



INSIDE THIS ISSUE:

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Editorial

Pakistan enters landmark second transition from one elected civilian government to another elected executive in the wake of general elections held on July 25, 2018. The Pakistan Institute for Parliamentary Services looks forward in contributing in the New Members-Elect welcome being planned at the National and Provincial Assemblies. PIPS also hosted meeting of Forum of Parliamentary Researchers working at Senate, National Assembly and PIPS this month.

The Nation celebrated the birth anniversary of Madre Millat Mohtarma Fatimah Jinnah on July 31, 2018, who remains symbol of peoples' resilience and democratic Pakistan for all times against tyrannical undemocratic forces. It is matter of great satisfaction that PIPS Parliamentary Research Digest has seen invaluable articles from MPs, officers and researchers from Senate, National Assembly and PIPS. The tradition is consolidated by this month's issue with voluntary contributions by a former Senator on parliamentary business, the National Assembly Special Secretary on Peaceful and Inclusive Societies for Sustainable Development and an absorbing piece on Committee working from the Provincial Assembly of Punjab. The digest intends to cover more articles about different Houses at start of new Parliamentary year in August-Sept., 2018.

Meanwhile the Institute continues to provide its legislative, research and capacity building services for individual MPs and committees at the Senate of Pakistan, Members of legislative assemblies of Azad Jammu and Kashmir and Gilgit Baltistan. For any specific areas of importance that you want PIPS to send you research or briefing papers, don't hesitate to contact us at research@pips.gov.pk.

Muhammad Rashid Mafzool Zaka
D.G (Research and Legislation)



Parliamentary Researchers from Senate, National Assembly and PIPS at roundtable on "Emerging trends in social sciences research for Parliament" with Dr. Michael Hirsh, Professor of Sociology and Dr. Tricia Jokerst, Curriculum Developer, Huston Tillston University, Austin, USA at PIPS on Thursday, August 02, 2018

**PARLIAMENTARY
BUSINESS**
Parliamentary
Contributions at Senate
of Pakistan
2012-2017
Page 01

OPINION
Peaceful and
Inclusive Societies for
Sustainable Development
Page 04

ANALYSIS
Parliamentary
Committee System in
Provincial Assembly of
Punjab-
Myth of Executive
Accountability
Page 06

Four Research
Dissertations on
Parliament of Pakistan by
Bachelors of Honor in
Political Science Degree
at KCW
Page 19

OPINION
Sectoral Balance and the
Budgetary Allocations
Page 21

Editorial Board

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Mafzool Zaka

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Tehseen Khalid

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Rizwan Manzoor

History of Balochistan Assembly

The first Constitution of Pakistan was approved on February 29, 1956. Accordingly, the country was named Islamic Republic of Pakistan and the seat of Governor General was replaced with the office of President. On November 20, 1969, one unit of West Pakistan was terminated and the system of one-man-one-vote was put in place. The political parties were allowed to start campaigning after the lifting of ban on January 1, 1970. The Legal Framework Order i.e. President's Order of 1970 was passed. Under the Province of West Pakistan Dissolution Order 1970, four general seats and one reserved seat for woman were allocated to Balochistan in the Center. The Provincial Assembly of Balochistan comprised of 20 general seats and one reserved seat for woman.

Elections for National Assembly were held on December 07, 1970, whereas elections for provincial assemblies were held on December 17. The first session of the Assembly was convened on May 02, 1972 in Royal Jirga Hall (it was given the full status of Assembly hall). On February 14, 1973, the Prime Minister of Pakistan, Mr. Zulfikar Ali Bhutto, suspended the government of NAP and *Jamiat*, and imposed Governor Rule in the province. Nawab Akbar Khan Bugti was appointed the provincial Governor. The provincial government was restored after two months under the orders of the superior court. The coalition government was terminated after nine months. The Assembly formed the coalition government comprising of Peoples' Party and *Jamiat* under the leadership of Mir Ghulam Qadir. He resigned at the end of 1976, and the Assembly elected Mr. Muhammad Khan Barozai as the Leader of the House. Jam Mir Ghulam Qadir took the oath of the Speaker of the provincial Assembly.

The Assembly which was born on March 10, 1977 could survive only four months i.e. till July 4, 1977. In this Assembly, the number of seats was increased from 21 to 43. Out of the total, 40 were general seats, 2 reserved for women and one for minority community. Assemblies were dissolved on July 05, 1977 with the imposition of Martial Law under General Zia-ul-Haq. Elections took place on March 12, 1985 on non-party basis. The Assembly formed as a result of these elections included 45 members; 40 elected on general seats, 2 women on reserved seat, and 3 members of minority community. Assemblies were dissolved and fresh elections were announced on May 29, 1988 by the then President.

The Assembly which was formed on November 02, 1990, served for 29 months, i.e. till July 19, 1993. This Assembly witnessed various ups and downs. First of all the number of members was reduced to 43 from 45. The reserved seats for women were abolished. The Assembly which got elected on October 10, 2002, had 65 members including 51 general seats, 11 reserved for women, and 3 seats for minority community. It is noteworthy that one woman got elected on general seat in this Assembly. Another distinguishing feature of this Assembly was that BA was set as the minimum required educational qualification for members.

The Assembly which came into being as a result of 2013 general elections, elected Dr. Abdul Malik Baloch as Leader of the House. Mir Jan Muhammad Khan Jamali and Mir Abdul Quddos Bizenjo were elected unopposed as Speaker and Deputy Speaker, respectively. Maulana Abdul Wasey was nominated Leader of the Opposition. After almost two and a half years, the House elected Nawab Sana Ullah Zehri as Leader of the House and Ms. Raheela Hameed Khan Durrani as Speaker of the provincial Assembly.

PARLIAMENTARY BUSINESS**Parliamentary Contributions at the Senate of Pakistan (2012 to 2017)**

Senator (retired) Karim Ahmed Khawaja

The Parliament of Pakistan is undoubtedly the unique and exclusive people's representative institution that delivers key functions of law making and amending laws, representation of constituents' aspirations and highlighting their issues and prescribing solutions to key challenges faced by the polity through resolutions; oversight of executive through committees and parliamentary tools such as questions, calling attention notices and adjournment motions.

Senate of Pakistan is the House of Federation emphasizing issues of citizens in all federating units in befitting manner. During my tenure as a Senator, following parliamentary business was pursued to contribute in highlighting important issues faced by the citizens and more importantly the vulnerable strata of society such as non-Muslims, orphans, transgender and people with psychological health issues. I am sure the parliamentary contribution will encourage newly elected Members of Parliament and provincial assemblies in the 2018 Senate and general elections to play an active and effective role by utilizing law making, resolutions, committees and other parliamentary tools.

List of Bills passed:**i. The Criminal Laws (Amendment Bill), 2017 (Omission of Section 325 of PPC) :**

This was a Bill regarding those people who attempt for suicide and are survived. Those persons are given punishment for such an attempt, which ranges from up to one year imprisonment and fine. As suicide is extreme form of depression and illness so it requires treatment, rather than punishment. So it was proposed that instead of punishment, those persons should be given medical as well as psychological treatment. The Bill was passed by the Senate of Pakistan and was lapsed in the National Assembly due to lack of quorum and later on completion of term of the Assembly.

ii. Pakistan Bait-ul-Mal (Amendment) Bill, 2017:

This Bill was focused to empower Pakistan Bait-ul-Mal to make institutes for those children who are mentally not fit or suffering from diseases such as palsy. The institutes would provide such patients rehabilitation services such as physical, occupational and speech therapy in order to improve their quality of life.

The said Bill was passed by the both Houses and has become law of the country.

iii. Prevention of Cruelty to Animals (Amendment) Bill, 2018:

We have a century old law known as the Prevention of Cruelty to Animals Act 1890 introduced by the British during their colonial rule to provide protection to the animals from human brutality. There existed still the same amount of fines for human brutality to animals as that were in colonial times. The Prevention of Cruelty to Animals Act, 1890 was amended to ensure stricter punishments for the protection of animals from human brutality and make this part of the world a better place for animals.

The said Bill was passed by the both Houses and has become a law. Unfortunately the legislative competence of the Parliament regarding the subject matter is limited to the extent of Islamabad Capital Territory, which has limited its application to the Federal Capital only, but at least something is better than nothing.

iv. Transgender Persons (Protection of Rights) Bill, 2017:

There were 2 similar Bills moved in the Senate of Pakistan that later on were clubbed together and passed unanimously by all parties. After enactment of such law, the Transgender Persons will be treated as humans for the first time in history and they will enjoy their full rights as citizens of Pakistan.

v. The Unattended Orphans (Rehabilitation & Welfare) :

The un-attended orphans and unknown parentage children are facing hardships in their lives. Most of the children become prey to crimes and other social evils. All children born on our homeland are equally important to us and their rights, including education, health and security of life should be protected and steps should be taken to make them prosperous citizens of Pakistan.

This Bill proposed to address all such issues and also proposed that illegitimate children will be protected by the state and will be given the name of father by the NADRA. The said Bill was passed unanimously by the Senate of Pakistan and later on referred to the joint sitting of the Parliament. The fate is yet to be decided.

List of Resolutions passed:

Sr. No.	Text of the Resolution	Date of Passing
01	"This House facilitates the Hindu Community of Pakistan on the celebration of Diwali today, the festival of light and victory of the good over evil. The House reiterates that all minorities, including the Hindu, are equal citizens of Pakistan and have equal rights and are free to celebrate the religious and cultural festival on the happy occasion of Diwali, this House calls for strengthening of interfaith harmony and for protecting the rights of all section of society."	13-11-2012
02	"This House recommends that the Government may establish necessary legislation and take special steps for creating awareness amongst the masses to respect elders."	17-12-2012
03	"This House recommends that the Government may make arrangements for establishment of institute for boarding and lodging of orphan children and children of unknown parentage in Islamabad Capital Territory."	21-01-2013
04	"The House recommends that the Government may take effective steps to implement the international obligations of the Federal Government regarding global warming and to control environmental pollution in the country. The Federal Government to observe the international standards specified by the United Nations relating to tree plantation disposal of waste, protection of sea, rivers, canals, creeks and lakes from waste, protection of forests and control pollution of all types in their areas."	26-08-2013
05	"The House recommends that effective steps may be taken to achieve the Millennium Development Goals (MDGs)."	18-08-2014
06	"This House recommends that the Government should take effective steps to check the sea intrusion alongwith coastal areas of Balochistan and Sindh particularly Karachi, Thatta and Badin."	09-03-2015

07	"This House recommends that the Government should take effective steps to ensure Universal Salt Iodization in order to prevent devastating impacts of Iodine deficiency in the country."	11-05-2015
08	"This House unanimously: Condemns in the strongest terms, the incident of brutal killings of innocent people, travelling in a passenger bus in Karachi today on 13-05-2015. Declare the Karachi incident of 13th May 2015 to be a grave national tragedy. Demands that all the culprits be arrested and expeditious prosecution be initiated in order to bring perpetrators to book and they are awarded due punishment."	13-05-2015
09	"This House recommends that the Government should take immediate steps to establish Natural Science Museums in the country."	09-11-2015
10	"This House recommends that Government should revisit Indus Waters Treaty, 1960 in order to make new provisions in the treaty so that Pakistan may get more water for its rivers."	07-03-2016
11	"This House recommends that the Government should buy electronic voting machines for Election Commission of Pakistan."	07-03-2016
12	"This House recommends that the Government should effective steps to implement the provision of clause (3) of Article 172 of the Constitution of the Islamic Republic of Pakistan in letter and spirit."	10-04-2017
13	"The Senate of Pakistan strongly condemns the acts of terrorism committed in our brotherly neighbor, Iran, attacking the Parliament in Tehran and Mausoleum of Imam Khomeini. These are crimes against humanity and expose the gravity of the threat of terrorism to Iran and the neighborhood we live in. The people of Pakistan express solidarity with the people and Parliament of Iran. We are united in the cause against terrorism in any part of the world but more so in the region."	08-06-2017
14	"This House recommends that the Government should present all International conventions, treaties, covenants and commitments before the Senate for ratification."	11-09-2017
15	"This House recommends that the Government should launch a separate channel of PTV for children to foster their interest in education, science, general knowledge and creativity and to inculcate in them the true spirit of culture, identity and ideology of Pakistan."	06-11-2017
16	"This House recommends that the Government should facilitate all those persons who left Pakistan at the time of partition or after that, and settled in other countries, in case they want to visit their motherland for religious or tourism purposes or they want to make investment or engage in some trade and business in the country."	18-12-2017

OPINION**Peaceful and Inclusive Societies for Sustainable Development****Qamar Sohail Lodhi**

Special Secretary, National Assembly of Pakistan

To promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. The Commonwealth Parliamentary Association (CPA) together with its partners including the Commonwealth Partnership for Democracy being led by Westminster Foundation for Democracy (WFD), at Wilton Park, West Sussex, UK, 18– 20 June 2018, updated CPA recommended Benchmarks for Democratic Legislatures which were the outcome of an original Study Group hosted by the Legislature of Bermuda on behalf of the CPA and the World Bank Group with support from the United Nations Development Programme, the European Parliament and the National Democratic Institute for International Affairs. The Benchmarks have been used extensively in parliamentary strengthening across the Commonwealth since 2006.

The Benchmarks included recommendations regarding the conduct of elections, eligibility, incompatibility of office, immunity, remuneration and benefits, resignation of a parliamentarian and infrastructural support required to fulfill his responsibilities. To improve Organization of the Legislatures, procedure and sessions, the presiding officers, convening sessions, agenda, debate, voting, records, women and recruitment, promotion, organization and human resource management were emphatically addressed. The Committees System, political parties, party groups, cross party groups and the opposition also found due space therein. Functions and values of the legislatures, legislative functions including legislative procedures, parliamentary and financial oversight, constituent relations, parliamentary networking and diplomacy, citizens and the press, transparency, integrity and freedom of information were discussed at length. The Benchmarks also recommended that the Legislatures shall promote the values and aspirations outlined in the Commonwealth Charter and shall oversee the executive's compliance with the fundamental political values of the Commonwealth. The Legislatures shall continue to promote these Benchmarks and undertake a regular review on the status of implementation within their jurisdiction.

Mr. Jarvis Matiya, Director of Operations and Ms. Meenakshi Dhar, Head of Private Office from CPA; Mr. Anthony Smith, Chief Executive and Ms. Shannon O'Connell from WFD; Mr. Scoot Hubli, Director of Governance Programs from NDI; Mr. Jonathan Murphy, Chief Technical Advisor from UNDP; Ms. Joy Burch, MLA, Speaker, and Mr. Tom Duncan, Clerk from Australian Capital Territory; Ms. Danielle Labonte, Procedural Clerk, from Canada (Federal); Qamar Sohail Lodhi, Special Secretary, National Assembly from Pakistan; Dr. M. Thambi Durai, Deputy Speaker, and Shri N.C. Gupta, Clerk from Lok Sabha, India; and Rt Hon David Carter, Former Speaker and Mr. Gabor Hellyer, Parliamentary Officer from New Zealand made their valuable contributions in the light of Sustainable Development Goal No.16 aiming to reduce all forms of violence so that governments and communities find lasting solutions to conflict and

insecurity for the purposes of strengthening the rule of law, reducing the flow of illicit arms and bringing developing countries more into the center of institutions of global governance.



While discussing various reformative initiatives of the Honourable Speaker National Assembly to strengthen institutional capacity of the Parliament, the participants appreciated the interventions for: establishing the Legislative Drafting Council, conducting on-job-trainings for the secretarial staff since 2014, having vibrant website, E-office, E-filing, Bio-metric systems, developing linkages with academia, implementing Government Assurances, analyzing Public Sector Development Program through Committees, formation of Former Parliamentarians Forum, preparation of National Assembly Strategic Plan and Parliamentary Studies Internship Programs, gearing up Pakistan Institute of Parliamentary Services for: roundtables, budget orientations, public hearings, seminars, outreach, trainings, several exchange programs, etc.; setting up PTV Parliament Television Channel, establishing Women's Parliamentary Caucus, developing Parliamentary diplomacy through Friendship Groups and international and regional conferences, etc., establishment of Sustainable Development Goals Task Force and becoming the first Parliament in the world to have fully functional SDGs Secretariat at the National Assembly; conducting first ever Energy Audit and becoming first Ever Green Parliament.

ANALYSIS

Parliamentary Committee System in Provincial Assembly of Punjab – Myth of Executive Accountability

Gul Ahsan Rasheed Cheema

Law Officer, Provincial Assembly of Punjab

1. Introduction

Parliamentary Institutions and their committees' systems have experienced a revival transnationally during the last three decades. All private members often called as non-executive members spend much of their time with the mini parliament called parliamentary committees¹. The role of parliamentary system is gaining more and more importance to discharge the noble function of providing greater organized community for sack of the people, law, health, education, law enforcement, industry and basic infrastructure etc. Until 1990s the Parliamentary System was subordinate to the executive and it was in the interests of the Governments to snub the Parliaments, control their function and not to facilitate the progress of internal organic structures of the legislatures that halt the executive hegemony².

History of the Modern Parliamentary Committee System is very old in England. A Standing Committee of the House of Commons was appointed in 1340 with the task to frame a statute of particular nature from a bill or petition and the history of Standing Committees in America can only be traced after 1789. But, the Parliamentary Committee System had already made its transit from Great Britain to Colonies of America in the later days of the Stuarts³. In the modern system of democracies, the legislatures have to perform number of functions and duties. They are vital state organs, which examine the legislative proposals and policies during their passage, constantly perform the overseeing of executives' performance and functions and often also perform judicial functions.

The Provincial Assembly of the Punjab after the emergence of Pakistan has undergone through frequent developmental changes and the committee system of the House has been a crucial structure and central feature of the Assembly. The flowering of parliamentary committee system in the Punjab can be traced from the 1897 when the first ever legislature in the Punjab named as Council of the Lieutenant Governor was nominated. The nourishment of the committee system is divisible into five distinct periods such as from 1897 to 1918, 1918 to 1934, 1935 to 1947, 1947 to 1972 and 1973 to the present. There are three types of parliamentary committees in the Provincial Assembly of the Punjab i.e. Standing Committees (DRSCs), Select Committees and Special Committees. Standing Committees are constituted normally for the duration of the

¹ Three committee systems of the Australian Parliament- A Developmental overview? By John Halliligan, John Power and Robin Miller University of Canberra, ASPG Parliament 2000-Towards a Modern Committee System 2001, Page 111.

² Parliamentary Committees in Newzealand: a House continuously reforming itself? Dr. Elizabeth Mcleay, Victoria University of Wellington, ASPG Parliament 2000-Towards a Modern Committee System 2001, Page 54.

³ The Origin of the Standing- Committee System in American Legislative Bodies, by Franklin Jameson, Political Science Quarterly, Vol.9, No.2 (Jun., 1894), Page, 246-247 & 259, The Academy of Political Science, Stable URL:<http://www.jstor.org/stable/2140190>, Accessed: 10-2-2018 11:23 UTC.

Assembly while Select and Special Committees are ad hoc committees, they normally cease to exist with the completion of assignments referred to them.

2. Defining the term ‘Parliamentary Committees’

Parliamentary Committees often referred as mini parliament or miniature legislatures⁴. They are smaller groups of legislators constituted, appointed and nominated within the legislatures. They not only allow the Parliament to perform different functions at the same time but also provide the opportunity for detailed discussions and investigations about the matters referred to it by the Parliament to reach a concrete conclusion. Parliamentary Committee System also allows the miniature legislature to review the policy matters in detail and scrutinize the bills more transparently with extensive brain storming which could not be possible by the entire House⁵.

3. Why the Parliamentary Committees System?

In modern times, the Parliaments have to deal with various assignments and considerable volume of work. Hence close consideration of all matters and operating on proposed legislation is impossible within strict limits of time. Therefore the Parliaments have devised the mechanism to deal with the businesses through their committees termed as ‘Parliamentary Committees’. Committees deal with specific business referred to them by the House for detailed investigation and consideration. It not only saves the precious time of the House but also produces a good product for consideration of the House based on technical and expert considerations.

According to their constitutional structures, different Parliaments of the world have constituted a variety of committees to gain control over the executive. In democratic countries, the Parliamentary Committees are considered as suitable device to scrutinize the administrative actions and administer the executives’ accountability to the legislatures and resultantly to the general public, the constituents of the parliament⁶.

4. Legitimacy of the Punjab Parliamentary Committees’ System

Parliamentary Committee System of the Provincial Assembly of the Punjab has its origin to and also gains the legitimacy from the Constitution of Islamic Republic of Pakistan and Rules of Procedure of the Provincial Assembly of the Punjab. Article 67 of the Constitution provides for formulation of Rules of Procedure and Finance Committee has also been categorically mentioned in the Constitution under article 88 read with 127. The Constitution also indirectly reflects the financial accountability of the executive through Public Accounts Committees as the reports of Auditor General of Pakistan are laid before the House under article 171 of the Constitution, resultantly the same are forwarded to the Committees for detailed scrutiny.

⁴ Parliamentary committee system in Bangladesh: functional analysis of different parliamentary committee, by Md.Ruhul Amin, Journal of education and practice, ISSN 2222-1735 (Paper), ISSN 2222-288X (Online) Vol2, No 7,2011, Page 23

⁵ Parliamentary centere (2004) the New Member of Parliament and Committees. (online) Available at: <http://www.parlcent.ca/publications/pdf/MPs%20%20Committees%20Backgrounder%20EN.pdf> Accessed 14 May 2018.

⁶ The committee system in India: effectiveness in enforcing executive accountability, by Mr. Anoop Mishra, Secretary General, Lok Sabha, India, Hanoi Session March 2015, Page 2

5. History of Parliamentary Committees System in Punjab

The Indian Councils Act 1861 modified by the Act of 1892⁷ laid the foundation of legislature in the Province of Punjab. The evolutionary process started in 1897 and the first ever legislature named as Council of the Lieutenant Governor of Punjab a nominated body of official/non-official members was constituted having the legislative powers⁸. The genesis of parliamentary committee system in Punjab can be traced back to the Indian Councils Acts 1861 and 1892. Rule 22 part iv of Rules for the Conduct of Legislative Business of the Council of the Lieutenant Governor of the North Western Provinces...provides that members of every Select Committee shall be named by the Council when the bill is referred or at any subsequent meeting⁹. Same type of provisions was also available in the Indian Councils Acts 1909 and the rules for the Conduct of Legislative Business of the Legislative Council of the Lieutenant Governor of the Punjab¹⁰.

The concept of parliamentary committees system in form of select committees was also introduced in scheme of Indian Councils Act 1915 and the rules for the Conduct of Legislative Business of the Legislative Council of the Punjab; and rule 9 reads that “when a bill is introduced or on some subsequent occasion, the member in charge shall make one or more of the following motions, (a) that the bill be referred to a Select Committee,...¹¹”. The constitutional reforms of 1919 through Government of India Act 1919 revolutionized the committee system in India and particularly in the Provincial Legislative Councils. In addition to select committee system a committee on Public Accounts was also included in the constitutional frame work regarding provinces to scrutinize the audit and appropriation accounts of the provinces¹².

The Government of India Act 1935 accelerated process of democratization in India and the Punjab Legislative Assembly under sub section (1) of section 84 of the Act made the rules regulating the procedure and conduct of business of the Assembly. Three types of committees i.e. Select Committee under rules 86-91, Public Accounts Committee under rules 139-140 and House Committee under rule 141 of the Rules regulating the procedure and conduct of business of the Assembly were introduced¹³. After the independence of Pakistan, the same scheme of parliamentary committee system continued in the Punjab Legislative Assembly¹⁴ and Provincial Assembly of West Pakistan¹⁵, with addition of committee on petitions. After the promulgation of Constitution of the Islamic Republic of Pakistan 1962, the rules of procedure of the Provincial

⁷ Proceedings of the council of the Lieutenant Governor of Punjab, November 1, 1897, Pages 1-2

⁸ The Punjab Parliamentarians 1897 to 2013 published by Provincial Assembly of the Punjab Secretariat, Lahore, in 2015, Page v

⁹ The Indian Councils Acts 1861 & 1892 and all Cognate Acts: The Rules for the Conduct of Legislative Business of the Council of the Lieutenant Governor of the North Western Provinces, Part iv, Page 126, printed by D.E.CranenburgII, “Law. Publishing Press,” 57, Bow-Bazar Street, Calcutta 1893,

¹⁰ Proceedings of the Legislative council of the Lieutenant Governor of Punjab, 1910, Vol-I, Page 41, printed at the Punjab Government Press 1913

¹¹ Proceedings of the Legislative council of the Punjab, 1916, Vol-II, Page 32, printed by the Superintendent Government Printing, Punjab, Lahore 1918.

¹² The Government of India Act 1919, Rules thereunder & Govt. Reports, 1920, Page 84, published by N.N.Mitter Annual Register Office Sibpur, Calcutta, 1921.

¹³ Rules of Procedure, Rules made by the Punjab Legislative Assembly under subsection (1) of Section 84 of the Government of India Act 1935 for Regulating the Procedure and Conduct of Business of the Assembly, Pages 22-23 & 34-35, available in the Provincial Assembly of the Punjab Library under Accession No.T-227B and Catalogue No.328-5491405 PUN.

¹⁴ The Punjab Legislative Assembly Rules of Procedure as adopted and modified by the Pakistan (Provisional Constitution) Order, 1947, Pages 22-23 & 35-37, printed by the Superintendent, Government Printing, Punjab 1953.

¹⁵ Provincial Assembly of West Pakistan Rules of Procedure for regulating the procedure of the Provincial Assembly amended by the Governor of West Pakistan under para 10 of the Fourth Schedule to the Constitution, Pages 24-25 & 38-40, printed by the Superintendent, Government Printing, West Pakistan, Lahore 1958.

Assembly of West Pakistan were made by the Governor of West Pakistan under Article 231 and 11 Departmentally Related Standing Committees (DRSC) were introduced in West Pakistan¹⁶.

In the year 1968 the Provincial Assembly of West Pakistan while exercising the powers of Article 110 (1)(a) of the Constitution of Islamic Republic of Pakistan 1962 framed the Rules called the Rules of Procedure of the Provincial Assembly of West Pakistan 1968. Therein the scheme of 15 Departmentally Related Standing Committees (DRSC) along with Select Committees, Public Accounts Committee, Committee on Rules of Procedure and Privileges, Committee on Government Assurances, Library Committee, House Committee and Special Committees was envisaged¹⁷ and the same remained continued in the Rules of Procedure of the Provincial Assembly of Punjab, 1972¹⁸ after the separation of West Pakistan from the East Pakistan.

The present Constitution of Islamic Republic of Pakistan was promulgated in the year 1973 and to regulate the proceedings of the House, the Rules of Procedure of the Provincial Assembly of Punjab, 1973 were framed containing of full-fledge package of 15 Departmentally Related Standing Committees (DRSC), Select Committees, Public Accounts Committee, Committee on Privileges, Committee on Government Assurances, Library Committee, House Committee, Finance Committee and Special Committee¹⁹. The Rule 150(1) of the Rules was substituted in the year 1977 and provision regarding Constitution of two Public Accounts Committees²⁰ for the duration of the Assembly was added hence a unique mechanism was adopted by the Provincial Assembly of the Punjab for financial accountability of the executive which is still in vogue in the Punjab.

In the year 1985, an updated version of the Rules of Procedure of the Provincial Assembly of Punjab, 1973 was launched containing the same frame work of Standing Committees and other Committees; however the number of Standing Committees were increased from 15 to 16²¹, the same number of Committees and frame work remained intact till 1990²². However in the year 1991 sub Rule 1 of Rule 119 of the Rules of Procedure of Provincial Assembly of Punjab, 1973 was substituted/ amended and the numbers of Departmentally Related Standing Committees were increased from 16 to 22²³ with the same legal frame work. The Rules of Procedure of the Provincial Assembly of Punjab, 1973 were revised on 20th September 1993 but the scheme of Standing Committees and other Committees remained the same²⁴.

Since the application of the Rules of Procedure of the Provincial Assembly of Punjab, 1973 a series of amendments were carried thereof from time to time but the aforesaid rules were still deficient in certain considerable areas. Review and revisions of these rules were made and finally

¹⁶ The Rules of Procedure of the Provincial Assembly of West Pakistan, Lahore, Friday, June 8, 1962, the GAZ. West Pak. (Extry.) June 8, 1962, Page 2344.

¹⁷ The Rules of Procedure of the Provincial Assembly of West Pakistan, Pages 40-50 printed by the Superintendent, Government Printing, West Pakistan, Lahore 1968.

¹⁸ The Rules of Procedure of the Provincial Assembly of Punjab, 1972, Pages 38-47 printed by the Superintendent, Government Printing, Punjab, Lahore 1972.

¹⁹ The Rules of Procedure of the Provincial Assembly of Punjab, 1973, Pages 45-55 printed by the Superintendent, Government Printing, Punjab, Lahore 1973.

²⁰ Notification No.PAP/Legis/1(94)/73-77-37 dated 27 June,1977.

²¹ 13 *ibid* revised up to 10th March, 1985, Page 52.

²² 13 *ibid* revised up to 1st September, 1990, Pages 51-65.

²³ Notification No.Legis:4-30/84 dated 6-3-1991 and 18-6-1991.

²⁴ 13 *ibid* revised up to 20th September, 1993, Pages 49-61.

in the year 1997 the Governor of the Punjab has been pleased to frame the Rules of Procedure of the Provincial Assembly of Punjab, 1997 on January 29, 1997²⁵ and the same rules were adopted by the Provincial Assembly of Punjab on June 25, 1997²⁶. A well define system of committees of the House i.e. 22 Departmentally Related Standing Committees (DRSCs), Select Committees, 02 Public Accounts Committees, Committee on Privileges, Committee on Government Assurances, Library Committee, House Committee, Finance Committee, Business Advisory Committee and Special Committee under rules 148 to 188²⁷ was included in the rules *ibid*. These rules were revised and updated in the year 2002, 2005, 2008, 2011 & 2013.

6. Current formation of Punjab Parliamentary Committees

Presently there are 36 DRSCs²⁸ and other committees in the Rules of Procedure of the Provincial Assembly of Punjab, 1997. The departmentally related Standing Committees are Committees on Agriculture, Auqaf and Religious, Chief Minister's Inspection Team, Colonies, Communications and Works, Cooperatives, Higher Education & School Education, Environment Protection, Excise and Taxation, Finance, Food, Forestry, Wildlife and Fisheries, Health, Home, Housing, Urban Development and Public Health Engineering, Human Rights and Minorities Affairs, Industries, Commerce and Investment, Information and Culture, Irrigation and Energy, Labour and Human Resource, Law and Parliamentary Affairs Public & Prosecution, Literacy and Non-Formal Basic Education, Livestock and Dairy Development, Local Government and Community Development, Management and Professional Development, Mines and Minerals, Planning and Development, Population Welfare, Revenue, Consolidation, Holdings, Relief and Crisis Management, Services and General Administration, Social Welfare and Bait-ul-Maal, Special Education, Transport, Women Development, Youth Affairs, Sports, Archeology and Tourism, Zakat and Ushr.

The detail of other committees is as under:-

A. Select Committees

No specific numbers of select committees are mentioned in the rules. Select committees are constituted /elected through motions by the House when the same are carried that the bills be referred to select committees.

B. Public Accounts Committees

There exists two Public Accounts Committees consisting of 13 members each in the Rules of Procedure and the same number of members is elected by the Assembly. Their detailed functions and procedures are laid down under rule 117 to 179 of the Rules of Procedure of the Provincial Assembly of the Punjab, 1997.

C. Committee on Privileges

A Committee on Privileges is also mentioned in the rules. It consists of 13 members elected by the Assembly and the Minister for Law and Parliamentary Affairs as ex-officio member for duration of the Assembly. The Committee examines and determines the questions referred to it whether a breach of privileges is involved in it or not and makes recommendations according to circumstances.

²⁵ Notification No.PAP/Legis/1(94)/96/11 dated January 29,1997.

²⁶ The Rules of Procedure of the Provincial Assembly of the Punjab, 1997, First Edition, Page 1.

²⁷ The Rules of Procedure of the Provincial Assembly of the Punjab, 1997, First Edition, Page 101-119.

²⁸ Notification No.PAP/Legis/1(15)/2013/1380 dated 22 February, 2016.

D. Committee on Government Assurances

Committee on Government Assurances consists of 10 members elected by the Assembly for duration of the House to scrutinize the assurances, undertakings and promises made by the Ministers and Parliamentary Secretaries on the floor of the House.

E. Library Committee

Library Committee is appointed by the Speaker consisting of Deputy Speaker and 9 other members of the House for duration of the Assembly. It considers and advises on the matters referred to it by Mr. Speaker regarding management of Assembly Library.

F. House Committee

House Committee is also nominated by Speaker consisting of not more than 10 members including its Chairman for a specific term but not exceeding the one year. It deals with the questions referred by Speaker concerning the residential accommodation of members.

G. Finance Committee

A Finance Committee is consisted of Speaker, Finance Minister and 7 other members elected by the Assembly for its duration. It approves annual and supplementary budget estimates of the Assembly and Assembly Secretariat for inclusion of the same in the budget statements of the Government. The detailed working of the committee is defined /prescribed in the Provincial Assembly of the Punjab Finance Committee Rules, 1974.

H. Business Advisory Committee

Business Advisory Committee is also nominated by the Speaker in consultation with the Leader of the House and Leader of the Opposition at the commencement of the Assembly are from time to time as the Speaker may deem appropriate. It consists of not more than 12 members including the Chairman i.e. the Speaker. It generally functions for the management of the business of the House.

I. Special Committee

A Special Committee is appointed through a motion by the Assembly consisting of not more than 12 members excluding the Speaker or a Minister if they are name as member and performs such functions as specified in the motion.

7. Executive's Accountability and Parliamentary Committees System

The preamble and article 2A of the Constitution of Islamic Republic of Pakistan envisages that the State shall exercise its powers and the authority through chosen representatives of the people. Moreover under the Constitution i.e. article 119 the custody of the Provincial Consolidated Fund shall be regulated by the act of the Provincial Assembly of the Punjab. It further reveals that no money can be withdrawn and spent by the Punjab Government out of Provincial Consolidated Fund and Public Account without the authority of the law enacted by the Punjab Assembly. It is one of the devices and important ways through which the Assembly controls the authority of the executive having its control and custody over the public exchequer.

The Constitution itself has laid down the parliamentary powers of Punjab Assembly and procedure thereof to control the administrative actions of the Government and the executive's accountability via its committees constituted under rules of procedure having the authority of article 67. Furthermore article 122(2) of the Constitution also defines and states that all the

budget statements and estimates of expenditures other than of those charged upon the Provincial Consolidated Fund “shall be” submitted to the Provincial Assembly in the form of demands for grants, furthermore the Assembly shall have power to assent to, all to refuse to assent to, any demand, or to assent to any demand subject to reduction of the amount specified therein²⁹.

The control of the Punjab Assembly over the Government i.e. the executive origin from the very idea that the legislature shall have the will of the masses therefore it should have powers to supervise and check the activities of the executive whether the same are carried according to laws and policies approved by the Assembly and the public money is being spent accordingly. The parliamentary control over the executive also stems from the Constitution and its control over the public money is not limited to authorize the Government by voting the use of money required for administration and other matters of the Country.

The real sense of parliamentary system is the check of the parliament over the executive and the right of the former to examine the function of the later for its accountability. To check the malpractices and misuse of public money and the translation of the benefits of the policies made by the parliament to the people, parliamentary system has a well-defined mechanism of parliamentary committees. In the Punjab Assembly the overseeing responsibility of the House /Legislature is discharged through a codified network of parliamentary committees such as Public Accounts Committees, Special Committees, Privileges, Committee and the Standing Committees.

8. Committees System of the Punjab and Myth of Executive’s Accountability

In Punjab, more or less the parliamentary control over the executive is exercised by the House through its committees. Financial committees such as Public Accounts Committees are the most effective tools to check the malpractices of the administration and to examine the detailed working of Provincial Ministries and departments and their programs and projects without hindering day to day activities. These are the committees through which the executive comes under the direct control of the legislature and in direct contact to the Assembly.

I. Public Accounts Committee

Public Accounts Committee is the most important Committee of the House and has the major duty to draw the attention of the Assembly towards the instances that weaken the legislature’s oversight of appropriation of accounts. The PAC has to examine all the accounts regarding appropriations of the amounts authorized by the Assembly to meet the expenses of the Punjab Government and others accounts including financial accounts of the Government for annual expenditure of the Government laid in the House during budget session every year.

The Committee has authority to scrutinize appropriation of accounts of the Punjab Government and reports of Auditor General of Pakistan thereof to satisfy itself that sums reflected in the

²⁹ The Constitution of Islamic Republic of Pakistan as modified up to 1st January, 2011, National Assembly of Pakistan, Page- 65.

accounts were legally disbursed and available to a purpose and service for which they were applied and charged. Expenditures were conformed to authority which had governed the same and the appropriation was made according to provisions of rules made thereof by the competent authorities.

PACs are the most powerful committees of the Punjab Assembly and a vital link between the House and departments of Punjab Government. They compare estimates with the accounts and enquire into the excess votes; and also concern themselves with the old standards of accuracy, modern and prevailing financial procedures. PAC-II has a distinguished contribution towards the accountability of the executive and framing modernized tools of legislative checks on the executive's authority to use the public money for right purpose and cost. During the term of Assembly i.e. 2013-2018 it has discussed total 5117³⁰ audit paras for the years 2011-12, 2013-14 and 2005-06 out of which 3243 were settled, conditionally settled and deleted; and 1814 were kept pending due to recoveries of outstanding dues from the concerned departments/incumbents who had violated the standard financial procedures.

The working of PAC-II has remained outstanding; it has invented new tools of financial accountability such as internal audit, special audit and performance audit of different departments of the Punjab Government. The PAC also introduced a technique of performance audit on value for money basis and directed the Auditor General of Pakistan to focus on the performance audit of the government organizations ensuring the aforesaid principles. The committee also did its best to uphold the Market Rate System (MRS) and tighten its grip on the government organizations to follow the MRS. For the capacity building of financial managers, the committee also passed direction all the concerned authorities that the necessary measures should be taken for their training to improve the financial mechanism. It is the only committee of the House which tries to convert the myth of executive's accountability into reality.

II. DRSCs

Standing Committees are regular committees of the House and constituted according to provisions of the Rules of Procedure. Select and Special Committees are Adhoc Committees and constituted to deal with specific subject. The progress of Standing Committees and Adhoc Committees can be judged by making analysis of their work during democratic tenure when the Assembly has completed its five years' terms. The Committees have mandate to call for documents and to take evidences; and send for papers persons and records etc. They also have power to regulate their procedure where the rules are silent. They perform functions such as legislation drafting, overseeing of executive, initiating the legislation and managing it, having a discourse with executive representing their constituencies and probing policy matters and initiatives.

Standing Committees are permanent bodies constituted for the tenure of Assembly whereas special and Select Committees are adhoc committees and become functus officio after completion of assignment handed over to them or submission of their reports. From 2008 to

³⁰ Fact sheet of working of PAC-II (2013-18) prepared by PAC-II Branch.

2013³¹ Standing Committees presented 141 reports while reports of special committees, select committees and committee on Government assurances were 12, 01, and 01 respectively. These were mostly related to legislation and questions referred to the committees. No exceptional task or assignment was performed by the committees regarding executive's accountability.

The role of DRSCs is to provide guidance, necessary directions to the executive for policy formulation and effective administrations. The committees are effective tools of parliamentary control over the executive but due to lack of political will and democratic behaviors, the executive eschewing itself from the legislative oversight. Even the committees are bypassed or given the less importance in process of legislation management. The draft bills are referred to the committees at 11th hour with pressure of government/executive to present the report at the same time. During the tenure of Assembly from 2013 to 2018³² Standing Committees have presented 176 reports and Select Committees have presented 24 reports. 103 issues/matters remained pending with different committees at the time of dissolution of Assembly. Upon getting the reports of Committees, the Assembly passed³³ 134 Acts during the tenure of 2008 to 2013 and 191 Acts during 2013 to 2018. Hence the committees are playing effective role in legislative drafting and policy formulations for smooth functioning of executive business. The recommendations of committees are advisory nature and not binding and mandatory, therefore the government functionaries' often overlook the same and there is no mechanism at the executive side to check this malpractice of its functionaries and to report to the committees.

III. Privileges Committee

The Privileges Committee is constituted under rule 180 of the Rules of Procedure of the Provincial Assembly of the Punjab 1997 for the duration of the Assembly and it consist of 13 members elected by the Assembly and also include Minister for Law and Parliamentary Affairs as ex-officio member.

The jurisdiction of the Privileges Committee is very limited and it has power to examine the questions and issue referred to it by the House and to determine whether the issue of breach of privilege regarding the reference is involved or not. Furthermore it is only recommendatory body of House upon the matters on questions referred to it. The effectiveness of Privileges Committee and executive's accountability through it can be judged by analysis of working of the Committee during continued democratic process i.e. from 2008 to 2018.

During tenure of the Assembly from April 9, 2008 to March 20, 2013, a total of 117 privilege motions were referred to the Committee out of which 85 were disposed of on the basis of unconditional apology and not pressed by the mover. In three cases the Committee had recommended /proposed strict actions against the accused. In privilege motion No.15/2008 moved by Rai Muhammad Shahjahan, MPA (PP-54) the Committee recommended that the services of accused officer namely Mr. Asghar Ali Yousaf Zai, SP Lalpur Town, Faisalabad may be surrendered to Federal Government, in privilege motion No.3/2009 moved by Ch. Tariq

³¹ Reports' file of Committees Branch Provincial Assembly of Punjab (2008 to 2013).

³² Reports' file of Committees Branch Provincial Assembly of Punjab (2013 to 2018).

³³ www.pap.gov.pk

Mahmood Bajwa, MPA (PP-170) the Committee again recommended that the services of aforesaid SP be surrendered to Federal Government and Hafiz Imran, SHO, PS-Chak Jhumra, Mian Rafiq, SHO, PS-Sahianwala, Mr. Akram Gujjar, SHO, PS-City Sangla Hill may be downgraded and in privilege motion No.76/2011 moved by Qazi Ahmed Saeed, MPA (PP-286) the committee recommended that Dr. Muhammad Ramzan from Rahim Yar Khan may be dismissed from service and he was dismissed consequently.

The status of executive accountability through Privileges Committee can be examined. The Committee two times recommended that the services of Mr. Asghar Ali Yousaf Zai, SP Lalpur Town, Faisalabad may be surrendered to Federal Government but the same was not complied with and no report in this regard was submitted to the Committee. However progress percentage of the Committee during the tenure remained good as out of 117 Privileges Motions 85 were disposed of and 32 remained pending and the progress was 72.64%³⁴.

During the tenure of Assembly from June 1, 2013 to May 31, 2018 the Committee conducted 128 meetings and considered 118 motions referred to it out of which 109 were disposed of as withdrawn or not pressed by the mover and 9 motions remained pending. The Committee worked with devotion and determination and 92%³⁵ of business was disposed off. The Committee also recommended/proposed 4 strict actions against Government Officers/Officials i.e against Syed Toqeer Hussain, EDO (Education) Chiniot, Mr Fazal-e-Mustafa, Traffic Warden, City Traffic Police, Lahore, Dr. Muhammad Javed, EDO (Education) Bahawalnagar and Mr Saifullah, Traffic Warden, City Traffic Police, Lahore. Among the aforesaid recommendations in year 2014 in Privilege Motion No.30/2014 of Mrs Kanwal Nauman, MPA (W-321), one interesting recommendation was made to hire a team of American Doctors to conduct the psychological test of all the wardens and train them in public dealing but the same was not complied with till the dissolution of Assembly.

9. Why the Executive's Accountability is Myth?

In Pakistan democratic institutions are developing but they are still facing gamut of problems due to lack of political activism. Parliamentary committee system in the province of Punjab has failed to control the executive due to number of reasons. Political imbalance is most crucial among them. Political parties and their leaders have not given due importance to the Parliament and always tried to run the affairs of province on adhocism through executive approach. Out dated Rules of Procedure and Conduct of Business of the Assembly are also major hurdle in the empowerment of committees system. The recommendations of committees are of advisory nature and not binding upon the government and committees have no suo motu powers like the committees system of Federal Parliament of Pakistan and overseas democracies.

Lack of logistic support and trained human capital are also the major issues. They badly affect the performance of committees and even there is no proper and separate accommodation available for most of the committees. The organic structure of committees system in the Punjab does not commensurate to the modern patterns and the needs of day. Political fertility heading

³⁴ Progress report register regarding committee on privileges of Privileges Committee Branch, Provincial Assembly of the Punjab (April 9, 2008 to March 20, 2013).

³⁵ Progress report register regarding committee on privileges of Privileges Committee Branch, Provincial Assembly of the Punjab (June 1, 2013 to May 31, 2018).

the committees and comprising thereof is not trained and qualified according to postmodern structure to check the executive's actions and to hold the supremacy of parliamentary system. Inadequacy of parliamentary outreach and public's trust upon the political will and activism also halt legislative check over the executive. Due to bureaucracy's negative approach towards public representatives the executive accountability by the parliamentarians remained a myth and have never been translated in to reality.

10. Way Forward

Committees System has a great importance in Parliamentary Democracies and it ensure the making of right decisions by the public representatives based on correct reasons and for the right time. A strong and effective Committees System is a valuable asset for smooth functioning of Parliamentary Democracy. In Punjab to make the Committees System to commensurate with the post-structural and post-modern thoughts of democracy, the re-orientation of the present model is badly felt. Following way forward is being recommended overhaul the Committees System of the Punjab Assembly and to convert the myth of executive accountability into reality.

- i.** Existing Rules of Procedure be amended to enhance the numbers of Committees and new Committees such as Public Grievances Committee, Law and Justice Committee, Public Undertakings Committee and Committee on Estimates being included in the list of Committees System.
- ii.** Suo motu power should be given all the Committees of the House as per pattern of Federal Parliament of Pakistan and Westminster Model of Democracies; and the recommendations of the Committees must also be made binding on the executive.
- iii.** Public Grievances Committee should be given the powers of justice of peace to translate the maximum benefits to the masses and to check the malpractices of the administrative authorities and for the public undertakings Committee and Committee on estimates Indian model be adopted for accountability of public sector companies and to have a check on the planning of administrative departments.
- iv.** Law and Justice Committee must be entrusted the assignments to review all the existing laws and rules for their updation and to collaborate with the High Court and Supreme Court of Pakistan to assist the Assembly and minimize the chances of interference of courts in parliamentary affairs.
- v.** Full and comprehensive logistic support should be provided to the Committees for their smooth functioning and to maintain the continuity of business. Committees' staff has also great importance for effectiveness of Committees System. The capacity building of the staff of Assembly Secretariat for the aforesaid purpose is also the day of need. Research facilities for the members and outreach facilities for the public participations through different modes must be enhanced and modernized.
- vi.** Rules of business of the Government must be enacted by the Assembly in order to make the administrative departments accountable to the Assembly and the executive authorities must be accustomed to the parliamentary oversight.
- vii.** To facilitate the members of the Committees and to check the implementation of the recommendations and decisions of the Committees, an implementation and coordination wing of the Assembly Secretariat must be structured having offices in the Assembly Secretariat as well

as Civil Secretariat.

viii. Members of the Assembly should be familiarized with the modern parliamentary practices and orientation session for them must also be arranged to communicate them that they are the real trustees of public confidence and have authority oversee the executive's actions and to check the malpractices of the administration.

11. Conclusion

For comprehensive and systematic scrutiny of activities of the government and stronger accountability the strengthening of the Parliamentary Committees System is required for smooth functioning of Parliamentary Democracy. Punjab Assembly has the oldest Committees System in the Country but still striving for its empowerment for effective executive's accountability. The major and basic weakness of the present Committees System is that its recommendations has no binding authority and the policies of the executive and draft bills are not referred to them as a matter of routine.

Political activism and the will of political parties are very crucial for strengthening of Committees System and to make the executive accountable to the Assembly and its Committees. Therefore, the soft image of the parliamentary system should be promoted by the political parties for awareness of public. The Committees must also work on non-partisan basis to uphold the supremacy of the Parliamentary Democracy and benefit general masses.

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Parliamentary Studies Programme (Four Research Dissertations on Parliament of Pakistan by Bachelors of Honor in Political Science Degree at KCW)

PIPS Project Development Unit and Research & Legislation Wing

In 2015, the National Parliament launched Parliamentary Studies programme at the Pakistan Institute for Parliamentary Services (PIPS), as envisioned by the Honorable Speaker, National Assembly Sardar Ayaz Sadiq, President PIPS Board of Governors. The Institute has since then worked to provide all out support in shape of publications, degree structure framework, research-based articles as well as hosting a National Training for Trainers ToT for faculty members of around 30 national universities from all parts of Pakistan in 2017.

It is noteworthy that 21 universities are now offering parliamentary studies as a separate course in existing social science and law disciplines. Many of the students from these universities are also offered summer internships at the Senate, National Assembly and PIPS on annual basis, which has gone a long way in orienting the leaders and builders of Pakistan's future via the working of the Parliament, Constitution as sources of nation building.

Recently four students at the Bachelors of Honors in Political Science Degree undertook their research dissertations on topics related to the Parliament at the country's reputable Kinnaird College for Women (KCW), Lahore. The students visited National Parliament as well as PIPS where they were facilitated through relevant library and research wings in addition to being given opportunity to interview the parliamentary leadership to complete their all-important researches. These theses have been supervised by Ms Zoya Shaffay, Assistant Professor, KCW, Lahore, one of the 35 Participants who attended the PIPS ToT workshop on Parliamentary Studies in 2017. PIPS and KCW also signed an MoU at the

The Abstracts of their thesis are presented as under:

ABSTRACTS

i. Ms Zahra Sardar; Titled: An analysis of the Women Parliamentary Caucus (2013-2018)

The Women Parliamentary Caucus has remained significant in promoting collegiality and solidarity among women Parliamentarians to come forward and mutually find solutions to the representational issues of women MPs and women at large. The research is aimed at analyzing the role and efficacy of women parliamentary caucus in legislative proceedings and policy-making in the present government (2013-2018). Moreover, it assessed the contribution of women MPs of National Assembly as legislators. Qualitative research method was used and data has been collected through primary as well as secondary sources comprised of semi-structured interviews conducted from the concerned members of the caucus and analysis of the literature obtained from the concerned institution. According to the research, women caucus had been successful in achieving a few of its targets such as introduction to women policing, enhancing the number of women quotas to 10 percent and performed commendable in passing legislations. In Westminster model of governance, women caucus has been regarded as agents of change.

ii. Ms Mehreen Mubashir; Titled: Evaluation of the Performance of Opposition in the 14th National Assembly of Pakistan.

Opposition, in parliamentary democracy, is considered to be an institution in itself. Westminster model is found to be the most popular system of parliamentary democracy, Pakistan inherited this model from the founders of this system which once ruled over them but unfortunately the state could not carry out Westminster structure in its true form. The 14th National Assembly of Pakistan witnessed an amalgamation of various political parties out of which 11 political parties and 8 independent sat in the opposition benches. This research was aimed at examining and evaluating the performance of opposition parties in National Assembly, in terms of their attendance, discipline and participation in legislative business. Qualitative method of research was used to conduct this research. Primary as well as secondary sources were set out to carry this research. Semi-structured interviews were conducted and existing literature from various sources was reviewed. Moreover, the purpose of the study was to examine the current standings of the opposition and propose possible recommendations for its improvement and progression. The research revealed that the performance of opposition parties was better than that of the parties in power, in terms of legislative proceedings, attendance and in following the parliamentary rules and procedures and for more parliamentary productivity, it is recommended that the Speaker of the Assembly should encourage the enforcement of the rules to oversight the government and strictly deal with the matter of low attendance, by issuing warnings and cancelling out their memberships if they exceed their absence limit.

iii. Ms Javeria Riaz, Titled: Significance of China Pakistan Economic Corridor Parliamentary Committee (2015-17)

CPEC Parliamentary Committee is a powerful committee which is headed by the Prime Minister of Pakistan. CPEC parliamentary committee plays an important role in overseeing the smooth implementation of the projects and to make their workings timely and speedy. Further, this committee sits to propose suggestions for improvement and deliberates on feasible cost reduction methods. This committee has representation from all four provinces as well as from the center. The aim of this research is to examine the significance of the CPEC Parliamentary Committee, Moreover, to assess its decorum, workings and participation of its members regarding the issues and concerns of national importance. Qualitative methods were used in this research and the data was collected through both primary and secondary sources, which includes semi-structured interviews conducted from the members of the committee. The research explored the role of the committee is limited and the members are least concerned about the working of the committee. Hence, it is recommended that CPEC as, the most high-powered project in Pakistan, requires efficient and active members to participate who can come to conclusive consensus in the committee meetings. They should work on non-partisan basis and promote national interest.

OPINION**Sectoral Balance and the Budgetary Allocations****Raja Shoaib Akbar**

Independent Budget Analyst

The Federal Budget 2018-19 worth PKR 6,175,139 million, with proposed Development Expenditure of PKR 1,152,105 million¹ is the talk of the town these days. This is the first time that a democratic government has presented six budgets in a row. The budget for 2018-19 is being praised and criticized for the same reason i.e. its populist nature. The increase of annual taxable income from PKR 400,000 to PKR 1,200,000 is a massive relief for the salaried class in particular. On other hand this tax liberation is feared to push a huge number of tax payers out of the tax net and drastically reduce the income-tax collection. Political hype around the issue of budget presentation by the outgoing government has also been one of the things attached to the budget discussion in relevant quarters. Traditionally, development budget, taxes, investment incentives and subsidies are the major topics of budget discussion in the country. Apart from which part of budget gets attention of media and analysts; there is a lot that still remains in shadows. The supplementary budget of ongoing year, the budget transparency, government's priority analysis in terms of nature of projects, geographic coverage, and historic analysis of budget data to assess government's performance in particular sectoral areas are some of the subjects that remain neglected during budget debate in Pakistan.

Supplementary budget 2017-18 with a volume of PKR 599,400.6 million² was laid before the assembly for approval. It is pertinent to note that total volume of federal budget 2017-18 was PKR 5,191,826 million³. Thus, the volume of supplementary budget stood at more than 11% of the total budget estimates of 2017-18. This large amount of money warrants attention of the stakeholders. Supplementary budget is prepared to cater for the changes caused by various factors in proposed budget of ongoing year. The "Supplementary Demands for Grants and Apportionments 2017-18" includes "Technical Supplementary Grants" worth PKR184,309.36 million, "Token Supplementary grants" of PKR 2.71 million and "Regular Supplementary Grants" equaling PKR 415,088.53 million. The first two types of supplementary grants do not pose additional burden to the exchequer but the third category does⁴. In most democracies supplementary budgets are sought from the Parliament any time during the year when the need arises rather than seeking post-facto parliamentary stamp?

Leaving this technical discussion aside one can simply say, the supplementary budget is meant to fulfil i) either the additional requirement posed by new expenditure or receipts that were not planned at the start of the year, or ii) adjustments in budget from one heads to the other. Narrowing down the discussion to the development projects one can identify a number of projects in the Demands for Development Grants part of the budget that were planned for the year 2017-18 but remained deprived. On other hand the same budget book told the story of the projects that were not part of the planning when 2017-18 budget was passed but still got

¹ Page #9 (Expenditure – Summary) Annual Budget Statement 2018-19.

² Page #iv "Supplementary Demands for Grants and Apportionments 2017-18"

³ Page #9 (Expenditure – Summary) Annual Budget Statement 2017-18

⁴ Page #iii (Introduction), Supplementary Demands for Grants and Apportionments 2017-18"

resources allocated for execution. Analysis of the Revised Development Estimates 2017-18⁵ reveals that 39% of total planned projects remained deprived of their share when budget was actually executed. For instance, a project for ‘upgradation of securities at national police academy’ had allocation of PKR 25,000,000 in Budget Estimate 2017-18 but in Revised Estimate the allocation was dropped⁶. On opposite, 36% of total number of development projects executed in 2017-18 were not part of Budget Estimate 2017-18 and were included in Revised Estimates. One of such examples is the project for ‘upgradation of regional passport office at Mandi Bahaudin’. This project had no allocation in Budget Estimate 2017-18 but the Revised Estimates carried an allocation of PKR 15,001,000⁷. It would be apt to say the supplementary budget presents the story of the deprived and the favorites. The need for supplementary budget arises due to deviation in original planning. This change in plans also leaves great impact on overall performance of different ministries and institutions. It is need of the hour that the government should avoid such deviations from the original budget plans.

Transparency is another important aspect that is neglected in budget discussions in Pakistan. Despite high claims of transparency and accountability, federal government has failed to take practical steps in right direction. One such example is the establishment of Pakistan Information Commission. The commission is an appellate body to be established under Right of Access to Information Act, 2017 that was enacted in October last year. The due date for the establishment of commission has already elapsed and there are no such indications from the government to establish the commission. The absence of any allocations for the said commission in 2018-19 budget indicates that government has no planning to establish the commission in next year.

Transparency in governance is still a dream in Pakistan so is true for budget as well. A lot is spoken all around about transparency in procedures, implementation and execution of projects but transparency of budget document itself remains in shadows. One of the reasons is that the budget book is seldom read in depth. A transparency analysis of development projects mentioned in the budget book 2018-19 by Centre for Peace and Development Initiatives revealed that 21% of the development allocations did not meet the criteria of transparency. a) There were block budget allocations that did not speak anything about what would be done with that money? For instance, a project named ‘Mohmand area development project⁸’ with a budget allocation of PKR 36,000,000 is a block allocation with no mention of what type of development would this project be responsible to carry out. b) There are allocations that do not speak about where the money would be spent? One such example is of project for *construction of barracks, JCOs rooms, stores, office buildings and MI room with ward for FC troops*⁹. PKR 54,948,000 have been allocated for this project in interior ministry budget but there is no mention of where these facilities will be provided. c) There are development projects that are of national level but geographic division of resources under that project are not at all explained in the budget book, such division could

⁵ Analysis was carried out on the development projects listed in “Details of Demands for Grants and Appropriations” (volume III Development Expenditure) Federal Budget 2018-19

⁶ Project # ID9165 Page #2347 “Details of Demands for Grants and Appropriations” (volume III Development Expenditure) Federal Budget 2018-19

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⁸ Project # MG1137 Page #2445 “Details of Demands for Grants and Appropriations” (volume III Development Expenditure) Federal Budget 2018-19

⁹ Project # PR1253 Page #2378 “Details of Demands for Grants and Appropriations” (volume III Development Expenditure) Federal Budget 2018-19

have helped to understand the geographic focus of the project in a better manner. For example, allocation for ‘National Preventive Health Program¹⁰’ 2018-19 is PKR 200,000,000. The budget book is silent about geographic division of resources on this project. This project could have been more transparent if its allocations were further segregated into provinces as has been done in the case of ‘Role back Malaria Control Program¹¹’ and ‘Expanded program on immunization¹²’ that have been geographically segregated to give clear picture of how much funds would be spent for these programs in a federating unit.

The Members of the Parliament, being elected representatives of the people and as trustees and protectors of their rights and aspirations, are the first recipients of these books who are authorized to review, debate, scrutinize and pass the budget. If the budget books do not present clear details of the projects there will always be questions on government’s sincerity to appraise the whole picture to the legislature. Proactive disclosure should be followed to ensure greater transparency, which will help markedly in improving performance of the government as MPs and civil society will provide better feedback on budget proposals.

The National Economic Council (NEC) is responsible to review overall economic condition of the country and advice the government for balanced development. The article 156 (2) of the constitution describes function of the NEC in these words: *“The National Economic Council shall review the overall economic condition of the country and shall, for advising the Federal Government and the Provincial Governments, formulate plans in respect of financial, commercial, social and economic policies; and in formulating such plans it shall, amongst other factors, ensure balanced development and regional equity and shall also be guided by the Principles of Policy set out in Chapter 2 of Part-II”*. The author is part of CPDI analysis of development projects listed in budget 2018-19¹³ that: a) either clearly mentioned the geographic location of implementation or b) could be identified in a specific geography due to nature of a project. This analysis of geographic share of development projects shows an interesting data where 10.85% of total projects are allocated in Punjab, with the cost of 11.37% of total development budget. 13.5% of projects are allocated in Sindh, with the cost of 14.47% of total development budget. 11.16% of projects are planned in KP with the cost of 9.94% of total development budget. Lastly, 19.75% of total projects is allocated in Balochistan, with the lesser cost of 4.85% of total development budget. Maximum number of projects are allocated for the province of Balochistan although total cost of projects allocated in Punjab is highest.

The analysis of the current government’s sixth budget presents some interesting findings. Let us discuss the sector-wise analysis of the budget performance of current government¹⁴. The ministry of water and power received an allocation of PKR 56438.981 million in terms of development budget for year 2013-14, when the current government presented its first budget. This was the time when country was facing major energy crisis. The allocated amount equaled 7.15% of the

¹⁰ Project # ID9247 Page #2482 “Details of Demands for Grants and Appropriations” (volume III Development Expenditure) Federal Budget 2018-19

¹¹ Project #s ID8149, ID8150, ID8151, ID8233, ID8234, ID8235, ID8236 Page #2478 - 2479 “Details of Demands for Grants and Appropriations” (volume III Development Expenditure) Federal Budget 2018-19

¹² Project # ID8404, ID8405, ID8406, ID8407, ID8408 Page #2479-2480 “Details of Demands for Grants and Appropriations” (volume III Development Expenditure) Federal Budget 2018-19

¹³ “Details of Demands for Grants and Appropriations” (volume III Development Expenditure) Federal Budget 2018-19

¹⁴ All the figures mentioned in this section of article have been taken from the Development “Demands for Grants” of the respective ministry in the mentioned year and the sector-wise percentages have been calculated against the total development budget mentioned in “Annual Budget Statement” of the respective year.

total development budget estimated (BE) for the said year. This allocation was reduced to PKR 52606.616 million in revised budget estimate (RE), equaling 6.13% of the total development budget. The fiscal year (FY) 2014-15 presents interesting facts; the development allocation for water and power stood at 5.08% of the total development budget estimates with an amount of PKR 42577.18 million. This allocation was sliced down to PKR 39167.083 million in revised budget but interestingly still remained 5.19% of total revised development estimates of the year. This means that despite the shortfall in overall development expenditure, the government managed to maintain the percentage share of the water and power sector during the year 2014-15. We saw a shift in governments priorities during the next three years when the share of the sector in total development budget was chopped to almost half with BE at 2.97% and RE at 3.63% in FY 2015-16 and BE at 2.75% and RE at 3.09% in FY 2016-17. The BE for FY 2017-18 saw a further decline to 2.59% share for water and power sector in total development budget that plunged to 0.18% in RE 2017-18. The ministry of water and power was split into two, this seems to have been the cause of decline in revised budget in 2017-18. The government has earmarked PKR 62,026.495 million for fiscal year 2018-19 for the newly established ministry of water resources. This amount equals 5.38% of total federal development budget estimate for the said year. There have not been any allocations for power division in the development 'Demands for Grants' 2018-19 for now.

Pakistan is among the countries that are adversely affected by climate change. German watch, a German think-tank advocating for the prevention of dangerous climate change, ranked Pakistan as 7th most affected country to climate change in its Global Climate Risk Index 2018 report¹⁵. The climate change needs immediate attention of the government. The budget figures don't present an enviable picture about government's development investments for ministry of climate change. Only PKR 58.762 million was earmarked by the then incoming government in FY 2013-14; this amount was only 0.007% of the total development budget of the year. This allocation was not only reversed in revised estimates of the same year but no further allocation was made in BE or RE of the FY 2014-15. Year 2015-16 was the first year that saw some development expenditure related to climate change. Government allocated PKR 39.752 million equaling only 0.004% of total development budget. This allocation was revised the same year to mere PKR 11.521, equaling 0.001% of the total revised development budget. The next two years 2016-17 and 2017-18 the budget estimates and revised estimates have remained below 0.1% of the total development estimates, with maximum allocation in BE 2016-17 at PKR 1027 million. The situation has not changed in 2018-19, when the budget estimate for development in climate change remains PKR 802.699 million at 0.07% of total development budget estimated for the said year. Government has limited fiscal space, but within the available resources the government must reorganize its priorities to give climate change a better place in budget allocations. Budget is an important document that not only is required for the official record but is also very helpful in understanding government priorities and direction of development agenda. The budget books if accessed and analyzed by citizens can provide new dimension to public participation and transparency in functioning of the government. Now is the time that the budget no more remains a secret document or jugglery of numbers and becomes the reference book for development students and practitioners.

¹⁵ <https://germanwatch.org/en/download/20432.pdf>

History of Balochistan Assembly *(Continued)*

Brief Points:

- Balochistan was given the status of province on November 20, 1969.
- First general elections were held on December 17, 1970.
- The first session of Balochistan Assembly was convened in Town Hall on May 02, 1972.
- The Assembly of 1972 comprised of 21 members (20 men and 1 woman).
- The present building of provincial Assembly was inaugurated on April 28, 1987 by the then Prime Minister Mr. Muhammad Khan Junejo.
- In total 10 general elections have taken place so far.



	Year of elections	Number of members
1	1970	21
2	1977	43
3	1988-85	45
4	1990-1999	43
5	2002-till today	65

Basic facts about Assembly Hall		
1	Capacity of seats	72
2	Right side to the Official Box, seats for Secretaries	25
3	Seats for guests of Chief Minister	5
4	Seats right side to the Governor Box/Speaker Box	25
5	Seats in guests' gallery	168
6	Seats in press gallery	55

Chambers:

Chief Minister's Chamber , Speaker's Chamber , Deputy Speaker's Chamber , Leader of Opposition's Chamber , Women Member's Chamber , Ministers' Chamber

Assembly Business from 1972 till today

S.No.	Elected	Bills/Acts	Privilege Motions	Adjournment Motions	Govt./Private Resolutions	Questions
1	1972-1976	39	18	75	74	1130
2	1977-1977	-	3	-	5	270
3	1985-1988	20	15	17	73	1001
4	1988-1990	15	21	27	48	349
5	1990-1993	9	28	58	117	760
6	1993-1996	18	26	76	77	821
7	1997-1999	5	10	67	77	819
8	2002-2007	35	113	323	212	1567
9	2008-2012	41	01	19	77	255
10	2013 Till	58	9	74	70/91	339



Building of Provincial Assembly of Balochistan



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For feedback feel free to contact Editor at:

Ataturk Avenue (Service Road), F-5/2, Islamabad

Email: research@pips.gov.pk

Web: www.pips.gov.pk

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