

Citizens' Report

**Performance of the
12th National Assembly of Pakistan**

Five Parliamentary Years

November 16, 2002 - November 15, 2007

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

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.

PILDAT is a registered non-profit entity under the Societies Registration Act XXI of 1860,
Pakistan.

Copyright ©Pakistan Institute of Legislative Development And Transparency – PILDAT

All rights reserved

Printed in Pakistan

First Published: November 2007

ISBN: 978-969-558-039-4

This report is an updated version of the 'Citizens Report: Performance of the 12th National Assembly of Pakistan, Four Parliamentary Years, November 16, 2002 – November 15, 2006' prepared and published by PILDAT in May 2007. References to this report and excerpts of the report can be reproduced with due acknowledgment of the publication and Pakistan Institute of Legislative Development And Transparency - PILDAT.

Printed by: Son Printers, Lahore

Published by



Pakistan Institute of Legislative Development and Transparency
No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan
Tel: (+92-51) 111-123-345; Fax: (+92-51) 226-3078
E-mail: info@pildat.org; Website: www.pildat.org

Contents

Foreword

Executive Summary

Overview

Analysis of the Five-Years Performance of the National Assembly

Tables

Table 1:	Overview of the National Assembly Performance
Table 2:	Five-Year Performance of the 12th National Assembly of Pakistan
Table 3:	Comparison between the National Assembly of Pakistan and the Lok Sabha of India

Appendix A: Business of the National Assembly

A-01:	Government Bills in Five Years
A-02:	Private Members' Bills in Five Years
A-03:	Questions Asked
A-04:	Motions Under Rule 69
A-05:	Calling Attention Notices
A-06:	Privilege Motions
A-07:	Adjournment Motions
A-08:	Motions Under Rule 241/259

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

Foreword

While the world increasingly appreciates democracy as the preferred system of governance, the central institution of democracy – the Parliament – is the object of dwindling public interest and of increasing executive supremacy almost everywhere around the world. One of the many challenges for Parliament - and it faces quite a few especially in a democratising society like Pakistan – is to be relevant to the people it represents. This relevance can be defined in many ways. According to the Inter-Parliamentary Union's handbook on "Parliament and Democracy in the Twenty-First Century: a guide to good practice," the key characteristics of a democratic parliament are that:

- it is socially and politically *representative* of the diversity of the people
- it is *transparent* and open to the nation through different media and transparent in the conduct of its business
- it is *accessible* and involves the public, associations and movements of the civil society in its work
- it is *accountable* to the electorate for performance and integrity of conduct on the whole and in individual members
- it is *effective* in the organization of business in accordance with these democratic values and its legislative and oversight functions

Pakistan's Parliament, apart from dealing with what it terms "political realities" has to take strides in areas such as transparency, accessibility, effectiveness and accountability. It has to take steps to meaningfully involve public to integrate public as its real and solid support base.

PILDAT, as an institution committed to strengthening democracy and democratic institutions, has worked to highlight some of these issues through working with elected legislators and public representatives. PILDAT feels that transparency and accessibility of Parliament's work and its performance is the most important step towards involving people.

In addition to the State of Democracy reports that PILDAT brings out annually looking at the performance of different state institutions and actors, PILDAT has also been compiling reports on the performance of the National Assembly and the Senate.

This report covers the entire 5-year term of the 12th National Assembly spanning over November 16, 2002 to November 15, 2007. Where possible, a comparison is also drawn with the Indian Lok Sabha and British House of Commons in order to look at the performance of the National Assembly of Pakistan in a context.

The main sources of report are local newspapers, the PILDAT State of Democracy reports, parliamentary websites, Parliamentary Year Book 2004-05 and 2005-06 produced by the Ministry of Parliamentary Affairs and the data provided by the National Assembly Secretariat.

Acknowledgements

PILDAT would like to acknowledge the cooperation of the Secretariat of the National Assembly of Pakistan and the Ministry of Parliamentary Affairs, Government of Pakistan for providing the required data to prepare this report.

Disclaimer

PILDAT and its team of researchers have made every effort to ensure the accuracy of the contents of this report and do not accept responsibility for any omission and error, as it is not deliberate.

November 2007
Islamabad

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

Executive Summary

The 12th National Assembly completed its full term of five parliamentary years on November 15, 2007. The first session of the 12th National Assembly of Pakistan was convened on November 16, 2002.

The National Assembly fulfilled its constitutional requirement of meeting for 130 days during the first four parliamentary years while it met only for 83 days in the fifth year. However, the number of 130 and 83 days is arrived at by adopting the procedure of counting the adjournment period of up to two days in between actual sittings. If the adjournment days are discounted, the Assembly met for 65, 92, 81, 89 and 57 days during years 1, 2, 3, 4 and 5 respectively. On the average the National Assembly met for 77 actual working days per year during the past 5 years.

The National Assembly met for an average of a little over 3 hours per day during these five years. A total of around 47,000 questions were asked in the National Assembly during 5 years out of which only about 10,000 or 21% were answered. During the first year of the National Assembly, most of its 43 committees were not constituted and during the combined 5 years period, these committees and their subcommittees, on an average, held 200 meetings per year. The meetings of the Special Committee on Kashmir and the Public Accounts Committee are not included in the above number. On the average each committee convened about 5 meetings per year.

The National Assembly passed only 2 bills in the first year, 17 bills in the second year, 18 and 5 bills in the third and fourth parliamentary years while it passed 8 bills in Year 5. This means that the Assembly has passed 50 bills during the 5 years period or on the average 10 bills per year. All except one were Government-sponsored bills. In comparison, the number of Presidential Ordinances issued during the five years is 121 (Average 24 Ordinances per year) that overshadows the role of the national legislature. This means that almost 2.5 ordinances were issued against every act passed by the National Assembly. This is an extremely embarrassing aspect of the performance of the Assembly. This can be ascertained from the fact that, in comparison to 10 bills passed by the National Assembly per year on average, the Indian Lok Sabha passed 54 bills per year and a total of 7 ordinances were issued by the President of India per year on the average. This means that Lok Sabha passed almost 8 bills against 1 Presidential Ordinance. This also means that Pakistan issued more than thrice as many ordinances as India did.

Institutionally, the National Assembly continued to lack the tools and resources crucial to performing its role effectively. With 342 members of the National Assembly, the number of research staff available to serve these members stands at an abysmal 6 persons. This brings the ratio to 1 research staff for every 57 Members of the National Assembly.

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

Performance Overview

Period of the Report: This report covers the entire term of five parliamentary years of the 12th National Assembly of Pakistan. The first session of the Assembly was convened on November 16, 2002. Therefore, the period of five years constitutes November 16, 2002 to November 15, 2007.

Number of days the Assembly met: In the first two years - November 16, 2002 to November 15, 2004, the National Assembly met for 131 and 130 days respectively. The Assembly met for 132 days each during parliamentary years three and four barely fulfilling the constitutional requirement of meeting for a minimum of 130 days in each parliamentary year. In year five - November 16, 2006 to November 15, 2007, the National Assembly did not fulfill the constitutional requirement of meeting for 130 days and met only for a total of 83 days. According to Article 54 (2)¹ "the National Assembly shall meet for not less than one hundred and thirty working days in each year." The constitutional requirement of meeting for 130 days is arrived at through adopting the procedure of counting the adjournment period of up to two days in between actual sittings. If the adjournment days are discounted, the Assembly met for 65 working days in year 1, 92 days during year 2, 81 actual working days during year 3, 89 days in year 4 and 57 days in year 5. If the two days recess in between the sittings is not counted as working days, the Assembly met for a little less than 77 days per year on the average. The Indian Lok Sabha, on the average, met for 85 days per year.

Working Hours: The National Assembly met for an average of little over 3 hours per day during these five years. The average working hours of the National Assembly sessions were approximately 3 to 4 hours in the first and the second years and 2 hours a day during year three². In the year four, the assembly met for a total of 303 hours making it almost 3.5 hours in every sitting. In its final year, the National Assembly met for a little over 176 hours thereby meeting for 3.1 hours in each sitting. On the average, the National Assembly met for for 3.22 hours at each sitting during the last five years. In comparison, the Indian Lok Sabha meets for a minimum of 6 hours a day while the British House of Commons holds sittings for 8 hours during a day.

Sessions: The National Assembly held 10 sessions in year 1, 12 in year 2.³ 7 sessions during year 3, 8 sessions during year 4 and 6 sessions in year 5. On the average, the Assembly held about 8.6 sessions per year. The average number of actual working days per session works out to be a about 9 days.

Bills: The National Assembly passed only 2 bills in the first year, 17 bills in its second year, 18 bills in the third year, 5 bills in the fourth year while it passed 8 bills in the fifth Parliamentary year. A combined total of 222 government bills were introduced in the five year life of the 12th National Assembly. Of these, a total of 83 government bills were introduced in year 5 compared to 53 government bills introduced in the National Assembly during year 4., 41 government bills in year 3, 25 bills in year 2 and 20 bills in year 1. A combined total of 197 government bills laid in the house were pending before the assembly at the end of the fifth parliamentary year. The National Assembly, in total, passed 50 bills in five parliamentary years, or on the average, 10 bills per year. All except one were Government sponsored bills. The National Assembly received a total of 240 Private Member's Bills in 5 years of which 13 were received in Year 1, 58 in Year 2, 75 in Year 3, 54 in Year 4 and 40 in Year 5.

Legislation by Presidential Decree Outnumbered the Legislation Passed by the Assembly: In comparison to 50 pieces of legislations passed by the National Assembly in 5 years, 121 Presidential Ordinances were promulgated during this period overshadowing the role of the

¹ The Constitution of the Islamic Republic of Pakistan (as modified up to the 31st December, 2003)

² PILDAT State of Democracy in Pakistan: Report for Year 2005, January 2006.

³ PILDAT State of Democracy Reports Quarter 1-4, 2004

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

national legislature. According to Article 89 of the Constitution⁴ relating to Power of the President to promulgate Ordinances, "*The President may, except when the National Assembly is in session, if satisfied that circumstances exist which render it necessary to take immediate action, make and promulgate an Ordinance- as the circumstances may require.*" This constitutional requirement has been bypassed frequently and ordinances were issued merely a few hours before the National Assembly was scheduled to meet on many occasions during the past 5 years. In the 5-year life of the National Assembly, the ordinance to bill ratio in Pakistan stood at 2.4 to 1 - for every two and a half ordinances in Pakistan, the National Assembly passed only one bill which stands as a mockery to the role of the National Assembly and its place in the "democratic order." The Indian Lok Sabha, in comparison, passed 248 bills in 5 years while only a total of 34 ordinances were issued in India during the period. This brings the ratio of ordinances to bills 1 to 7 meaning that 1 ordinance issued in India against 7 pieces of legislations passed by the Lok Sabha.

Questions: A total of 47014 questions were asked in the National Assembly during 5 years out of which only 10099 or 21% were answered during this period.

Calling Attention Notices: The National Assembly in its five-year tenure, received 3,157 call attention notices from members belonging to both the treasury and the opposition benches raising issues of public concern. Statements were made on only 329 of these notices whereas 23 were referred to the committees for consideration. The remaining 2,815 notices were either disallowed by the speaker or lapsed due to time factor.

Privilege Motions: A total of 693 questions of breach of privilege were submitted in the National Assembly as Privilege Motions of which 249 were brought before the House and only 104 (15 %) were referred to the Standing Committee on Rules of Procedures and Privileges.

Committees Meetings: During the first year of the National Assembly, most of its 43 committees were not constituted. During the combined 5 years period, these committees and their sub-committees, on an average, held 200 meetings per year. This translates into around 5 meetings per committee per year on the average. This is not a bad performance as far as the number of meetings is concerned but one may note that Members are paid extra Travel and Daily Allowances for the Committee meetings if these are held at a time other than when the Assembly is in session. Most of the Committee meetings were held when the Assembly was not in session. Committees of the UK House of Commons meet only when the House of Commons is in session.

Quorum: The issue of Quorum reached embarrassing levels twice during the third year when the government motions were defeated. On June 02, 2005, the opposition defeated the government by 91 votes against 78 on clause eleven of the bill for the establishment of Pakistan Council of Research in Water Resources. Once again on August 29, 2005, the ruling coalition faced embarrassment when a government motion condoning a delay in the presentation of standing committee report on a bill was defeated. During the entire 5 years period, Quorum remained an issue.

Table 1 provides an overview of the National Assembly performance during five years, while Table 2 looks at specific work carried out by the National Assembly in its five parliamentary years. Table 3 provides a comparison of the bills passed by the Indian Lok Sabha and the National Assembly of Pakistan as well as ordinances issued during the period in the two countries.

⁴ The Constitution of the Islamic Republic of Pakistan (as modified up to the 31st December, 2003)

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

Table 1
Overview of the National Assembly 5-Year Performance

Parameter	Year 1 (2002-03)	Year 2 (2003-04)	Year 3 (2004-05)	Year 4 (2005-06)	Year 5 (2006-07)	Total 5 Years	Average per year	Comments
No. of Working Days as defined in the Constitution	131	130	132	132	83	608	122	The Constitution requires that the National Assembly should meet for at least 130 days in a Parliamentary Year.
No. of actual working days	65	92 ⁵	81	89	57	384	77	The Lok Sabha of India ⁶ meets an average for 85 to 90 working days while the British House of Commons ⁷ meets for 150 working days at an average during a year.
Bills passed	02	17	18	05	08	50	10	The House of Commons ⁸ has passed 45 Bills per year on an average during the last 4 years while the Indian Lok Sabha has passed an average of 50 bills per year from 2002-2007.
No. of hours met per day	3-4 ⁹	3-4	2 hours (approx)	3-5 hours (approx)	3.1	-	3.2	Lok Sabha meets for 6 hours and House of Commons for 8 hours per day at an average
Staff dedicated to research	04	07	3	3	-	-	-	There are 49 and 80 members engaged in research in Lok Sabha and House of Commons respectively.
Research publications	None	None	None	None	-	-	-	Both House of Commons and Lok Sabha produce regular research publications.
No. of Sessions held	10	12	07	08	06	43	9	Indian Lok Sabha holds three sessions in one year and UK House of Common strictly follows its parliamentary calendar.

⁵This includes January 1, 2004 when the vote of confidence was given to the President and January 17, when the President addressed the joint session of the two Houses.

⁶ Data on Lok Sabha computed from Annual Reports available at the website of the Indian Ministry of Parliamentary Affairs <http://www.mpa.nic.in/arooption.htm>

⁷ <http://www.parliament.uk/documents/upload/p04.pdf> as accessed in February 2007

⁸ Office of Public Sector Information, UK <http://www.opsi.gov.uk/acts.htm> as accessed in April 2007

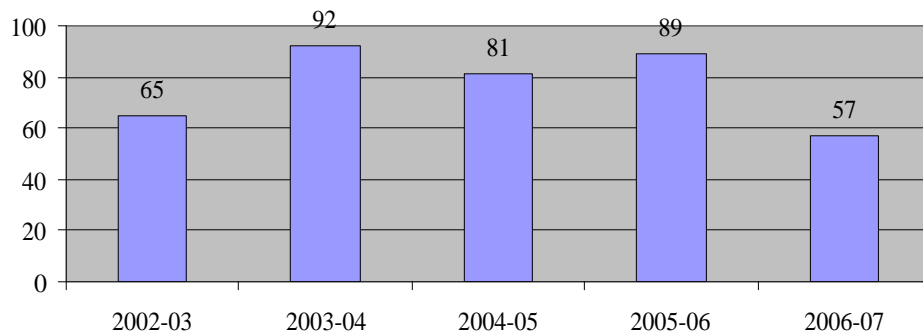
⁹ Official Statistics were not available therefore the figure is based on media reports and information provided by some members of the National Assembly.

Citizens' Report
 Performance of the 12th National Assembly of Pakistan
 Five Parliamentary Years-November 16, 2002 - November 15, 2007

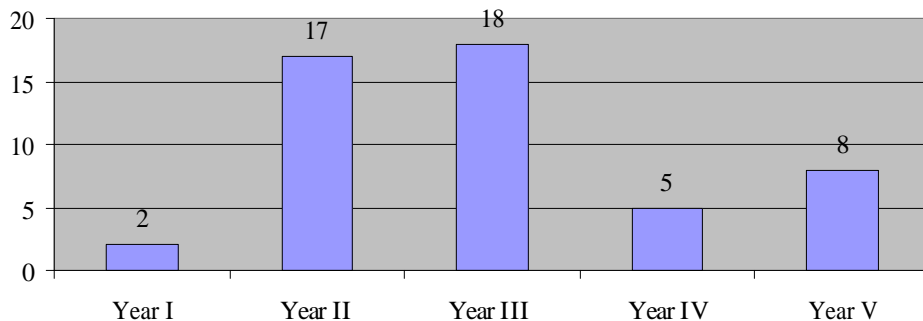
Table 2
Sessions, Working Days and Bills Passed by the 12th National Assembly of Pakistan

No.	Parliamentary Year	Number of Sessions	Number of Actual Working Days	Number of Bills Passed
1	1 (2002-03)	10	65	02
2	2 (2003-04)	12	92	17
3	3 (2004-05)	07	81	18
4	4 (2005-06)	08	89	05
5	5 (2006-07)	06	57	08
Total		43	384	50
Average		9	77	10

Number of Actual Working Days



Bills Passed



Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

Table 3
Comparison between the National Assembly of Pakistan and the
Indian Lok Sabha

Year	Bills Passed ¹⁰		Presidential Ordinances Issued	
	National Assembly of Pakistan	Indian Lok Sabha	Pakistan	India
2002-2003	2	86	6	7
2003-2004	17	56	4	8
2004-2005	18	18	19	9
2005-2006	5	56	44	4
2006-2007	8	32		6
Total	50	248	73	34
Average per Year	10	50	18	7

¹⁰ Source: Annual Reports of Ministry of Parliamentary Affairs, India <http://www.mpa.nic.in/arooption.htm>

Analysis of the Five-Years Performance of the National Assembly

As the 12th National Assembly of Pakistan completes five years of its existence on November 15, 2007 it is marred by lack of respect and dignity among the general public owing mainly to the support of the present ruling alliance to the military led government of President Pervez Musharraf and the role played in the current judicial crisis and turmoil in the country. Although it is the first time in Pakistan's 60 year history that the National Assembly is completing its five year term, it is worth noting that this term ends under the Martial Law imposed by the Chief of Army Staff General Pervez Musharraf on November 03, 2007 under the garb of "emergency." The 5-year term ends, when the National Assembly has also failed to meet two vital constitutional requirements. These include the presidential address to the joint sittings of the Parliament at the beginning of every parliamentary calendar year, and mandatory 130 days sittings in the fifth year parliamentary calendar year.

The most significant feature of the National Assembly in its last few weeks was the endorsement of the extra-constitutional act of the Chief of Army Staff of proclaiming - a "State of Emergency" and suspending the Constitution of Pakistan on November 3, 2007. In a brief session on November 7, 2007 attended only by the members of the ruling coalition, the National Assembly endorsed the proclamation of emergency and the Provisional Constitutional Order (PCO). The last days of the 12th National Assembly were spent under the shadow of a de-facto Martial Law which was given the name of an 'Emergency'.

The current National Assembly has had a unique distinction that its members were required to possess academic qualifications equal to a university graduate for the first time in Pakistan. It also had 22% representation of women which was unprecedented in Pakistan. The National Assembly was addressed by the President only once in its 5 years term and that too amid hostile slogans.

Despite the educational qualification, many analysts believe that the performance of both the treasury and the opposition has not been better than the previous assemblies. One of the major failings of the ruling alliance has been its inability to maintain the quorum despite having a large number of their members as federal ministers, state ministers and parliamentary secretaries. Presence of 86 members is required for the quorum while the Government had over 100 Ministers, Ministers of State, Parliamentary Secretaries and Committee Chairs. The treasury members' ineffectiveness led the Speaker, while trying to save the government from defeat and embarrassment in the house, sometime act in a way that ran counter to the demands of his high office as a non-partisan custodian of the house. The Speaker faced a no-confidence vote by the opposition twice during the past 5 years, which is a rather rare record. Both the Leader of the House and the President of the ruling Pakistan Muslim League-Quaid-e-Azam tried to get members, especially the ministers, to be part of the proceedings but the lack of quorum persisted, many a times, to the embarrassment of the treasury. This too created a widespread perception that real power rested elsewhere, not in the democratic institutions.

Instead of being the main repository of policy review and advice, the national legislature was taken lightly and vital issues on foreign policy, economy, and a host of other matters were seldom seriously discussed in this forum. During year 1 the Government of Pakistan, according to the World Bank requirement, had to get input on the Poverty Reduction Strategy Paper (PRSP) from all strata of the society before adopting it. While input was sought from civil society, business groups and others, the Parliament was the only forum which was not consulted on the issue. Similarly, the President had invited a public debate on the issue of construction of new water reservoirs but the Parliament was not asked to debate on the issue as the representative institution of the people. The draft Youth Policy which had been pending with the cabinet for quite some time, was not discussed in the National Assembly. These have been just a

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

few examples of the way executive treated the Parliament.

Throughout the five-year period, it appeared that the government only ensured the fulfillment of the constitutional requirement of holding sessions of the National Assembly for a certain number of days. Even this formality was not fulfilled during the 5th Parliamentary Year. The house continued to breathe but was not allowed to enjoy the powers it is bestowed with in a parliamentary system. The system being practiced has been parliamentary in form but presidential in substance. This fact is best illustrated in the whopping number of ordinances that have been issued during 5 years of the National Assembly in comparison with the legislations passed by the Assembly – 121 ordinances as compared to 50 pieces of bills passed. What is even more embarrassing is that 3 ordinances were re-promulgated 10 times during the 4 years as the National Assembly did not take those up as legislation while 9 ordinances were passed as legislation by the National Assembly, out of 42 acts passed during the first four years.

Some notable bills that became acts included the controversial 17th Amendment Bill - validating General Pervez Musharraf as President in uniform, Women Protection Bill, Removal from Services Bill, Political Parties Bill and the Marriage Functions (Prohibition of Ostentatious Displays and Wasteful Expenses) (Amendment) Bill.

Apart from the continuing quorum issues and absence of ministers and treasury bench members from the National Assembly proceedings, the assembly witnessed a rather non-serious and careless attitude of ministers and members to the proceedings while present in the House. It remained a common practice that ministers and members either indulged in social calls going from seat to seat while the proceedings continued or carried on group meetings in complete disregard to the business being conducted in the House. This non-serious attitude was adopted by many members on both sides of the aisle.

Prime Minister Shaukat Aziz rarely came to the House but even when he did, his apparent agenda was to socialise with members or to receive their applications, requests and complaints. It was a regular practice that when PM walked-in, almost always in the middle of the proceedings, he went from seat to seat greeting members, shaking hands and embracing them while the Speaker was in the chair and the session continued. As a normal practice, the row of seats next to the PM remained vacant and members and ministers waited in queue to come one by one to sit next to the PM to chat with him. In this process, neither the PM nor the members paid any attention to the proceedings of the House. The PM could have easily carried-out his socialising and networking agenda with members at his chambers in the Parliament House instead of showing complete disregard to the Assembly proceedings while present in the House. Many members, especially ministers, sitting in the front row sometime revolved their chairs to chat with the members sitting in the rear row, turning their backs to the Speaker in complete disregard to the parliamentary practice.

Chaudhry Amir Hussain was seen to be the most spoken of speaker of any Pakistani National Assembly with his interruptions, reflected in his facing two unsuccessful opposition no-confidence motions for alleged partiality compared to one each against deputy speaker Sardar Mohammad Yaqub (on the same charge) and Prime Minister Aziz (for alleged wrongdoings such as his role in the scrapped sale of the Pakistan Steel Mills and a stock market crash).

In addition to its performance in the legislative spheres, the Assembly did not see any improvement in terms of its research capacities, support to members, transparency and openness and use of technology in the five years term. In year five with the setting up of the Interim Facility of the Pakistan Institute of Parliamentary Services-PIPS at the Parliament Lodges, Islamabad, with the support of the USAID, the process for providing legislative research services to members was started. The

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

general culture of the assembly remained that of a bureaucratic set-up as an extension of the executive and not as a chief legislative institution of the country representing the public. Despite five years of its life, it did not follow a transparent and accessible way to share proceedings with the public, and disclose attendance records of members. General public knew very little about the activities and accomplishment of the Parliament. Advance information about the dates of Parliamentary Sessions and their daily agenda was not known to people. Parliament hardly ever made public such information as what legislation was coming up for debate and when. The disconnect between the people and the Parliament continued with the ordinary citizen having minimal, if any, access to parliamentary information. Things like parliamentary calendar, business of the day, parliamentary debates and proceedings, profiles of members - all part of most other parliamentary websites around the world - remained non-existent on the National Assembly website. A few months before finishing its five-year term, the National Assembly website was updated to carry the performance report of the first four years of the 12th National Assembly., a handbook for Members and Procedural Manual of the National Assembly.

Whereas the Rules of Procedure and Conduct of Business in the National Assembly, 1992 were replaced with new Rules of Procedure and Conduct of Business in the National Assembly, 2007 adopted by the National Assembly at its session held on February 23, 2007, efforts in the field of improving and updating rules of procedures relating to the Budget Process had not borne fruit. Working in the area of strengthening Parliament, PILDAT had proposed a set of recommendations in December 2004 for amendment to the National Assembly Rules of Procedure and Conduct of Business. PILDAT had prepared the recommendations in the light of interactions with the Members of the National Assembly, civil society, general public and on the basis of its own convictions shaped by, among others, regional and international exposure. PILDAT had submitted these

recommendations for the consideration of the Special Committee of the National Assembly constituted in 2004 to re-examine the Rules of Procedure and Conduct of Business. The recommendations on the Budget Process included that the process should be amended by providing an effective role to the National Assembly in the review of the budget proposals of the government and giving a significant role to the standing committees to review the demands for grants relating to their respective ministries or divisions, extending the budget session to a longer duration, i.e., up to 90 days or more, to allow a more meaningful input. In years three and four, much like the first two years, the debate over the Federal Budget lasted for only 9 days while during year 4, the budget debate took 13 days, which was the longest budget session of the present National Assembly. In year five - the last year of Assembly tenure, the budget debate continued for 11 days only. Along with the reduction in the number of days the budget was debated in Year 5, a decline was also witnessed in the number of working hours from 56 hours in year 4 to 46 hours in year five. Previously, during year 4, in a letter signed by 56 MNAs of the ruling PML, the MNAs also demanded that the National Assembly should be given a better role in the budget process and suggested proposals to improve the budget making process. Instead of receiving welcome from the party leadership, the letter created ripples in the government ranks and was dubbed as violation of party discipline rather than meaningful suggestions for strengthening the role of the institution representing public. In the Indian Lok Sabha, the budget session begins in the 3rd week of February and goes up to May. Once the Budget is presented in the Lok Sabha, there is a general discussion on the provisions of the budget which lasts for about 4-5 days and vote on account is taken. In the interregnum, the Indian Parliament gets divided into 24 mini Parliaments or Departmentally-Related Standing Committees (DRSC) to examine demands for grants for each government department. After a thorough scrutiny, a report is presented on each ministry. Once the budget has been scrutinized by the

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

committees, the grants are voted on. After this stage, the appropriation bill is passed empowering the government to appropriate money out of the consolidated fund of India. After 2-3 days of discussion, the Finance Bill is passed. The entire budget process gets completed within 75 days of the presentation of the budget. In comparison, the longest budget session of the 12th National Assembly of Pakistan has been 13 days only.

A variety of other recommendations presented by PILDAT to the committee, the Ministry of Parliamentary Affairs and the assembly secretariat included instituting a Parliamentary Calendar 2 months before the start of the Parliamentary year of the assembly; daily timings of the sessions to be fixed no less than 6 hours in a day; Joint Standing Committees of the Senate and the National Assembly; fixing of minimum actual working days not less than 92 during a year; making assembly proceedings public both in the form of hard copies and on its website within a certain time. In addition the recommendations contained that the National Assembly should produce its annual reports not later than a month after the completion of each parliamentary year that should contain details such as total number of working days and the detail of the business transacted; total number of hours the National Assembly met; attendance record of the MNAs; total number of days each National Assembly committee met with details of the business transacted; details of the legislative business, questions, motions, etc. including detailed analysis of the questions and motions rejected by the secretariat or speaker's office should be provided along with reasons for rejection; detailed information on study and other tours undertaken by the elected members and the secretariat staff (by name individually), expenses incurred, accomplishments of the tour, level of participation at the tour etc.; financial information such as the budget of the Assembly with details; outstanding dues for the parliamentary lodges which remain outstanding for 3 months or longer; the amount of TA/DA paid to each member and

the amount of medical allowance (including medicines) paid to each member, etc. It was also recommended by PILDAT that at least a weekly Prime Minister's Question Hour be introduced in the Assembly. It should be made mandatory that all standing committees are formed within the first session of the National Assembly with the set time frame to elect Chairpersons of the Standing Committees. Similarly there should also be a time frame to appoint Leader of the Opposition and it should not be deferred beyond the first regular session of the Assembly. Except emergencies, all Standing Committees' meetings should take place during the period of the Assembly Session. The UK House of Commons practices this and PILDAT felt that this will result in a great economy to the national exchequer. All Standing Committees should submit a quarterly and then an annual report of their activities to the National Assembly Secretariat who should publish these reports and place them on the Assembly website. The Assembly website should be made an important and effective tool of communication between the Assembly and the general public. PILDAT recommended that the scope of the website be expanded to include such information as the verbatim proceedings of the Assembly, current status of bills, up-to-the-day status of bills proposed, questions asked, motions submitted etc. Sufficient advance notice should be available to the general public about the upcoming bills for debate in the Assembly or its committees so that the members of the public can convey their opinion to their respective MNA on the bills. A bill tracking system should be introduced and displayed on the assembly website. The National Assembly secretariat should be commended for publishing a performance report for the four years of the National Assembly for the first time and for providing detailed statistics for the first time in its history. Although some of the important information such as the members' attendance record was missing from the report, we hope that the Assembly Secretariat will be able to expand the scope of the report in the future.

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

Appendix A

Business of the National Assembly of Pakistan

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

A-1: Government Bills in Five Years

November 16, 2002 – November 15, 2007

Government Bills	Year One (November 16, 2002- November 15, 2003)	Year Two (November 16, 2003- November 15, 2004)	Year Three (November 16, 2004- November 15, 2005)	Year Four (November 16, 2005- November 15, 2006)	Year Five (November 16, 2006- November 15, 2007)	Total	Average
Total Bills/ Ordinances Introduced/ Laid	20	25	41	53	83	222	44
Bills Passed	02	17	18	05	08	50	10
Bill Pending	17	22	41	88	29	197	39
With drawn	01	03	03		4	11	3

A-2: Private Members' Bills in Five Years

November 16, 2002 – November 15, 2007

Private Member's Bills	Year One (November 16, 2002- November 15, 2003)	Year Two (November 16, 2003- November 15, 2004)	Year Three (November 16, 2004- November 15, 2005)	Year Four (November 16, 2005- November 15, 2006)	Year Five (November 16, 2006- November 15, 2007)	Total	Average
Total Bills Received	13	58	75	54	40	240	48
Bills Introduced	Nil	10	01	16	43	70	17
Bills Passed	Nil	Nil	Nil	01	Nil	1	

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

A-3: Questions Asked

November 16, 2002 - November 15, 2007

Questions	Year One (November 16, 2002- November 15, 2003)	Year Two (November 16, 2003- November 15, 2004)	Year Three (November 16, 2004- November 15, 2005)	Year Four (November 16, 2005- November 15, 2006)	Year Five (November 16, 2006- November 15, 2007)	Total	Average
Received	7,289	12,008	10,476	10,318	6,923	47,014	9,403
Answered	1,928	2,462	2,101	2,325	1,283	10,099	2,020
Disallowed	1,028	2,025	2,343	2,030	1,524	8,950	1,790
Under process but lapsed	2,769	6,379	4,536	3,956	1,699	19,339	3,868
Admitted but lapsed	1,037	1,116	1,111	1,869	2,746	7,879	1,576

A-4: Motions Under Rule 69 (Discussion on matters of public importance)

November 16, 2002 - November 15, 2007

Motions Under Rule 69	Year One (November 16, 2002- November 15, 2003)	Year Two (November 15, 2003- November 15, 2004)	Year Three (November 15, 2004- November 15, 2005)	Year Four (November 15, 2005- November 15, 2006)	Year Five (November 15, 2006- November 15, 2007)	Total	Average
Received	69	106	61	49	20	305	61
Discussed	04	05	22	05		36	9

Rule 69: Procedure regarding the initiation and carrying out of discussion on a matter of public importance

A-5: Calling Attention Notices

November 16, 2002 - November 15, 2007

Calling Attention Notices	Year One (November 16, 2002- November 15, 2003)	Year Two (November 16, 2003- November 15, 2004)	Year Three (November 16, 2004- November 15, 2005)	Year Four (November 16, 2005- November 15, 2006)	Year Five (November 16, 2006- November 15, 2007)	Total	Average
Received	619	1,034	611	556	337	3,157	631
Statements made on	52	104	80	47	46	329	66
Referred to Committees	01	04	03	11	4	23	5
Lapsed	566	873	528			1967	492

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

A-6: Privilege Motions

November 16, 2002 - November 15, 2007

Questions of Privilege	Year One (November 16, 2002- November 15, 2003)	Year Two (November 16, 2003- November 15, 2004)	Year Three (November 16, 2004- November 15, 2005)	Year Four (November 16, 2005- November 15, 2006)	Year Five (November 16, 2006- November 15, 2007)	Total	Average
Received	155	146	162	158	71	692	138
Brought before the House	31	46	71	60	41	249	50
Referred to Privilege Committee	11	28	30	24	11	104	21
Ruled out of Order	11	05	Nil	--		16	04
Matters to be resolved in the Chief whip's office	02	--	Nil			02	
Withdrawn	08	04	03			15	04
Dropped in the House due to absence of movers	--	03				03	
Not pressed	04	--	01			05	01
Held Inadmissible/ Disallowed	72	47	35			154	39
Reserved Ruling	--	04	23			27	07
Deferred	06	06	11			23	6
Resolved in Speaker's Chamber	02	08	Nil			10	3
Lapsed	42	41	42			125	31

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007

A-07: Adjournment Motions

November 16, 2002 - November 15, 2007

Adjournment Motions	Year One (November 16, 2002- November 15, 2003)	Year Two (November 16, 2003- November 15, 2004)	Year Three (November 16, 2004- November 15, 2005)	Year Four (November 16, 2005- November 15, 2006)	Year Five (November 16, 2006- November 15, 2007)	Total	Average
Received	297	447	668	998	500	2910	582
Inadmissible	166	233	415			545	136
Brought before the House	20	69	127	183	148	547	109
Discussed in the House	01	47	09	43	47	147	29
Deferred	02	01	11			14	04
Ruled out of Order	03	08				11	03
Lapsed	111	134	110			355	89

A-08: Motions Under Rule 241 / 259

November 16, 2002 - November 15, 2007

Motions Under Rule 241	Year One (November 16, 2002- November 15, 2003)	Year Two (November 16, 2003- November 15, 2004)	Year Three (November 16, 2004- November 15, 2005)	Year Four (November 16, 2005- November 15, 2006)	Year Five (November 16, 2006- November 15, 2007)	Total	Average
Received	279	377	503	428	288	1875	375
Admitted but lapsed	265	204	333	263	199	1264	253
Disallowed	14	36	14			64	11
Discussed in the House	01	01	05	13		20	05
Lapsed	264	136	156			556	139

Citizens' Report
Performance of the 12th National Assembly of Pakistan
Five Parliamentary Years-November 16, 2002 - November 15, 2007



Pakistan Institute of Legislative Development and Transparency
No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan
Tel: (+92-51) 111-123-345; Fax: (+92-51) 226-3078
E-mail: info@pildat.org; URL: www.pildat.org

This document was created with Win2PDF available at <http://www.daneprairie.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.