

FAFEN Parliament Monitor

Provincial Assembly of
Balochistan



Fifth Parliamentary Year

APRIL 7, 2012 - APRIL 8, 2013

Free and Fair Election Network
www.fafen.org

Abbreviations

ANP	Awami National Party
BNPA	Balochistan National Party Awami
JUIF	Jamiat Ulema-e-Islam (Fazl)
IND	Independent Member
KP	Khyber Pakhtunkhwa
LMG	Like Minded Group
MPA	Member Provincial Assembly
NP	National Party
PML	Pakistan Muslim League
PMLN	Pakistan Muslim League (Nawaz)
PO	Point of Order
PPPP	Pakistan People's Party Parliamentarians



This report is based on direct observation of proceedings of Provincial Assembly of Balochistan, conducted by CPD, a member organisation of FAFEN.

Executive Summary

Amid political instability, constitutional crisis, and sectarian killings leading to imposition of the Governor's Rule, the Balochistan Assembly met for only 23 sittings in the fifth parliamentary year. This led to the provincial legislature ignoring its core responsibilities of legislation and oversight, as it also faced a leadership crisis.

Apart from passing nine bills, the provincial legislature adopted 11 resolutions and only one legislator asked 21 questions during the fifth year. Of the nine bills passed, six were new pieces of legislation along with three seeking amendments in the existing laws.

Only three months before the house completed its constitutional term, the Speaker was ousted through a no-trust motion after he refused to call the assembly's session in the light of the Supreme Court verdict on the performance of the provincial government.

The province was thrown into constitutional crisis in October 2012 after the Supreme Court issued an interim order in the Balochistan law and order case, saying the provincial government had lost its constitutional authority to govern the province as it failed to curb human rights violations, target killings and kidnapping for ransom cases.

After the interim order, the Speaker, who was acting Governor at the time, questioned the status of the Balochistan government and refused to call the session requested by the Chief Minister in November 2012.

On December 19, 2012 a no-confidence motion was submitted against the Speaker as the 36th session was requisitioned. In a no-trust vote on December 26, 2012, the Speaker was ousted. In the following 37th session the incumbent Deputy Speaker was elected as the new Speaker, and for the first time in the Balochistan Assembly's history, a woman lawmaker was elected as Deputy Speaker.

As doctors went on a two-month strike in Quetta over the kidnapping of a senior colleague, the Balochistan Assembly passed the Balochistan Essential Health Service (Code of Conduct) Bill 2012 declaring health services as mandatory, barring doctors from going on strike and putting conditions on their private practice.

The house passed the Balochistan Environmental Protection Bill 2012 and the Human Organs Transplantation (Amendment) Bill 2012 to adopt the federal laws on environment and transplant of human organs under the 18th amendment. Two more bills were passed to set up universities in the province.

In seven regular sessions, the Balochistan Assembly held only 23 sittings in the fifth parliamentary year. Overall these sessions lasted 32 hours and 24 minutes with each sitting meeting for an average of an hour and 32 minutes. After the imposition of the Governor's Rule, the Balochistan Assembly held two sessions which lasted for one and three sittings respectively.

An in-camera session in early December 2012, which was to be briefed by the federal Minister for Interior on the security situation in the province, was called off only after three minutes as the federal minister could not make it to Quetta.

Moreover during the five years, the provincial assembly functioned without any formal opposition. An Independent lawmaker was appointed as Leader of the Opposition in December 2012.

Though the appointment was mainly to fulfill the requirement of having a Leader of the Opposition for consultation on the caretaker setup mandatory under the 20th amendment, the confusion about the provincial government's status even after the two-month constitutional term of the Governor Rule ended on March 14, 2013, rendered the process of consultation meaningless. Though by the end of the fifth parliamentary year the two-month Governor's Rule expired as the parliament's joint session was not called to approve the ouster of the provincial government, it was dissolved amid constitutional confusion.

The provincial government stood restored but again amid confusion over who commands majority in the

house, the Chief Minister gave advice for dissolving the assembly on March 19, 2013.

As the provincial assembly also functioned without forming Standing Committees, it suspended the rule 84 (reference of bills to Standing Committees) whenever a bill was introduced in the house.

The Governor's Rule was imposed in the province on 14 January 2013, four days after a twin bombing attack in Quetta killed more than 100 members of the Hazara community.

The 11 resolutions adopted by the provincial assembly reflected the political instability, constitutional crisis and the sectarian violence Balochistan faced in the fifth parliamentary year.

Two of the resolutions were on removing the Speaker from his post. Similarly amid political crisis in the province, the house reposed confidence in the leadership of the Chief Minister and condemned the imposition of the Governor Rule. In the last session of the year the house adopted another resolution to condemn the killing of around more than 90 Hazaras in another suicide attack on Kirani Road in Quetta on February 16, 2013.

Two resolutions sought the help of the federal government to overcome the law and order problem in the province and the water shortage. Another resolution condemned the airing of an anti-Islam video. Similarly the lawmakers demanded facilities for the tribal areas of Balochistan, especially the registration of tax-exempted vehicles.

Since the Balochistan Assembly Secretariat does not make public the attendance record of MPAs, FAFEN observers conduct a headcount at the start and end of each sitting and documents the actual time spent by the Chief Minister, Speaker and Deputy Speaker.

The Chief Minister attended 10 sittings. The two Speakers in the fifth parliamentary year chaired 11 sittings, while the remaining 10 were presided over by their deputies.

During the fifth parliamentary year, on average 21 members were present at the beginning and 23 at the adjournment of each sitting. Twelve MPAs of the 65-member Balochistan Assembly did not take part in any assembly business throughout the fifth parliamentary year.

A total of 27 members raised 95 points of order which consumed 375 minutes of the total time otherwise allocated to formal agenda. The members generally raised more than one issue through a single point of order.

1.0 Session Time and Members' Participation

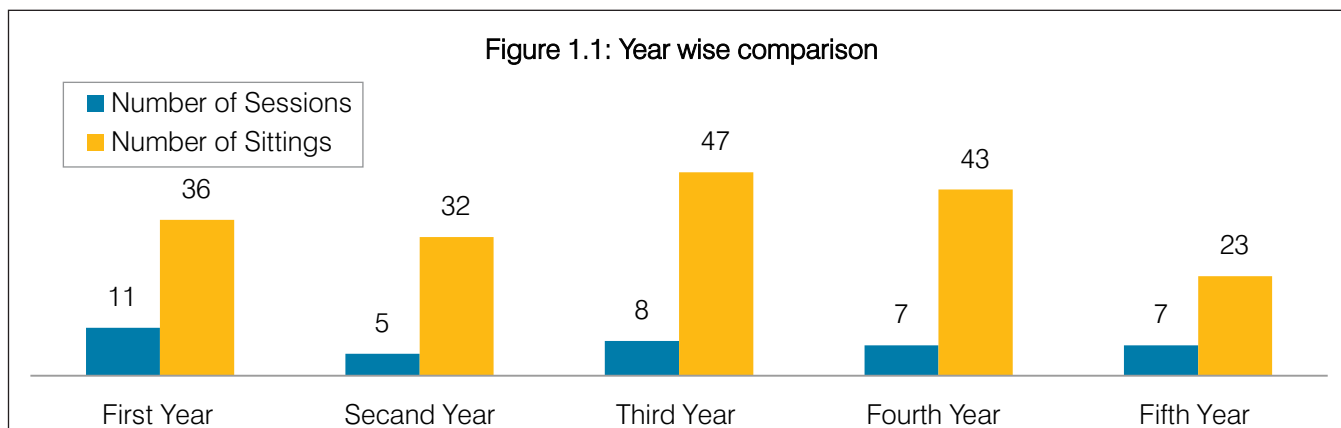
This section deals with the duration the Balochistan Assembly met during the fifth parliamentary year, the attendance of members, their participation, and maintenance of quorum [at least 1/4th (16 members) of the total membership. Members' participation is gauged on three counts: lawmakers who submit agenda items on the orders of the day; members who participated in debates; and MPAs who submitted agenda items and took part in debates.

Eighty two percent members participated either by debating or submitting agenda. PPPP, LMG, and JUJIF lawmakers were more active while all members of BNPA, PML, ANP and single member parties – PMLN, JUI (Ideological), NP, PML (Opted Opposition Benches) – took part in the proceedings in one way or the other. Two Independent members did not contribute to any assembly business.

1.1 Session Time and Duration

Compared to the first four parliamentary years, the Balochistan Assembly held least number of sittings – 23 – in the fifth parliamentary year in nine sessions, including the two in-camera sessions. During its entire term, the house did not meet once for the mandatory 70 days per annum as per article 54(2) of the Constitution.¹

¹ Information retrieved from the Balochistan Assembly website: <http://www.pabalochistan.gov.pk/index.php/business/ssns/en>



On average each session lasted three hours and 36 minutes. The total duration of nine sessions, including the two in-camera sessions, was 34 hours and 24 minutes. The first in-camera sitting of the 35th session was called off after three minutes only as the federal Interior Minister did not turn to brief the house on the law and order situation in the province. The single-sitting 37th and 38th sessions were also held in-camera.

Of the observed sessions, the 32nd spread over six sittings was the longest during the year while both 34th and the 39th sessions comprising a single sitting were the shortest. All sittings witnessed delayed starts.

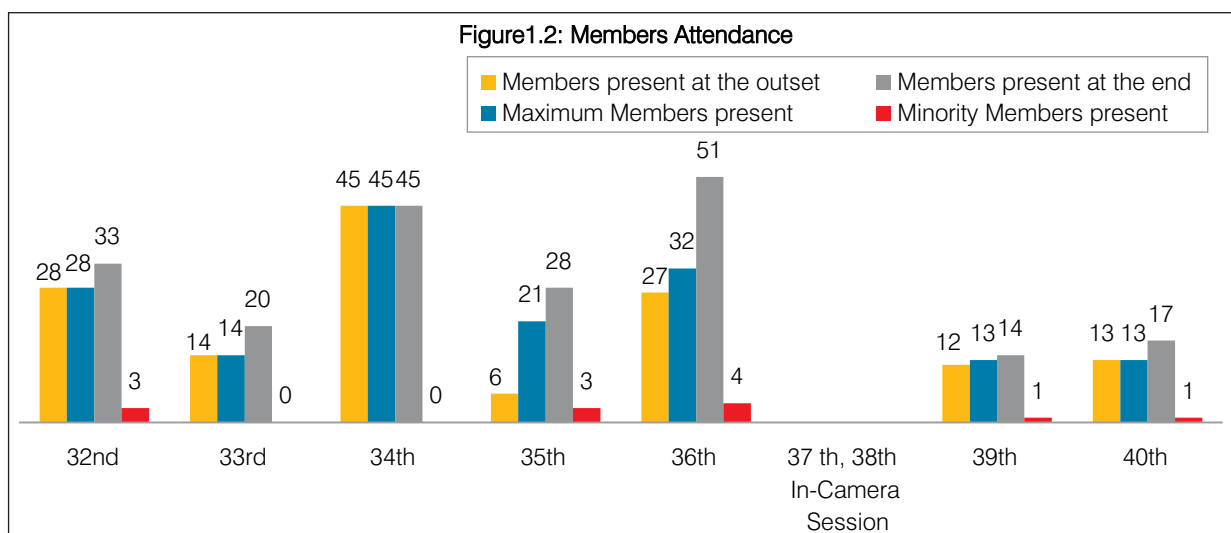
Table 1.1: Session Time and Duration

Sr. No.	Date	Session No.	Number of Sittings	Late start		Total time	
				Hours	Minutes	Hours	Minutes
1	8th June, 2012 - 20th June, 2012	32nd	6	0	21	9	5
2	18th September, 2012 -- 27th September, 2012	33rd	4	0	30	7	40
3	13th November, 2012	34th	1	0	20	3	10
4	3rd December, 2012 -- 4th December, 2012	35th	2	0	40	1	40
5	19th December, 2012 -- 27th December 2012	36th	4	1	2	3	49
6	31st December, 2012	37th	1	In-Camera Session			
7	15th January, 2013	38th	1				
8	18th January, 2013	39th	1	1	15	2	15
9	13th February, 2013 -- 20th February, 2013	40th	3	0	90	4	45
		9	23			32 Hours and 24 Minutes	

1.2 Members Attendance

Since the Balochistan Assembly secretariat does not provide information to media and public about the attendance of members, FAFEN conducts a headcount of lawmakers at the beginning and the end of each sitting.

During the fifth parliamentary year, on average 22 members were present at the beginning and 26 at the adjournment of each sitting. On average 51 members attended the 36th session which lasted for four sittings as the lawmakers voted to oust the Speaker who had refused to call the session in the light of the Supreme Court ruling on the provincial government's performance. Out of the three non-Muslim members in the Balochistan Assembly, on average two attended the proceedings in the fifth parliamentary year.



1.3 Key Members' Attendance

Attendance of key members –Chief Minister, Leader of the Opposition, Speaker and Deputy Speaker – is important for giving the house direction and guidance.

An important position in the Balochistan Assembly - the Leader of the Opposition - after remaining vacant for four and a half years was filled in the fifth parliamentary year. An Independent lawmaker was nominated Leader of the Opposition on December 18, 2012. Though the Balochistan Assembly functioned without a formal opposition, after the passage of the 20th amendment, a Leader of the House is a must in the national and provincial assemblies in order to decide about the caretaker setup to hold elections.

The Balochistan Assembly faced a constitutional crisis when the Speaker refused to call the session after the Supreme Court's verdict in October 2012 that the provincial government had lost its authority to rule in view of the deteriorating law and order situation.

However the 36th session was requisitioned and a no-trust motion was approved to oust the Speaker. In the following session on December 31st, the house elected the incumbent Deputy Speaker as the Speaker and for the first time in the history of Balochistan Assembly, a woman lawmaker was elected as Deputy Speaker.

The Speaker chaired seven sittings before he was ousted. Similarly the Deputy Speaker attended 10 sittings before he was appointed as the Speaker. The new Speaker chaired four sittings while the new Deputy Speaker attended one sitting.

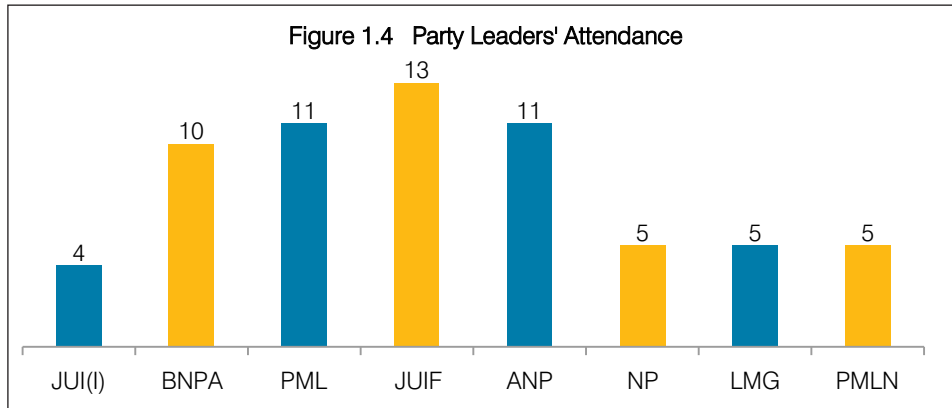
Table 1.3: Key Members' Attendance

Sr. No.	Session No.	Number of Sittings	Speaker	Deputy Speaker	Chief Minister	Leader of Opposition
1	32nd	6	6	2	5	Seat was Vacant for Opposition leader
2	33rd	4	1	3	0	
3	34th	1	0	1	1	
4	35th	2	0	1	1	
5	36th	4	1	3	2	2
6	37th	1	In-Camera Session			
7	38th	1				
8	39th	1	1	1	0	0
9	40th	3	3	0	0	0
Total		23	12	11	9	2

1.4 Party Leaders' Attendance

The attendance of parliamentary leaders reflects upon a party's responsiveness and participation during a session. The presence of a party leader on the floor regulates and influences the party's stance on various provincial matters.

The parliamentary leader of JUIF attended the most 13 sittings, followed by both PML and ANP leaders (11 sittings each) and the LMG head attended five sittings. The sole members of PMLN and NP each attended five sittings while the single JUI (I) member attended four sittings during the year.



1.5 Quorum

According to rule 195 of the Balochistan Assembly if at any time during a sitting of the assembly the attention of the Speaker is drawn to the fact that less than one-fourth of the total membership of the assembly is present, he is to suspend the meeting and order for the assembly bell to be rung for a period of five minutes and if after the said period there is still no quorum, he adjourns the assembly for 15 minutes. If on a fresh count being taken after the expiry of 15 minutes it is still found that there is no quorum the Speaker has to adjourn the sitting till the next working day.

During the fifth parliamentary year the quorum was found lacking on several occasions but it was pointed out only once during the second sitting of the 35th session by a PMLQ lawmaker, which led to suspension of proceedings for 15 minutes.

1.6 Participation

Members' participation is gauged on three counts: lawmakers who submit agenda items on the orders of the day; members who participated in debates; and MPAs who submitted agenda items and took part in debates.

Eighty two percent lawmakers (53 members) participated in the assembly's proceedings during the fifth year. Twelve MPAs of the 65-member Balochistan Assembly did not take part in any assembly business throughout the year.

PPPP, LMG, and JUIF lawmakers were more active while all members of BNPA, PML, ANP and single member parties – PMLN, JUI (Ideological), NP, PML (Opted Opposition Benches) – took part in the proceedings in one way or the other. Two Independent members did not contribute to any assembly business.

Of the 11 women lawmakers in the house, nine took part in the proceedings. Of the nine, one woman MPA submitted an agenda item, three took part in the debates while five submitted agenda items and also participated in debates. Out of three non-Muslim members in the house, one took part in the proceedings in the three categories.

Table 1.6: Members' Participation

Political Parties	Members who brought agenda items	Members who took part in debates	Members who participated in debates as well as brought agenda items	Percentage of members who brought agenda items	Percentage of members who participated in debates	Percentage of members who brought agenda items and participated in debates	Total number of members in assembly by party
Independent	0	4	1	0%	67%	17%	6
PPPP	1	7	5	7%	47%	33%	15
BNPA	0	2	3	0%	29%	43%	7
PMLN	0	1	0	0%	100%	0%	1
PML	0	2	3	0%	40%	60%	5
ANP	0	1	1	0%	33%	33%	3
JUIF	1	5	2	10%	50%	20%	10
Like Minded Group	0	9	3	0%	69%	23%	13
PML (Opted Opposition Benches)	0	0	0	0%	0%	0%	1
Independents (Opposition)	0	0	0	0%	0%	0%	2
JUI (Ideological)	0	1	0	0%	100%	0%	1
NP	0	1	0	0%	100%	0%	1
Total	2	33	18	3%	51%	28%	65

1.5 Non-participating Members

In the fifth parliamentary year, 12 legislators, among them two women and 10 men, did not take part in any house business throughout the year. The highest number of legislators not taking part in the proceedings belonged to LMG (four), followed by PPPP (three).

Table 1.5: Non-Participating Members

Name of Member	Party	Gender	Status
Rahila Hameed Khan Durrani	PML	Female	Reserve
Samina Razziq	PPPP	Female	Reserve
Mohammad Khan Toor	Like Minded Group	Male	Elected
Tahir Mahmood Khan	PPPP	Male	Elected
Mir Mohammad Bakhtiar Khan Domki	Ind (Opposition)	Male	Elected
Mir Tariq Hussain Bugti	Like Minded Group	Male	Elected
Mir Mohammad Amin Umrani	PPPP	Male	Elected
Sardar Mohammad Aslam Bizenjo	Ind	Male	Elected
Mir Amanullah Notezai	Like Minded Group	Male	Elected
Mir Qamber Ali Ghicki	Ind	Male	Elected
Al-Syed Abdul Qadir Algillani	Ind (Opposition)	Male	Elected
Mir Shoaib Noshewani	Like Minded Group	Male	Elected

2.0 Representation and responsiveness

This section is concerned with legislators' efforts to represent the interests of their constituents through adjournment motions and to fulfill their oversight role through the question hour. It also reviews the government response to the questions asked by the lawmakers.

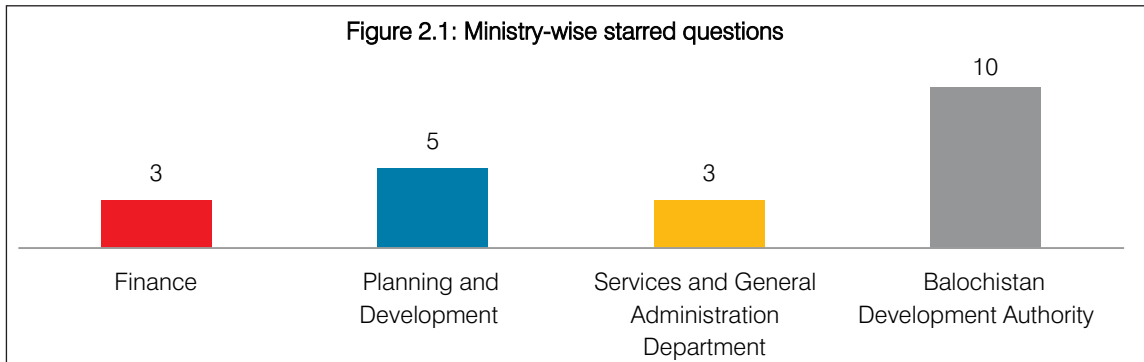
In the absence of an opposition and with most members occupying treasury benches, the process of government oversight was absent in the Balochistan Assembly in the fifth parliamentary year. Mostly the

question hour was not held and only a single member submitted questions on the agenda throughout the year.

2.1 Question Hour

During the entire year, the question hour was held only twice during the 32nd and 33rd sessions. Only one male PML member submitted the 21 starred questions during the year. The ministers provided answers to all the 21 questions – 16 in the 32nd session and five in the 33rd session.

Of the 21 questions, ten were addressed to the Ministry of Balochistan Development Authority, five to the Planning and Development and three questions each were put to the Ministries of Finance, Services and General Administration Department.



2.2 Adjournment Motion

Three adjournment motions appeared on the orders of the day during the year. All three were taken up. During the first and second sittings of the 33rd session, the house debated and condemned an anti-Islam video which was released in September 2012. The adjournment motion was moved by a PML lawmaker. ANP, PML and Independent lawmakers expressed views on the issue.

During the second sitting of the 35th session the house debated another adjournment motion on a Sub-Committee of Senate's Standing Committee on Finance inviting the officials of Blochistan government on the province's share in the Public Sector Development Programme (PSDP). Six MPAs spoke on the motion for 30 minutes, terming the Senate Sub-Committee's review an interference in the provincial matters.

2.3 Motion on debating recommendations for Council of Islamic Ideology

During the 39th session under rule 225 of the assembly's rules of procedure [suspending rules to take up a motion], JUIF MPAs presented seven proposals for the Council of Islamic Ideology. The recommendations proposed the eradication of any unIslamic practices from the society, mandating *hajib* for women, five time prayers for public servants, ban on television dramas etc. Fifteen JUIF and BNPA MPAs took part in the debate on the recommendations.

3.0 Budget

Less than half (31) of the total 65 lawmakers in the assembly took part in the budget session. With two members on the opposition benches during the 32nd session and the house without a Leader of the Opposition, the finance bill was swiftly passed. The budget, presented during the first sitting, was passed in the fifth sitting. Three treasury-backed bills – other than the budget bill – were also passed during the session.

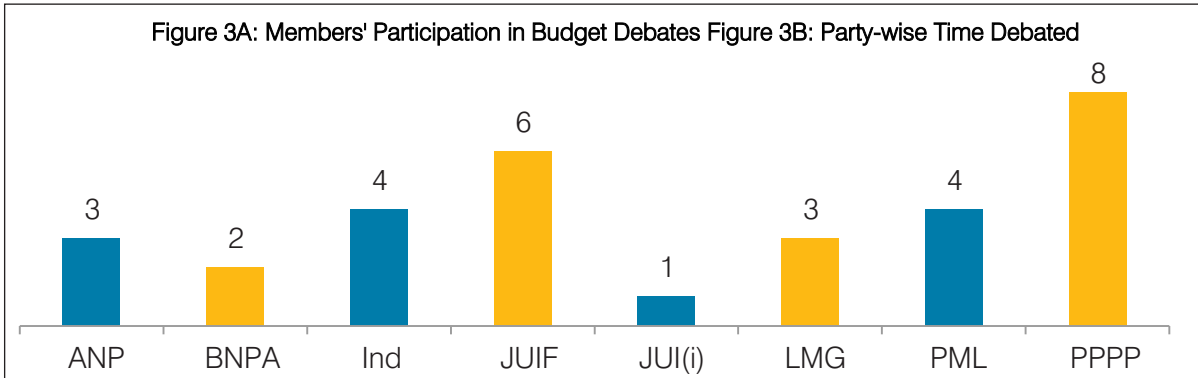
The budget session lasted nine hours and five minutes comprising six sittings, each of which lasted on average one hour and 31 minutes and faced a delay of 21 minutes. The Finance Minister's budget speech lasted an hour and 15 minutes during the first sitting.

Overall the legislators' participation and interest in the budget session was low. Although 19% of the MPAs who took part in the budget debate were women, they spoke on budgetary proposals for 33 minutes only. On the other hand 25 male legislators took part in the budget debate which spanned five hours and 27 minutes.

A party-wise analysis shows that eight PPPP lawmakers debated the budget for 84 minutes, followed by six

JUIF legislators who expressed their views on budget for 64 minutes. Lawmakers of LMG, PML, ANP, and BNPA spoke on budgetary proposals for 57, 45, 38, and nine minutes respectively. The sole member of JUI(I) spoke for five minutes only.

No MPA moved any cut motion – a tool to express disapproval or dissatisfaction over the budgetary proposals.



The other three bills on the list of business- the Nawab Ghous Bakhsh Raisani Memorial Hospital Bill, the Gwadar Industrial Estate Development Authority (Second Amendment) Bill, and the University of Turbat Bill – were also passed.

The Chief Minister attended five sittings during the budget session as the Speaker chaired the proceedings for 74% of the session time while the remaining 26% was chaired by members of the panel of chairpersons. Eighteen points of order were raised during the session collectively consuming 45 minutes - 8% of the total session time otherwise allocated for regular agenda. Only one point of order was budget-related, raised by an ANP member.

The budget session witnessed a walkout by an ANP lawmaker over a committee which failed to resolve the clerks' problems.

4.0 Output

Legislation through careful debate is a legislature's most important function. In this section the Balochistan Assembly's output has been discussed in the form of bills and resolutions.

The house passed nine bills during the fifth parliamentary year. Of them three sought amendments in the existing laws while six were new bills. The provincial assembly also adopted 11 resolutions during the year.

4.1 Legislation

A member or minister may move a bill after giving the secretary a written notice of his intention to do so. Upon introduction a bill (including an ordinance laid before the assembly) is to be referred by the Speaker to the appropriate Standing Committee with direction to submit its report by a date fixed by him in this regard; provided that the member-in-charge may move that the requirements of this rule may be dispensed with.

The Balochistan Assembly did not form standing committees during the five-year term. In standing committees, which are called the eyes and ears of a legislature, the lawmakers thoroughly discuss bills and other matters and present their reports before the house.

However, whenever a bill was introduced in the house, the rule on sending the bill to standing committees was suspended.

No private member bills were moved during the year in the provincial assembly.



Table 4.1: Bills

Sr. No.	Name of Bill/Amendment	Passed	Introduced	Not Taken Up
1	The Code of Civil Procedure (Amendmen) Bill 2012	✓	-	
2	The Balochistan Enviromental Protection Bill 2012	✓	-	
3	The Balochistan Essential Health Service (Code of Conduct) Bill 2012	✓	-	
4	The Transplantation of Human Organs and Tissues (Amendment) Bill 2013	✓	-	
5	The University of Loralai Bill 2012	✓	-	
6	The Balochistan Revenue Bill 2012	-	-	✓
7	The Gwadar Industrial Estates Development Authority (Second Amendment) Bill 2012	✓	-	
8	The University of Turbat Bill 2012	✓	-	
9	Nawab Ghous Bakhsh Raisani Memorial Hospital Bill 2012	✓	-	
10	The Balochistan Finance Bill 2012	✓	-	

4.1.1 Details of Passed Government Bills

Industrial Estates

- I. The Gwadar Industrial Estates Development Authority (Amendment) Bill 2012, tabled during the 32nd session, gives more powers to the authority to make efforts for the advancement of industries, commerce and infrastructure development in Gwadar.

Education

- I. Two bills were passed during the year to set up universities in Turbat and Loralai.

Health

- I. The Nawab Ghous Bakhsh Raisani Memorial Hospital Bill 2012 seeks the construction of a hospital in Mastung - a district located in the northwest of the province. The bill was passed during the 32nd session.
- II. The Human Organs Transplantation (Amendment) Bill 2012 passed during the fourth sitting of the 33rd session seeks to constitute a monitoring authority at the provincial level for framing rules and regulation for the removal, storage and transplantation of human organs and tissues for therapeutic purposes etc. As the subject of health was devolved to the provinces after the passage of the 18th amendment, this bill enables the provincial government to adopt the federal law - the Transplantation Human Organs and Tissues Act 2010 - for implementing it in the province.
- III. Amid doctors' strike in the province over the kidnapping of an eye specialist, the house passed the Balochistan Essential Health Service (Code of Conduct) Bill 2012 in the 35th session, declaring health services as mandatory, barring doctors from going on strike and putting conditions on private practice of doctors. The doctors' strike continued for two months in the province.

Civil Procedures

- I. The Code of Civil Procedure (Amendment) Bill 2012, passed during the third sitting of the 36th session, aims to amend the Code of Civil Procedures 1908 (Act No.V of 1908) by altering the title, inserting and omitting phrases and words from the Order VII and VIII, in the earlier Act. The bill was submitted to remove the conflict that appeared in the 1908 Act where the contents of complaint and written statements are required to include complete address of parties for summoning them in the courts.

Environment

- I. The Balochistan Environmental Protection Bill 2012, passed during the third sitting of the 36th session, provides for the protection, conservation and rehabilitation of the environment in the province. Environment is the subject devolved to provinces after the passage of the 18th amendment. This bill

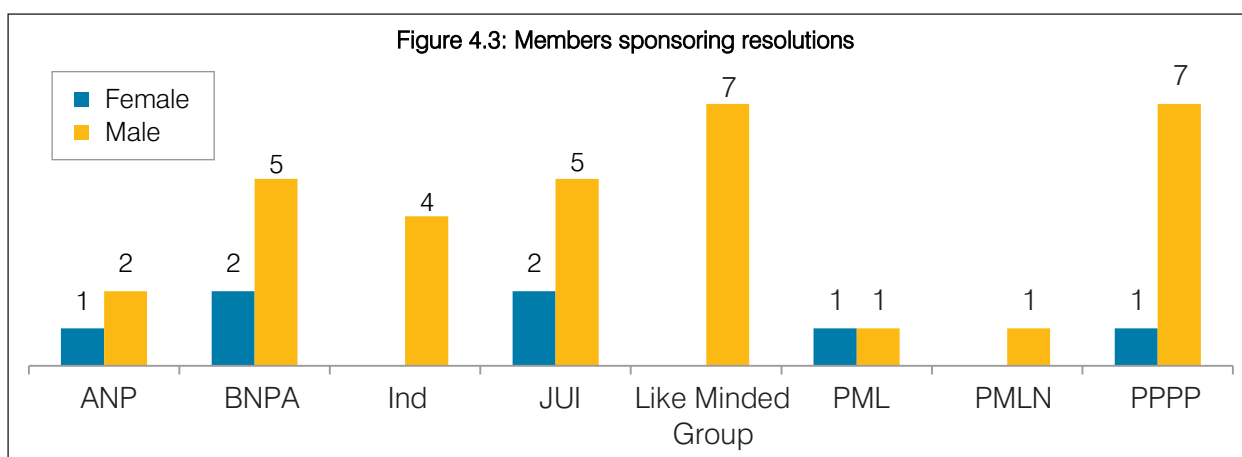
allows the provincial government to establish Balochistan Environmental Protection Agency to regulate the environmental issues of the province.

4.3 Resolutions

Through resolutions, the house expresses its opinion, makes recommendations, or conveys a message on a definite and important issue. Any member or minister may move a resolution relating to a matter of general public interest.

The Balochistan Assembly adopted 11 resolutions during the fifth parliamentary year. A total of 39 members – 32 males and seven females - sponsored the resolutions.

Among the male MPAs, eight PPPP members submitted resolutions, followed by LMG, JUI and BNPA members (seven each). Four independents along three ANP, two PML, and a PMLN member also submitted resolutions.



4.3.1 Passed Resolutions

The eleven resolutions adopted by the provincial assembly reflected the political instability, constitutional crisis and the sectarian violence Balochistan faced in the fifth parliamentary year.

Two of the resolutions were on removing the Speaker from his post. The resolution said that by not calling the session of the assembly, the Speaker “caused mistrust of the people in the constitutional institutions”.

Similarly amid political crisis in the province, the house reposed confidence in the leadership of the Chief Minister and condemned the imposition of the Governor Rule on January 14, 2013 after the killing of more than 80 Hazaras in a suicide attack in Quetta on January 10, 2013. In the last session of the year the house adopted another resolution to condemn the killing of Hazaras in another suicide attack on Kirani Road in Quetta on February 16, 2013.

Through another resolution the house reviewed the matters causing hurdles in the development process and creating law and order situation in the province.

Two resolutions each sought the help of the federal government to overcome the law and order problem and the water shortage in the province. The lawmakers also demanded to declare the flood-hit areas of the province as disaster prone and called upon the government to compensate the victims.

Another resolution condemned the airing of an anti-Islam video. By adopting another resolution, the lawmakers demanded facilities for the tribal areas of Balochistan, especially the registration of tax-exempted vehicles.



Table 4.3: Details of Passed Resolution

Session No.	Sitting No.	Resolutions	Gender	Party
Session-36	Sitting-4	The Speaker of the house is supposed to be politically neutral due to the nature of the office he holds. Contrary to this fact the present Speaker, on 13th November 2012 while in the capacity of acting governor, posed hindrances and hurdles in the way of summoning the session of the provincial assembly. This caused mistrust of the people in the constitutional institutions. The government then requisitioned a session and brought a resolution supported by two-thirds majority of the house condemning the unconstitutional acts of the Speaker in the capacity of acting governor of the province.	Male and Female	JUI, BNPA, IND, LMG, PPPP, ANP
Session-36	Sitting-1	No confidence motion against the Speaker	Single Male	JUI
Session-35	Sitting-2	As per the directives of the Supreme Court of Pakistan, according to the Article 148(3) of the Constitution, it is binding on the federal government to come to aid of the provincial government whenever needed. Therefore, the present law and order situation of the province demands that not only this house review the special situation of the province. But also, for the establishment of peace and tranquility in the province, while alongside a joint and solid policy and efforts of the federal and provincial governments, that, this house appeals to the federal government that it must ensure the federal agencies to come to aid of the provincial government for peace and tranquility in the province.	All Male	PPPP, IND
Session-34	Sitting-1	Whereas like other provinces of the country, the province of Balochistan is also faced with numerous internal and external conspiracies, which are resulting in poor law and order situation and causing troublesome situation for the people of the province. Under such circumstances it is the duty of the elected house to review the matters causing hurdles in the development process and creating law and order situation in the province while devising a unanimous strategy to improve the situation and ensure unity and solidarity in the province.	Male and Female	ANP, LMG, BNPA, JUI, PML, PPPP, IND
Session-34	Sitting-1	This house expresses its full confidence in Nawab Muhammad Aslam Raisani, Chief Minister Balochistan	All Male	IND, PMLN, PPPP, BNPA, ANP, JUI
Session-33	Sitting-3	Whereas the largest source of clean drinking water for Gwadar, Akra Dam, has been dried up in absence of rains and the provincial government is providing drinking water to the masses through water boozers, which is a temporary arrangement. This house therefore calls upon the provincial government to contact the federal government, asking it to approve the feasibility report lying with it with regard to Gwadar city and its surroundings and start work on it on immediate basis. Furthermore funds may also be released for under construction Sodium Desalination Plant and Shadi Kor Dam, so as this project could be completed as soon as possible. Besides, the pipeline project from Meerani Dam to Gwadar may also be launched as soon as possible.	All Male	LMG, BNPA, IND
Session-33	Sitting-3	The volume of recent monsoon rains is much higher than the previous years, which has caused losses to crops spread over more than seven lac acres of land at Naseerabad Division and Dera Bugti and Jhal Magsi Districts. Threes rains have also caused damage to life and property and livestock besides inundating a number of village in these areas. This house therefore calls upon the provincial government that besides compensating the financial and other losses to the people of Naseerabad, Dera Bugti, and Jhal Magsi areas, these may also be declared as calamity hit areas.	All Male	PPPP, PML, LMG

Session No.	Sitting No.	Resolutions	Gender	Party
Session-33	Sitting-2	This house calls upon the provincial government to contact the federal government to provide facilities to the tribal areas of Balochistan, especially the facility to register tax-exempted vehicles. Under article 245 of the Constitution 1973, the districts of Zhob, Qilla Saifullah, Sherani, Musakhel, Loralai, Barkahn, Kohlu, Dera Bugti and Dalbandin have been recognized as tribal areas, but these areas are still deprived of facilities.	All Male	PML, LMG, JUI
Session-33	Sitting-2	This house should debate the airing of sacrilegious clips hurting the feelings of Muslims	Single Male	PML
Session-40	Sitting-1	The democratic and stable government of the province has been inactivated by the imposition of Governor Rule, resulting in not only further jeopardizing the province but imposing unbearable loss to the people and democratic process in the province. This House therefore, unanimously calls upon the highups to ensure safety of the people and their democratic and constitutional rights.	All Male	BNPA JUI
Session-40	Sitting-3	This house not only condemns the Kirani incident and expresses condolence with the bereaved families of the victims who have died in the blast.	All Male	JUI, ANP, BNPA, JUI(I) INDP

4.4 No Confidence Motion

According to the Rules and Procedures of the Balochistan Assembly, for the removal of Speaker or Deputy Speaker a member may give notice to the Secretary, in writing, of a motion for leave to move a resolution. No other item is included in the orders of the day for that day.

The province was thrown into constitutional crisis in October 2012 after the Supreme Court issued an interim order in the law and order case, saying the provincial government had lost its constitutional authority to govern the province as it failed to curb human rights violations, target killings and kidnapping for ransom cases.

After the ruling, the Speaker, who was acting Governor at the time, questioned the status of the Balochistan government and refused to call the session requested by the Chief Minister in November 2012. On December 19, 2012 a no-confidence motion was submitted against the Speaker as the 36th session was requisitioned.

In a no-trust vote on December 26, 2012, the Speaker was ousted. As many as 49 MPAs -75% of the total membership- voted on the motion. The Chief Minister was present throughout the proceedings, whereas the then newly appointed Leader of the Opposition along with a PPPP MPA left the house protesting against the no-confidence motion.

In the following 37th session the incumbent Deputy Speaker was elected as the new Speaker, and for the first time in the Balochistan Assembly's history, a woman lawmaker was elected as Deputy Speaker.

5.0 Order and Institutionalization

This section deals with the order and institutionalization of members necessary for efficient and productive legislation. It reviews points of order on which the members expressed their views and the time consumed by them. It also reviews the protests, walkouts or boycotts during the year.

5.1 Points of Order

According to rule 201 of the assembly, a point of order relates to the interpretation or enforcement of these rules or such articles of the constitution to regulate the business of the assembly and should raise a question which is within the knowledge of the Speaker. However the members use the point of order to make speeches on host of issues, including the constituency related concerns and problems.

Twenty eight legislators raised 95 points of order consuming six hours and 15 minutes- 19% of the session's time. Two hours and nine minutes were consumed by speeches on 27 points of order during the 33rd session.



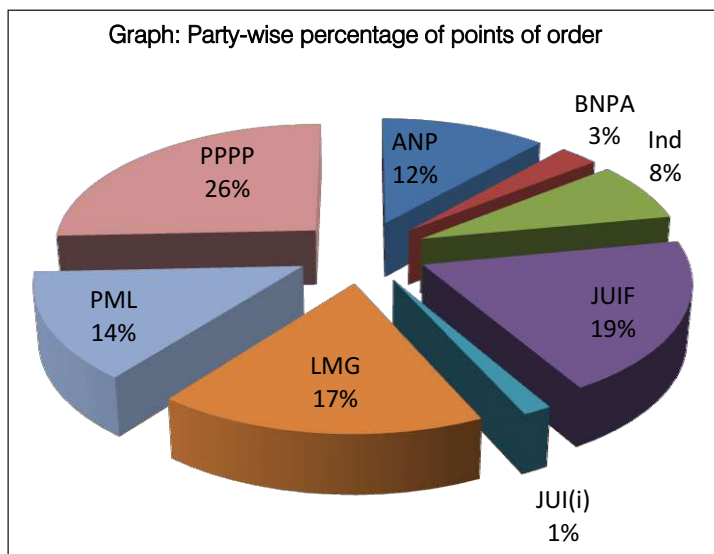
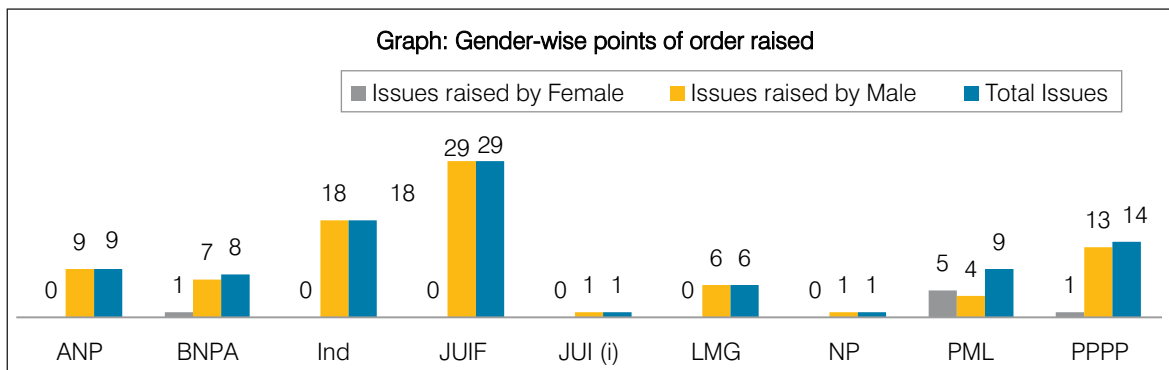
Table 5.1: Points of order

Sessions	Points of Order	Issue Raised	Time Consumed (Minutes)
32nd	17	17	44
33rd	27	27	130
34th	0	0	0
35th	2	2	4
36th	27	27	116
37th	In-Camera Sessions		
38th			
39th	6	6	1
40th	16	16	80
Total	95	95	375

5.2 Party, Gender - wise Points of Orders

Lawmakers belonging to each party in the house expressed their views on points of order. The members of JUIF raised a maximum 29 points of order, followed by Independent members 18, PPPP 14, ANP (nine), BNPA (eight), PML (nine), and the Like Minded Group (six) during the fifth year.

The male lawmakers frequently used the points of order to spoke on various issues. Ninety two percent of the points of orders (88) were raised by 25 male lawmakers. Only three female legislators raised seven points of order.



5.3 Issues raised through points of order

Members highlighted international, national and regional issues through points of order. Most of the points of

order were about the multi-billion-dollar Reko Diq gold and copper mining project, and the issues related to blasphemy, terrorism, judiciary, floods in the province, and condolences.

Table 5.3: Points of Order

Issues	Total Points of Order
Reko Diq project	13
Condolence	9
Business of the House	7
Criticism of PPPP Member	6
Blasphemy	6
Terrorism	5
Judiciary	4
Floods (Naseerabad, Jafferabad and Musakhel)	4
Public Security	3
Law and order	3
Criticism NAB	2
Health	2
Agriculture(Non issuance of subsidy)	2
Request for <i>Fateha</i>	2
Budget	1
Foreign Affairs (opposition to NATO's presence in Pakistan)	1
Police and FC (Misbehaviour)	1
Criticism of secretary parliament	1
Criticism of federal Government (exclusion of province from development projects)	1
Criticism on Colleague(s)	1
Criticism on Islamic Ideological Council	1
Development projects	1
Conduct of the members	1
Development projects	1
Saindak project	1
Exclusion of Bakhtiar Domki from exit control list	1
Excessive billing of gas	1
Kalabagh Dam	1
Fateha for the late Prime Minister	1
Communications (Road blockage due to weather)	1
Miscellaneous Affairs	1
PTCL (closing of exchange in Washak)	1
Funds (closed after 18th amendment)	1
Request for Azan in the house	1
Gas provision (Ziarat)	1
Road Accidents	1
Government oversight of PSDP	1
Schedule of sitting	1
Government oversight of WAPDA	1
Status of PML in Balochistan Assembly	1
Authority of Director General	1
Total	95



5.4 Protests/ Boycotts and Walkouts

The house witnessed four walkouts and a protest during the fifth year. ANP members staged walkouts twice during the 32nd session against the inaction of a committee formed to resolve the issues with the All Pakistan Clerks Association.

During the 36th session Independent MPAs protested when the chair did not allow them to speak on a point of order. During the same sitting the newly-appointed Leader of the Opposition along with two PPPP members walked out to protest the vote of no confidence against the Speaker. A JUIF member staged a walkout when the speaker did not allow him to speak on a point of order in the 40th session.

Table 5.4: Protests/ Boycotts and Walkouts

Session	Party/Members	Reason of Protest/Boycott/Walkout	Protest/Boycott/ Walkout
32nd	ANP	Inaction of a committee formed to resolve the clerks' issue	Walkout
	ANP	Demands of APCA workers were not fulfilled which were highlighted on the floor of the assembly but still not made part of the budget	Walkout
36th	INDs	The Speaker didn't allow the member to speak on point on order	Boycott
	PPPP, IND	Against the vote of no confidence against the Speaker	Walkout
40th	JUIF	The Speaker didn't allow the member to speak on point on order	Walkout

Glossary

Adjournment Motion

A motion to adjourn the business of the purpose of discussing a definite matter of recent and urgent public importance.

Amendments

A motion to amend an earlier motion before that earlier motion is put to the assembly for its decision.

Assembly

National Assembly or a provincial assembly

Assent

Refers to the power of the Governor to assent the bill passed by the assembly or return the same to the assembly for reconsideration.

Chairperson

In relation to a sitting, any person who is presiding at that sitting.

Chair

The presiding officer at a meeting of the house or a committee.

Chamber

The place where the assembly meets to transact its business.

Constitution

Means the Constitution of the Islamic Republic of Pakistan 1973.

Deputy Speaker

When the office of speaker is vacant or speaker is absent or is unable to perform his functions due to any cause the deputy speaker acts as the speaker of the house.

Election

The process of choosing a representative by vote.

Leader-of-the-Opposition

"Leader of the Opposition" means a Member who, in the opinion of the Speaker, is the leader of the majority of opposition members for a certain time period.

Legislation

The process of crafting law.

Legislative Process

The processes by which bills are approved by assembly.

'List of Business'

The 'List of Business' includes the business scheduled for an Assembly sitting. The 'List of Business' is called 'Orders of the Day' in the National Assembly. The lists of businesses are to be brought before the Assembly for consideration and decision at its sitting on any day.

Member

A member of the assembly and for purposes of moving or opposing a bill, an amendment, a motion or a resolution, includes a minister.

Member-in-Charge

In the case of Government Bill, a Minister or a Parliamentary Secretary acting on behalf of the Government and in the case of a private Member's Bill, the Member who has introduced it or any other Member authorized by him in writing to assume charge of the Bill in his absence.

Minister

May refer to the Prime Minister, a Federal Minister or a Minister of State, or a Parliamentary Secretary in respect of any function delegated or entrusted to him by a minister.

Motion

A proposal made by a member or a minister relating to any matter, which may be discussed by the assembly and includes an amendment.

Mover

The mover of a bill, a resolution, a motion or an amendment of a bill, a resolution or a motion and in the case of a government bill, a resolution, a motion or an amendment, a minister or a parliamentary secretary acting on behalf of the government.

Opposition

The party or parties who do not belong to the governing party.

Point of Order

Relates to the interpretation or enforcement of parliamentary rules of business or articles of the constitution that regulate the business of the assembly. The mover of a point of order raises a question which is within the cognizance of the speaker.

Private Member

A member who is not a minister or a parliamentary secretary.

Private Member's Bill

A proposed law introduced by a private member.

Proceedings

The actions taken by the house or by a committee, the most important parts of the proceedings are the decisions that are taken.

Quorum

Quorum is the minimum number of Members of Assembly necessary to conduct the business of the assembly. Under article 55(2) of the constitution 1/4th of the total membership of the assembly is required for quorum.

Question Hour

A time fixed under the rules for asking and answering questions.

Resolution

A motion for the purpose of discussing and expressing an opinion on a matter of general public interest.

Speaker

The Speaker of the Assembly, including the Deputy Speaker or any other member acting as the Chairperson on a particular sitting or number of sittings.

Starred Question

A question that requires an oral answer in addition to a written reply.

Standing Committee

A sub-unit of Assembly established in a permanent fashion to aid the parent Assembly in accomplishing its duties. A standing committee is granted jurisdiction over a particular area of legislation by the assembly.

Sitting

A meeting of the assembly or that of a committee on a day.

Table

The table of the house.

Unstarred Question

"Unstarred Question" means a question for a written answer.

About FAFEN

Free and Fair Election Network (FAFEN), established in 2006, is a coalition of 42 leading civil society organizations, working to strengthen all forms of democratic accountabilities in Pakistan. Governed by Trust for Democratic Education and Accountability (TDEA), FAFEN's key achievements are:

- Observed the public display of Pakistan's draft electoral rolls and conducted the country's first statistically-valid voters' list audit in 2007
- Deployed more than 18,829 trained, neutral Election Day observers nationwide to watch the February 18, 2008 polls and 264 long-term observers to monitor the pre-election process
- Fielded long-term observers nationwide and published 19 pre-election reports
- For the February 18, 2008, General Elections, FAFEN conducted 260 simultaneous Parallel Vote Tabulations (PVTs)- the largest effort in the world
- Conducted its first survey, Constituents Aspirations Survey, in December 2008 with a sample size of 3,124 respondents to get the description of the state of public opinion and also to get a deeper understanding of the values, attitudes and beliefs of people living in the constituencies
- Conducted mapping of organizations working for human rights within Pakistan
- Observed general elections at Gilgit-Baltistan in 2009 and by-elections in various constituencies of the Punjab, Balochistan and Khyber Pakhtunkhwa in 2010
- Implemented a unique methodology to observe parliamentary proceedings under its Parliament Watch
- Monitors public institutions across Pakistan and issues monthly reports on the state and performance of educational, health and other local level institutions. In addition, monthly reports on prices, crimes, incidence of disease, caseload in lower courts and political and electoral violence are issued

FAFEN continues to implement robust programs in-between elections related to monitoring parliamentary affairs, connecting constituents to their elected representatives, monitoring the performance of public and elected institutions and advocating electoral and democratic reforms. FAFEN is also monitoring political and electoral violence, peace activities and promoting active citizenry through ongoing civic education activities across the country. FAFEN is currently implementing Supporting Transparency, Accountability and Electoral Processes in Pakistan in 200 National Assembly constituencies in 119 districts across Pakistan.

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