executive.

Compared with the evaluation results of the first and second Parliamentary years of the 13<sup>th</sup> National Assembly, the same question received 35% and 43% scores respectively and stood as the lowest scored aspect of the area in previous years.

#### **The strongest aspect of Parliamentary Oversight over the Executive: Ability to hold Non-Elected Public Bodies Accountable**

The strongest sub-area of Parliamentary oversight over the Executive was the question "**How rigorous and systematic are the procedures whereby member can question the executive and secure adequate information from it**" which received a score of 52%. In the first and second Parliamentary years the same question was scored as 56% and 55% respectively.

#### **Overall effectiveness of the National Assembly in Oversight of the Executive**

The overall effectiveness of the National Assembly in oversight of the Executive was evaluated to be 41% during the third Parliamentary year of the 13<sup>th</sup> National Assembly. During first and second years the overall effectiveness of the Parliamentary Oversight over the Executive was evaluated as 49% and 50% respectively.

The score awarded by MPs in this area is 43% while the score awarded by the Non-MPs is 42%.

### 3. Effectiveness of the Legislative Capacity of the National Assembly of Pakistan

Effectiveness of the legislative capacity of the National Assembly of Pakistan was evaluated in the following 7 sub-areas:

- a. Procedures for Full and Open Debates
- b. Effectiveness of Committees to Amend Draft Legislation
- c. Procedure to Consult Various Interest Groups on Legislation

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- d. Facilities to Introduce Private Member's Bill
- e. Effectiveness of the National Assembly in ensuring quality of the passed legislation
- f. Conformity of Legislation to the Constitution
- g. Incorporation of Gender Equality Perspective in Assembly Working

### **The weakest aspect of the effectiveness of the legislative capacity of the National Assembly: Procedure to Consult Various Interest Groups on Legislation**

The question “**How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation**” received the lowest score under the category i.e., 46%. During the first Parliamentary Year the same question received 44% scores and stood as a lowest scored aspect of this category.

In the second Parliamentary year the lowest scored question was “how careful is the National Assembly in gender equality perspective in its work” which received a score 41%.

### **The strongest aspect of the effectiveness of the legislative capacity of the National Assembly: Conformity of Legislation to the Constitution.**

The strongest aspect of the effectiveness of the legislative capacity of the National Assembly was evaluated to be the Conformity of Legislation to the Constitution. The question “**How careful is Parliament in ensuring that legislation enacted is consistent with the constitution and the human rights of the population**” received 59% scores. Same question received 54% and 62 % scores in the first and second Parliamentary years respectively. This shows an increase of 8% in the 2<sup>nd</sup> year and a decrease of 5% in the 3<sup>rd</sup> with an overall increase of 3%.

In the second Parliamentary year the highly scored aspect in this area was “adequate opportunities for individual members to introduce draft legislation” that received 63% score. In the first parliamentary year the highest scored question was “How effective are committee procedures for scrutinizing and amending draft legislation” where it received 60% score.

### **The overall effectiveness of the legislative capacity of the National Assembly of Pakistan**

The overall effectiveness of the legislative capacity of the National Assembly of Pakistan was evaluated to be 49%. Compared to this, the National Assembly scored 54% in the second year and 53% in the first Parliamentary year, which signifies an increase of 1% in the 2<sup>nd</sup> year and a decrease of 5% in the 3<sup>rd</sup> year with an overall decrease of 5% in the three Parliamentary years.

Scores awarded by MPs and Non-MPs also differ in this category as MPs assigned a score of 51% compared to 47% by Non-MPs.

#### **4. The Transparency and Accessibility of the National Assembly of Pakistan**

There were a total of 7 questions to evaluate the transparency and accessibility of the National Assembly of Pakistan. These questions related to the following aspects:

- a. Media Access to the Assembly
- b. Freedom of Journalists to Cover the Assembly Proceedings
- c. Communication with the General Public
- d. Ability to Attract Youth to the Assembly's Work
- e. Channels of Direct Communications by the People to the Members of the Assembly
- f. Availability of Channels of Communications with the Assembly to Civil Society Groups
- g. Opportunity to Citizen's Direct Involvement in Legislation

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### **The weakest aspect of the transparency and accessibility of the National Assembly of Pakistan: Very little opportunity to citizens of direct in legislation through citizens' initiatives, referenda, etc.**

The question “**How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.)**” received the lowest score under this category i.e. 37%. During the first and the second Parliamentary years same question was the weakest aspect of the transparency and accessibility of the National Assembly of Pakistan and received 37% and 36% scores respectively. This shows a decrease of 1% in the 2<sup>nd</sup> year and an increase of 2% in the 3<sup>rd</sup> year and an overall increase of 1%.

### **The strongest aspect of the transparency and accessibility of the National Assembly: Ample freedom to journalists in reporting on the Assembly of and its members**

The question “**How free from restrictions are journalists in reporting on parliament and the activities of its members**” received the maximum score i.e. 80 %. Incidentally this question received the highest scores in the second Parliamentary year as well at 83% while in the first parliamentary year the same question received 76% scores. This shows an improvement of 7% in the 2<sup>nd</sup> year and a deterioration of 4% in the 3<sup>rd</sup> year with an overall improvement of 2%.

### **Overall transparency and accessibility of National Assembly of Pakistan**

The overall transparency and accessibility of the National Assembly of Pakistan received a score of 54%. Compared to this, 55% and 58% scores were awarded in first and second parliamentary years respectively. This shows an improvement of 4% in the 2<sup>nd</sup> year and a deterioration of 5% in the 3<sup>rd</sup> year with an overall deterioration of 2%.

MPs and non-MPs awarded 54 % of score to this area.

## **5. The Accountability of the National Assembly of Pakistan**

Seven (7) detailed sub-areas were received in order to determine the accountability of the National Assembly of Pakistan. These sub-areas included:

- a. Availability of a proper System for Members of the Assembly to Report Back to their Constituents on their Performance
- b. Effectiveness of the Electoral System to Ensure Accountability of the Assembly and its Members to Electorate
- c. Accountability of the Members through Elections, Observance of the Code of Conduct by the Members
- d. Transparency of Procedures to Prevent Conflict of Interest by the Members
- e. Oversight Funding to Candidates and Parties
- f. Acceptable System of Determining Members' Salaries
- g. Availability of a Proper System of Measuring Public Confidence in the Assembly

### **The weakest aspect of the accountability of the National Assembly: Very less Availability of a Proper System of Measuring Public Confidence in the Assembly**

The weakest aspect of the accountability of the National Assembly of Pakistan was lack of availability of a proper system of measuring public confidence in the Assembly. The question that received the lowest score in this aspect of the evaluation was “**How systematic is the monitoring and review of levels of public confidence in parliament**” that received 36%. This question was scored 42% in the second Parliamentary Year and 39% in the first parliamentary year. This shows an improvement of 3% in the 2<sup>nd</sup> year and a deterioration of 5% in the 3<sup>rd</sup> year. Overall this signifies a deterioration of 2%.

In the second parliamentary year of the National Assembly, the lowest scored question was “How adequate is the oversight of party and candidate funding to ensure that members preserve independence in the performance of their

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duties.” This question received 36%. While in the first parliamentary year the lowest scored question was “How transparent and robust are the procedures for preventing conflicts of financial and other interest in the conduct of parliamentary business that received 38% score.

### **The strongest aspect of the accountability of the National Assembly: Availability of a proper System for Members of the Assembly to Report Back to their Constituents on their Performance**

The question “How systematic are arrangements for members to report to their constituents about their performances in office” received the highest score 43%. Same question was scored as 40 % and 42% in the first and second parliamentary years showing an increase of 2% in the 2<sup>nd</sup> year and 1% in 3<sup>rd</sup>.

In the second parliamentary year, the strongest aspect of this area was “How effective is the system for ensuring the observance of agreed codes of conduct by members?” that received 49%, whereas this question received 41 % during the third parliamentary year.

### **Overall score for the accountability of the National Assembly of Pakistan**

Overall, the accountability of the National Assembly of Pakistan received a score of 36%. Compared to this, the National Assembly scored 44% in this area during the second parliamentary year and 42 % during the first parliamentary year. This shows an improvement of 2% in the 2<sup>nd</sup> year and a deterioration of 8% in the 3<sup>rd</sup> year with an overall deterioration recorded at 5%.

The score awarded by MPs in this area is 42 %, than the score awarded by non-MPs which is 32%. It indicates that Parliamentarians consider the Assembly and MPs much more accountable than the non-MPs.

## **6. Effectiveness of the National Assembly's involvement in Foreign Policy**

Ten (10) sub-areas were evaluated to determine the effectiveness of the National Assembly's involvement in international policy (popularly known as Foreign Policy in Pakistan). These are:

- a. Ability of the Parliament to scrutinise and contribute to the Government's foreign policy
- b. Availability of information to Parliament on on-going negotiations with international entities
- c. Ability to influence the commitments made by the government to international entities
- d. Parliament's ability to influence the monitoring reports submitted by the government as a part of its international commitments
- e. Parliament's ability to monitor Government's Development Policy as a donor or recipient (Mostly as a recipient in the case of Pakistan)
- f. Oversight of the development of country's troops abroad
- g. Parliament's effectiveness to foster political dialogue for resolving domestic and international conflicts
- h. Effectiveness of inter-parliamentary cooperation at the domestic and international level
- i. Ability of the Parliament to scrutinise the polices and perform of international entities like the UN to which the country contributes

### **The weakest aspect of the National Assembly's effectiveness in Foreign Policy: Oversight of the deployment of country's troop abroad**

The question that received the minimum score in this category, i.e., 31%, was: “**How rigorous is parliamentary oversight of the deployment of the country's armed forces abroad.**” Same aspect was the weakest area in the evaluation of the first two parliamentary years: 30% score in the first year and 40% in the second parliamentary year. This shows an increase of 10% in the 2<sup>nd</sup> year and a decrease of 9% in the 3<sup>rd</sup> year. The overall decrease stands at 3%.

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**The strongest aspect of the National Assembly's effectiveness in Foreign Policy: Effectiveness in inter-parliamentary cooperation**

A 51% score was assigned to the question “**How effective is parliament in inter-parliamentary cooperation at regional and global levels.**” The same question received highest score in the second and first parliamentary years as well: 55% in the second parliamentary year and 48 % in the first parliamentary year respectively. This shows an increase of 7% in the 2<sup>nd</sup> year and a decrease of 4% in the 3<sup>rd</sup>.

**Overall Score for the Effectiveness of the National Assembly's Involvement**

Overall effectiveness of the National Assembly's involvement in foreign policy was rated at 33%. This overall area was rated at 44% in the second and 37% in the first parliamentary year. This shows an increase of 7% in the 2<sup>nd</sup> year and a decrease of 11% in the 3<sup>rd</sup> thus registering an overall decrease of 6%.

Score awarded by the MPs to this area is 33 % and slightly low score of 34% was awarded by the non-MPs.

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**Table 5: Detailed Evaluation of the National Assembly of Pakistan**

No.	Parameter and Sub-Area of Evaluation	Score (Percentage) 2009	Score (Percentage) 2010	Score (Percentage) 2011	Average (Percentage)	Percentage Increase/Decrease (Negative Sign Shows the Decrease)
<b>1</b>	<b><i>The Representativeness of the National Assembly</i></b>	<b>55</b>	<b>52</b>	<b>53</b>	<b>53</b>	<b>1.00%</b>
1.1	How adequately does the Parliament represent the diversity of political opinion in the country (e.g. as reflected in votes for the respective political parties)?	64	59	61	<b>61</b>	<b>2.00%</b>
1.2	How representative of women is the composition of Parliament?	71	56	69	<b>65</b>	<b>13.00%</b>
1.3	How representative of marginalized groups and regions is the compositions of Parliament?	53	50	53	<b>52</b>	<b>3.00%</b>
1.4	How easy is it for a person of average means to be elected to Parliament?	28	28	35	<b>30</b>	<b>7.00%</b>
1.5	How adequate are internal party arrangements imbalances in parliamentary representation?	39	39	39	<b>39</b>	<b>0.00%</b>
1.6	How adequate are arrangements for ensuring that opposition and minority parties or groups and their members can effectively contribute to the work of Parliament?	52	51	48	<b>50</b>	<b>-3.00%</b>
1.7	How conducive is the infrastructure of parliament, and its unwritten mores, to the participation of women and men?	56	58	55	<b>56</b>	<b>-3.00%</b>
1.8	How secure is the right of all members to express their opinions freely and how well are members protected from executive or legal interference?	69	64	68	<b>67</b>	<b>4.00%</b>
1.9	How effective is parliament as a forum for debate on questions of public concern?	66	64	61	<b>64</b>	<b>-3.00%</b>
<b>2</b>	<b><i>Effectiveness of Parliamentary Oversight over the Executive</i></b>	<b>49</b>	<b>50</b>	<b>41</b>	<b>47</b>	<b>-9.00%</b>
2.1	How rigorous and systematic are the procedures whereby member can question the executive and secure adequate information from it?	56	55	52	<b>54</b>	<b>-3.00%</b>

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<b>2.2</b>	How effective are specialist committees in carrying out their oversight function?	57	54	49	<b>53</b>	<b>-5.00%</b>
<b>2.3</b>	How well is parliament able to influence and scrutinize the national budget, through all its stages?	44	46	41	<b>44</b>	<b>-5.00%</b>
<b>2.4</b>	How effectively can parliament scrutinizes appointments to executive posts, and holds their occupants to account?	35	43	32	<b>37</b>	<b>-11.00%</b>
<b>2.5</b>	How far is parliament able to hold non-elected public bodies to account?	42	49	39	<b>43</b>	<b>-10.00%</b>
<b>2.6</b>	How far is parliament autonomous in practice from the executive, e.g. through control over its own budget, agenda, timetable personal, etc.?	64	65	45	<b>58</b>	<b>-20.00%</b>
<b>2.7</b>	How adequate are the members and expertise of professional staff to support members, individually and collectively, in the effective performance of their duties?	48	42	41	<b>44</b>	<b>-1.00%</b>
<b>2.8</b>	How adequate are the research, information and other facilities available to all members and their groups?	46	44	46	<b>45</b>	<b>2.00%</b>
<b>3</b>	<b><i>National Assembly's Legislative Capacity</i></b>	<b>53</b>	<b>54</b>	<b>49</b>	<b>52</b>	<b>-5.00%</b>
<b>3.1</b>	How satisfactory are the procedures for subjecting draft legislation to full and open debate in parliament?	56	56	57	<b>56</b>	<b>1.00%</b>
<b>3.2</b>	How effective are committee procedures for scrutinizing and amending draft legislation?	60	57	54	<b>57</b>	<b>-3.00%</b>
<b>3.3</b>	How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation?	44	46	46	<b>45</b>	<b>0.00%</b>
<b>3.4</b>	How adequate are the opportunities for individual members to introduce draft legislation?	54	63	51	<b>56</b>	<b>-12.00%</b>
<b>3.5</b>	How effective is parliament in ensuring that legislation enacted is clear, concise and intelligible?	54	54	50	<b>53</b>	<b>-4.00%</b>
<b>3.6</b>	How careful is parliament in ensuring that legislation enacted is consistent with the constitution and the human rights of the population?	54	62	59	<b>58</b>	<b>-3.00%</b>

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<b>3.7</b>	How careful is the parliament in ensuring a gender-equality perspective in its work?	47	41	58	<b>49</b>	<b>17.00%</b>
<b>4</b>	<b><i>The Transparency and Accessibility of the National assembly</i></b>	<b>55</b>	<b>58</b>	<b>54</b>	<b>56</b>	<b>-4.00%</b>
<b>4.1</b>	How open and accessible to the media and the public are the proceedings of parliament and its committees?	70	78	66	<b>71</b>	<b>-12.00%</b>
<b>4.2</b>	How free from restrictions are journalists in reporting on parliament and the activities of its members?	76	83	80	<b>80</b>	<b>-3.00%</b>
<b>4.3</b>	How effective is parliament in informing the public about its work, through a variety of channels?	63	60	57	<b>44</b>	<b>-3.00%</b>
<b>4.4</b>	How extensive and successful are attempts to interest young people in the work of parliament?	44	41	46	<b>51</b>	<b>5.00%</b>
<b>4.5</b>	How adequate are the opportunities for electors to express their views and concerns directly to their representative, regardless of party affiliations?	46	59	49	<b>48</b>	<b>-10.00%</b>
<b>4.6</b>	How user-friendly is the procedure for individuals and groups to make submissions to a parliamentary committee or commission of enquiry?	45	46	52	<b>37</b>	<b>6.00%</b>
<b>4.7</b>	How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.)?	37	36	37	<b>41</b>	<b>1.00%</b>
<b>5</b>	<b><i>The Accountability of Parliament</i></b>	<b>42</b>	<b>44</b>	<b>36</b>	<b>42</b>	<b>-8.00%</b>
<b>5.1</b>	How systematic are arrangements for members to report to their constituents about their performances in office?	40	42	43	<b>44</b>	<b>1.00%</b>
<b>5.2</b>	How effective is the electoral system in ensuring the accountability of parliament, individually and collectively, to the electorate?	46	48	38	<b>46</b>	<b>-10.00%</b>
<b>5.3</b>	How effective is the system for ensuring the observance of agreed codes of conduct by members?	49	49	40	<b>40</b>	<b>-9.00%</b>



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<b>5.4</b>	How transparent and robust are the procedures for preventing conflicts of financial and other interest in the conduct of parliamentary business?	38	44	37	<b>37</b>	<b>-7.00%</b>
<b>5.5</b>	How adequate is the oversight of party and candidate funding to ensure that members preserve independence in the performance of their duties?	39	36	37	<b>42</b>	<b>1.00%</b>
<b>5.6</b>	How publicly acceptable is the system whereby members' salaries are determined?	46	44	37	<b>39</b>	<b>-7.00%</b>
<b>5.7</b>	How systematic is the monitoring and review of levels of public confidence in parliament?	39	42	36	<b>38</b>	<b>-6.00%</b>
<b>6</b>	<b><i>Effectiveness of the National Assembly's Involvement in Foreign Policy</i></b>	<b>37</b>	<b>44</b>	<b>33</b>	<b>36</b>	<b>-11.00%</b>
<b>6.1</b>	How effective is parliament able to scrutinize and contribute to the government's foreign policy?	35	42	32	<b>36</b>	<b>-10.00%</b>
<b>6.2</b>	How adequate and timely is the information available to parliament about the government's negotiating positions in regional and universal/ global bodies?	33	42	32	<b>37</b>	<b>-10.00%</b>
<b>6.3</b>	How far is parliament able to influence the binding legal or financial commitments made by the government in the international fora, such as the UN?	35	43	34	<b>39</b>	<b>-9.00%</b>
<b>6.4</b>	How effective is parliament in ensuring that international commitments are implemented at the national level?	34	46	37	<b>38</b>	<b>-9.00%</b>
<b>6.5</b>	How effectively is parliament able to scrutinize and contribute to national reports to international monitoring mechanisms and ensuring follow-up on their recommendations?	37	42	36	<b>39</b>	<b>-6.00%</b>
<b>6.6</b>	How effective is parliamentary monitoring of the government's development policy, whether as "donor" or "recipient" of international development aid?	37	44	35	<b>34</b>	<b>-9.00%</b>

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<b>6.7</b>	How rigorous is parliamentary oversight of the deployment of the country's armed forces abroad?	30	40	31 Lowest score in the evaluative	44	-9.00%
<b>6.8</b>	How active is parliament in fostering political dialogue for conflict resolution, both at home and abroad?	43	46	35	<b>41</b>	<b>-11.00%</b>
<b>6.9</b>	How effective is parliament in inter-parliamentary cooperation at regional and global levels?	48	55	31	<b>51</b>	<b>-4.00%</b>
<b>6.10</b>	How far is parliament able to scrutinize the policies and performance of international organizations like the UN, World Bank and IMF to which its government contributes financial, human and material resources?	34	43	33	<b>37</b>	<b>-10.00%</b>
<b>Overall Evaluation Score for the National Assembly</b>		<b>48</b>	<b>50</b>	<b>44</b>	<b>47</b>	<b>36</b>

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### Recommendation

As noted earlier, the National Assembly performance shows a downward trend overall in the 3<sup>rd</sup> year. Therefore the need and desire for system reforms and improvement is even more pressing at the end of 3 years. Most of the reforms areas highlighted a year ago are still relevant and the need for reform has therefore only intensified over the years.

#### **Standing Committee on Foreign Affairs Adopt a Pro-Active Role in Formulating, Shaping and Overseeing the Foreign Relations**

The sub-area "*How rigorous is parliamentary oversight of the deployment of the country's armed forces abroad?*" was awarded a score of 31% which is the lowest in all evaluation. As the foreign policy assumes a much more important position in the national affairs, its impact on the country becomes more profound. The National Assembly and its Standing Committee on Foreign Affairs have seldom played any role in formulating and shaping the country's foreign policy. It is a standard practice for Parliaments to give significant input to the framing of public policies especially the Foreign Policy but the case of Pakistan indicates ineffectiveness of the National Assembly in this context.

The Standing Committee should take up a pro active role in seeking information on the foreign policy from the Executive, hold public hearing, call experts for input and send written recommendations to the government for possible implementation.

#### **Parliament's Power to Scrutinise Executive Appointments**

The sub-area "*How effectively can parliament scrutinizes appointments to executive posts, and holds their occupants to account?*" had a score of 32% which is the second lowest score of the entire evaluation.

Parliament's inability to scrutinise executive appointments is also rated as one of the weakest aspect of the Parliament. While after the 18<sup>th</sup> Constitutional Amendment, Parliament now has a role to play in appointments such as in higher Judiciary as well as institutions like the Election Commission of Pakistan, a stronger role is needed for the Parliament in approving other major appointments as well. Legal and procedural changes, in this regard, will be needed that the Parliament must work to acquire.

#### **Make it Possible for a person of Average Means to be elected to the Parliament**

During the evaluation the sub-area "*How easy is it for a person of average means to be elected to Parliament?*" had a score of 35% which is the third lowest score in all evaluation.

One of the least scored areas of the evaluation has been the possibility of a person of average means to get elected as a member of the Parliament of Pakistan during the second and third year of the evaluation of the Parliament.

According to the declaration of the assets by the MNAs of the 12<sup>th</sup> and 13<sup>th</sup> National Assembly, the average value of assets of a member of the National Assembly (MNA) was just below Rs. 27 million in 2002-2003 which has increased to almost Rs. 81 million in 2008-2009 a threefold increase in assets declared by Members of the National Assembly (MNA) belonging to the 12<sup>th</sup> National Assembly and the 13<sup>th</sup> (current) National Assembly of Pakistan from 2002-2003 to 2008-2009. The average value of assets declared by the members of the National Assembly stands at 94.6 million for the year 2009-2010.

If democracy and Parliament have to become relevant to common people and they have to have faith in democracy and democratic institutions, the Parliament must legislate tough measures to discourage the role of big money in politics. Political parties must ensure that sincere, dedicated and able candidates are preferred irrespective of their financial standing and the party organisation should mobilise funds for candidates' elections campaigns.

#### **Procedure to Consult Various Interest Groups on Parliamentary Business**

While legislating on key issues, Parliament seeks little or no input for the citizens. While in established Parliaments there

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exists a tradition of seeking public opinion into legislation especially at the committee stage, the bills are not advertised for public input. The question **“How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation** received one of the lowest score of **46%**.

Parliament should enhance its capacity to consult systemically and transparently various interest groups in the course of legislation. Consultation with the stake holders and interest groups before tabling legislation is an indicator where effective performance of the Parliament can be measured. Second most important factor is less opportunity to the citizens to participate or direct the legislation through their initiatives, or referenda etc. Parliament should be harmonious enough to welcome the initiatives of the citizens that can lead to further prioritization of issues of public concern that need legislation or need to be heard and raised in the Parliament. In the evaluation, **the question “How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.)”** received lowest score of **37%**.

#### **Trust in Parliament**

What role does Parliament play in resolving key crises and issues touching the lives of the people which are directly relevant to the level of public trust in the Parliament as the central institution of the democratic setup? Even through this Assembly has debated and discussed important issues, Parliament has played little or no role in managing and diffusing key crises which are almost always resolved outside the Parliament.

As an institution, Parliament needs to institute a system with which to carry out a periodic review of the public trust in its performance. In response to the evaluation question that **“How systemic is the monitoring and review of levels of public confidence in the Assembly?”** a score of 36% was given.

According to a Pew survey conducted in December 2011 relating to the US public sentiments about the US Congress, less than one-third (20%) respondents said that they wanted most members to be re-elected while two-third (67%) said that they did not want most members to be re-elected to the US Congress.<sup>27</sup>

27. Frustration with Congress could hurt Republican Incumbents, Pew Research Center, December 15, 2011



# APPENDICES



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### APPENDIX - A

#### Comparison of the Legislative Performance of the First Three Years of the 13<sup>th</sup> National Assembly of Pakistan (2008-2011)

##### Working Days and Hours

Working Days and Working Hours	2008-2009	2009-2010	2010-2011	2010-2011 Indian Lok Sabha
Total No. of Days the House Met	132	136	140	147
Actual No. of Days the House Met	97	104	104 <sup>28</sup>	81
Total No. of Hours the House Met	277 hours and 15 minutes	355 hours and 20 minutes	300 hours and 35 minutes	282
No. of Hours met Per Day	2.9	3.49	3.07	3.48

##### Government Bills

Parliamentary Year	2008-2009 (Parliamentary Year -1)	2009-2010 (Parliamentary Year -2)	2010-2011 (Parliamentary Year -3)	2010-2011 Lok Sabha
Bills/Ordinances Introduced/laid	30	90	34	45
Passed	03	29	24	40
Withdrawn	01	2	01	
Pending	26	89	102	

##### Private Members' Bills

Parliamentary Year	2008-2009 (Parliamentary Year -1)	2009-2010 (Parliamentary Year -2)	2010-2011 (Parliamentary Year -3)	2010-2011 Lok Sabha
Received	104	91	28	--
Introduced	39	64	17	69
Passed	01	03	01	--

28. The Session was adjourned twice after the assassination of Governor Punjab Salman Taseer on January 04, 2011 and Federal Minister for Minorities, Clement Shahbaz Bhatti on March 04, 2011 without taking up any agenda on the orders of the day.



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### Questions

Parliamentary Year	2008-2009 (Parliamentary Year -1)	2009-2010 (Parliamentary Year-2)	2010-2011 (Parliamentary Year -3)
Received	10843	10572	8321
Admitted	-	5625	-
Admitted but lapsed	2852	2370	1674
Answered	3044	3447	2285
Processed but Lapsed	2749	3308	3318

### Calling Attention Notices

Parliamentary Year	2008-2009 (Parliamentary Year -1)	2009-2010 (Parliamentary Year -2)	2010-2011 (Parliamentary Year -3)
Received	708	894	706
Statements Made on	94	106	70
Disallowed/Lapsed	-	777	-
Total brought before the House	-	107	-

### Privilege Motions

Parliamentary Year	2008-2009 (Parliamentary Year -1)	2009-2010 (Parliamentary Year -2)	2010-2011 (Parliamentary Year -3)
Total Privilege Motions Received	50	60	76
Brought before the House	08	19	23
Referred to the Standing Committee	07	18	25
Motions disallowed	-	9	-

### Adjournment Motions

Parliamentary Year	2008-2009 (Parliamentary Year -1)	2009-2010 (Parliamentary Year -2)	2010-2011 (Parliamentary Year -3)
Total Adjournment Motions Received	367	402	409
Brought before the House	15	28	24
Referred to the Standing Committee	01	-	2
Lapsed	-	124	22
Discussed in the House	-	13	11
Disallowed	144	242	-

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### APPENDIX - B

#### Motions under Rule 259

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

Parliamentary Year	2008-2009 (Parliamentary Year - 1)	2009-2010 (Parliamentary Year - 2)	2010-2011 (Parliamentary Year - 3)
Total Motions Received under Rule 259	305	658	304
Total Motions Admitted but Lapsed	140	616	208
Discussed in the house	05	-	1
Disallowed	-	40	-

#### Meetings of the Ministries-Related Parliamentary Committees of the 13<sup>th</sup> National Assembly of Pakistan<sup>29</sup> (March 17, 2010 - March 16, 2011)

No.	NAME OF THE COMMITTEE	CHAIRPERSON	Date the Committee was formed	Date chair was elected	No of Days Meeting Held during the 3 <sup>rd</sup> Parliamentary Year (March 17, 2010– March 16, 2011)
1	Standing Committee on Cabinet Secretariat	Dewan Ashiq Hussain Bokhari	April 24, 2008	April, 27, 2008	14
2	Standing Committee on Commerce	Engr. Khurram Dastagir	April 24, 2008	October 04, 2008	16
3	Standing Committee on Communications	Mr. Saeed Ahmad Zafar	April 24, 2008	March 16, 2009	8
4	Standing Committee on Culture ( <i>dissolved</i> )	Mr. Muhammad Raza Hayat Hiraj	April 24, 2008	April 24, 2008	04
5	Standing Committee on Defence	Dr. Azra Fazal Pechuho	April 24, 2008	February, 17, 2009	16
6	Standing Committee on Defence Production	Shiekh Aftab Ahmad	April 24, 2008	October 20, 2008	03
7	Standing Committee on Economic Affairs and Statistics	Malik Azmat Khan	April 24, 2008	May 15, 2009	06

<sup>29</sup> Out of these 49 Committees, 17 have been dissolved in line with the 18<sup>th</sup> Constitutional Amendment. However, detail of meetings have been provided for 49 Committees here. On December 07, 2010 five committees namely Local Government and Rural Development, Population Welfare, Special Initiatives, Youth Affairs and Zakat and Usr were dissolved. Similarly, on April 12, 2011 five more committees were dissolved including Culture, Education, Livestock and Dairy Development, Social Welfare and Special Education and Tourism. On July 04, 2011 seven more namely Environment, Food and Agriculture, Health, Labour and Manpower, Minorities, Sports and Women Development were dissolved.

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8	Standing Committee on Education ( <i>dissolved</i> )	Ch. Abid Sher Ali	April 24, 2008	October 23, 2008	14
9	Standing Committee on Environment ( <i>dissolved</i> )	Raja Muhammad Asad Khan	April 24, 2008	October 23, 2008	13
10	Standing Committee on Finance, Planning, Revenue and Development	Ms. Fauzia Wahab	April 14, 2008	October 22, 2008	19
11	Standing Committee on Food and Agriculture ( <i>dissolved</i> )	Mr. Javed Iqbal Warraich	April 24, 2008	February 26, 2009	18
12	Standing Committee on Foreign Affairs	Mr. Asfand Yar Wali	April 24, 2008	September 17, 2008	07
13	Standing Committee on Government Assurances	Mr. Mahmood Hayat Khan Tochi Khan			08
14	Standing Committee on Health ( <i>dissolved</i> )	Dr. Nadeem Ehsan	April 24, 2008	October 22, 2008	21
15	Standing Committee on House and Library	Mr. Faisal Karim Kundi		-	06
16	Standing Committee on Housing and Works	Mr. Pervaiz Khan	April 24, 2008	January 13, 2009	07
17	Standing Committee on Human Rights	Mr. Riaz Hussain Fatyana	April 23, 2008	-	22
18	Standing Committee on Industries and Production	Mr. Ghous Bux Khan Mahar	April 24, 2008	April 20, 2008	04
19	Standing Committee on Information and Broadcasting	Mrs. Belum Hasnain		May 06, 2009	08
20	Standing Committee on Information Technology and Telecommunication	Ch. Muhammad Barjees Tahir	April 14, 2008	October 20, 2008	16
21	Standing Committee on Inter-provincial Coordination	Mir Ahmadan Khan Bugti	April 23, 2009	April 24, 2009	06
22	Standing Committee on Interior	Mr. Abdul Qadir Patel	April 24, 2008	February 17, 2009	04

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23	Standing Committee on Kashmir Affairs and Gilgit Baltistan	Shahzada Mohi-ud-Din	April 14, 2008	April 23, 2009	00
24	Standing Committee on Labour and Manpower ( <i>dissolved</i> )	Dr. Ghulam Haider Samejo	April 24, 2008	April 23, 2009	12
25	Standing Committee on Law, Justice & Parliamentary Affairs	Begum Nasim Akhtar Chaudhry	April 14, 2008	February 24, 2009	11
26	Standing Committee on Livestock and Dairy Development ( <i>dissolved</i> )	Jam Mir Muhammad Yousaf	April 23, 2009	April 24, 2009	03
27	Standing Committee on Local Government and Rural Development ( <i>dissolved</i> )		April 24, 2008	October 22, 2008	06
28	Standing Committee on Minorities ( <i>dissolved</i> )	Dr. Mahesh Kumar Malani	April 24, 2008	March 06, 2009	10
29	Standing Committee on Narcotics Control	Mr. Murtaza Javed Abbasi	April 24, 2008	October 23, 2008	00
30	Standing Committee on Overseas Pakistanis	Vacant	April 23, 2008	May 06, 2009	00
31	Standing Committee on Petroleum and Natural Resources	Sheikh Waqas Akram	April 24, 2008	April 23, 2009	13
32.	Standing Committee on Population Welfare ( <i>dissolved</i> )		April 24, 2008	February 24, 2009	02
33	Standing Committee on Ports and Shipping	Rana Mahmood-ul-Hassan	April 24, 2008	October 20, 2008	05
34	Standing Committee on Postal Services	Pir Muhammad Aslam Bodla	April 23, 2009	June 29, 2009	08
35	Standing Committee on Privatization and Investment	Malik Bilal Rehman	April 24, 2008	October 20, 2008	04

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36	Standing Committee on Railways	Sardar Ayaz Sadiq	April 24, 2008	October 23, 2008	08
37	Standing Committee on Religious Affairs	Moulana Muhammad Qasim	April 24, 2008	October 20, 2008	02
38	Standing Committee on Rules of Procedure	Mr. Nadeem Afzal Gondal		October 22, 2008	16
39	Standing Committee on Science and Technology	Abdul Qadir Khanzada	April 10, 2008	October 22, 2008	14
40	Standing Committee on Special Initiatives ( <i>dissolved</i> )		April 24, 2009	-	7
41	Standing Committee on Social Welfare and Special Education ( <i>dissolved</i> )	Mrs. Rubina Saadat Qaim Khani	April 24, 2008	February 25, 2009	08
42	Standing Committee on Sports ( <i>dissolved</i> )	Mr. Iqbal Muhammad Ali Khan	April 24, 2008	May 13, 2009	06
43	Standing Committee on State and Frontier Region (SAFRON)	Mr. Sajid Hussain Turi (Mr. Pervez Khan)	April 10, 2008	October 21, 2008	07
44	National Assembly Standing Committee on Textile Industry	Haji Muhammad Akram Ansari	April 24, 2008	October 23, 2008	11
45	Standing Committee on Tourism ( <i>dissolved</i> )	Mr. Muhammad Usman Advocate	April 24, 2008	October 15, 2009	08
46	Standing Committee on Water and Power	Syed Ghulam Mustafa Shah	April 24, 2008	September 17, 2008	07
47	Standing Committee on Women Development ( <i>dissolved</i> )	Ms. Bushra Gohar	April 24, 2008	January 13, 2009	13
48.	Standing Committee on Youth Affairs ( <i>dissolved</i> )		April 10, 2008	May 13, 2009	05

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49.	Standing Committee on Zakat and Ushr ( <i>dissolved</i> )	April 10, 2008	03
<b>50.</b>	<b>Total</b>		<b>429</b>

#### The Public Accounts Committee

Committee	Chairman	No. of meetings March 17, 2008 – March 16, 2009	No. of meetings March 17, 2009 – March 16, 2010	No. of meetings March 17, 2010 – March 16, 2011
Public Accounts Committee	Ch. Nisar Ali Khan	28	29	46

#### Meetings of Other Committees

(March 17, 2010 - March 16, 2011)

No.	NAME OF THE COMMITTEE	CHAIRPERSON	Date the Committee was formed	Date the Chair was elected	No of meetings held during the 3 <sup>rd</sup> Parliamentary Year (March 17, 2010 to March 16, 2011)
1.	Special Committee of the Parliament on Kashmir	Maulana Fazal-ul-Rahman	April 24, 2008	September 16, 2008	20
2.	Parliamentary Committee on Constitutional Reforms	Mian Raza Rabbani	April 10, 2009	June 25, 2009	07
03.	Finance Committee of the National Assembly	Dr. Fehmida Mirza			14

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### Appendix C

#### Details of the Bills Passed by the 13<sup>th</sup> National Assembly<sup>30</sup>

No.	Date	Name of the Bill
<b>3rd Parliamentary Year (March 17, 2010 to March 16, 2011 )</b>		
1.	Thursday, February 24, 2011	The Banking Companies (Amendment) Act, 2010
2.	Thursday, February 24, 2011	The Federal Board of Revenue (Amendment) Act, 2010
3.	Monday, February 21, 2011	The National Defence University Act, 2009
4.	Wednesday, February 02, 2011	The Earthquake Reconstruction and Rehabilitation Authority Act, 2010
5.	Tuesday, February 01, 2011	The Privatization Commission (Amendment) Bill, 2010
6.	Thursday, January 27, 2011	The Recognition and Enforcement (Arbitration Agreements and Foreign Arbitral Awards) Act, 2010
7.	Thursday, January 27, 2011	The Boilers and Pressure Vessels (Amendment) Act, 2009
8.	Wednesday, December 29, 2010	Pakistan Trade Control of Wild Funa and Flora Act, 2010
9.	Wednesday, December 29, 2010	Pakistan Engineering Council (Amendment) Act, 2010
10.	Thursday, December 23, 2010	The Code of Criminal Procedure (Amendment) Act, 2008
11.	Wednesday, December 22, 2010	The Constitution (Nineteenth Amendment) Act, 2010
12.	Thursday, November 11, 2010	The Criminal Law (Amendment) Act, 2010
13.	Monday, November 08, 2010	The National Database and Registration Authority (Amendment) Act, 2010
14.	Friday, November 05, 2010	The West Pakistan Regulation and Control of Loudspeakers and Sound amplifiers (Amendment) Act, 2010
15.	Friday, November 05, 2010	The Arbitration (International Investment Disputes) Act, 2010
16.	Thursday, November 04, 2010	The State Bank of Pakistan (Amendment) Act, 2010

<sup>30</sup> 06 Bills were passed twice by the National Assembly (05 from the previous calendar year). They are only included once in the total count, as per the NA procedure

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17.	Thursday, November 04, 2010	The Pakistan Institute of Fashion and Design Act, 2009
18.	Thursday, November 04, 2010	The Industrial Development Bank of Pakistan (Reorganization and Conversion) Act, 2010
19.	Wednesday, November 03, 2010	The Oil and Gas Regularity Authority (Amendment) Act, 2008
20.	Wednesday, October 06, 2010	The Pakistan Atomic Energy Commission (Amendment) Act, 2010
21.	Wednesday, October 06, 2010	The Sacked Employees Reinstatement Act, 2010
22.	Monday, October 04, 2010	The National disaster Management Act, 2010
23.	Monday, October 04, 2010	The Federal Employees Benevolent Fund and Group Insurance (Amendment) Act, 2010
24.	Thursday, September 30, 2010	The Degree Awarding Status to Dawood College of Engineering and Technology Karachi, Act 2010
25.	Thursday, September 23, 2010	The Competition Act, 2010
26.	Wednesday, June 30, 2010	The Islamabad High Court Act, 2010
27.	Monday, June 28, 2010	The Benazir Income Support Programme Act, 2010
28.	Friday, June 25, 2010	Finance Act, 2010
29.	Monday, May 10, 2010	The Islamabad High Court Act, 2010
30.	Thursday, April 08, 2010	The Constitution (Eighteenth Amendment) Act, 2010
31.	Wednesday, March 31, 2010	The Alternative Energy Development Board Act, 2010
<b>2nd Parliamentary Year (March 17, 2009 to March 16, 2010 )</b>		
32.	Friday, March 12, 2010	The Pakistan Penal Code (Amendment) Act, 2010
33.	Thursday, March 11, 2010	The Code of Civil Procedure (Amendment) Act, 2009
34.	Monday, February 22, 2010	The Pakistan Naval Academy (Award of Degrees) (Amendment) Act, 2010
35.	Thursday, February 18, 2010	The Earthquake Reconstruction and Rehabilitation Authority Act, 2010
36.	Thursday, February 18, 2010	The National School of Public Policy (Amendment) Act, 2010
37.	Thursday, February 18, 2010	The Patents (Amendment) Act, 2010



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38.	Monday, February 08, 2010	The Banking Companies (Amendment) Act, 2009
39.	Friday, January 29, 2010	The Institute of Space Technology Act, 2009
40.	Thursday, January 28, 2010	The National Command Authority Act, 2009
41.	Wednesday, January 27, 2010	The Competition Act, 2009
42.	Wednesday, January 27, 2010	The Anti-Money Laundering Act, 2009
43.	Wednesday, January 27, 2010	The Pakistan Engineering Council (Amendment) Act, 2009
44.	Tuesday, January 26, 2010	The Removal from Service (Special Powers) Ordinance, 2000 (Repeal) Act, 2010
45.	Thursday, January 21, 2010	The Protection Against Harassment of Women at the Workplace Act, 2010
46.	Thursday, January 21, 2010	The Service Tribunals (Amendment) Act, 2010
47.	Monday, January 18, 2010	The Pakistan Institute of Development Economics Act, 2009
48.	Wednesday, January 13, 2010	The Public Defender and Legal Aid Office Act, 2009
49.	Thursday, November 12, 2009	The Transplantation of Human Organs and Tissues Act, 2009
50.	Wednesday, November 04, 2009	The Criminal Law (Amendment) Act, 2009
51.	Wednesday, October 14, 2009	The Federal Board of Revenue (Amendment) Act, 2009
52.	Thursday, October 08, 2009	The Stock Exchanges (Corporatisation, Demutualization and Integration) Act, 2008
53.	Thursday, October 08, 2009	The NFC Institute of Engineering and Technology Multan Act, 2009
54.	Thursday, October 08, 2009	The Modaraba Companies and Modaraba (Floatation and Control) (Amendment) Act, 2009
55.	Wednesday, August 19, 2009	The Guardians and Wards (Amendment) Act, 2008
56.	Wednesday, August 19, 2009	The Family Courts (Amendment) Act, 2008
57.	Wednesday, August 12, 2009	The Anti-Dumping Duties (Amendment) Act, 2008
58.	Wednesday, August 12, 2009	The Cotton Standardization (Amendment) Act, 2008

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59.	Wednesday, August 12, 2009	The Election Law (Amendment) Bill, 2009
60.	Thursday, August 06, 2009	Representation of the People (Amendment) Act, 2008
61.	Tuesday, August 04, 2009	Domestic Violence (Prevention and Protection) Act, 2009
62.	Monday, August 03, 2009	Rulers of Acceding States (Abolition of Privy Purses and Privileges) (Amendment) Act, 2008
63.	Monday, June 22, 2009	Finance Bill 2009
<b>1st Parliamentary Year (March 17, 2008 to March 16, 2009 )</b>		
64.	Wednesday, November 19, 2008	The Industrial Relations Bill, 2008
65.	Tuesday, November 18, 2008	The Pakistan Institute for Parliamentary Services Act, 2008
66.	Friday, August 15, 2008	Pakistan International Airline Corporation (Suspension of Trade Unions and Existing Agreements) Order (Repeal) Act, 2008
67.	Sunday, June 22, 2008	Finance Bill 2008
68.	Monday, June 09, 2008	The Representation of the People (Amendment) Act, 2008





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