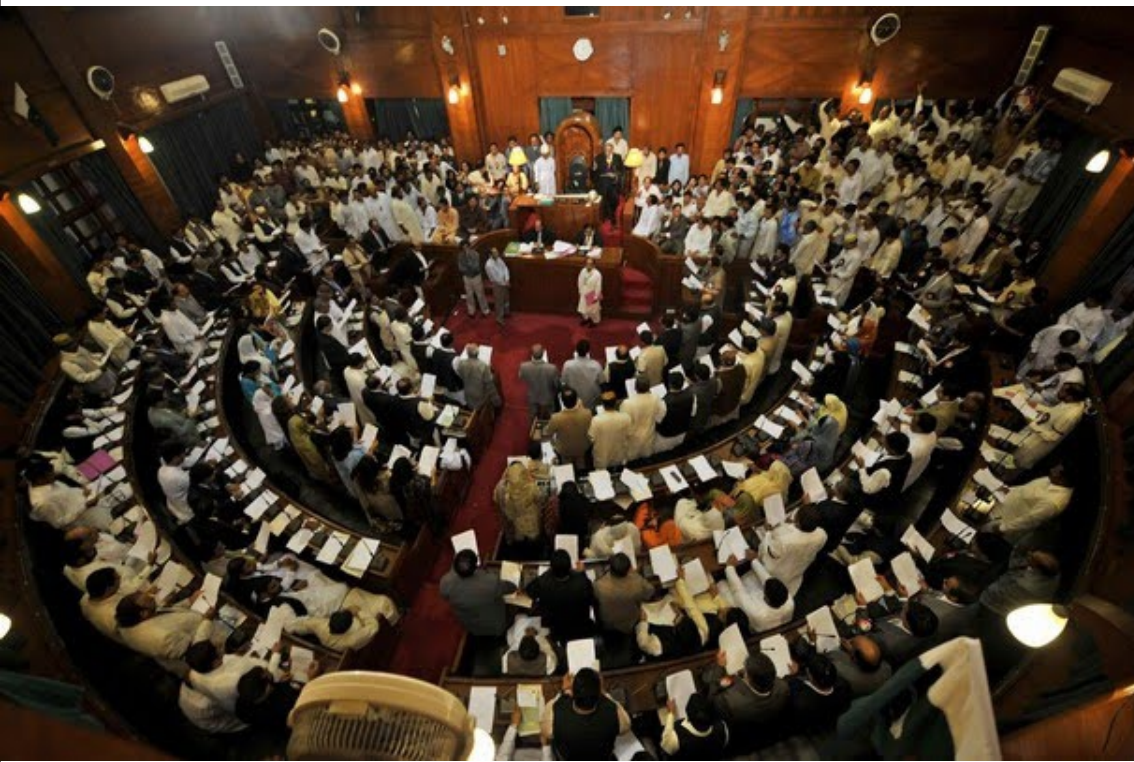




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FAFEN Parliament Monitor

35th Session

Provincial Assembly of Sindh
(April 23 - May 8, 2012)

Free and Fair Election Network

List of Abbreviations

ANP	Awami National Party
IND	Independent Member
MMAP	Mutihida Majlis-e-Amal Party
MQM	Muttahida Quami Movement
NPP	National Peoples Party
PML	Pakistan Muslim League
PML(F-B)	Pakistan Muslim League (Forward-Block)
PO	Point of Order
PPPP	Pakistan People's Party Parliamentarians
PW	Parliament Watch
QoP	Question of Privilege



This report is based on direct observation of proceedings of Provincial Assembly of Sindh, conducted by **Pakistan Press Foundation**, a member organization of FAFEN.

Executive Summary

Low attendance of Members, late starts, Points of Order interrupting regular proceedings and a brief discussion on law and order marked the Sindh Assembly's 35th session.

Following the Supreme Court verdict in the contempt case, the House adopted a Resolution reposing confidence in the Prime Minister. A Resolution on the Bhoja Air plane crash, which resulted in loss of 127 lives, was also adopted. In all the Assembly adopted six Resolutions.

The session spanning 23 hours and 10 minutes comprised nine sittings between April 23 and May 8, on average meeting two hours and 34 minutes per sitting. Each sitting on average was delayed by 102 minutes.

Though the law and order in the province, especially Karachi, was on the agenda, it was discussed only for an hour and 31 minutes constituting six percent of the total session time. Speaking for two hours in the last sitting, the Chief Minister presented a four-year performance report of the government, terming the law and order satisfactory in the province.

The Members' seriousness in discharging their representative and legislative duties can be judged from their attendance. Since the Sindh Assembly Secretariat does not make the attendance record public, FAFEN conducts a headcount of Members at the beginning and end of each sitting and documents the actual time spent on the floor of the House by the Speaker, Deputy Speaker, and the Chief Minister. Currently the Sindh Assembly is without the Leader of the Opposition.

On average, only 29 Members were present at the outset and 57 at the end of each sitting.

The Chief Minister attended two sittings for 22% (222 minutes) of the session time. The Speaker chaired the proceedings for 77% of the session time; the Deputy Speaker 13% while the remaining 10% of the time was presided over by Members of Panel of Chairpersons. The parliamentary leader of MQM attended all nine sittings; those representing the PPPP, ANP and PML (F-B) (five each), PMLF (three), and NPP and PML leaders (one each).

Although the Quorum was visibly lacking at various stages of the session, it was not pointed out by any legislator.

FAFEN documents the participation by observing the number of Members who submitted Agenda on the Orders of the Day, those who took part in debates on the floor of the House, and those who did both. Four percent Members of the House brought Agenda items on the Orders of the Day, 33% took part in debates and four% engaged in both.

Members belonging to the PMLF were most involved during this session as 50% participated in the proceedings, MQM followed with 47% Members, PPPP (36%) and PML (30%). Four NPP and one ANP Member also marked their participation either by submitting an Agenda item or taking part in debates.

Out of a total 29 female Members, 80% (24) Members took part in the session either by submitting Agenda, taking part in debates or both. While, 31% (42 out of 136) male Members took part in the proceedings.

Three treasury-backed bills - The Sindh Government Servants Benevolent Fund (Amendment) Bill 2012, the Sindh Teachers Education Development Authority Bill 2012 and the Colonization of Government Lands (Sindh Amendment) Bill 2011 - were passed. The sole Private Members' Bill

Parliament Watch

An essential component of democracy is publicly accessible information about the political decision-making processes, such as parliamentary deliberations among elected representatives. Citizens must have information about whether, and how their representatives are performing in the Assembly in order to hold those elected leaders accountable.

The Parliament Watch (PW), an initiative of the Free and Fair Election Network (FAFEN), aims to collect and publish information about the job performance of Members of the National Assembly (MNAs), Provincial Assemblies (MPAs) and Senate by observation of these directly elected representatives' actions. FAFEN intends to foster informed engagement between constituents and elected representatives in Pakistan by providing objective and statistically-sound information on parliamentary processes and decisions.

The methodology of the PW is to deploy trained observers to the National Assembly in order to monitor their performance using a detailed, standardized checklist and reporting forms covering all types of parliamentary business. The information gathered is measured against the neutral and objective framework of the rules of parliamentary procedure.

FAFEN's PW focuses on directly-observed parliamentary procedure in addition to parliamentary output. In other words, FAFEN's criteria for assessing parliamentary effectiveness are primarily process-oriented and secondarily results-oriented.

appearing on the Agenda - the Protection of Religious Minorities' Properties Bill 2012 – was introduced and sent to the relevant Standing Committee.

Most of the Agenda for the Private Members' Day was left unaddressed since it was ambitiously set and therefore unable to be completed in a single sitting.

The Members raised 82 Points of Order which consumed almost one-fourth of the session time – 212 of the total 923 minutes. None of the Points of Order attracted the Chair's formal ruling. Without the Chair's formal ruling, these Points of Order do not lead to any output.

Forty-four out of 47 Starred questions (requiring oral replies) appearing on the Agenda were taken up by the House. On average five questions were asked per sitting. Additionally, a total of 155 Supplementary questions were asked.

1.0 Members' Participation and Attendance

This section deals with the total session time, attendance and participation of Members, and maintenance of Quorum (at least 1/4th (41) of the total Membership). The participation of Members is recorded when they take part in the proceedings, or submit an Agenda item. It also reviews the presence of the Speaker, Deputy Speaker, Chief Minister, the Leader of the Opposition and parliamentary leaders.

1.1 Session Time

The overall duration of the 35th session, held between April 23 and May 8, was less than a day. The session comprised nine sittings, each of which lasted an average of two hours and 34 minutes. On average each sitting was delayed by 102 minutes. The eighth sitting was the longest, lasting four hours and two minutes while the first was adjourned only after 30 minutes.

Sr. No.	Date	Sitting No	Late Starts	Total	
				Hours	Minutes
1	Monday, April 23, 2012	1st	60	0	30
2	Tuesday, April 24, 2012	2nd	120	3	10
3	Thursday, April 26, 2012	3rd	125	1	50
4	Friday, April 27, 2012	4th	68	2	10
5	Monday, April 30, 2012	5th	115	3	0
6	Thursday, May 03, 2012	6th	108	3	20
7	Friday, May 04, 2012	7th	97	1	23
8	Monday, May 07, 2012	8th	108	4	2
9	Tuesday, May 08, 2012	9th	120	3	45
Total			One Hour and 42 Minutes	23 Hours and 10 Minutes	

1.2 Members' Participation

Participation has been classified into three categories – Parliamentarians who only submitted agenda item (s) on the Orders of Day; Legislators who did not submit any agenda item but took part in discussions and deliberations in the House, and Members who submitted agenda items and also participated in debates.

Less than half (40%) of the total 166 Members attended the session. Four percent Members of the House brought Agenda items on the Orders of the Day, 33% took part in debates and four % engaged in both.

Members belonging to the PMLF were most involved during this session as 50% participated in the proceedings, MQM followed with 47% Members, PPPP (36%) and PML (30%). Four NPP and one ANP Member also marked their participated either by submitting an Agenda item or taking part in debates.

Sr. No.	Party	Members Who Submitted Agenda Items	Members Who Took Part in Debates	Members Who Participated in Debates as well as Submitted Agenda Items	Percentage of Members Who Submitted Agenda Items	Percentage of Members Who Participated in Debates	Percentage of Members Who Submitted Agenda Items And Participated in Debates	Total Number of Members in Assembly by Party
1	ANP	0	1	0	0%	50%	0%	2
2	MQM	4	19	1	8%	37%	2%	51
3	NPP	0	0	1	0%	0%	33%	3
4	PMLF	1	2	1	13%	25%	13%	8
5	PML	0	3	0	0%	30%	0%	10
6	PPPP	1	29	3	1%	32%	3%	92
Total		6	54	6	4%	33%	4%	166

1.3 Key Members' Attendance

The presence of the Speaker, who is the custodian of the House, as well as the Deputy Speaker, Chief Minister and the Leader of the Opposition, is crucial for the Assembly's proceedings and output. However, currently the Sindh Assembly does not have a Leader of the Opposition.

The Chief Minister attended only two sittings during the entire session. The Speaker was not present in one of the nine sittings and presided over 77% of the total session time, while the Deputy Speaker was present for six sittings and presided over 13% of the session time. The remaining 10% of the session time was presided over by the Panel of Chairpersons, who remained present in all sittings.

Sitting No.	Speaker	Deputy Speaker	Panel Of Chairpersons	Chief Minister
1	30	Did not preside	Did not preside	0
2	190	Did not preside	Did not preside	0
3	110	Did not preside	Did not preside	0
4	10	Did not preside	120	35
5	180	Did not preside	Did not preside	0
6	200	Did not preside	Did not preside	0
7	Did not preside	83	Did not preside	0
8	145	79	18	0
9	210	15	Did not preside	187
Total	1075 Minutes	177 Minutes	138 Minutes	222 Minutes

1.4 Parliamentary Leaders' Attendance

The parliamentary leader of the MQM attended all nine sittings, followed by the PPPP, ANP, and the PML (F-B) (five each). The parliamentary leader of the PMLF attended three sittings and those of the NPP and PML one each.

1.5 Members' Attendance

The Sindh Assembly does not make the attendance records of the Members public. FAFEN conducts a headcount at the start and end of each sitting. Members' attendance reflects their interest in the parliamentary proceedings. On average, 29 Members were present at the beginning and 57 at the end of each sitting. In other words, Quorum began to be filled towards the end of the session.

At least three minority Members were present during each sitting of the session, out of a total strength of nine. Sindh has a sizable Hindu community comprising nearly 93% of the total Hindus in Pakistan. Six of the nine minority Members are Hindus.

Sitting No.	Members present at the outset	Members at the end	Minority Members Present during the sitting
1st	32	74	3
2nd	72	48	8
3rd	9	45	3
4th	35	64	3
5th	32	72	6
6th	27	42	4
7th	20	48	4
8th	18	55	3
9th	20	63	5
Average	29 Members	57 Members	4 Members

2.0 Representation, Responsiveness and Government Oversight

This section deals with government accountability, especially through Questions submitted during the parliamentary Question Hour, and government Ministers' responsiveness to these Questions. In this report, FAFEN observers monitored the Question Hour but did not observe the functioning of Parliamentary Committees, which are another important tool of executive oversight.

2.1 Question-Hour

Question Hour provides Members opportunity for executive oversight. Answers may be demanded in written or oral form, referred to as Unstarred or Starred questions. According to the Assembly's Rule 31 of the Rules of Procedure and Conduct of Business, the first hour of the sitting, after the recitation from the Holy Quran and the swearing in of Members will be for asking and answering of Questions.

A total of 47 Starred Questions were on the agenda, of which 44 were taken up on the floor. On average, five Starred questions were taken up per sitting. A total of 155 Supplementary Questions were asked, to further elucidate or explain the answers already given by the relevant ministry.

Sitting No.	Starred Questions of the Agenda	Starred Questions taken up by the House	Supplementary Questions
1st	0	0	0
2nd	5	5	28
3rd	7	7	21
4th	7	7	36
5th	8	8	20
6th	8	8	30
7th	0	0	0
8th	8	5	19
9th	4	4	1
Total	47	44	155

2.3 Private Motions

None of the 11 Private Motions moved during the session – five by female and six by male legislators – was adopted.

Several issues were highlighted in these Motions. Governance- related issues, such as illegal bus stations and training of officers were brought up by female Members belonging to the MQM and PMLF. The Members of the PMLF also moved Motions regarding the need to control the law and order situation arising from clashes between members of different clans. Another Member of the party moved a Motion against the overnight call packages of mobile phones which she considered harmful for the youth.

A single male Member of the NPP moved a Motion on Sindh's rights to the gas produced locally before its supply to other provinces. Another Motion called upon the Irrigation Department to provide free electricity to farmers for tube wells, since the irrigation canals had not been repaired yet. Motions regarding the local government elections and payment of balance to each Watan Card holder were also moved by Member(s) belonging to the same party.

The Members of the PPPP moved two Motions during the session pertaining to the provision of clean drinking water in two colonies of Sukkur, as well as the extradition of illegal immigrants.

Sr. No.	Party	Resolutions	Status
1	PMLF	To ban the overnight packages of calls which are harmful for the young generation	Not Taken Up
2	PMLF	To ensure pre-service and in-service training of the officers for effectively and efficiently maintaining good governance in the province	Not Taken Up
3	MQM	To remove illegal bus stations established in the cities	Not Taken Up
4	NPP	The province has first priority for gas produced in Sindh before its supply outside the province	Not Taken Up

Sr. No.	Party	Resolutions	Status
5	PMLF	To pay special attention to the issue of tribal clashes running among different clans and take immediate and exemplary measures to control it	Not Taken Up
6	PPPP	Proper arrangements be made to provide drinking water in New Pind, Islam Colony 1 & 2 and Mincrowan Colony of Sukkur	Not Taken Up
7	NPP	Local Government elections be held immediately	Not Taken Up
8	PPPP	The illegal immigrants belonging to India, Bangladesh, Sri Lanka, Afghanistan and other countries be extradited to their original countries	Not Taken Up
10	NPP	Irrigation Department take steps to assist farmers who have been denied irrigation water due to non- repair of canals by providing free electricity for tube wells	Not Taken Up
11	NPP	The payment of the balance of Rs 80,000/ due to each Watan Card holder	Not Taken Up

3.0 Parliamentary Output

This section is about Legislation and Resolutions debated and decided during the legislative session. Law-making on matters of national and public importance through careful debate is arguably a legislature's most important function.

3.1 Bills

Four Bills were presented in the House – three by Government and one by a Private Member. Government Bills are presented by ministers or Members who have a portfolio. Tuesdays are designated as Private Members' Days in the Sindh Assembly, when Private business takes precedence over Government business.

The Protection of Religious Minorities' Properties Bill 2012, moved a Private Member, was sent to the relevant Standing Committee. Three Government Bills – the Colonization of Government Lands (Sindh Amendment) Bill, 2012, the Sindh Teachers' Education Authority Bill 2012 and the Sindh Government Servants' Benevolent Fund 2012 – were passed.

Sr. No.	Bills	Category	Status
1	The Sindh Government Servants Benevolent Fund (Amendment) Bill, 2012	Government	Passed
2	The Colonization of Government Lands (Sindh Amendment) Bill, 2011	Government	Passed
3	The Sindh Teachers Education Development Authority Bill 2012	Government	Passed
4	The Protection of Religious Minorities' Properties Bill, 2012	Private	Introduced

3.2 Resolutions

Thirteen Resolutions were submitted during the 35th session, of which six were adopted. Seven of these were submitted by PPPP legislators, four by MQM, one by the MQM and PPPP jointly, and one by the PMLF. A Resolution by a female MPA calling for elevating the status of Sindhi to that of a national language was not taken up.

The PPPP and MQM legislators jointly moved a Resolution on the Bhoja Air crash, demanding probe and calling for compensating the victims' families.

Following the Supreme Court verdict in the contempt case, the House adopted a Resolution reposing confidence in the Prime Minister.

A Minority PPPP legislator submitted two Resolutions to include national heroes belonging to minority communities in the curriculum and to study the causes of discrimination against minorities in Sindh. While the first was adopted, the second was not taken up.

Other Resolutions submitted by the PPPP Members pertained to proper disposal of waste water (adopted), unlawful marriages of minors (adopted), regularization of the Benazir Income Support Programme (not taken up), and the freedom of the press (adopted).

Single male MQM Members submitted two Resolutions regarding hike in prices of medicines and private security agencies' policies to hire security guards. None of these were taken up. Single female Members of the House submitted Resolutions against the Jirga system and cases of forgery and fraud related to property.

Sr. No.	Party	Resolutions	Status
1	PMLF	To give Sindhi Language the status of national language in Pakistan	Not Taken Up
2	MQM	To withdraw recent price increase in medicines as it affects the common men adversely	Not Taken Up
3	MQM	To stop the Sardars to hold the Jirga system	Not Taken Up
4	MQM	To take steps on war footing to curb the incidents of forgery and fraud in property cases and take legal action against the culprits who are involved in such illegal business	Not Taken Up
5	MQM	Private security agencies scrutinize the bio-data of security guards while hiring	Not Taken Up
6	PPPP	To include the lessons of minority heroes in the curriculum who rendered their services for the development and defence of the country	Adopted
7	PPPP	To take action and precautionary measures against those who are involved, influence and facilitate parents of minors to make relation/ nikkah in lieu of chitti.	Adopted
8	PPPP	Proper arrangements be made to drop water which contains waste material of industries into the sea	Adopted
9	PPPP	To study the root causes of discrimination against religious minorities in Sindh	Not Taken Up
10	PPPP	To regularize/ make permanent the Benazir Bhutto Shaheed Youth Development Programme	Not Taken Up
11	PPPP MQM	The Bhoja Air plane crash on 20th April, 2012, which resulted in tragic loss of 127 lives. It demanded that the events leading to the tragedy be brought to light without delay and recommended to the Sindh government to approach the federal government for immediate measures regarding compensation to the families of the victims.	Adopted
12	PPPP	The Assembly's commitment to uphold the freedom of press as enshrined in the Constitution of Pakistan	Adopted
13	PPPP	To repose confidence in Prime Minister as constitutionally and democratically elected Prime Minister and unanimously elected Chief Executive of this country and reaffirm belief in constitutional procedure for his disqualification from holding the office and that any other procedure adopted will be considered as unconstitutional	Adopted

4.0 Order and Institutionalization

This section of the report deals with issues raised through Points of Order and the time consumed by them. It also reviews the Questions of Privileges, the instances of protests, walkouts or boycotts during the session.

4.1 Points of Order

A Point of Order is raised to address an apparent breach in the rules of parliamentary procedure while an Assembly's business is underway, and usually requests the Chair's ruling on the issue. This section looks at the Points of Order raised during the Assembly session and the decisions taken to resolve them.

A Point of Order is raised by Members to draw the Chair's attention towards a perceived breach in discipline or procedure. As many as 82 points of order were raised by the Members during the 35th session. Most POs are used erroneously by the Members to make speeches and rejoinders on matters of national or local importance. These can only count towards the Assembly's output if the Chair gives a ruling, otherwise they just cut into the time actually allocated for regular agenda.

Sitting No.	Points of Order	Time Consumed
1st	0	0
2nd	12	35
3rd	11	37
4th	8	19
5th	9	37
6th	7	20
7th	17	24
8th	8	15
9th	10	25
Total	82 POs	212 Minutes

Glossary

Adjournment Motion

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

Assembly

Provincial Assembly

Chairperson

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

Chair

The Presiding Officer at a meeting of the House.

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.

Legislation

The process of crafting law.

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.

Minister

May refer to the Chief Minister a Provincial Minister or a Parliamentary Secretary in respect of any function delegated or entrusted to him by a Minister.

Opposition

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

Orders of the Day

“Orders of the Day” means the list of business to be brought before the Assembly on any day.

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 Chair.

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.

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.

Starred question

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

Sitting

A meeting of the Assembly on a day.

Table

The Table of the House.

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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