

FAFEN Parliament Monitor

32nd Session

Provincial Assembly of Sindh
(December 16, 2011 – January 26, 2012)



Free and Fair Election Network

Executive Summary

After successfully observing the proceedings of the National Assembly, FAFEN has started observation of the provincial assemblies – Sindh, Punjab, Khyber Pakhtunkhwa and Balochistan – and the Senate. This report is based on FAFEN's direct observation of the 32th session of the Sindh Assembly, which was held between December 16, 2011 and January 26, 2012.

The Assembly proceedings are observed using a robust methodology based on the Rules of Procedures and Conduct of Business. The observers collect information on all major types of parliamentary business on a standardized checklist. The data gathered is analyzed together with that acquired from other parliamentary sources to prepare session-wise reports.

FAFEN has also begun preparing daily factsheets on the Assembly's proceedings. These are released the same day the sittings are held to provide media and other interested stakeholders vital statistics. The aim is to encourage informed public discourse on Assembly's performance.

Spread over 18 sittings, the Sindh Assembly's 32nd session met for 43 hours and 50 minutes – an average of two hours and 26 minutes each day. On an average each sitting was delayed by 66 minutes.

Introduction

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 Parliament in order to hold those elected leaders accountable.

The Parliament Watch Project (PWP), launched in 2008, aims at generating objective and statistically-sound information about parliamentary performance to foster informed engagement between the constituents and their elected representatives. Universal access to information about national legislative processes is an essential component of democracy. A society cannot be truly democratic until constituents know about the person they are voting for, and whether or not the elected representatives are fulfilling their responsibilities. Since there is a dearth of publicly accessible information about the political decision-making processes, such as parliamentary deliberations, the PWP is an effort to bridge this gap. This report will be a contribution towards creating a more informed citizenry and an increasingly responsible Parliament.

The PWP employs direct observation as one of the tools to evaluate parliamentary proceedings with the following indicators:

Transparency: Government's accountability requires transparency in decision-making and policy implementation. Transparency refers to the amount and quality of information available to the public as well as timely and clear information communicated within legislative bodies themselves. Inclusive and strong decisions can only be made when all legislators are well-informed about parliamentary proceedings.

Participation: Only the active and responsible participation of all the Members can make the business of Parliament meaningful. The participation can be judged through various indicators like attendance of parliamentary leaders and other Members and their active involvement in parliamentary discussion and activities.

Responsiveness: Parliament's responsiveness means Members' collective actions on the issues of public interests which are raised and discussed on the floor of the House through Legislation, Resolutions or any other agenda item. Responsiveness of Government to the public is measured in terms of parliamentary oversight and effective implementation of policy decisions. Parliament's executive oversight function is mainly carried out through Questions and parliamentary committees.

Parliamentary Output: Parliamentary output primarily comes in the form of Legislation and Resolutions. The quantity of such output is indicative of Parliament's efficiency. The quality of output is equally important. Considering Legislation on matters of national significance through careful debate and discussion is arguably a Parliament's chief and most important function.

Order and Institutionalization: Order and institutionalization of Members are important for an efficient and productive Parliament. Order may be measured, for example, by the conduct of Members and the Chair's effective management of parliamentary business. Institutionalization refers to Members' understanding and compliance with Rules of Procedure for conduct of parliamentary business.

Almost one-third of the session time was consumed by Points of Order - six hours and 10 minutes of the total session time. The Points of Order may be raised at any time in case of a perceived breach in the Rules of Procedure and Conduct of Business require a ruling by the Chair. However, these are often used erroneously to ask questions or make speeches.

None of the Points of Order attracted the Chair's formal ruling. Unless the Chair gives a ruling on a Point of Order it does not lead to any Assembly output.

Low attendance of MPAs was observed during the session, with an average of 34 Members present at the start of each sitting and 56 at the end. The total Membership is 165. On average, four out of five minority Members were present in each sitting. Nine seats are reserved for minorities in the Sindh Assembly.

Among key Members, the Speaker was present in all sittings except the 9th, and presided over 90% of the session time. The Members of Panel of Chairpersons were there in all sittings and chaired 7% of the time while the Deputy Speaker, present in six sittings, presided over 3%. The Chief Minister who attended half of the total 18 sittings, for 18% of the time. The Sindh Assembly is working without an Opposition Leader.

The parliamentary leader of the MQM attended 16 sittings, PML (FB) 13, PPPP and ANP 10 each, PMLF seven, NPP six and PML one.

Through an Adjournment Motion, Members of the Sindh Assembly debated the violation of article 25 (Equality of Citizens) of the constitution for 22 minutes during the 18th sitting.

1.0 Members' Participation and Attendance

1.1 Session Time

The 32nd session of the Sindh Assembly comprising 18 sittings was held from December 16, 2011 to January 26, 2012. The total session time was 43 hours and 50 minutes – an average of two hours and 26 minutes each day. On average, each sitting was delayed by 66 minutes.

Date	Sitting No.	Hours	Minutes	Delay
Friday, December 16, 2011	1 st	1	59	73
Monday, December 19, 2011	2 nd	2	47	60
Tuesday, December 20, 2011	3 rd	3	23	50
Wednesday, December 21, 2011	4 th	3	30	55
Thursday, December 22, 2011	5 th	3	0	75
Friday, December 30, 2011	6 th	2	0	65
Sunday, January 02, 2012	7 th	3	17	63
Monday, January 03, 2012	8 th	2	35	80
Thursday, January 06, 2012	9 th	1	45	50
Friday, January 07, 2012	10 th	3	4	86
Monday, January 10, 2012	11 th	2	50	25
Thursday, January 13, 2012	12 th	0	25	60
Sunday, January 16, 2012	13 th	0	25	70
Monday, January 17, 2012	14 th	3	18	77
Tuesday, January 18, 2012	15 th	3	20	25
Thursday, January 20, 2012	16 th	1	40	20
Sunday, January 23, 2012	17 th	1	7	180
Wednesday, January 26, 2012	18 th	3	25	80
Total Time		43 Hours and 50 Minutes		66 Minutes

1.2 Members' Participation

Participation has been classified into three categories – Parliamentarians who only tabled agenda item(s) on the List of Business; 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.

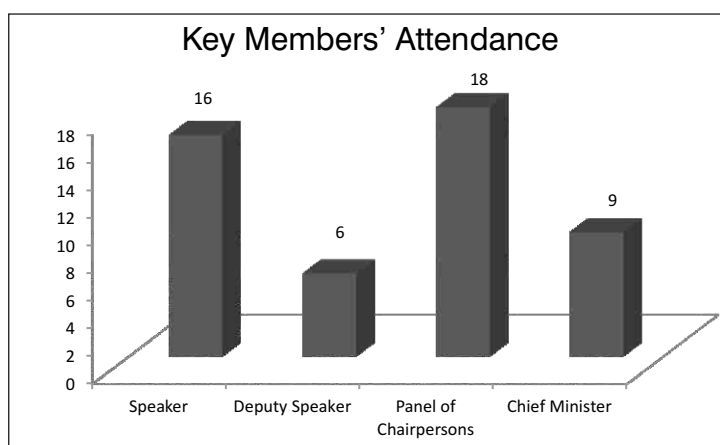
Nine Members only submitted items on the List of Business while 43 participated in debates on various agenda items. Thirty-six Parliamentarians submitted agenda items on the List of Business and actively took part in the House discussions.

Sr. No.	Party	Members Who only Submitted Agenda Items	Members Who Took Part in Debates	Members Who Participated in Debates as well as Submitted Agenda Items	Percentage of Members Who only Submitted Agenda Items	Percentage of Members Who Participated in Debates	Percentage of Members Who Submitted Agenda Items And Participated in Debates	Members in Assembly by Party
1	ANP	1	1	0	50%	50%	0%	2
2	MQM	5	7	15	10%	14%	29%	51
3	NPP	0	1	1	0%	33%	33%	3
4	PMLF	1	0	2	13%	0%	25%	8
5	PML	0	2	0	0%	18%	0%	11
6	PPPP	2	32	18	2%	35%	20%	91
Total		9	43	36	5%	26%	22%	166

1.3 Key Members' Attendance

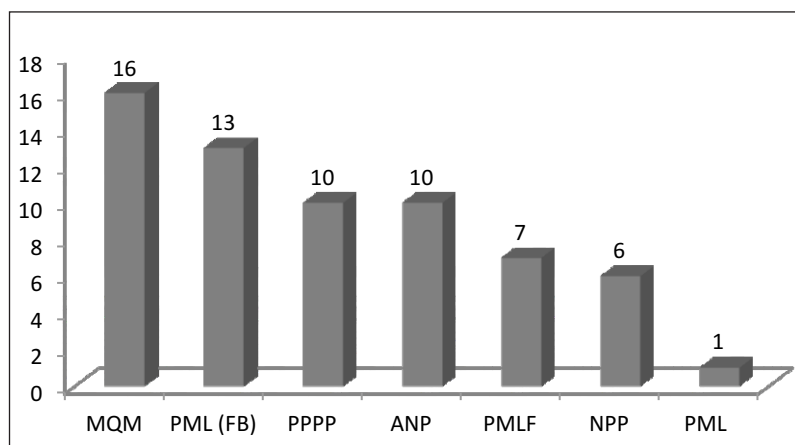
The Speaker of the House was present during 16 sittings, and presided over 90% of the session time. The Members of Panel of Chairpersons were there in all sittings and chaired 7% of the session time while the Deputy Speaker was not present in six sittings and presided over 3% of the session time.

The Chief Minister was present in half of the 18 sittings for 18% of the session time. The Sindh Assembly is working without an Opposition Leader



1.4 Parliamentary Leaders' Attendance

The parliamentary leader of the MQM attended 16 sittings, PML (FB) 13, PPPP and ANP 10 each, PMLF seven, NPP six and PML one.



1.5 Members' Attendance

Members' attendance remained low with an average of 34 Members present at the start of each sitting and 56 at the end. On average, four minorities' Members were present in each sitting.

Sitting No.	Members present at the outset	Members at the end
1 st	28	62
2 nd	24	62
3 rd	17	45
4 th	19	39
5 th	26	41
6 th	16	73
7 th	21	49

Sitting No.	Members present at the outset of the sitting	Members at the end of the sitting
8 th	50	55
9 th	42	47
10 th	17	42
11 th	37	51
12 th	47	69
13 th	36	50
14 th	40	48
15 th	29	60
16 th	50	76
17 th	58	90
18 th	53	48
Average	34 Members	56 Members

2.0 Points of Order

A Point of Order is raised when a perceived breach in the Rules of Procedures has occurred. If warranted, a Member may raise a Point of Order at any time during the sitting and seek the Chair's ruling on the matter. It has been observed, however, that Points of Order are often used erroneously, e.g. to ask a question or matters pertaining to constituencies.

Points of Order consumed six hours and 10 minutes out of the total session time of 43 hours and 50 minutes.

Sitting No	Points of Order	Time Consumed
1 st	11	21
2 nd	21	15
3 rd	34	47
4 th	34	67
5 th	10	20
6 th	2	2
7 th	0	0
8 th	24	37
9 th	16	18
10 th	14	19
11 th	32	42
12 th	1	2
13 th	1	2
14 th	8	13
15 th	12	17
16 th	10	20
17 th	4	15
18 th	9	13
Total	243 POs	370 Minutes

3.0 Legislation

Law-making on the matters of national significance through careful debate is a legislator's most important function.

3.1 Bills

Six out of 15 Government bills were passed while six were introduced and sent to the respective Standing Committees

Sr. No.	Bills on the List of Business	Bills Debated	Status of Bills		
			Bills Introduced	Bills Passed	Bills Rejected/ Not Taken Up/ Deferred
1	The Sindh Irrigation (Amendment) Ordinance 2011		✓		
2	The Sindh Shops and Establishments (Security) Bill 2010		✓		
3	The Sindh Provincial Assembly (Members) Privileges (Amendment) Bill 2011				✓
4	Sindh Criminal Prosecution Service (Constitution, Functions and Powers) (Amendment) Bill 2011	✓		✓	
5	Sindh Madressat-ul-Islam University Bill 2011	✓		✓	
6	The Sindh Motion Pictures Bill 2011	✓		✓	
7	Establishment of the office of the Ombudsman for the Province of Sindh (Amendment) Bill 2011		✓		
8	The Sindh Sales Tax on Services (Amendment) Bill 2011				✓
9	The Sindh Public Property (Removal of Encroachment) (Second Amendment) Bill 2011	✓		✓	
10	The Sales Tax on Services (Amendment) Bill 2011	✓		✓	
11	The Sindh Services Tribunal (Amendment) Bill 2011	✓		✓	
12	The Indus University Bill 2011		✓		
13	The Establishment of the Office of Ombudsman for the Province of Sindh (Amendment) Bill 2012				✓
14	The Protection of Religious Minorities' Properties Bill 2012		✓		
15	The Registration (Sindh Amendment) Bill 2012		✓		

4.0 Resolutions

Through Resolutions, the House expresses an opinion, makes recommendations, or conveys a message on a specific and important issue. The House can also commend, condemn, urge or request an action by the government through Resolution which can be moved by ministers or Private Members.

Nineteen Resolutions were adopted by the House during the 32nd session.

Sr. No.	Issues Raised
1	Resolution on eradication of polio
2	Resolution against honour killings
3	Resolution calling for strict action against the manufacturers displaying the Christian-cross in new Anar-Kali Bazaar in Lahore
4	Resolution calling for promoting education for girls and peace in Swat
5	Resolution to pay tribute to the women for their courage on National Women's Day
6	Resolution against unauthorized use of substandard Compressed Natural Gas (CNG) kits
7	Resolution for paying tribute to former Prime Minister Benazir Bhutto

Sr. No.	Issues Raised
8	Resolution paying tribute to a German scholar, Dr Annemarie Schimmel, for her remarkable contributions to <i>Sindhi Literature</i>
9	Resolution calling for action against people who conduct car/motorcycle races on roads/highways
10	Resolution for putting a halt to manufacturing, storing and sale of fake medicines
11	Resolution for introduction of easy system and process for getting pension
12	Resolution for paying homage and tribute to Sufi saint and poet, Hazrat Shah Abdul Latif Bhittai
13	Resolution for paying homage and tribute to former Prime Minister, <i>Zulfiqar Ali Bhutto</i> on his 84th birth anniversary
14	Resolution paying tribute to late Pir Pagara and recommending to the federal government to announce a public holiday on 10th of January
15	Resolution for supporting democracy and the democratic set up in Pakistan
16	Resolution paying tribute to Sufi saint, political leader and agricultural reformer Hazrat Sufi Shah Inayatullah Shaheed
17	Resolution for renaming of Sukkur Airport as Begum Nusrat Bhutto Airport
18	Resolution directing multinational coal exploration companies to comply with agreements regarding employment of local people in Sindh province
19	Resolution for availability of clean drinking water

5.0 Question Hour

According to Rule 41 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 222 Starred questions (requiring oral answers) – 13.2 questions per sitting – were raised during the session. As many as 104 Starred questions were taken up and an additional 499 Supplementary questions were raised.

Sitting No.	Starred Questions of the Agenda	Starred Questions taken up by the House	Supplementary Questions
1 st	10	5	25
2 nd	10	10	38
3 rd	11	8	52
4 th	24	5	32
5 th	20	9	44
6 th	20	3	25
7 th	11	6	37
8 th	10	3	19
9 th	5	5	12
10 th	6	6	39
11 th	32	4	26
12 th	0	0	0
13 th	0	0	0
14 th	9	5	38
15 th	15	11	50
16 th	10	5	25
17 th	7	2	4
18 th	22	17	33
Total	222	104	499

5.1 Ministry –Wise Breakup of Questions

A total of 222 question – all starred – were raised during the 32nd session. Most questions (32) were directed to the Ministry of Works and Services, followed by the Ministry of Education (24), Local Government (22) and Food (20).

Out of the 222 questions, 85 were sponsored by male Members and 187 by female Members.

Ministries	Starred	Unstarred	Total	Fully Answered	No Response	Total
Works & Services	32	0	32	31	1	32
Education	24	0	24	24		24
Local Government	22	0	22	22		22
Food	20	0	20	20		20
Industries	20	0	20	20		20
Social Welfare	15	0	15	15		15
Excise & Taxation	11	0	11	11		11
Jail	11	0	11	11		11
Environment	10	0	10	10		10
Power	10	0	10	10		10
Sports	10	0	10	10		10
Relief	9	0	9	9		9
Culture	7	0	7	7		7
Zakat & Ushr	7	0	7	7		7
Women Development	6	0	6	6		6
Law & Parliamentary Affairs	5	0	5	5		5
Tourism	3	0	3	3		3
Total	222	0	222	221	1	222

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 Project
- 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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