



## **13th National Assembly of Pakistan**

### **4th Session Roundup**

April 10-25, 2008

## **The National Assembly of Pakistan**

### **4<sup>th</sup> Session Roundup**

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## National Assembly of Pakistan

### 4<sup>th</sup> Session Roundup

#### Overview

The fourth, but in fact the first regular, session of the 13<sup>th</sup> National Assembly of Pakistan started on Thursday April 10, 2008 and was prorogued on Friday April 25, 2008. The session which had an unsavoury beginning with the opposition boycotting the proceedings in protest against manhandling of two of its stalwarts - Arbab Ghulam Rahim and Dr. Sher Afgan Niazi - progressed to witness a relatively smooth interaction of the treasury and the opposition benches, with only occasional exchange of heated arguments between the two.

The opening day of the Session was presided over by the Speaker National Assembly **Dr. Fehmida Mirza** who, later on, left for Cape Town, South Africa to attend the 118<sup>th</sup> Assembly and related meetings of Inter Parliamentary Union (IPU). During the visit, Dr. Fehmida Mirza also addressed the 4<sup>th</sup> meeting of the world's Female Speakers of Parliaments. Dr. Fehmida Mirza was accompanied by a 10-member delegation during her 11-day tour (April 10-21, 2008). In her absence, **Mr. Faisal Karim Kundi**, Deputy Speaker of the National Assembly, conducted the proceedings of the session for six working days. Although a first-time parliamentarian, the young Deputy Speaker did the job fairly well, eliciting praise from various circles.

Though the 4<sup>th</sup> session lasted for 16 days, the House met for 11 working days. The Assembly met for 30 Hours and 10 minutes during the session which translates to 2 Hours and 45 Minutes per work day. Mostly, the House failed to observe the stipulated timings. The first day of the Session started almost an hour and half late. Out of the total 11 sittings, only one sitting started at the due time; 3 sittings were delayed by less than 30 minutes while 7 sittings were delayed by more than 30 minutes. A total of 388 questions were asked during the session out of which 28 % (109 Questions) were answered which is slightly higher than the average percentage of questions answered during the past 5 years (21 %). Government introduced one Bill (PEMRA-Amendment-Bill, 2008) during the session while 4 ordinances earlier promulgated by the President of Pakistan were also laid in the House. 18 Private Member's Bills were also received during the session but none was either admitted or passed. Although the Prime Minister had promised to initiate the Prime Minister's Question Hour, it could not materialise during this Session. However, he regularly attended the Session in contrast to the 12<sup>th</sup> National Assembly when the Prime Minister attended the sessions infrequently. During the Session, the issue of quorum was

never raised which meant that the proceedings were not interrupted due to lack of quorum if at all it had occurred.

## **Key Developments**

### **Formation of the Standing Committees**

The formation of the Standing Committees was also completed during the session. It is appreciable that the process of formation of all Standing Committees was completed within timeframe of 30 days provided in the Rules of Procedure. Out of the total 46 Standing Committees, 9 were elected on April 10, and the remaining 37 were elected on April 24, 2008. However, the Assembly failed to elect chairpersons of the Committees which means that the committees, despite their timely formation, will remain non-functional. The lack of agreement among the coalition partners on the subject is indicated to be the main reason for the non-election of the Committee Chairs.

### **Leader of the Opposition Notified**

The Speaker of the National Assembly, Dr. Fehmida Mirza notified the appointment of Chaudhry Pervaiz Elahi as the Leader of the Opposition on April 10, 2008, barely 23 days after the Assembly met to start its term on March 17, 2008. This was in sharp contrast to what her predecessor, Ch. Amir Hussain, had done when he had taken almost twenty months to nominate Maulana Fazal ur Rehman as the Leader of the Opposition and that too only after his party Muttahida Majlis-i-Amal (MMA) had helped the government in passing the 17<sup>th</sup> Amendment to the Constitution. The Leader of the Opposition to the previous (12<sup>th</sup>) National assembly was notified on May 25, 2004, whereas the Assembly had commenced its term on November 16, 2002. It is worth mentioning here that the Speaker's decision was in line with the February 2007 amendment in the National Assembly Rules that requires that the declaration of the Leader of the Opposition will be made "as early as possible after the ascertainment of the Leader of the House" after the general election.

## **Major Issues Raised and / or Discussed**

### **1. Violence in Lahore and Karachi**

The incidents at Lahore and Karachi involving the manhandling of Former Minister of Parliamentary Affairs, Dr. Sher Afghan Niazi and Former Sindh Chief Minister Arbab Ghulam Rahim respectively and burning alive of some lawyers in Karachi were discussed. Prime Minister Syed Yousuf Raza Gilani termed the events as conspiracy of the dictatorship to derail the democratic process in the country.

### **2. Electricity Shortage**

The issue of electricity shortage evoked heated arguments between the treasury and the opposition benches with the former blaming the previous government for the power crisis that has severely hit the country. It also exposed the difference of opinion between the coalition partners vis-à-vis the construction of Kala Bagh Dam (KBD), with most of the PPP legislators opposing it, whereas the PML-N legislators favouring the project. The legislators from both sides took part in the discussion and proposed several alternatives to cope with the crisis. They also suggested constituting a parliamentary committee to settle the issue. Winding up the debate, Minister for Water and Power, Raja Pervez Ashraf, declared that the KBD was a controversial project and would never be built at the expense of the federation. He, nevertheless, claimed that the Government would be able to get rid of the menace of load-shedding within the next three years. The House spent 6 days discussing the issue during which a total of 65 members spoke.

### **3. Escalating Prices and scarcity of Wheat and Flour**

The escalating prices and unavailability of wheat/flour also caught the attention of the legislators who asked the Government to take immediate steps to bring the situation under control. A resolution was tabled asking the Government to control escalating prices.

### **4. Local Government System**

The legislators discussed at length the Musharraf-introduced Local Government system, with members from both sides calling for either introducing drastic reforms in the system or out-rightly abolishing it. Majority of the members who spoke on the subject were of the view that the system had failed to deliver. Instead of empowering the masses, they said, it had further disempowered them.

### **5. Privatisation Deals**

The House was informed that the Government was conducting audit of the privatisation deals transacted by the previous government.

6. **National Economy**

Finance Minister Senator Muhammad Ishaq Dar accused the previous Shaukat Aziz government of fudging the facts and having inflicted untold damage to the national economy. He claimed that the national debt had gone up by 96.5% during the last eight years - from Rs. 2900 billion in 1999 to Rs. 5700 billion in 2007. He also said that there was a gaping hole of at least Rs. 555 billion due to overrun expenditures.

7. **Law and Order in FATA's Kurram Agency**

The law and order situation especially the sectarian (Sunni-Shia) clashes in Kurram Agency was also discussed in the National Assembly.

8. **Baloch Prisoners**

The issue of Baloch prisoners was raised to which Advisor to the Prime Minister on Interior Mr. Rahman Malik assured that no one would be victimised.

9. **Wheat Importers**

Commerce Minister revealed that the Ministry of Commerce did not have the record of wheat importers.

10. **Houses for Government Employees**

Prime Minister, Yousuf Raza Gilani announced a housing policy under which all federal government employees, on completion of 10 years in service, would be entitled to become the owners of a house upon reaching superannuation age. This was the first answer by any Prime Minister in the National Assembly during Question Hour.

11. **Uniform Curriculum**

Education Minister Mr. Ahsan Iqbal said he had set a three year target to introduce a uniform syllabus and a national system of education. He said the government planned to set up a national curriculum council to review the curriculum.

12. **Foreign Visits of General (Retd.) Musharraf**

The House was told that Gen. (Retd.) Pervez Musharraf undertook 37 foreign tours between January 2003 and January 2008 at the cost of Rs. 1.468 billion.

13. **Drug Trafficking**

The House was told that 459 foreigners, mostly Nigerians, were caught during the last three years on drug trafficking charges and 8000 kg of heroine was seized.

14. **Senior Military Officers in Civilian positions**

The House was told that since 1999, 534 senior Army Officers, including 25 Lieutenant Generals and 50 Major Generals were appointed in various federal government departments through the establishment division.

15. **Foreign Access to the National Command Authority (NCA)**

A Calling Attention Motion was tabled seeking assurance from the Government that it would not allow any US official to be stationed in Pakistan to have access to the National Command Authority (NCA) as had been reported by some newspapers.

16. **Incursion into Pakistani territory by ISAF and Afghan Forces**

The legislators took strong exception to the incursion into the Pakistani territory by the International Security Assistance Force (ISAF) and Afghan forces. Foreign Minister Makhdoom Shah Mahmood Qureshi assured the House that a protest communiqué had been sent to the Afghan and NATO authorities.

### **Issues Referred to the Standing Committees**

1. **PEMRA (Amendment) Bill**

The Pakistan Electronic Media Regulatory Authority (Amendment) Bill, 2008 was referred to the Standing Committee on Information and Broadcasting for formalities to transform it into law.

2. **Alleged misappropriation in ERRA**

The issue of alleged misappropriation into Earthquake Reconstruction and Rehabilitation Authority (ERRA) was referred to the Standing Committee on the Cabinet Division.

3. **2005 Karachi Stock Exchange Scam & alleged irregularities in wheat procurement**

The Speaker referred the issues of the 2005 Karachi Stock Exchange scam and the alleged irregularities in wheat procurement to the Standing Committee on Finance.

4. **Capital Development Authority (CDA)**

The issue of alleged massive corruption in and mismanagement by the Capital Development Authority was referred to the Standing Committee

on Cabinet Division for investigation and reporting back for further action.

## Legislation

### Bills Introduced

#### 1. PEMRA (Amendment) Bill

The first legislative step of the new Government was tabling the Pakistan Electronic Media Regulatory Authority (PEMRA) (Amendment) Bill 2008 which sought to undo draconian restrictions imposed on the electronic media through the November 3, 2007 Emergency imposed by Gen. Pervez Musharraf. Although the Bill's apparent motive was welcomed by all, it raised serious questions as to what was the need of seeking the approval of the legislature to undo a step which coalition partners do not accept as legitimate.

#### 2. Private Members' Bills

Eighteen (18) Private Members' Bills were received during the 4<sup>th</sup> Session. These included the following: The Oath of Office (Judges) Order (Repeal) Bill, 2008: Eng. Khurram Dastgir Khan; The Constitution (Amendment) Bill, 2008: Mrs. Asiya Nasir; The Constitution (Amendment) Bill, 2008 Article 40A: Mrs. Kashmala Tariq; The Constitution (Amendment) Bill, 2008 Article 8: Mrs. Kashmala Tariq; The Constitution (Amendment) Bill, 2008 Article 73: Mrs. Kashmala Tariq; The National Commission for Human Rights Bill, 2008: Mrs. Kashmala Tariq; The Pakistan Penal Code (Amendment) Bill, 2008: Mrs. Kashmala Tariq and 3 others; The Pakistan Penal Code (Amendment) Bill, 2008 Article 366-C Act-XLI: Mrs. Kashmala Tariq; The Capital Development Authority Ordinance (Amendment) Bill, 2008: Dr. Donya Aziz and 2 others; The Medical Devices Bill, 2008: Dr. Donya Aziz; The Fiscal Responsibility and Debt Limitation (Amendment) Bill, 2008: Dr. Donya Aziz; The Tibb-e-Unani Ayurvedic Homoeopathic, Herbal and other non-Allopathic Medicine Bill 2008: Dr. Donya Aziz and 5 others; The Welfare and Social Security of Senior citizens Bill, 2008: Mrs. Asiya Nasir and Moulana Mohd. Qasim; The National Security Council (Repeal) Bill, 2008: Mr. Mian Abdus Sattar; The Pakistan Citizenship (Amendment) Bill, 2008: Dr. Donya Aziz and 6 others; The Code of Civil Procedure (Amendment) Bill, 2008: Dr. Donya Aziz and 6 others; The Prevention of Anti-Woman Practices (Criminal Law Amendment) Bill, 2008: Ch. Pervez Ellahi and 6 others; The Home Based Workers Social Protection Bill, 2008: Mrs. Yasmeen Rehman and Mrs. Shakeela Khanam Rasheed

### Ordinances promulgated by the President of Pakistan and Laid before the House

1. The Prevention of Electronic Crimes Ordinance, 2007
2. The Women in Distress and Detention Fund (Amendment) Ordinance, 2008
3. The Regulation of Generation, Transmission, and Distribution of Electric Power (Amendment) Ordinance, 2005
4. The Oil and Gas Regulatory Authority (Amendment) Ordinance, 2008

## **Resolutions**

### **1. UN Investigation into Mohtarma Benazir Bhutto's Assassination**

The House unanimously adopted a resolution asking the Government to approach the UN to get Mohtarma Benazir Bhutto's assassination investigated by an international commission on the pattern of a probe into the assassination of former Lebanese Prime Minister, Rafiq Hariri.

### **3. Sacrilegious Cartoons and Offensive Dutch Movie**

The House adopted a resolution condemning printing of sacrilegious cartoons and release of an anti-Islam film by a Dutch parliamentarian. The House demanded of the UN to take necessary legal, political, and administrative steps to curb this trend and ensure respect for all religions and societies.

### **4. Investigation of allotment of Railway Lands and a Golf Course in Lahore**

A resolution was adopted asking the Government to investigate allotment of Railways lands in Lahore to a Golf club at nominal prices during the previous regime.

### **5. Banning Plastic Shopping Bags**

Mr. Riaz Fatyana (Punjab, PML-Q) moved a resolution that urged the Government to take steps to ban the use of plastic shopping bags and instead bring in use the bio-degradable shopping bags.

## **Papers Laid before the House**

1. The Auditor-General of Pakistan Report (2005-2006), which had detected Rs. 26 billion irregularities in the Defence Ministry accounts, was laid before the House on April 11, 2008
2. The Annual Report of the Federal Public Service Commission for the Year 2006 was laid on April 14, 2008
3. The Annual Reports of the Pakistan Science Foundation for the Years 2001-02, 2002-03, and 2003-04 were laid on April 14, 2008

4. The Statement of Accounts of the Securities and Exchange Commission of Pakistan for the Year ended on June 30, 2006 was laid on April 18, 2008
5. Second Quarterly Report for the Year 2007-08 on the State of Economy was laid on April 21, 2008

## **Response to Call Attention Notices**

### **1. Primary School Enrolment**

Federal Minister for Education Mr. Ahsan Iqbal said that the Government was considering launching an education policy in consultation with the provinces to attain 100 per cent primary-level enrolment within three years.

### **2. NAB Ordinance**

Federal Minister for Law Minister Mr. Farooq H. Naek said that the Government was considering repealing or amending the National Accountability Bureau (NAB) Ordinance.

### **3. Access to Nuclear Assets and Concern over Water Projects in India**

Federal Minister for Foreign Affairs Mr. Shah Mahmood Qureshi assured the House that the Government will not allow access to its nuclear assets to any foreign power. He also said that the Government would protect national interests in dealing with India's planned water projects on rivers flowing into Pakistan from the Indian-held Kashmir.

### **4. The scope of NRO**

Some PML-N legislators wanted the Government to extend the scope of relief under the National Reconciliation Ordinance (NRO) to the general public and political workers throughout the country and not only to senior politicians and bureaucrats. The Federal Law Minister, however, said the issue was sub-judice and could not be discussed in the House.

Appendix A

**The Session at a Glance**

<b>Punctuality &amp; Working Hours</b>	
Total No. of Days the Session Lasted	<b>16</b>
Actual No. of Days the House Met	<b>11</b>
Total No. of Days when the Session Started on Time	<b>01</b>
Total No. of Days when the Session started late by Less than 30 Minutes	<b>03</b>
Total No. of Days when the Session started late by More Than 30 Minutes	<b>7</b>
Total No. of Hours the House Met	<b>30 Hours and 10 Minutes</b>
Average No. of Hours per work Day	<b>2 Hours &amp; 45 Minutes</b>

**Performance during the Session**

<b>Questions</b>	
Total Questions Received	<b>388</b>
Total Questions Answered	<b>109 (28 %)</b>
Total Questions Disallowed	<b>35 (9 %)</b>
<b>Motions</b>	
Total Motion Received	<b>1</b>
Total Motion Discussed	<b>None</b>
<b>Calling Attention Notices</b>	
Total Calling Attention Notices Received	<b>133</b>
Statements Made on	<b>20 (15 %)</b>
<b>Privilege Motions</b>	
Total Questions of Privileges Received	<b>6</b>
Brought before the House	<b>1</b>
Referred to the Privileges Committee	<b>1</b>
<b>Adjournment Motions</b>	
Total Adjournment Motions Received	<b>56</b>
Brought before the House	<b>9</b>

Admitted for Two Hours Discussion	<b>5</b>
Discussed for Two Hours	<b>1</b>
Converted into Motion and Discussed	<b>2</b>
<b>Motions Under Rule 259</b> (Motion that Policy, Situation, Statement or any other matter be taken into consideration)	
Total Motions Received under Rule 259	<b>11</b>
Total Motions Admitted	<b>2</b>
Total Motions Discussed in the House	<b>2</b>
<b>Resolutions</b>	
Total Resolutions Received	<b>48</b>
Total Resolutions Admitted	<b>15</b>
Total Resolutions Passed	<b>5</b>
<b>Government Bills and Ordinances Introduced or Laid</b>	
Total Government Bills Introduced	<b>1</b>
Total Ordinances Laid	<b>4</b>
Bills Passed	<b>None</b>
Bills Withdrawn	<b>None</b>
Bills Pending	<b>5</b>
<b>Private Members Bills</b>	
Private Members' Bills Received	<b>18</b>
Bills Admitted	<b>None</b>
Bills Introduced	<b>None</b>