

**Analyzing the Dynamics of the Parliamentary
Legislation Process in Pakistan.**



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CERTIFICATE

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Dedicated to

My Dearest Parents, Siblings, and Family

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We have the pearl of our eyes to admire the blessing of the compassionate and omnipotent because words are bound, knowledge is limited, and time is short to express His dignity. It is one of the infinite blessings of Almighty Allah that He bestowed me with the potential and ability to complete the present work and make a material contribution to the deep oceans of knowledge. I avail myself of this opportunity to bow my head before Allah in humility who has given me the wisdom and perseverance for completing this piece of report. I invoke peace for the Holy Prophet Muhammad (peace be upon him) who is forever a torch. I feel highly privileged to ascribe the most ever-burning flame of my gratitude to Ms. Lubna Hasan who gave me the guidance to do my work in the best possible way.

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Abstract

The Parliament has a significant role in determining a country's legislative structure and in guaranteeing its democratic administration. By employing a qualitative research design, the present study explores the intricacies of the legislation of the Parliamentary system of Pakistan and the role and challenges it grapples with. It gives particular attention to how new legislation is framed and implemented, how officials adhere to the law and procedures, and explores the roles of legislators in the process. Based on the interviews conducted with the legislation experts, policy-makers, and member parliamentarians, insights are provided using thematic content analysis. Further, it also includes a comparative analysis between India and Bangladesh to get a clear picture of legislation in these South Asian nations.

The study findings highlighted significant deviations from the legislative norms and standards including the direct political influence on the legislation process and multiple attempts to control the parliament by Pakistan's executive branch. Such interventions erode the Pakistani Parliament's independence and decision-making powers. The study proposes various policy suggestions such as improving the efficiency, accountability, and credibility of the parliamentary system of Pakistan to uphold democratic rule. These suggestions will help in strengthening the function of parliamentary committees, controlling and supervising the government, restricting non-political interference, and increasing parliament's openness & the public's indirect engagement in the legislation while learning from other regional partners. However, to simplify the legislative process, to understand the legislative process, and to make the above policy suggestions effective, training and instructional seminars for members of parliament are needed.

Chapter 1

Introduction

1.1 Background

Law Making is considered an important pillar in the contemporary legislative paradigms (Munir, 2021). The legislative issues of the present era require the creation of regulations that address contemporary challenges. The most powerful legislative power in Pakistan is the Parliament, conveying the people's will in a democratic, multi-party Federal Parliamentary System (FPS). It is responsible for creating laws for the Federation within the scope of the Federal Legislative list. Among these, laws, resolutions, and other motions that members consider necessary might be introduced during private members' business through a wide range of parliamentary processes, such as standing committees, arguments, moves for suspension, and question hours (Malik, 2017). In Pakistan, bills that fall under the Federal Legislative List are introduced in either the National Assembly (the lower house) or the Senate (the upper house) as part of the legislative process. Once a house approves and passes a bill, it is then forwarded to the other house. The bill is sent to the president for assent when the second house passes it with no amendments. A joint session of both houses is called if the second house rejects the bill or fails to pass it within ninety days. If the bill passes by the joint session with a majority vote, it is then sent to the president for approval.

A common problem in Pakistan's parliamentary procedure is that proposals are often approved without significant debate. Moreover, certain laws even disappear before they get to the president's approval stage (Gurmani, 2022)¹. Such circumstances raise concerns regarding the operation of important institutions constituted for the public interest. The present study aims to address such concerns by identifying causes, evaluating the current legislative processes, and proposing measures to enhance accountability within Pakistan's legislative framework.

From a theoretical perspective, Pakistan adheres to the principles of democracy, in which the people hold supreme authority and representatives are elected to represent the country (Khan and Khan 2023). However, the inaccuracy appears to be driven by a lack of cooperation between the government and the opposition, which separates the general people from the laws that affect them. The governing body of parliament often disguises the lines between the legislative and executive branches, causing the two to join rather than be completely separated (Pasha et al. 2015). This

¹ On the 3rd of January 2023, Human Rights Minister, Shireen Mazari, raised concerns over the disappearance of the "Missing person's bill". The bill was passed by the National Assembly. However, it was not presented in the Senate due to some unspecified reasons (Gurmani, 2022).

fusion in their functions occurs because the executive, typically led by the Prime Minister and the cabinet, is formed from members of the parliament, making them directly accountable to the legislature. As a result, the government prioritize legislative support over independent governance, which can weaken the effectiveness of legislative oversight.

To run the parliament according to the constitution the supreme court intervenes to ensure the rule of law. For instance, Article 63A of the parliamentary system restricts the ability of MPs representing a single party to oppose or discuss policies. The Supreme Court made a historical modification in the constitutional development of Pakistan while interpreting Article 63A (Shah, 2022).

This article restricts a member of the assembly to go against the party, if he or she composed of a single political party in a House resigns from membership of his party or joins another Parliamentary Party. Most significantly, in case of a vote of no-confidence.

This system can restrict the ability of MPs representing a single party to oppose or discuss policies. Moreover, it is likely to contribute to the weakening of parliamentary democracy or freedom. Because of this, it failed to elicit significant resistance from the other party and reduced the extent of resistance within the dominant party, which hinders its crucial responsibility in parliamentary discussion and oversight. However, this interpretation can also stop horse trading in the assembly as the MPs are unable to go against the parliamentary party.

To avert incidents of unfortunate incidents happening in our esteemed institutions and comprehend the procedures for the introduction and adoption of new legislation in both houses of the parliament in Pakistan, and how such changes have affected the general public or community and to what extent they have brought positive or negative impacts, a research study has to be carried out to establish some of the causes, the current situation, and suggest measures for improvement of the legislative activity accountability. The present study aims to address the stated gaps by identifying causes, evaluating the current legislative processes, and proposing measures to enhance accountability within Pakistan's legislative framework.

1.2 Statement of Problem:

Over the past five years, I have become interested to work on the parliamentary system because of important events like vote of no confidence against a sitting Prime Minister, diversion of supreme court decision (such as holding election in Khyber Pakhtunkhwa (KP) and Punjab), and increasing

political instability in the country. These factors have deepened my interest in understanding how parliament functions.

Over the years, Pakistan's parliament, the central body to enact laws and the process of legislation, has lowered its position in the eyes of the public since it is alleged to be a source of political volatility. There is a disconnect between the objectives of bills and the way they are assessed; hence, the laws face multiple issues at various times. As a result, multiple bills are unable to achieve their objectives. Restoring confidence in the parliament's ability to pass laws that benefit society requires a thorough investigation to pinpoint the main difficulties and provide proposals for a more accessible, effective, and understandable legislative process. This study aims to conduct the stated investigation.

1.3 The Objective of Research:

1. To comprehend the procedures for the introduction and adoption of new legislation in both houses of the parliament in Pakistan.
2. To investigate the extent to which specific procedural elements in Pakistan's legislative system are followed.
3. To understand the role of legislative members in ensuring that the due process is followed.
4. To conduct a comparative analysis of the legislative process in Pakistan with India and Bangladesh.

1.4 Research Questions

- 1) What are the procedures for introducing and adopting new legislation in the parliament of Pakistan?
- 2) How the *de facto* do practices measure up to the *de jure* process of legislation
- 3) What is the role of members of both houses in ensuring that the new legislation is passed/adopted after following due process and what flaws are in Pakistan's legislative process?
- 4) What practices are followed in Bangladesh and India's legislative process and how do the legislative processes in Pakistan compare to those in India and Bangladesh?

1.5 Conceptual Framework

Parliamentary democracy is the kind of governance system in which power is transferred and responsibilities are defined. It is more easily understood when agency theory is applied, which

helps illustrate the nature of the circumstances that lead to the emergence of democratic agency problems. Some advantages of parliamentary democracy include simplicity, relying on indirect rhetoric, and encouraging hard work in the outcomes (Strøm, 2000).

The neo-institutional theory is a widely accepted theoretical approach used to analyze the activity of an organization vis-a-vis other organizations, and the larger society at large within the scope of cultural and philosophical values that exist across the society. Thus, public relations may be viewed as a consciously organized activity that works by the stipulated activators, regulations, standards, and values. Communication plays a vital role in understanding organizations, institutions, and society as a whole as considered in neo-institutionalism (Fredriksson et al., 2013). This paper aims at developing a conceptual framework for analyzing the parliamentary legislative activities in Pakistan on the basis of Agency Theory and Neo-Institutional Theory. Agency theory explains the circumstances under which agency costs like MPs' acts and relevant constituents' interests' divergence can emerge and sheds light on the parliamentary democracy as a delegative and responsive structure. This theory helps to focus on the difference between the actual legislative decisions and the actions people take. Stressing the importance of communication in constructing institutional behavior, Neo-institutional theory offers a background of how specific cultural requirements and regulatory pressures influence organizational behavior. Using an integration of several ideas this framework is designed to explore how procedural irregularities, political interference, and functions of parliamentary committees' impact on the legislative process and government in Pakistan.

1.6 Significance of the Research:

Over the years, Pakistan's parliament has been trailing down its prominence in the general public since it is alleged to be a source of political volatility. There is a disconnect between the objectives of bills and the way they are assessed; hence, the laws (even if passed) face multiple issues at various times. As a result, multiple bills are unable to achieve their objectives. This study will provide insights on how the parliament functions to pass laws that benefit society and conducts a thorough investigation to pinpoint the main difficulties and provide proposals for a more accessible, effective, and understandable legislative process.

It helps to identify areas that cause hurdles and delays as well as to examine how rules are bypassed at times to legislate on important subjects in haste. Overall, it can help in improving the decision-making process in our country smoothly and transparently.

1.7 Research Gap:

Research on the legislative process in Pakistan is sketchy at best, usually focusing on its substantive comparison with that of other countries. It is unclear how the process unfolds on the parliamentary floor and how the legislators perceive and engage in the entire process. It is pertinent to note that legislation is a complex phenomenon, involving drafting, reviewing, and deliberation in parliament, and given that rules can be complex and difficult to understand. Given this inherent complexity, how the process pans out in an environment where legislators have different political leanings deserves a thorough investigation. This study intends to fill this gap.

1.8 Organization of the Thesis

This study is organized into six chapters, beginning with Chapter One (Introduction), which provides an overview of the study, including its background, statement of problem, research objectives, theoretical framework, significance of study, and research gap. Chapter Two is the Literature Review where existing research is critically examined relevant to the topic and identifies gaps in the literature. The methodology of this study is discussed in Chapter Three, including the research design, data collection methods, sampling techniques, and thematic analysis procedures. Chapter Four focuses on a comparative analysis of the three countries (Pakistan, India, and Bangladesh), highlighting key similarities and differences regarding the parliamentary legislation process. The thematic analysis is then done in Chapter Five, identifying and exploring the core themes and sub-themes emerging from the data. This provides an in-depth interpretation of the findings to understand the underlying barriers and issues in the parliamentary legislative process. Finally, Chapter Six covers the Conclusion and Recommendations of the study.

Chapter 2

Literature Review

Law Making is considered an important pillar in the contemporary legislative paradigms (Munir, 2021). The legislative issues of the present era require the creation of regulations that address modern challenges. The evolving role of modern parliaments shifted from legislative bodies to institutions mainly focused on the government's legislative agenda. Traditionally viewed as key players in policymaking, parliaments are now more often recognized for their influence on policy, rather than direct involvement in its creation (Bräuning and Debus, 2009).

During legislative debates, MPs articulate their opinions, rationales, and voting choices to various stakeholders, including the public, media, and party members (Rasch, 2011). This Literature Review explores the legislative procedures and the extent of procedural adherence within Pakistan's parliament, alongside a comparative analysis with the legislative processes in India and Bangladesh. Moreover, it explores the roles of legislative members, assessing how effectively they ensure that due process is followed, and examines existing flaws within Pakistan's legislative framework. Additionally, it explores the dynamics where legislative bodies might resort to empowering certain members to advance controversial legislation, reflecting the complexities and challenges within the legislative process (Cox, 2006).

The National Assembly and Senate are the two houses that make up Pakistan's bicameral legislative body. Pakistan relies on parliamentary democracy, which is a form of representative government in which citizens of all provinces elect qualified politicians to the assembly rather than leading personally. The prime minister is the head of government, whereas the president, who is "elected by an electoral college," indirectly is the head of state (Akram and Azhar, 2020). The 342 members of Pakistan's national parliament, frequently referred to as MNAs, are representatives selected through democratic processes. 272 of the 342 members have been selected by direct election, while 70 seats were reserved for women and members of religious minorities. The assembly members serve the various political parties that participated in the elections.

Parliamentary democracy is a form of government where citizens elect their representatives to the parliament who then choose their leader, the prime minister. Parliament passed legislation, developed policies, and made crucial decisions that affected the nation's progress. Pakistan has had multiple stages in which it implemented various forms of democracy. In 1962, Pakistan possessed a presidential democracy during Ayub Khan's reign (Mustafa et al., 2021). He adopted

the presidential form of administration. A significant type of government is presidential democracy, in which the president is one of the nation's strongest individuals. The president is in control of all authority. The president chooses the national assembly members. The position of chief executive is chosen directly by the people. The president, however, is separate and distinct from the legislative.

In Western countries, the development of democracy took many years. The advanced level of democracy that currently exists in Western nations is present.

As per Article 90 of the Constitution, the executive power of the Federation is vested in the Federal Government. This government consists of the Prime Minister and the Cabinet of Ministers who act through the Prime Minister. The Prime Minister serves as the Chief Executive of the Federation and exercises the power of executive in the name of the President. The Cabinet Ministers are selected from the members of both chambers of the legislature. The Cabinet is collectively accountable to the National Assembly, which appoints the Prime Minister, as per Article 91(4) of the Constitution. However, the sum of Senate-affiliated Cabinet ministers cannot exceed 25% of the total number of federal ministers. A person is not qualified to be elected President unless they are a Muslim who is not less than forty-five years old and qualified to be elected to the National Assembly, as per Article 41(2) of the Constitution. Representatives of the provincial assemblies of Parliament constitute the Electoral College which elects the president for a term of five years (National Assembly of Pakistan, 2023). The President occupies the office of head of state. The leader of the party with the most votes in the National Assembly usually takes the position of Prime Minister, who serves as the head of government.

A significant challenge in Pakistan's legislative process is the lack of transparency, notably observed in the recent controversy surrounding the Pakistan Media Development Authority Ordinance, 2021. This issue concerns the lack of accessibility to legislative information, brought to light by the draft ordinance circulating on social media before any official acknowledgment. Subsequent protests, both within the red zone and in public spaces, highlighted concerns about certain provisions in the draft (Mehboob, 19, 2023,) . Despite public awareness, the government officially denied the existence of the draft, creating a notable discrepancy. This situation underscores the urgent need for enhanced transparency in legislative proceedings, emphasizing the importance of clear communication between the government and the public on legislative matters. According to a report by FAFEN (2023), the Ministry of Parliamentary Affairs has been requested

to clarify the whereabouts of the Criminal Procedure (Amendment) Bill, 2022. The bill was approved by both houses of parliament, but unfortunately, it has gone missing. The citizens are concerned about the transparency and accountability of their legislative processes and want the ministry to stress their importance. The Ministry of Parliamentary Affairs is expected to follow the Rules of Business in this regard (FAFEN, 2023). The Ministry of Parliamentary Affairs, as per the Rules of Business 1973, is responsible for sending approved bills to the President. However, the Code of Criminal Procedure (Amendment) Bill, 2022, is strangely missing from the official websites of the National Assembly and the Senate. FAFEN and PILDAT have raised concerns about this, emphasizing the need for the Ministry to quickly address the issue in the interest of transparency and accountability.

Article 63A operates as a parliamentary tool that facilitates correspondence among members of the National Assembly or Provincial Assembly and their political parties. Members are forbidden to act against the purposes of their party under this rule. To be more specific, a member of a Parliamentary Party may lose their membership status if they leave the party or join one that represents another political party in the House. Furthermore, in the event of a vote of no confidence, the Party Head declares a member to have defected if they refuse to follow party policy on important issues (Shah, 2022). The declaration is delivered to the Presiding Officer; nevertheless, on the condition, the Party Head shall provide the member with a chance to object. The sense of unity between members and the parties they represent is safeguarded by this arrangement, which strengthens the parliamentary system's shared element.

Khan (2020) states that the legislative system in Pakistan has its flaws. However, the real issue lies in the attitude of the parliamentarians. The system seems to be unsuitable for a less educated population, as a significant number of parliamentarians lack awareness of policymaking and its role in shaping the state. This is a discouraging aspect of the system. Moreover, the legislative process is intricate and convoluted, requiring several steps to transform a bill into law. This complexity adds a layer of challenge, making it harder for effective and informed decision-making within the legislative framework.

The President dissolved the 15th National Assembly on August 10, which was three days before the end of its 5-year term, leading to a 30-day extension of the General Election. This decision has raised concerns about the timing of the next election and has exposed vulnerabilities in Pakistan's democratic framework. The 15th Assembly passed 279 legislations during its tenure, but recently

hurriedly enacted laws, criticized for undermining constitutional principles, mark a 45% increase compared to the preceding 14th Assembly (PILDAT, November 19, 2023). The abrupt dissolution and legislative developments are causing concerns about weakening, rather than strengthening, of democratic institutions. The upcoming General Election and the overall health of democratic processes are now in question.

During the five-year term of the 15th National Assembly, there was a notable 21% decrease in productivity. The Assembly only worked for 1245 hours during this period, which averaged 249 hours per year. This was a decline from the previous Assembly's average of 315 working hours per year. Taxpayers had to bear the cost of approximately PKR 24.23 million for each of the working hours over these five years. Throughout the PTI-led reign, Prime Minister Imran Khan's approach toward the opposition was marked by personal differences and a restrictive stance, hampering consensus-based legislation. The opposition, in turn, engaged in agitations and confrontations rather than substantive policy positions or necessary reforms (PILDAT, November 19, 2023).

2.1 Legislative process

To convert a proposal into law in Pakistan, a specific process is defined by the country's Constitution and Parliament rules. The procedure involves around twelve or thirteen steps, and both houses of Parliament must agree on the bill, followed by the President's approval, unless it is a money bill, which only the National Assembly can handle.

- **One Origination of the Bill:** A bill, which is a proposed law, can originate in either house of Parliament.
- **Approval in the First House:** If the house where the bill began approves it without changes, it goes to the other house.
- **Review by the Second House:** The bill is examined by the second house. If there are amendments, it is sent back to the first house.
- **Final Approval:** If the bill and any amendments are agreed upon by both houses, it is then presented to the President for approval.
- **Special Case: Money Bills:** Money bills, related to finances, are solely the National Assembly's responsibility.

2.1.1 A Bill Types and Structures

There are two primary categories of bills in Pakistan: bills introduced by private members and bills by the governing body. Individual members of Parliament submit private lawmaker bills, while ministers put forward government bills. Both types of bills can be passed with a simple majority. Bills are also classified based on their subject matter. For example, there are laws aimed at amending the Constitution. This legislation can be introduced in either chamber or must be approved by a two-thirds majority in both chambers. A constitutional bill that seeks to modify provincial borders must be approved by the Provincial Assembly and endorsed by two-thirds of the total members before being submitted for approval or confirmation by the President.

Furthermore, there is a special kind of bill called a money bill. These are government laws that explicitly come from the National Assembly and deal with revenue and expenditure issues. A bill or amendment qualifies as a money bill under Pakistan's Constitution if it deals with any or all of the following issues.

2.1.2 The Pakistani Constitution states that a law is deemed a money bill if it addresses any of the following issues:

- a) The program, removal, decrease, modification, or oversight of any tax.
- b) Carrying out loans, issuing guarantees as part of the federal government, or altering legislation concerning financial obligations.
- c) Holding custody of the Federal Consolidated Fund and performing payments into or withdrawal from it.
- d) Imposing a charge on the Federal Consolidated Fund or eliminating, changing, or adding to any current charge.
- e) Money acquired as an outcome of the Federation's Public Account, its custody, or the issuance of it.
- f) A review of a provincial or federal government's financial statements.
- g) Any subject related to the topics listed in the paragraphs above.

In cases of dispute, the Speaker of the National Assembly has the final say on whether a law qualifies as a money bill. It is important to note that the National Assembly has the authority to approve money legislation with or without the Senate's recommendations.

2.1.3 Process Overview

In Pakistan, a federal bill must pass through three readings in both the National Assembly and the Senate until it becomes law. This is a summary of the basic steps:

2.1.3.1 *First Reading, Schedule of the Day, and Introduction:*

- A bill is introduced to begin the legislative process. Either the Senate or the National Assembly may begin discussing any issue that is included in the Federal Legislative List.
- As per the Rules of Procedure of the National Assembly, a minister must present the measure. The bill must pass through several readings and stages after this first one to become law. Before final approval, the three readings in both chambers offer chances for thorough examination, consideration, and possible changes (National Assembly of Pakistan, 2023).
- Laws Abusing Islamic Rules

A National Assembly member in Pakistan has the power to object to a federal bill before it is read for the first time by stating that it is "opposing to the Orders of Islam." If any objection related to Islamic law (Shari'a) is raised in the National Assembly, the Council of Islamic Ideology can be consulted. The Council advises the Assembly on matters related to Islamic law as per the constitution. A vote backed by at least two-fifths of the Assembly members is required to initiate the consultation process.

Article 227 of Pakistan's Constitution compels every law at present to be on Islamic precepts found in the Holy Quran and Sunnah. Furthermore, if a law contradicts these injunctions, it should not be passed. In cases where a proposed law is not obvious as to whether it conforms to Islamic law, the President, the Governor of a province, or a House or Provincial Assembly can refer the question to the Islamic Council for advice according to Article 229, over a request from two-fifths of its members.

If the National Assembly believes that the prompt approval of a bill is essential for the public's best interests, it can proceed with the bill without waiting for the Islamic Council's advice. However, if the Council notifies that a law passed by the Parliament is not by Islamic principles, the responsible Minister must act within seven days after receiving the Council's recommendations.

2.1.3.2 Select Committee Steps:

- To examine bills, the National Assembly can set up select committees.
- These committees have the authority to look at the entire bill or concentrate on specific changes or parts.
- The National Assembly obtains the committee's final report.

2.1.3.3 Second Reading:

- A measure is viewed clause by clause in its entirety during the second reading that follows its progression.
- The Speaker has the authority to determine whether the changes proposed by the members are acceptable or not.
- The Speaker can call each clause on their own. Once modifications have been discussed, a vote is held to determine whether each section should be part of the final measure.

2.1.3.4 Third Reading and Bill Approval:

- The minister who filed the bill could move for its passage if the motion to consider it is adopted and no changes are made.
- At this stage, only substantial or important modifications can be made.
- At the moment, the discussion focuses on broad defenses or criticisms of the measure.

2.1.3.5 Repeating in Other House:

- A law that succeeds one house (the National Assembly, for instance) proceeds to the other house (the Senate), where it is approved.
- The other house's legislative process, including committee reviews, readings, as well as debates, resembles that of the first.
- The previously mentioned process ensures an in-depth examination of proposed legislation in both chambers of Parliament before its passage.
- Acquiring Presidential approval is the final phase in the process of making a bill a law in Pakistan. This is a simplified explanation:

2.1.3.6 Presidential Endorsement:

- The President must provide assent to a bill within ten days of it being presented to him or her once it has completed all stages in both chambers of Parliament.

- The President can decide to send the legislation back to the Majlis-e-Shoora (Parliament) with a message if it is not a money law. The message could mention particular modifications and ask for reconsideration.
- Once a bill is passed, it is then examined by the Majlis-e-Shoora in a joint session. If a majority of the members present and voting passes the bill again, with or without suggested revisions, it is then forwarded to the President for further action.

Upon the bill's re-passage, the President needs to provide assent within 10 days. The assent is considered to have been authorized if the President does not act in this manner. The final stage ensures that the President approves the legislation before becoming an Act of Parliament. (National Assembly of Pakistan, 2023).

2.2 Indian Parliamentary

Parliament exercises control of delegated laws primarily through the laying procedure and scrutiny committees. However, in countries such as India, this level of supervision is sometimes theoretical only (The Indian Forum, 2022). The Indian Parliament is one of the stable regional parliaments in the region. However, it faces challenges in effectively monitoring delegated laws due to constraints in terms of time and experience. The executive branch has a significant influence on legislation, hence impeding Parliament's ability to effectively scrutinize and analyze it. As the number of delegated laws grows, the authority of Parliament to create laws diminishes, resulting in a rise in the power of the bureaucracy. The level of parliamentary control in India is characterized by inconsistency and is mostly driven by political factors, with a lack of continuous opposition. In addition, Parliament is unable to effectively scrutinize legislation due to its intricate nature and large quantity. Even though the Indian constitution is quasi-federal and power is divided between the center and states the country has not accepted the need for legislation to check legislation over delegation (Das, 2024).

In India, the theoretical and actual differences emerged in the form of multiple tension between central and state powers. While the Constitution theoretically supports a balanced distribution of authority, practical implementation often reveals a tendency for the central government to act unilaterally. Initiatives like the electronic National Agricultural Market (e-NAM) require state compliance, yet many states have been slow to reform their APMC Acts. This shows the disconnect between legislative intent and its practical implementation. Moreover, it highlights the need for alignment between central policies and state interests.

In India, there is a concerning pattern of diminishing time allocated to the discussion of bills in Parliament (35% of the total time allocated for the debates is utilized) (Patel, 2020). The MPs do not play their full role to study bills and participate in healthy debates on budgets and allocations of funds. Consequently this has resulted in the passage of measures with minimal thought and consequently, the formulation of weaker policies (Kumar, 2023). The lower percentage of parliamentary time devoted to legislative debate over time clearly shows this reduction; some sessions pass much fewer measures than in past years. Budget scrutiny has also suffered; less time has been set for debating fiscal issues, therefore compromising Parliament's capacity to hold the administration responsible and guarantee good legislation. This trend highlights generally a worrying drop in parliamentary debate and discussion, therefore undermining Parliament's capacity to carry out its constitutional obligations.

However, the bicameral systems of India reflect different interests and have shared traits or venues vis a vis Pakistan. While lower houses personally reflect the people and impact laws, upper houses like Pakistan's Senate, play vital responsibilities in defending regional interests and minority rights. These organizations, however, run upon problems including parliamentary deadlock and the need for inclusive representation. Reform ideas try to solve these problems and improve effectiveness. The current Lok Sabha has been advancing rapidly, having passed more than 100 laws by the midpoint of its five-year mandate. In comparison to the previous Lok Sabha, which passed 133 laws during its entire tenure, this pace is noteworthy. Although the government regards this rapid tempo as decisive, prioritizing speed over thoroughness can lead to lower-quality laws that fail to achieve the desired effect. This issue is also exemplified by The India Forum (2022). It discusses the intricacies and obstacles that India encounters in its legislative process, such as the complexity of laws, political opposition, and influence of interest groups, low attendance by MPs, and the absence of public participation. The seamless passage and effective implementation of legislation are impeded by these obstacles, which have an impact on public trust and governance. Despite the implementation of reforms such as electronic voting, time-bound legislation, and public consultations, it is imperative to foster greater public involvement, improve bureaucratic efficiency, and foster greater collaboration between political parties to resolve these issues. Furthermore, the legislative process is characterized by the necessity for balance and accountability, as the responsibilities of the executive and judiciary are emphasized. The potential for development and reform in India's legislative system is underscored by comparisons with other

countries, such as the United States and the United Kingdom, which demonstrate both similarities and differences in legislative challenges (The Challenges of Passing Bills in India, 2023)

Abraham Lincoln's renowned representation of democracy as "government of the people, by the people, for the people" necessitates qualification concerning representation. In representative democracies, the authority to enact laws is vested in elected representatives, rather than the populace directly. Laws are enacted with the consent of a majority of these representatives. The legitimacy of this system is derived from the equitable distribution of voting power among citizens, which is achieved through the principle of "one person, one vote." Consequently, representative democracy is characterized by the absence of direct political action by the populace, as their elected representatives instead administer it. The Indian Constitution establishes a parliamentary democracy, in which the legislature is accountable to the electorate and responsible for law-making. Although the Constitution does not expressly mandate deliberation in the legislative process, Parliament has inherent deliberative mechanisms that facilitate the establishment of consensus through discourse among representatives, a process known as "elite deliberation." Some elements of public consultation have been incorporated during legislative scrutiny, despite the absence of specific provisions for public participation in the legislative process (Parashar, n.d.). Nevertheless, the 73rd Constitutional Amendment establishes Gram Sabha as a mechanism for substantial public participation in executive decision-making and at the local level. Even though these measures improve participatory governance, they are restricted to specific areas and levels of decision-making. Conversely, certain jurisdictions, such as South Africa, have constitutional mechanisms that require public participation in the law-making process.

Amid raucous protests by the opposition in both chambers of parliament, measures are quickly submitted and passed by the government in minutes, contrary to the traditional procedure of lengthy discussion and inspection. Previously, key laws were thoroughly examined by standing committees, which included stakeholders and specialists, resulting in improved legislation. However, the current pattern of passing measures in a hurry, under confusion, weakens the sanctity of legislation. Passing bills without sufficient discussion increases the danger of preserving damaging provisions and may result in terrible laws that damage citizens. Despite opposition disruptions, adopting measures without discussion violates constitutional provisions and parliamentary norms, which may necessitate judicial intervention. The constitutional framework and parliamentary norms require comprehensive discussion and review of bills to ensure

legislation serves citizens' demands and promotes democratic principles (*Passing Bills Without Discussion Recipe for Bad Laws, Invites Judicial Intervention, 2023*).

The recent accelerated passage of a key constitutional reform during Parliament's winter session exemplifies a shift from the long-standing tradition of careful review and debate. While the founding fathers envisioned flexibility in the constitution, they also established safeguards, requiring a two-thirds majority in both houses for constitutional revisions. This protection was implemented by parliamentary procedures, which require a careful tally of votes for such bills. However, recent trends indicate a decrease in the number of laws referred to parliamentary committees for review, with only 26% of bills in the 16th Lok Sabha undergoing such investigation, compared to 71% and 60% in the 15th and 14th Lok Sabhas. The shrinking role of committees weakens the rigorous analysis required for good legislation. Individual MPs may request committee scrutiny, but without widespread backing, such ideas frequently fail. This lack of parliamentary oversight poses a serious threat to democracy, making the legislative process vulnerable to government expediency and political pressures. In a vigorous democracy, the sanctity of the legislative process should be safeguarded, ensuring that laws are thoroughly examined by Parliament to bridge the gap between legislative intent and government implementation (*Articles by PRS Team, 2023*).

The Lok Sabha, which is intended to make and represent policies, faces challenges due to procedural limits, party dynamics, and membership composition. While it is responsible for government oversight, social party polarization and the transfer of legislative power to the executive limits its effectiveness. MPs' generalist nature, along with waning interest and time restrictions, limits their capacity to contribute substantially to lawmaking (Manisha, 2015).

Coalition politics complicates the process, frequently resulting in choices taken outside of formal frameworks. Despite greater electoral participation, the Lok Sabha's focus has switched from symbolic representation to theatrical discussions, reducing its legislative significance. Addressing these issues is critical for improving the efficiency and credibility of India's legislative system. Despite the diminishing competence of Parliament particularly in the making of laws, it is not completely dead in India. Instead, it shows the lack of connection between the process of election and the legislative duties. Originally, the role of Parliament was in law-making, checking the Executive, and debating. Nevertheless, due to the democratization of the political processes, the growth of the people's electoral turnover, and the new political parties' appearance on the scene,

there have been modifications. New leadership has changed in interpretation of Parliament's tasks, putting into the forefront its role as a representative body rather than focusing on a rational and effective law-making process and the control over the executive power. This change speaks a lot of the ails of the parliamentary system at large.

Hence, this paper will discuss the achievements and concerns regarding the 17th Lok Sabha, spanning from June 2019 to February 2024. Charges of the legislative or parliamentary hurry or expediting and insufficient scrutiny have been raised despite the conduct of 274 sessions equivalent to around 1,354 hours with a good work output of around 97%. Favorable progressive advances include the adoption of critical Acts like the Women's Reservation Bill and the J&K Re-organization Bill. However, there are issues that concerns are raised due to 'Incompletion of the parliament sessions convened.' Among the 15 sessions that took place during this Lok Sabha, there are only 11 sessions that were fully completed showing the lack of session frequency. Also of great concern is the fact that the House has not had a Deputy Speaker for the entire year, and more so how bills are processed barely with any scrutiny 58% of the bills passed within two weeks of their introduction; 35% passed with less than an hour of debate. In addition, the shortening of time spent on the budget discussions coupled with a severe security violation that was observed during one of the sittings on the 13th of December 2023 are the worries of the 17th Lok Sabha.

These issues have serious consequences, including eroded institutional credibility, reduced accountability, weaker representation, poor policy quality, and the continuance of corruption. To address these concerns, initiatives such as increasing openness, boosting member quality, encouraging cross-party collaboration, strengthening scrutiny support, and enforcing conduct standards are proposed. Finally, a comprehensive strategy for political and economic transformation is required to improve democratic functioning in India (*Functioning of 17th Lok Sabha, 2022*).

Members of Parliament represent the people and are responsible for communicating their concerns and issues to the country's leaders. However, recent disruptions during the winter session of Parliament have provoked heated controversy, particularly given the huge financial losses caused. The interruption during this session resulted in a stunning loss of Rs. 144 crores, or Rs. 2.5 lakhs per minute, for the exchequer. This waste of public money calls into question the effectiveness of Parliament's operations. In the middle of the mayhem, Shri Jai Panda, a Biju Janta Dal politician, made a stand and refused to take his November and December salaries. He emphasized the lack of

major social work for the country's population during these months, as well as the Parliament's productivity, which has considerably decreased in recent sessions. Specifically, he pointed out that the winter session saw about 90 hours of disruption, compounding the financial strain on taxpayers (Jagranjosh, 2017).

On February 10, 2024, the 17th Lok Sabha concluded its final session, having passed a total of 221 Bills during its tenure. Of these, 42 Bills were related to budgets, while the remaining 179 Bills addressed a variety of other legislative topics. Nevertheless, the Rajya Sabha had 20 pending bills after the term, despite the productive legislative session. Furthermore, the Lok Sabha's dissolution will result in the expiration of four bills, one of which was enacted by one House but not the other (Menon, 2024).

2.3 Bangladesh Parliament

The Jatiya Sangsad, the current Parliament in Bangladesh, has its origins in the British parliamentary model, which has a profound historical significance. The current Parliament's foundation can be traced back to the Legislative Council of Bengal, which was constituted in 1861, despite being a unicameral political structure. At that time, there were few jurisdictions outside of Europe and North America that had established legislative institutions that were comparable. This enduring influence and adaptation of parliamentary principles within Bangladesh's political system are underscored by this historical continuity (Murphy, 2006).

The Bangladeshi Parliament also referred to as the Jatiya Sangsad or House of the Nation, is a unicameral entity that is composed of 350 members. Of these, 300 members are elected directly, while 50 seats are designated for women. The Legislative Council of Bengal, which was established during British colonial control, was the predecessor of the Parliament, which was established before Bangladesh's independence in 1971. Bangladesh has experienced a variety of governance structures since achieving independence. These include a multiparty parliamentary system that was modeled after the Westminster model from 1971 to 1974, a one-party presidential system that was implemented in 1975, and a multi-party presidential system that was implemented from 1978 to 1982 and 1986 to 1990. Before the multi-party parliamentary system was restored in 1991, military rule was in place for eight years between 1975 and 1990. Bangladesh's parliamentary democracy has been officially maintained, despite these fluctuations. Even though ten parliaments have been elected over the past four decades (1973-2014), only a small number have successfully served their full five-year mandates Nizam Ahmed (2016). The adoption of a

parliamentary form of governance is the fundamental and unique characteristic of the Bangladesh constitution. The Prime Minister and the Cabinet are the true executive authority in this system. The primary policymaking entity within this constitutional framework is the Cabinet, which is composed of the Council of Ministers. The Cabinet is the foundation of Bangladesh's current constitutional system, as this structure embodies the executive authority that the Prime Minister and their ministerial colleagues possess (Malek, 2016).

The Bangladesh Parliament allocated only 16.7 percent of its time during parliamentary proceedings to the formulation of laws, as per the most recent "Parliament Watch" report from Transparency International Bangladesh. In contrast, the 17th Lok Sabha of India devoted 45 percent of its time to comparable duties in 2018-19, while the UK Parliament spent 49.3 percent of its time on legislative affairs in 2019-20. The report examined 744 hours and 13 minutes of sessions from January 2019 to April 2023 of the 11th Parliament. During this period, 108 bills were introduced, with 96 of them passing, with an average time of almost one hour and 10 minutes per bill, excluding budget-related legislation. The "Voter List (Amendment) Bill, 2020" was enacted in the shortest amount of time, while the "Appointment of Chief Election Commissioner and Other Election Commissioners Bill, 2022" took the longest. Furthermore, the issue of inadequate quorum resulted in a 6.5 percent allocation of parliamentary time to resolve it, resulting in an average loss of 14 minutes and 8 seconds per working day. Quorum crises resulted in an estimated financial loss of approximately Tk 89.28 crore. The Executive Director of the TIB observed that the efficacy of Parliament is frequently impeded by the ruling party's overwhelming majority, which frequently results in unilateral power practices. He also emphasized the Jatiya Party's dual function in parliamentary activities, implying that it is not making a sufficient contribution to the Parliament's effectiveness (Report, 2023).

The legislative authority of the parliament is subject to judicial review in countries such as the United States, Bangladesh, and India, which are governed by written constitutions. In contrast to the United Kingdom, where parliamentary sovereignty has historically prevailed, these nations have constitutional provisions that establish the boundaries of parliamentary powers, such as Articles 7, 26, and 65 in Bangladesh's constitution. Judicial scrutiny may render any legislation invalid and unconstitutional if parliament surpasses these constitutional limits. Consequently, the constitutional framework in these countries imposes restrictions on parliamentary actions, thereby ensuring that they adhere to legal standards and prevent legislative overreach (Sobuj, 2021).

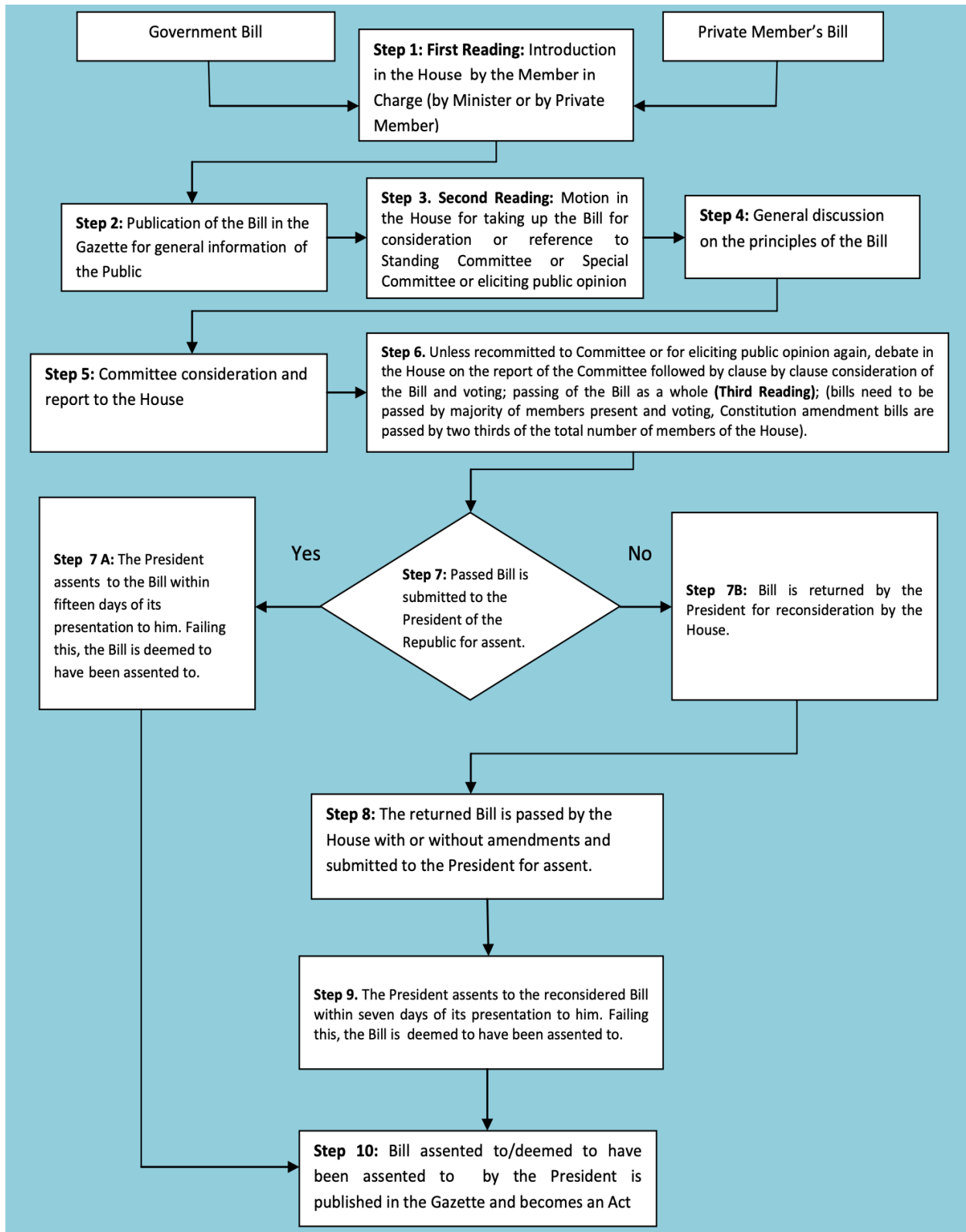


Figure 1: Overview of legislation

Following its independence from Pakistan in 1971, Bangladesh developed a parliamentary democracy to ensure people's sovereignty through a democratically elected legislature. The Constitution refers to this legislature as Jatiyo Sangsad or House of the Nation, but it is more frequently known as parliament. Bangladesh's parliament is unicameral, with 350 members: 300 are directly elected from geographical constituencies, and 50 are reserved for women, who are elected by the 300 members via proportional representation. Parliament has a five-year tenure that begins with its first meeting following elections, and the President has the authority to dissolve it at any moment if deemed necessary. The provision for 50 reserved seats for women will continue for ten years, beginning with the ninth parliament/Parliamentary year.(Biswas et al., 2021)

2.4 Key Takeaways from the Review of Literature

Several key points appear when investigating the legislative processes crossways Pakistan, India, and Bangladesh. Pakistan faces substantial challenges with legislative transparency and public engagement, as shown by debates like the Pakistan Media Development Authority Ordinance, 2021, which exposed a gap between public awareness and official acknowledgment. This issue underscores the need for greater access to legislative information and more operative public participation. India, while moreover stable and relatively well organized, also struggles with transparency and the scrutiny of delegated laws due to the considerable influence of the executive branch and procedural limitations. Despite these issues, the Indian Parliament establishes a higher level of legislative efficacy compared to Pakistan and Bangladesh. Overall, the comparative analysis highlights that India's parliamentary system, regardless of its difficulties, operates more efficiently than those in Pakistan and Bangladesh. Given this inherent complexity, how the process pans out in an environment where legislators have different political leanings deserves a thorough investigation. This study intends to fill this gap

2.5 Policy Context

The findings of this study can be useful in the creation of methodologies that can enhance simplicity, cooperation, and efficiency in parliament. Moreover, this study follows the neo-institutionalist approach (in contrast to the institutionalist approach that undermines the role of behavioral processes). This approach can help elucidate the processes taking place in the minds of

Pakistani lawmakers. The power provided accounts for political actors' connections and practical reasoning to gain a better understanding of the process of legislation and its determinants.

Chapter 3

Methodology

3.1 Research Methodology:

Research methodology comprehends the procedures and techniques used to classify processes and analyze information collected during a study. This research relies on interviews with members of Parliament and experts to gather primary data, which requires a particular procedure to understand the subject matter. The methodology makes the study valid and reliable both for readers.

This chapter plans the methodological framework for managing this study, including the research approach, sampling, sampling techniques, units of data collection, comparative analysis, and analysis techniques.

3.2 Research Approach

The study uses a qualitative research approach with a narrative research method. This approach pays significant attention on how new legislations are prepared and implemented, how procedures are observed and what are the responsibilities of legislative members, through interviews with MPs and other relevant policymaking and legislation specialists. Thematic content analysis of the insights provided by the respondents is carried out as well. Moreover, the comparison with India and Bangladesh is carried out which will help to comprehend the patterns of legislation in these countries. The reason for comparison is to generalize the findings as well as to highlight good practices followed in these countries (Adam et al., 2007). This approach introduces more refinement to the research as the aim is to develop a better understanding.

3.3 Sampling

This study aims to gather diverse viewpoints related to the legislation processes of Pakistan by engaging in thoughtful conversations. This requires compact and specific information related to the legislation. Such information can be provided by people with adequate experience in legislative procedures and policymakers. Thus, the target population for this study is Members of Parliament and people with adequate experience in legislative procedures and policy making. A total of fifteen interviews were conducted.

3.3.1 Sampling Technique

A purposive sampling technique is used to select the respondents. Purposive sampling is a non-probability sampling technique, which suits this research to ensure that each member is carefully

chosen based on their unique and relevant insights. The deliberate selection streamlines the data collection process, contributing to the precision and efficiency of the research. I mainly selected purposive sampling for focused insights into Pakistan's legislative process, but I also plan on the adoption of snowball sampling for a broader perspective.

3.4 Analysis Technique

The research employed thematic content analysis. Thematic analysis involves identifying recurring ideas or topics in conversations. The information gathered through interviews was used to identify recurring patterns, codified, and analyzed in common themes. This process helps uncover the central themes and important insights that people consistently talk about during interviews.

3.5 Units of Data Collection

The data was collected from both primary and secondary sources. The primary data was collected through in-depth interviews. Participants for the in-depth interviews were chosen from Members of Parliament belonging to different Political parties (PMLN, PPP, JUI F, PTI, BNP, NP, ANP, JI and PKMAP) as well as experts on legislative matters for their valuable experiences and insights. Since the National Assembly has completed its tenure and stands dissolved, ex-Parliamentarians were also interviewed. The aim was to gather diverse viewpoints by engaging in thoughtful conversations. For secondary data, government reports and research papers were used.

3.6 Comparative analysis

Comparative analysis of the different characteristics of the parliaments of Pakistan, India, and Bangladesh and the data sources are provided hereunder in Table 1:

Table 1: Comparative analysis

Units of data	Country	Source
Number of bills introduced	Pakistan	FAFEN
	Bangladesh	Transparency International Bangladesh (TIB)
	India	Lok Sabha Secretariat, Parliament of India
Number of bills passed	Pakistan	FAFEN
	Bangladesh	Transparency International Bangladesh (TIB)
	India	Lok Sabha Secretariat, Parliament of India
Average time to pass a bill	Pakistan	FAFEN
	Bangladesh	Transparency International Bangladesh (TIB)
	India	Lok Sabha Secretariat, Parliament of India
Percentage of bills with no amendments adopted	Pakistan	FAFEN
	Bangladesh	Transparency International Bangladesh (TIB)
	India	Lok Sabha Secretariat, Parliament of India
Percentage of bills with partial amendments adopted	Pakistan	Parliament Secretariat
	Bangladesh	Transparency International Bangladesh (TIB)
	India	Lok Sabha Secretariat, Parliament of India
Time spent on the budget session	Pakistan	Parliament Secretariat
	Bangladesh	Transparency International Bangladesh (TIB)
	India	Lok Sabha Secretariat, Parliament of India

3.7 List of Respondents

1. Members of the National Assembly are 10.
2. Members of the Senate are 5.
3. Legislation and policy-making experts are 3.

Chapter 4

Comparative Analysis

4.1 Five Years of Legislative Activity: India, Pakistan, and Bangladesh

This study analyses and contrasts the legislative operations of India, Pakistan, and Bangladesh over a period of five years. The study seeks to gain insights into the legislative productivity, procedural dynamics, and governance implications in various South Asian states by analyzing important indicators and trends. The analysis centers on the aggregate number of legislations enacted, the average duration of legislative procedures, the proportion of bills with changes, and involvement in pivotal legislative sessions such as budget deliberations. In this study, the following comparative approach will be applied to stress the similar processes and differences, as well as the changes in the patterns of parliaments. It gives a good view about the legislation of these countries.

4.1.1 Functioning of the 15th Parliament of Bangladesh (Jan 2019-24)

The average and the total numbers of committee meetings in the 15th Parliament of Bangladesh which was January 2009-2024 revealed an impressive legislative output and business-like behaviour. A total of 155 bills in one of the houses of parliament were considered and out of those debated, 155 bills were successfully passed. Each bill took on average sixty-eight minutes to be debated and passed in the House. Among these measures, 60 percent was taken without changes, and another 40 percent with cosmetic changes only. The budget session that comprised a total of 180 hours and 42 minutes represents the proportion of 21. Thus, the evaluation amount must not exceed 1 percent of the whole session duration. During this session, there was a strong emphasis on topics related to the budget and the need for approval. The appropriation legislation was expeditiously processed, taking around 5 minutes for each bill. Nevertheless, the ruling party had the majority share (88.3%) in budget negotiations, while the opposition had little involvement (8.0%), indicating that the dynamics inside the parliament influenced the legislative outcomes.

Table 2: 15th Parliament functioning of Bangladesh

Aspect	Figures
Number of bills introduced	155 (154 government bills, 1 private bill)
Number of bills passed	155 (154 government bills, 1 private bill)
Average time to pass a bill	68 minutes
Percentage of bills with no amendments adopted	60%
Percentage of bills with partial amendments adopted	40%
Time spent on the budget session	180 hours 42 minutes (21.1% of total session)
Average time to pass appropriation bills	Around 5 minutes
Members participating in budget discussions	88.3% ruling party and 8.0% opposition

Source: Transparency International Bangladesh (TIB)

4.1.2 Functioning of the 17th Lok Sabha (June 2019 February 2024)

The 17th Lok Sabha, which was in session from June 2019 to February 2024, was characterized by a strong focus on passing laws and efficient procedural operations. Throughout its term, a total of 179 legislations were successfully enacted, with a significant majority (58%) being passed within a fortnight of their presentation. The debate durations were significantly short, with less than one hour assigned for talks in both the Lok Sabha (35%) and the Rajya Sabha (34%). In the Lok Sabha, a total of 729 private members' bills were introduced, however, only two were deliberated upon, and none was approved. In 2023, the budget was approved without any discussion in 80% of cases, which indicates the difficulties faced by the legislative timetable. The functionality of the Question Hour, which is vital for oversight, was operational for 60% of the allotted time in the Lok Sabha and 52.5% in the Rajya Sabha. This highlights the legislative priorities and procedural efficiency.

Table 3: 17th Parliament functioning of India

Aspect	Figure
Total Bills Passed	179
Bills Passed Within Two Weeks	58%
Bills Passed Two Weeks to Two Months	31%
Bills Passed More than Two Months	11%
Debate Time (Less than One Hour, Lok Sabha (LS))	35% (out of 100%)
Debate Time (Less than One Hour, Rajya Sabha (RS))	34%
Private Members' Bills Introduced (LS)	729
Private Members' Bills Discussed (LS)	2
Private Members' Bills Introduced (RS)	705
Budget Passed Without Discussion (2023)	80%
Question Hour Functioning Time (LS)	60% of the schedule time
Question Hour Functioning Time (RS)	525 of scheduled time
Private Members' Bills Adopted (Both Houses)	None (0)

Source: Lok Sabha Secretariat, Parliament of India

4.1.3 Number of bills passed and time taken in each parliamentary year of the 15th National Assembly (2018-24)

During its tenure from 2018 to 2024, the 15th National Assembly of Pakistan exhibited fluctuating levels of legislative productivity and procedural effectiveness. During its inaugural year, the government successfully enacted 9 legislation, while a single bill proposed by a private member also received approval. Based on the foregoing, the following legislative achievements were enacted with the total of 302 hours and 48 minutes of sessions. There was a significant increase in productivity in the second year; A total of 45 government legislation and 2 private member's Bills were passed during the session that was for a total of 283 hours 39 minutes. Finally, in the third year, the government legislation of 48 bills and the private member's bills of 17 were passed for the total of 264 hours and 56 minutes of the proceeding. In the fourth year though there was slight decrease in the number of motions and activities, the house managed to pass successfully 25 government legislation and one private member's bill within 88 hours and 15 minutes. However, in the fifth year, such a level was somewhat higher: 77 total pieces of legislation, 67 private

member’s bills, enacted during the sessions that were 125 hours and 37 minutes in total. In its entire term, the assembly managed to pass a total of 223 bills Kaplan Government legislation and 99 Kaplan Private Member’s legislation. This shows the assembly’s preparedness for its legislative objectives as well as the proper scheduling of its sessions.

4.1.4 Number of bills passed each parliamentary year of the 15th National Assembly (2018-24)

Table 4: Number of the bills passed in the 15th parliamentary year of Pakistan

Parliamentary Year	Government Bills Passed	Private Members' Bills Passed
1 st Year	9	1
2 nd Year	45	2
3 rd Year	48	17
4 th Year	25	1
4 th Year	19	11
5 th Year	77	67
Total	223	99

Source: FAFEN

4.1.5 Time Taken (Total Duration of Proceedings)

Table 5 provides a snapshot of the duration of proceedings in the parliament.

Table 5: Duration of proceeding in the 15th parliamentary year of Pakistan

Parliamentary Year	Total Duration (Hours: Minutes: Seconds)
1st Year	302:48:00
2nd Year	283:39:00
3rd Year	264:56:00
4th Year	88:15:00
5th Year	125:37:00
Total	1064:15:00

Source: FAFEN

In Pakistan, there is a concerning pattern of diminishing time allocated to the discussion of bills in Parliament (from around 303 hours to 125 hours). Consequently, this can result in the passage of measures with minimal thought and the formulation of weaker policies.

4.1.6 Average Sitting Duration and Attendance Trends

Table 6 provides a snapshot of legislative productivity in terms of bills passed, the overall time spent in proceedings, and the attendance and sitting durations over the five-year tenure of the 15th National Assembly of Pakistan.

Table 6: Details of attendance and sitting duration of the 15th Parliamentary year

Parliamentary Year	Average Sitting Duration (Hours: Minutes)	Average, Maximum Attendance per Sitting
1st Year	3:19	250
2 nd Year	3:17	217
3 rd Year	3:26	223
4 th Year	2:00	218
5 th Year	2:51	132

Source: FAFENS

4.2 Theme 6: Comparative Perspectives (Pakistan, India and Bangladesh)

4.3 Subthemes:

Comparative legislative Process: Reflections of India's legislative processes show that there are similarities and differences between the two countries both in terms of procedural standard and legislative outputs as well as the strengths and weaknesses of institutions involved in making laws. All three countries have a political system with parliamentary basis; nonetheless, it should be mentioned that all of them have different ways to implement legislative initiatives and achieve certain objectives. Consequently, India being one of the largest Democratic countries in the world pay substantial emphasis on the exhaustive deliberations of parliamentarians and intense scrutiny by the committees. Precisely, this approach mostly results in the formation of broad legislation that covers various viewpoints and stakeholders. On the other hand, Pakistan and Bangladesh face challenges like shortening of the discussion time, and limited independence of the committee which hampers the extensive and comprehensive debate on legislations. India, a neighbouring country, has always emphasized on enhancing the parliamentary practices like effective committee scrutiny and large public participation to enhance responsibility and accountability of legislation process of the country. On the other side, in the context of Bangladesh there has been steady improvement in better arrangement for committees, and improvement in finding a bipartisan consensus. However, there has been some issues in which the parliament faced some interference in the autonomy. However, Pakistan's legislative process is fraught with issues such as procedural injustices, political interference, and lack of public participation; these adversely affect people's confidence in parliamentary systems. Indicated above, Pakistan needs to look at India and Bangladesh to learn on how legislative transparency, participatory decision-making as well as parliamentary accountability can be enhanced. More time should be given to the consultation with the public; the independence and technical capabilities of the parliamentary committees should be built up; the number of loopholes that allow for shortcuts should be reduced to make the mentioned legislative processes in the context of Pakistan compliant with the values of democracy. Pakistan may improve its parliamentary system by looking at other South Asian states and applying changes which would improve openness for people. Thus, it will be possible to expand the ability of the system to express and solve the problems of its population.

Best Practices: The effective legislative framework of India and Bangladesh provides convenient materials for reformulating the legislative proceedings of the parliament of Pakistan. Both nations

consider transparency, fairness and stakeholders' involvement as important elements of their legislation adjustment to the international standards as well as improvement of the democratic authorities. India's obsession with proper parliamentary debates, extensive committee scrutinization, and civic involvement helps to carry through whole legislative outcomes, which encompass as many perspectives as possible. Moreover, as the improved legislative transparency and accountability result from Bangladesh's behavior in enhancing the committee capacities and promoting the bipartisanship, the formulated hypotheses hold valid. However, Pakistan faces challenges like shortening of discussion time, limitations on committee autonomy, and interference of politics intermittently, which reduce the depth and the participation dimensions of legislations' debates. It is possible that Pakistan would focus on the improvements based on the case studies of the neighboring countries like India and Bangladesh. Such reforms should aim at increasing public participation, increasing the capacity of independence and expertise within the parliamentary committees, and decreasing the prevalence of working around the procedures. These changes are required to strengthen a parliamentary system that should reflect multiple interests and goals of the given population effectively and to restore public's trust in such parliamentary institutions.

Regional Cooperation: The possibilities of cooperation about the subject matter of parliamentary government and legislative oversight within South Asian nations are huge. If pro legislative institutions engage in more cooperative behavior through sharing of good practices, passing of experiences particular to institutions in this region and promoting the practice of democracy then the legislative institutions can be strengthened immensely as it increases their efficiency and credibility. India, Bangladesh and Pakistan for example can benefit from sharing information on the best practices followed in parliaments, committees, and ways of involving the public. The depth of debates in Indian parliaments and scrutiny by committees, Bangladesh efforts towards strengthening committees and Pakistan's attempts at increasing legislatures' transparency are good opportunities for learning for each other. By coming together to form an organization, the countries in South Asia can address common issues like political interference from the neighbors, abnormal working, and fundamental need to increase accountability in the parliaments. Some of the ways through which cooperation between the parliaments of the two countries can follow include the enhancement of joint parliamentary forums, workshops on legislative matters and practices, as well as cooperation in research studies on best practice. Furthermore, regional cooperation also leads to the democratization of the parliaments to ensure that all parliaments across the South

Asian region uphold accountability, transparency, and citizens' regard. The interaction between the two political systems has the propensity to build improved structures of democratic governance in the geographic area of South Asia, which will in the long run benefit the people of India, Bangladesh, Pakistan and South Asian region similarly.

4.4 Summary of Chapter

Thus, the legislative processes of the three countries – Pakistan, India, and Bangladesh – have been alike over the past five years. Thus, some significant conclusions are provided based on the analysis of the procedural characteristics of legislative processes in these countries, including the largest democracy in the world – India. Another observation that can be drawn out here is the high appearance ratio of the Members of Parliament (MPs) in India signifying higher activity levels in legislation. This can be supported through Pakistan and Bangladesh where MPs' presence ratios are far lower which may imply less interaction and/ or detrimental impact on the legislature productivity. In all three countries, the quantity of the time allotted to parliamentary debates is rather small. This results into limiting the extent of debate and evaluation on legislative measures by parliaments and other such formations. India follows the procedural formalisms strictly than Pakistan and Bangladesh and therefore, the legislative process is more structured in India than the two countries. Officials from the hospital follow protocols of Infection Control in Pakistan and Bangladesh; however there is a lapse in following standards.

All three countries have some flaws in the mechanisms of legislation. However, the kind of the defects, and its effects in the structure are diverse as well. The main problem is not with the MPs or legislative powers but the situations that lead to the deterioration of political institutions within political parties. Despite the aforementioned common traits, the internal democratic culture inside parties is stronger in India than in Pakistan and Bangladesh. Such a strong internal party democracy is translated in the legislative arena as lesser number of blunders and more order in the law making process. In Pakistan and Bangladesh, lower democratic norms within the political parties is positively related to more outward manifestations of the defects in the legislation process.

From this comparative research study, it can be seen that although it is possible to cure the technical imperfections of the legislative process by compliance with regularities and the participation of the population, the essence of the problem is the presence of working democracy in political parties. Fostering the democratic principles within political parties is essential for promoting the legislative function since the parliament embodies the parties' operations.

Chapter 5

Thematic Analysis

This study utilizes thematic analysis as a quantitative approach to derive and analyse themes from interviews conducted with parliamentarians in Pakistan. Through thematic analysis, the study identifies significant patterns, trends, and recurring topics discussed by parliamentarians. This structured approach allows for a comprehensive exploration of the complexities within legislative processes and dynamics, providing valuable insights into the factors influencing policy-making and democratic governance. The study classifies five major themes, each containing of three minor themes: Therefore, the paper presents the complex image of the features that impact legislative decisions in Pakistan.

This Section describes the essence of observations made by respondents.

Respondent No. 1

Creating Pakistan as a democratic state required numerous sacrifices. Political parties put in tremendous effort to shape it into a pure democracy. However, from the beginning, certain factors hindered this process. Looking back at the 1970 elections and the successful resistance against the One Unit policy, we see a significant political struggle that led to the establishment of a parliamentary system. In my opinion, our early political leaders created the 1973 constitution in a well-balanced manner, addressing key issues effectively. The 1973 constitution prioritized provincial autonomy and ensured fair financial distribution, allowing each province to receive its rightful share. This helped strengthen the bonds between provinces and their connection to the federal government through the Council of Common Interests (CCI). In the election of the president, all provinces were given equal importance, reinforcing the constitution's balanced nature. Unfortunately, while the institutions had the constitution, and means to follow that, we often refused to accept it, leading to illegal and extrajudicial interventions (Most of the parliament function, which should be handled in Parliament. While not settling in the house we let space that other institutions compel to intervened) within each other's domains.

Our political government made several attempts at extrajudicial actions but failed to implement the constitution fully. The core issue lies not in the constitution itself, which is balanced, but in the failure to implement it effectively. Many significant issues were supposed to be reviewed after ten years, as agreed upon by political leaders, but this review process failed. The gap left by this failure was later addressed by the 18th Amendment. The Constitution provides a well-structured process

for introducing new bills or amendments. Unfortunately, political parties often violate rules and regulations for their self-interests, leading to complexity. Normally, there are no objections to adopting a bill or amendment. There are two types of bills: private and public. Initially, the law department examines the bill before it is brought to the table.

A common issue, which I have not observed in other countries, is that new parliamentarians often lack knowledge about the legislative process, despite having legal expertise. They face difficulties understanding the process, as the world provides experts to guide parliamentarians, but this is not practiced here. These experts can explain the merits and demerits of a bill. If a bill is tabled and I am unaware of its circumstances, how can I provide productive input? When an amendment is presented, it is often passed with little debate or understanding among parliamentarians. There should be sufficient time for debate, and amendments or bills should be publicly discussed before being presented in the House. This could involve TV talk shows and public hearings to reduce complexity. Sometimes, emergency bills are introduced, ignoring each rule, which increases complexities and should be stopped.

The process becomes more interesting when a bill is presented and referred to the relevant standing committee for debate. After approval, it is sent to the National Assembly, then to the Senate, following the same process. If passed, it moves to the President; if rejected, it should not be bypassed. The House of Nations should not be bypassed because different nations and provinces have equal representation. In emergencies, joint sessions are called, which seems more political than legal to easily pass bills. Parliamentarians are often bound by the majority's opinion, which dominates the process. I believe there should be more debate on national issue-related bills, as there is limited time for discussion. For instance, the upcoming budget bill, which affects the public, has only seventeen days for debate and approval or rejection. It is surprising how such an extensive document can be adequately debated in seventeen days, whereas, in other countries, budget debates can last over two months.

Article 63A is not contrary to the principles of democratic rules. When an individual joins a political party, they are obliged to adhere to the party's rules. This article is specifically designed for key votes, such as those of confidence, no confidence, and the budget. In a parliamentary party meeting, everyone has the opportunity to express his or her opinions, and a unified stance is eventually reached. Therefore, I believe it is not against democratic practices.

Respondent no 2

Parliament is supreme according to the constitution of Pakistan. In reality, all of us are bonded and not free to raise the question. Because of the system, none of us can go against that bill which is going to pass. Neither does anyone debate nor consider the call of attention seriously. The system I call the majority rule, there is raising questions through which flaws a party gets the majority, and I call that behind-the-scenes arrangement. If I say how it is possible to pass 130 to 150 bills without proper debate from 2022 to 2023, this indicates that in practice no rule is followed. I would say that 90% of parliamentarians did not know about the process of legislation in parliament. As in the beginning, I said parliament is supreme this term is limited to textbooks. For good legislation, there should be debate but in our case time for debate is limited. Each government presented a bill without following procedure and called it in favour of the nation but in reality, just filled the formalities in parliament. The purpose of parliament is set back and intervention of institutions is spoiled the pure aspect of parliament. The process for legislation is not clear but has no existence in practical form. We are bonded by a system that does not allow us to do what we are here in parliament. Sometimes I feel we only focus on the religious aspect and leave each thing on the court of religion. I do not agree with things that are presented in a good way to show the public that we are here for you people. I am repeating that parliament is supreme but the system does not allow it to work in the best way. Parliamentarians should be educated and know about the process but there is a lack of knowledge and responsibility. Political parties besides affiliation presenting bills that feel better for them violate every rule. Being a parliamentarian I failed to perform my responsibilities same case as the majority of parliamentarians. Until every institution prefers to respect each other's domain and accepts importance the game cannot stop. There is also a need for political maturity Politicians should work and genuinely prove the importance of parliament.

Article 63A interpretation done by the Supreme Court is brilliant and a good way to put a stop to horse-trading. I will not say it is against democratic norms, each political party discussed in detail processing, exchanging views, and presenting party policy.

Respondent no 3

Whenever an assembly session is held, the concerned minister presents the bill although it is not necessary usually law minister introduces the bill. When the bill is introduced, it is called as first order of the day. After introducing the bill, the matter is referred to the committee (concerned standing committee). The bill is truly debated in committee representatives of all parliamentary

parties according to the proportion of members. Further, decides whether the bill should be presented in the assembly or not if yes then it moves to the assembly and is approved through the majority voice vote. Any member can bring the bill but due to a lack of knowledge of the process of legislation, majority bills are mostly rejected. Legislation ultimately means legislation by the government. Every member can participate in debate and propose suggestions but again if you have no majority in the house that suggestion would be rejected. The legislation is not done to look at wrong or right aspects as the government wishes to put the bill. We have experienced previous parliamentary sessions in which none of the members was aware of bills but still, those were passed by both houses. Practically saying there is no such thing as parliamentary oversee to look into whether the process is following or not. We are living in transaction democracy, parliament is a product of election, and election is the by-product of the Election Commission of Pakistan (ECP) and many other institutions to tackle it. Issues like census are still doubtful no one agrees with that so the actual electoral process failed to represent actual representatives that lack and lead us to an undemocratic state by the name of democratic. We have a distorted form of democracy. The constitution says that parliament is the supreme but in reality, it is not such. We adopted a system from the UK but look at their supremacy of parliament and then at ours. For example, in actual supremacy of parliament decides a male you are not male but a female will be called a female because it is a sovereign body unfortunately we are still in the revolutionary process it will take to become supreme authority. In reality, the legislation process is rushed through parliament and there is much limited time for debate. Due to limited time, each member cannot participate in debate and the second point is that most of the bills are technical most of the members are unable to understand due to lack of education. Most members are unaware of the basic concept of legislation the quality of debate does not exist. Being a parliamentarian my role is not about my constituency I am here to present Pakistan to legislate about the public of Pakistan. Every member has their thoughts, which makes parliament limited to a constituency, which is also the reason for the lack of quality debate and lack of functioning of parliament. Everyone should think holistically. The parliamentary system is based on political parties so political parties need to grow organically and in natural form then parliament will also be supreme. Any political party manufactured by this or that institution/department cannot serve the nation. National-level political parties should be strong I may have strong grievances with other political parties but never I want to destroy that party. When competent parties grow naturally it, will automatically push toward good

performance, serve the nation, and work for the supremacy of parliament. Supremacy of parliament needs strong political parties otherwise Chinese system also has an existence. The only way to adopt the process in a good manner needs organic political parties and stop interference. According to the situation of Pakistan, the interpretation of 63A is a good step by the Supreme Court. When parliamentarians are given freedom to vote freely it will be sold. Suppose if I do not agree with my parliamentarian party decision, I should be apart from the party. I can suggest and express my opinion within the party I should follow my party's decision. The party is an institution I should be boned with principles of the party. Before every assembly session party call a parliamentary meeting in which every aspect of legislation is discussed, it is not that one man decides every member presents his/her own opinion then a collective decision is taken.

Respondent no 4

In the first week of the session, two days are allotted for presenting the bill in-house. Suppose treasury benches present a public bill present the bill then the opponent of the bill expresses their reservation, if there is no such objection the bill is passed anonymously by voice voting. If there are objections to the bill then it is forwarded to the concerned standing committee where the pure form legislation is done. In the standing committee, both opposition and treasury members are there to keep the discussion on the bill. The legislation purely depends on the majority, the treasury benches through law, and parliamentary committees present the bill. All the members have the right to be part of the debate after the debate a rolling comes from the speaker either to debate on a specific in the house or needs to be sent to the standing committee. For today on the 6th of June, the questions were asked about the wheat issue every member participated in questions hours. The basic point is that for a productive process, parliament should be composed of educated members. Members of parliament should take training workshops, which are held for 1 to two months in parliament. The purpose of that workshop is to train the respected members about the procedure of legislation. If the member is educated, he/she can understand but if uneducated after the workshop cannot gain the purpose of that workshop. Educated people must be part of parliament. The problem I think is common on the implementation side. The administration has failed to implement that bill, I think it is also the responsibility of parliament to oversee whether the law is imposed or not. The purpose of parliament is to bring law for the sake of the betterment of the public rather than political interest.

Every political party in parliament has a parliamentary leader. The Member of Parliament should be loyal to the party's stance. He/she can debate within the parliamentary party. Article 63aA is good to keep members in positions for whom people have elected and that is their political party.

Respondent No. 5

In my opinion, the laws are manipulated in the legislation process of parliament. The treasury benches do what they want. Supremacy of parliament is lacking. The bills are presented without following proper channels. There is no sense of accountability to overview the process. The pure form of the process is neglected. None is ready to take responsibility for those flaws. The process given in the book is a good way but most parliamentarians do not know about that. I think if all members work honestly, we can remove such issues. Until parliamentarians themselves do not realize the importance House, no one can change the system. Being members, we are focusing on achieving development funds, etc. Although we are here for legislation but fail to do that genuinely. Most of the members are here to save his/her corrupt practices. It would not be wrong that the same faces make the parliament a safe zone. As a case study if I analyzed an amendment to the electoral process done in the previous tenure, then again that amendment is changed for self-protection. The same is the case with the NAB amendment where post-arrest tenure is again increased from 12 to 40 days. The amendment I mentioned is purely based on political interest and how it will represent the public. Lastly, I will say all your questions are valid, but it will take time to settle issues. From process till the role of parliamentarians is doing without given procedure. Article 63A is not against democratic principles. All the issues are discussed in parliamentary meetings before going to a session of the house. I would say it is well in the case of Pakistan.

Respondent No. 6

The bill is usually presented in parliament by the government side. The speaker announces the call for attention as part of the debate process. However, I must honestly say that there is not much real debate. The majority party passes the bill without properly considering the opposition's stance. I admit I do not fully understand the procedure. Your question is valid, but the problem lies within the system itself. Like many others, I struggle to gain some political or personal benefit from this process. I accept that I am part of the system, but I have failed to address these issues. To put it simply, no real rules or procedures are being followed; it is all just a formality in parliament. The procedural issues will only be resolved or minimized when parliamentarians prioritize addressing them. Unfortunately, our priorities are currently elsewhere.

Article 63A requires members to remain loyal to their party. In my opinion, I agree with this provision; members should adhere to their party's decisions and not act against them.

Respondent No. 7

There is no doubt that parliament is supposed to be supreme. However, in practice, I cannot say that proper procedures are always followed. Everyone knows that the bill tabled by the government will pass. There is no real debate where the opposition's points are accepted, and any debate that does occur is minimally productive. The core issue stems from a lack of understanding of the process. I can't confidently answer your question because of this knowledge gap. There is a lack of responsibility and a tendency to blame each other. As a democratic state, parliament should be supreme, but in reality, it is dominated by power politics. The majority party, with the support of other political or non-political entities, often disregards proper legislative procedures. Parliament needs strong, grassroots members and a requirement for educated members. The reason procedures are not followed properly is due to a lack of knowledge and political interests. I acknowledge that I am not providing a thorough answer. In reality, members of the treasury benches claim that all legal procedures are followed, while those in the opposition blame the process. Having been both in government and in opposition, I have never seen a consistent adherence to procedure. Parliament is not supreme in practice; individual power politics dominate. The process is not being followed properly. Parliament will only become truly supreme when publicly elected members genuinely engage with the system. Unfortunately, political will is directed elsewhere, not towards parliament.

Personal Observation.

For a comprehensive understanding of the Legislation Processes, a budget session which was held on June 25th (with a focus on the budget debate for FY 2024-25) was observed. The debate was quite engaging, and the Finance Minister was present to respond to the members. It was observed to see that each member was allotted no more than three minutes to speak. Such a short time was given to analyze and identify the pros and cons of a one-year budget.

One positive aspect noticed was the Finance Minister's announcement to consider the recommendations of the standing committee, which sounded beneficial for creating a healthy budget. However, overall, it seemed that, besides debating and pointing out aspects of the budget, political debates were observed. Some members were praising their party leaders, while others were targeting their political opponents.

The time for debate was much less, than it should be. In such limited time, the members were discussing more issues unrelated to the budget rather than focusing on a thorough debate about the budget itself.

Table 7: Themes and subthemes

Themes	Subthemes
1: Procedural Irregularities and Lack of Knowledge	1 Formal vs. Actual Procedures
	2 Legislative Ignorance
	3 Rushed Legislation
2: Political Interference and Power Dynamics	1 Majority Rule
	2 External Influences:
	3 Party Whips and Discipline:
3: Role and Functioning of Parliamentary Committees	1 Committee Independence
	2 Effectiveness and Scrutiny
	3 Partisan Decision-making
4: Impact on Democratic Governance	1 Public Trust
	2 Accountability Deficit
	3 Representation Issues
5: Legislative Reform and Institutional Strengthening	1 Reform Proposals
	2 Strengthening Committees
	3 Civil Society Engagement

Thematic Analysis

5.1 Theme 1: Procedural Irregularities and Lack of knowledge

5.1.1 Subthemes:

Formal vs Actual Procedure: Differences, lack of parity, and noncompliance with the constitution of Pakistan in the parliaments emerged from the interviews. As for the standard procedure, procedures exist for the Parliament, these are clear and detailed but there is a general procedure where bills do not go for that intense analysis and discussion particularly where the majority party in the legislative body is supporting it. This results in skepticism towards the quality of the legislation as well as the degree to which democratic procedures are honored in the form of the activity of parliaments. Moreover, it is noted that differences on the theoretical grasp of the framework are very different from translating it into the practicality

Legislative Ignorance: Some of the MPs (who practiced law for a few years only) report lack of awareness about the procedures that would prevent them from participating and voting in the parliament. Newcomers are often in possession of limited information, especially about acknowledging policy-making processes, including diverse procedures they must go through to make good decisions. This scenario results in the formation of careless conclusions and serves to enhance the probability of passing the problematic legislation. This challenge is worsened by the fact that most legislatures do not have proper training institutions, which would in turn inform the legislators on proper legislature procedures. Another factor that negatively affects the quality of debates in parliament includes the lack of preparations portrayed by the legislators hence a stamp on the quality as well as the content of debates in the parliament. These are some of the areas that need to be redressed to train a more informed and competent Parliament to be able to defend democracy and serve the interest of the people.

Rushed Legislation: Schedules limit time often compel the use of parliamentary measures that shorten the evaluation period significantly. Slightly over two-thirds of the respondents express their dissatisfaction with the perceived inadequate specific time for considering critical issues for instance, budgets, stating that this negates the abilities of legislators to undertake wide and serious discussion on issues affecting their legislative work. Among them, emergency bills raise adjectives because they disregard the normal process, which contributes to a lack of openness and faith in the internal legislation. Some of the drawbacks that may arise from the hasty approval of legislation

may include: the failure to consider the possible consequences that may arise from such legislation and lack of enough time for people to get involve hence the issue of democracy is compromised. These difficulties should be solved to ensure the openness and non-prejudiced nature of the legislative processes and to make sure that the decisions made by the parliament are well thought out and made in the spirit of the public's benefit

5.2 Theme 2: Political Interference and Power Dynamics

5.2.1 Subthemes:

Majority Rule: Some of the notable features of legislation include: Power of majority dominates the ' minority ' opinions and seldom encourage cross party support. Parliamentarians depict a hierarchy in the legislative procedure where the primary responsibility is to support the party instead of their conscience. Another disturbing aggression of power is the parliamentary framework where checks and balances are intended but are overshadowed by this power difference that also constrains the range of opinions. It implies that assorted outlooks may not be well-considered as needed, which would impact Parliament's extent of inclusiveness and the solidity of decision-making processes in Parliament. Indeed, in order to enhance the democratic nature of the processes and subsequently the interests of the citizens, these dynamics need to be changed.

External Influences: The interviews raise quite pressing issues external entities regarding liberation and conventional institutions interfering with the Pakistani legislative processes. However, despite the recognition of parliamentary sovereignty in the constitution, real-life situations show that outside forces' interference threatens the sovereignty and the representative role of the parliament sometimes. Apart from the blatant violation of the principle of the separation of powers which is so crucial in the democratic state, such meddling also poses a danger to the people's trust to the parliament's independence in its decision making processes. These problems have to be addressed before Pakistan legislative processes are safeguarded and before the basic principles of the nation's democratic governance are put squarely on the right track.

Party Whips and Discipline: This damage is characterized by limiting freedom of vote among the parliamentarians in agreement with their conscience or with the interest of the people they represent due to the application of whips regarding the party discipline in Pakistan. While this is purported to be a royal tactic of keeping party members united, it can weak input responsibility, and stifle dissent during deliberations. Due to the strong focus on the party power, aspects of political necessity win over rational debate and accurate legislative considerations. Thus, it creates

a vicious circle, which brings us procedural solutions that lead to even less legislative supervision and control. This circumstance raises one of the fundamental questions regarding democracy and freedom of choice on one hand and discipline and organizational unity within parties and parliaments on the other.

5.3 Theme 3: Role and Functioning of Parliamentary Committees

5.3.1 Subthemes:

Committee Independence Most parliamentary committees in Pakistan work under party pressure, although they are supposed to scrutinize the law impartially. Many times the members of the committee tend to express their discontent over the challenges they face as far as independent neutral arbitrators and effective supervisors are concerned. Often, partisan matters surpass the role of bills, distorting the work of these committees which play an important role in improving the quality of legislation and accountability. This episode highlights a crucial problem with Pakistan's legislative system: This paper argues that the political interferences augment the notion of bias by stilling the aim of investigating by the committee. This consequently reduces the Committees' ability to check on the administration as well as provide detailed analysis on matters touching on specific legislation. All of this impacts the openness of legislative work and questioned how well the parliament, in general, defends democratic principles.

Effectiveness and Scrutiny: On the same, a major concern is the extent to which legislative committees scrutinize bills before presenting them to the floor. Interviews reveal cases whereby the proposals are passed through committees brutally without much debate or admiring much of argumentation. This becomes yet another procedural flaw that threatens to weaken the committees' efficiency in improving legislative performance, diminishing their potential as advocates of bipartisan cooperation and as the guarantors of the public's trust. This problem highlights a structural problem with Pakistan's legislative framework: In many cases concerning organizational committees, it is attributed that these units, which are considered as critical watchdogs, are sometimes blameworthy for not performing their watchdog responsibilities adequately. Boards that do not debate and inspect intensively have limited chances to alter laws positively and rectify all the issues before the whole Congress gets to consider them. This is rather dangerous as it undermines the overall democratic process by blocking significant analysis, thus leaving the members of the public out in the cold yet they too have to answer to the laws passed by the parliaments in each country.

Partisan Decision-making: Sometimes, instead of the result of elaborated discussions and compromises, actions inside legislative committees look more like preconceptions that parties have. Unfortunately, this politicized approach significantly undermines the committees' ability to serve as fairly neutral space for proper policy consideration and weakens their value as useful legislative oversight instruments. It thus underlines the need for measures alleged to depoliticize committee procedures since political decision-making seems to affect the populace in most sectors. All these changes are crucial in enhancing the sophistication of the committees in their roles as neutral assessors of legislative output deserving the public's attention. Consequently, committees can contribute more effectively to ensure that the presented draft laws are thoroughly discussed, reasoned, and refined before passing through Parliament by decreasing the level of mere political reproduction and enhancing the worth of thorough and inclusive examination. From this regard, the efficiency of the legislative process will also increase as well as public confidence in the systems that monitor the parliament.

5.4 Theme 4: Impact on Democratic Governance:

5.4.1 Subthemes:

Public Trust: Political interference and structural defects have skewed the people's perception and trust about the parliaments as a representation of their direction. The tension between official idealization and the practical manifestation of professional relations within legislative procedures contributes to the formation of perceptions of the pathologies of organizational processes and enhances doubts concerning the government's adherence to democratic values. The main emphasis is made on the measures that will restore public confidence, such as the striking changes in the openness of governmental operations, the sense of responsibility of governmental authorities, and the enhancement of the idea of the effective participation of parliaments in taking crucial decisions. To rectify the procedural mistakes, it is necessary to ensure that all the legislations are followed under strict procedures aimed at supervising their compliance. This involves enhancing the checks and balances between the organs of government required for a good working democracy and amending the parliamentarian oversight to eliminate total interference. Transparency is necessary to regain trust and responsibility since giving people access to legislative debates and various committee meetings helps to demonstrate. Furthermore, promoting the pluralism of opinion is necessary to promote decision-making that is based on the cooperation of two major parties and support for several opinions in legislative debates. Most important of all, the legislative committees

must be established to work independently and in an anonymous sense without undue party influence. Among these reforms, prioritizing the implementation of free votes will ensure that parliament sustains its constitutional role as the foundation of democratic rule, responsive to the voters not vote Some of these reforms include: By giving these reforms the highest priority, it will enhance position of parliament as the cornerstone of democratic government system which has to be responsive to the people it represents.

Accountability Deficit: Interference from the executive arm of government is a highlight that respondents always raise to argue that Members of Parliament, being an arm of the executive, do not have effective ways of holding the other arm accountable for its acts, a reoccurring factor in all parliamentary systems. It not only does not make the parliament provide procedural norms and ethical standards but also keeps impunity culture within the parliament orbit. Lack of responsibility degradation of Parliament through undermining the deserved authorities and decreased voluntary conduct by lawmakers. To address these challenges, they should step up the measures of accountability for governance. This involves the use of proper supervisory measures which check the conformity of parliamentarians to proper conduct, rules, and regulations of parliament. Accountability in particular and governance of the legislative branch in general, can therefore be buttressed by reporting of operations through the employment of records of votes, and the submission of returns, among other things. Besides, the formation of some separate bodies or committees, that have to investigate the cases of misbehavior or violations of the parliamentary procedures, can encourage a free and open atmosphere. In this way, by rewarding and guarantee public trust through the enhancement of systems of responsibility, legislative bodies can be effective in regaining the trust of the people. This means, citizens have to look at their leaders and expect them to be accountable persons in charge of the well-being of the citizens. These people should be devoted to fighting for democracy as they perform their legislative work honestly and without deceit. Apart from increasing the reliability of the parliamentary decisions, this strategy also ensures the permanent relevant representativity of the institutions, their effectiveness, and sensitivity to the voters' needs.

Representation Issues: The respondent emphasizes the enormous obstacles of matching legislative decisions with the different interests and requirements of the public. The dominance of party interests and procedural shortcuts, which typically marginalize voices from marginalized groups and undermine the inclusivity of legislative debates, lies at the heart of these issues. This

circumstance highlights the crucial need for reforms that promote equal participation, amplify marginalized viewpoints, and improve parliamentary responsiveness to citizen concerns. To effectively solve representation challenges, reforms should prioritize several crucial areas. First, increasing transparency in legislative processes can boost public trust and engagement. Providing accessible information about proposed laws, debates, and voting results enables citizens to participate more actively in the legislative process. Second, encouraging diversity among elected representatives can ensure that a wider range of viewpoints is represented in Parliament. Initiatives to encourage and support diverse candidates from underrepresented populations can contribute to more informed parliamentary debates and decisions. Third, promoting inclusive dialogue and deliberation in legislative committees and sessions is critical. Providing chances for marginalized groups to express their concerns and contribute to policy discussions can result in better-informed and inclusive legislative decisions. Finally, increasing public consultation and feedback channels can help to close the gap between legislative decisions and citizens' interests. Regular meetings with stakeholders, such as civil society organizations and community groups, can provide useful information about the real-world implications of the proposed law. By strengthening the link between legislative processes and public interests through these reforms, parliament can fulfill its critical function as a representative body that truly reflects and serves the different demands of the population. This strategy is critical for strengthening democratic government, restoring trust in parliamentary institutions, and ensuring that legislative decisions adhere to the ideals of inclusiveness and responsiveness to citizen concerns.

5.5 Theme 5: Legislative Reform and Institutional Strengthening:

5.5.1 Subthemes:

Reform Proposals: "Interviews with MPs have shown extensive issues in Pakistan's legislative context, underscoring the vital need for reforms to improve openness, independence, and inclusivity. Recommendations appear to discourse these challenges, creation with efforts to promote procedural transparency throughout the legislative process, assuring openness in bill presentation, discussion, and voting to adoptive public accountability. Second, rearranging parliamentary committees to increase their individuality, allowing for full valuations of measures free of prejudiced influence, thus improving legislative scrutiny. Third, encourage inclusive decision-making by boosting bipartisan cooperation and elevating multiple viewpoints to better

reflect public comforts. Additionally, arranging regular public engagement on draft bills can help certify that legislation reflects society's needs and preferences. Fourth, procedural shortcuts and emergency bills should be avoided to protect constitutional principles and prevent hasty decision-making. Finally, establish legislative oversight procedures to monitor policy execution and hold the administration responsible, promoting transparency and effective governance. These reforms seek to restore public faith in legislative institutions. Moreover, ensuring they effectively represent and serve the people while adhering to democratic values.

Strengthening Committees: Interviews with lawmakers highlight the critical need for strengthening legislative scrutiny. Creating bipartisan consensus, and boosting the overall quality of legislative outcomes. The recommendations highlight the importance of committee autonomy to ensure neutral decision-making. This includes limiting non-neutral guidance in committee meetings. Moreover, it encourages evidence-based policy analysis. Parliamentarians should conduct extensive evaluations of laws by providing enough resources and technical competence. This includes legal consultants and subject matter experts, to ensure they are closely aligned with national interests. Initiatives to increase committee autonomy, moreover, will help them serve as effective watchdogs, supervising government actions and holding officials accountable. These reforms are essential for restoring public trust in parliamentary processes and also in reinforcing their vital role in democratic governance.

Civil Society Engagement The role of civil society in demonstration for legislative reforms and raising public awareness is becoming more prominent in current legal paradigms. Civil society organizations (CSOs) are widely recognized. Due to their critical role in holding legislators responsible, pushing for inclusive legislative processes, and amplifying public voices in policy debates. Parliamentarians can benefit from diverse insights and various viewpoints by working with CSOs to deepen legislative debates and ensure policies represent the broader public interest. In government decision-making, CSOs play an important role in dissecting legislative activities, ensuring procedural compliance, and advocating for transparency. The lobbying efforts go beyond customary routes, using public outreach and consultations to encourage educated public participation in legislative affairs. Promoting civil society engagement, thus, is critical to enhancing democratic government and closing the gap between legislative processes.

5.6 Summary

This thematic analysis provides a comprehensive analysis of the details that are characterization of the parliamentary legislation process of Pakistan. It discovers critical themes, plus the implications for democratic governance of procedural irregularities, political interference, and committee usefulness. The analysis highlights the necessity of reforms that are considered to improve transparency, accountability, and public participation in parliamentary proceedings. Procedural irregularities are a significant concern, as legislative procedures frequently avoid scrutiny or discussion, particularly in time constraints or political urgency. This concerns the integrity of legislative outcomes and wears away public confidence in the democratic process. Reforms that prioritize devotion to procedural norms and ensure complete deliberation on critical issues such as budgetary matters and emergency legislation are necessary to address these irregularities. The legislative background is further dense by political intervention, which destabilizes parliamentary autonomy by exercising undue influence from external entities. This intervention weakens the trust in the independence of parliamentary decisions and highlights the necessity of maintaining the separation of powers that is essential for democratic governance. The efficacy of committees is an important factor in legislative scrutiny, as one-sided interests can ambiguous impartial deliberation and scrutiny of bills. Refining legislative quality and raising cross-party consensus necessitates dipping partisan influence, improving the capacity of committees for evidence-based policy analysis, and strengthening their autonomy. Civil society engagement is renowned as a critical mechanism for encouraging inclusive legislative processes and holding parliamentarians accountable. Civil society organizations can make a considerable contribution to the representation of diverse societal interests and significance in legislative reforms by promoting public awareness and increasing citizen perspectives. Valuable standards for reforming Pakistan's parliamentary procedures are acquired by studying regional best practices, particularly those of countries such as India and Bangladesh. The arrangement of legislative practices with international standards and the reinforcement of democratic governance is achieved by prioritizing transparency, procedural equity, and inclusive decision-making. Lastly, it is commanding to prioritize reforms that strengthen parliamentary institutions, empower committees, promote civil society engagement, and incorporate regional best practices to promote a more inclusive and effective legislative framework in Pakistan. Eventually, these behaviors are crucial

for the development of robust democratic governance in the country by adopting transparency, accountability, and public trust in parliamentary institutions.

Chapter 6

Conclusion and Policy Recommendations

This chapter explains the conclusion and policy recommendations of the study.

6.1 Conclusion:

This research aims to provide a detailed understanding of the parliamentary legislation procedure in Pakistan with a focus on the consideration of the wider view for the comparison of the procedures of India and Bangladesh. Substantial understanding has been gained from the parliamentarians' interviews by analyzing their responses thematically, and this has highlighted notable trends and regularities in legislative processes. Besides, the role of parliamentary democracy in the process of building the nation's legislation and policies is also emphasized in the research. The ruling history of Pakistan with different forms of democracy including the presidential system in the tenure of Ayub Khan in 1962 when the president had centric authority over the legislative processes makes the foundation for understanding current legislative processes. This research emphatically expounded the subject substance by interviewing MPs and other expert stakeholders and adopted a qualitative research effort with a narrative approach. This approach goes beyond official information to find out the details and the different perspectives of the legislative process to come up with a better understanding of the politics of governance and legislation.

A comparative analysis of India and Bangladesh reveals the similarities as well as the disparities between the South Asian countries regarding legislative operations. Thus, using indicators like the time needed for certain procedures, the number of passed bills, and the attendance in significant sessions, the study translates the procedural compliance and legislative productivity of each country. Procedural transparency, strict regulations, and independent legislative committees are some of the challenges expressed in the legislative procedure in Pakistan based on research outcomes. It is assumed that specifics of legislative processes, which do not raise doubts concerning their legitimacy, have been omitted intentionally, for instance, to bypass discussions or hearings, which compromises legislative integrity. Parliamentary committees' productivity is arguably crucial because one-sided stakes tend to obscure the impartiality and analysis of bills and resolutions.

In this research, Pakistan's legislative process is also discussed using concepts of agency theory and a neo-institutionalist perspective. Its goal is to simplify this system by studying the relationship

between the institutional characters, political agency, performance, and the sense of transformation. The challenges inherent in the MPs' coordination, bore in mind that impede collective coordination such as the problems with arriving at collective choices that reflect unanimous viewpoints are noted, with emphasis on the Parliament as an institution that reflects the people's interest. Unfortunately, the sectors in discontent are the level of coordination between the opposition and the government, and the executive branch's outcomes on legislative procedures. In response to these complications, the report provides measures that increase parliamentary openness, responsibility, and inclusion of the citizens in the procedures of parliament. As prescribed by the rules of procedure, ensuring full discussion on the matters that are on the agenda, and safeguarding the principle of check and balance are untoward measures in improving legislative competence and enhancing democracy. In the end, this research offers a unique and very important insight into the activities that transpire through the formation of laws within the Parliament of Pakistan. It helps to enhance understanding of legislative environments in the countries that are India and Bangladesh with the contribution of the comparative analysis. It underscores the need to continue with the reforms that the country needs to achieve a parliamentary democracy that is efficient, responsible, and more so; transparent. The type of analysis incorporated in the study is thematic analysis, which enables the identification of patterns, trends, and recurring topic areas that are considered by lawmakers. This paper entails an elaborate discussion of the several involuntary interests that affect legislative processes.

6.2 Policy Recommendation

The findings of this study highlighted significant issues. The following recommendations are provided to overcome these issues.

- Clarity and adequacy in the procedures is required in Pakistan's legislature. This can be done with the help of stringent procedural measures to ensure that all legislative processes are considered in the meeting. Furthermore, it is obligatory to develop and maintain an open legislative desktop that contains information on bills' status. It will help the general public to get knowledge about contemporary issues.
- The reinforcement of legislative committees is also crucial. More power and finances to these committees are pertinent as they can help in making better policies. Such finances and powers will able them to provide training programs for members of the committees.

Such programs should be made compulsory to increase their understanding of legislative attention and policy evaluation. Executive, and enforcement of training sessions, for Members of Parliament, will present fresh outlooks on bill drafting, committee work, debates, and their roles in law making.

- The political approach is very important in promoting legislative sanctity. Severe measures such as clear demarcation among legal boundaries must be ensured so that the non-political forces cannot dictate the legislation. It stresses the independence of the authority and the least possible interference from the outside. Moreover, measures need to be put in place to protect MPs from outside pressure by the party or any other political/non-political forces, which they can decide on a case-by-case, merit and need basis.
- To compel external pressures, better understanding (for the public interest) between the government and the opposition groups is important. That is why, on the one hand, the formation of official communications and the holding of collaborative meetings and legislative sessions will help in the unification of positions regarding contentious topics. Given this, creating the most appropriate environment, which encourages proper cooperation and the understanding of the goals of the parliamentary work, is essential to establish mutual respect in the process of making decisions.
- Democratic norms are needed to enhance/strengthen parliamentary democracy. This needs to ensure democracy from the grassroots level to the higher level of a party. To reduce the chances of dynastic representatives and conflicted elite in the parliament, changes in the electoral system should be encouraged.
- Essentially, democratic legitimacy is possible only when the public participates in the process of legislation. The public participation in the legislation will result in forums that will integrate several points of view. The Opinion-making on decisions leading to the formulation of future laws will be availed using public sittings and hearings. The use of technology and social networks gives a better ranking on transparency and inclusiveness when getting comments on legislative ideas to the public. Moreover, seminars in this regard will enable the MPs and the public to always be learning, thus enhancing the legislative instruments and accountability.

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Chapter 7 Appendix

Interview Guide

Introduction:

Introduce myself and explain the purpose of the interview: "I am conducting a study on legislative processes in Pakistan, and I would like to understand your perspective on this topic."

Mentioned the ethical aspects: "Your responses will be confidential, and you can skip any question you do not wish to answer."

Opening Questions:

1. Background: "Can you please tell me about your role and experience in the legislative process?"
2. Political Affiliation: "Are you affiliated with any political party, and if so, how does your affiliation influence your role in the legislative process?"
3. General Perspective: "How would you describe the overall legislative process in Pakistan?"

Main Questions:

1. Procedures for Legislation in Pakistan:

"Can you explain the steps involved in introducing and adopting new legislation in the National Assembly and Senate?"

"What challenges or obstacles often arise during this process?"

2. **De Jure vs. De Facto Practices:**

"In your experience, how closely does the actual practice of lawmaking match the formal (de jure) procedures outlined in the rules?"

"Can you provide examples of any discrepancies between the two?"

3. **Role of Members in the Legislative Process:**

"What is the role of members of both houses (National Assembly and Senate) in ensuring that new legislation is passed after following due process?"

"What are some common flaws or issues in Pakistan's legislative process?"

4. **Importance of Article 63A:**

"In your view, what is the significance of Article 63A of the Constitution, which deals with disqualification on grounds of defection, and how does it impact the legislative process?"

"Do you think Article 63A affects the independence or effectiveness of legislators in any way?"

5. Comparative Practices with India and Bangladesh:

"Based on your knowledge or experience, what are some key practices followed in the legislative processes of Bangladesh and India?"

"How do you think the legislative process in Pakistan compares to those of India and Bangladesh?"

Probing Questions:

"Can you provide a specific example of when the legislative process worked well or faced significant challenges?"

"How do you think the process could be improved?"

Closing Questions:

1. "Is there anything else you think is important for me to know about the legislative process in Pakistan?"
2. "Would you like to add any additional thoughts or comments?"

Thank You Note:

Conclude by thanking the interviewee for their time and insights: "Thank you for sharing your valuable thoughts and experiences. Your input will be very helpful for my research."