



FAFEN PARLIAMENT MONITOR

Provincial Assembly of Sindh

Fifth Parliamentary Year

APRIL 2012 - MARCH 2013

Free and Fair Election Network
www.fafen.org



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

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Abbreviations

ANP	Awami National Party
CIA	Central Intelligence Agency
DIG	Deputy Inspector General
IND	Independent Member
MQM	Muttahida Qaumi Movement
NCABL	National Coalition Against Bonded Labour
NPP	National Peoples Party
PML	Pakistan Muslim League
PMLF	Pakistan Muslim League (Functional)
PMLN	Pakistan Muslim League (Nawaz)
PML (FB)	Pakistan Muslim League (Forward Block)
PO	Point of Order
PPPP	Pakistan Peoples Party Parliamentarians
RAW	Research and Analysis Wing
WASA	Water and Sanitation Agency



Executive Summary

The fifth parliamentary year in the Sindh Assembly was marked by the passage of 47 bills – 43 government and four private member bills. Most of the bills (40) were passed in the last session of the fifth parliamentary year. These included five government and two private member bills to increase salaries, allowances, and other perks of the Chief Minister, Speaker, Deputy Speaker, ministers, special assistants, and MPAs.

The Sindh Assembly held six sessions during the fifth parliamentary year, including the budget session, meeting for 55 sittings. The total duration of the observed sessions was 136 hours and 30 minutes, each session on average lasting 22 hours and 45 minutes.

Of the passed bills, 27 were new pieces of legislation and 20 amendments to existing laws. Additionally, the Lyari and the Malir Development Authorities (Revival and Amending) Bill 2009 was introduced. Four ordinances on local government, transplantation of human organs and tissues, and two seeking amendments in the Sindh Civil Servants Act were laid before the house during the fifth parliamentary year.

A month before the house completed its constitutional term, the provincial assembly passed a bill to repeal the Sindh Peoples Local Government Act 2012, which had essentially introduced two local government systems in the province. With the repeal of the act, the local bodies system of 1979 was reinstated. MQM lawmakers staged a walkout and parted ways with the ruling PPPP, joining the opposition benches.

Similarly the MQM members protested against the passage of the Jinnah Sindh Medical University Bill 2013, which was reintroduced in the last session. The new bill gives the control over admission policy to the government.

The PML, NPP and ANP lawmakers protested and staged a walkout over the passage of the Sindh Civil Servants (Amendment) Bill 2013, which regularized the out-of-turn promotions in the province, especially in the police department. The protesting lawmakers had pointed out that the matter of out-of-turn promotions in Sindh was pending before the Supreme Court.

Apart from passing a bill against domestic violence on the International Women's Day, the provincial assembly passed the bill on free and compulsory education. The house also passed a bill to protect the properties of minorities in the province. Additionally six bills were passed to set up new universities and four others to establish institutes on art, science and technology, medical and visual sciences.

The subject of health was touched upon by the passage of two government bills – one to mandate the sale of iodized salt to public and the other to promote breastfeeding for better infant nourishment. After the passage of the 18th Amendment, the house passed bills to adopt the federal laws on organ transplant and industrial relations.

The house amended the sections 2, 17, 23, 24, 28, 30, 31 and 33 Tenancy Act of 1950 to ensure cordial relations between the landlord and the tenant. However in section 24 (c), the words “but the landlord shall not take any free labor from tenant or a member of his family against his will” have been omitted. The National Coalition against Bonded Labor (NCABL) opposed this amendment in the tenancy act, terming it unjust and one that “amounts to sanctioning bonded labor”.

In order to encourage and assist the business community in the face of economic crisis, the term of use of land allotted to private parties has been extended from six months to five years under the Colonization of Government Lands (Sindh Amendment) Bill 2011.

The Sindh Laws (Amendment) Bill 2012 was unanimously passed to officially change the spelling of the province's name from Sind to Sindh.

The slot of the Leader of the Opposition remained controversial throughout the year. After the PMLF joined the Sindh government in July 2011, the house was without a Leader of the Opposition. In September 2012 when PMLF, ANP and PML parted ways with the government over the issuance of local government ordinance, the PMLF applied for the slot of Leader of the Opposition, which remained unheeded. On February 8, 2013 the Sindh High Court ordered the Sindh Assembly Speaker to notify the house regarding the appointment of an opposition leader. Soon after, the MQM left the treasury benches and one of its lawmakers was appointed Leader of the Opposition on March 5, 2013, only days before the house was dissolved. The newly-appointed Leader of the Opposition attended seven sittings.

MPAs' interest in the proceedings in terms of attendance was low in the fifth year. On average, in the 166-member¹ house, 36 MPAs (22%) were present at the beginning, 75 (45%) at the end and 95 (57%) members were observed at the time of maximum attendance. The quorum, found lacking on several occasions, was rarely pointed out.

¹Under Article 106 of the Constitution the total number of seats for the Sindh Assembly is 168

The Chief Minister attended 16 sittings. The Speaker presided over 61% of the assembly business, the Deputy Speaker 32% while the remaining time was chaired by the Panel of Chairpersons.

The parliamentary leader of MQM attended 42 sittings, followed by PML(FB) and PPPP leaders who were present in 30 sittings each, ANP leader (28), NPP leader (27), PMLF leader (20) and 11 sittings were attended by the PML leader.

Out of 166 members of the house, 84% (140) participated in the proceedings in the fifth year. Of these, 65% only debated the agenda while 19% submitted as well as debated the agenda items. All female members (30 MPAs) and 80% male members (110 MPAs) participated in the debates during the year.

The house adopted 47 out of 58 resolutions in the fifth year, condemning the incidents of sectarian violence in Quetta and Karachi, burning of Christians' homes in Lahore, demanded probe into the Bhoja plane crash, called for protecting properties of minorities and reposed confidence in Prime Minister Yousaf Raza Gillani when he was convicted for the contempt of court by the Supreme Court. In the 39th session, the house adopted eight resolutions to oppose the construction of Kalabagh Dam. Besides paying tribute to Pakistani women's struggle for their rights on the International Women's Day and resolving to increase female literacy rate to 80% by 2015, the house also passed resolutions to give Sindhi, Balochi, Punjabi and Pashto languages national status.

An in-camera sitting was held during the last session over law and order in the province after the house passed a resolution demanding a briefing on the measures to address the "complex situation in Karachi". Top police officials – Inspector General of Police and Additional Inspector General – briefed the members. However MQM lawmakers boycotted the briefing midway through the sitting.

Nine adjournment motions were taken up during the year on increase in cases of target killing in Karachi, land grabbing, WASA's inability to tackle water related issues, failure of the government to uphold the rights of the poor, and a blasphemous film on social media.

MPAs spoke on various issues on 202 points of order, consuming 12% of the proceedings total time.

The members asked 416 questions during the year. Most of the questions were directed to the ministries/departments of Sindh Technical Education and Vocational Training Authority, Home Department, Mines & Minerals Development, Local Government, Food and Agriculture received. They responded to nearly 97% of these questions.

Out of six questions of privileges submitted in the fifth year, three were taken up by the house.

The Sindh Assembly witnessed eight walkouts and 13 protests during the fifth year. The total time consumed by these protests was about five and a half hours or 4% of the overall duration. All parties -government and the opposition - staged protests during the year.

MQM members mostly protested over the law and order situation in Karachi while the PPPP legislators protested over the non-implementation of the Supreme Court verdict in the Asghar Khan case. MPAs protested and walked out in two sittings against the proposed sale of islands by the provincial government. Members of all parties staged a walkout over the non-provision of MPA priority program by the Ministry of Finance. The PPPP, PMLF and NPP lawmakers protested twice against the construction of Kalabagh Dam.



1.0 Session Time and Members' Participation

This section deals with the details of the schedule and duration of Sindh Assembly sessions during the fifth parliamentary year, the attendance of members, their participation, and maintenance of quorum (at least 1/4th, or 42 members of the total membership). The participation of legislators is recorded when they take part in the debates, submit an agenda item or do both.

The section also reviews the presence of the Speaker, Deputy Speaker, Chief Minister, Leader of the Opposition, parliamentary leaders, and chief whips in the house, and the legislators' overall attendance.

As the Sindh Assembly Secretariat does not make public the information about members' attendance and the time they spent in the assembly, FAFEN observers conduct a headcount of members at the start, at the end, and at the time when maximum members are present in each sitting.

1.1 Duration

The Sindh Assembly met for 55 sittings in six sessions during the fifth parliamentary year, including the budget session.

The total duration of the observed sessions was 136 hours and 30 minutes, each session on average lasting 22 hours and 45 minutes. Spread over 21 sittings, the last session (40th) was the longest (approximately 57 hours) and the 38th session comprising one sitting was the shortest at two hours and 41 minutes. The 36th and 40th sessions had most of the sittings in the year, 19 and 21 respectively.

All sittings started late, with the maximum average delay of an hour and 45 minutes observed in the 38th and 39th sessions.

Table 1.1: Detail of Duration

Sr. No.	Date	Session No.	Sittings	Late starts (session-wise average)		Total Time of session	
				Hours	Minutes	Hours	Minutes
1	April 23 - May 8, 2012	35	9	1	42	23	10
2	June 7 - June 25, 2012	36	19	0	28	37	47
3	August 7 - August 8, 2012	37	2	1	11	5	5
4	October 12, 2012	38	1	1	45	2	41
5	November 15 - December 7, 2012	39	3	1	45	10	56
6	February 4- March 15, 2013	40	21	1	27	56	51
Total			55			136 Hours and 30 Minutes	

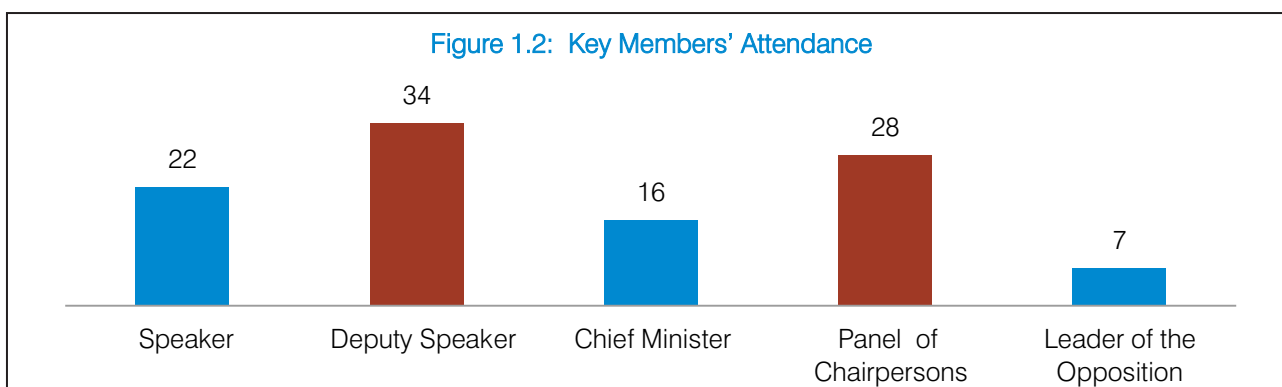
1.2 Key Members' Attendance

Attendance of members is crucial, especially those holding important positions (Speaker, Deputy Speaker, Leader of the Opposition and the Chief Minister) to perform their legislative and representative roles.

At its formation in 2008, the opposition leader in the Sindh Assembly was from the PMLF. However the party joined the government in July 2011. It left the treasury benches in October 2012 after the presentation of the Sindh Peoples Local Government Ordinance 2012. The ordinance was a major source of contention between the PPP-led coalition government and various nationalist groups in Sindh who opposed having two systems of local governance in the province – the SPLGA in Karachi, Hyderabad, Larkana, Sukkur and Mirpurkhas, and the rest of the province to function under the 1979 local government ordinance.

The assembly functioned without a formal opposition during this period. Days before the provincial assembly completed its constitutional term on March 19, 2013, a Leader of the Opposition from the MQM was appointed on March 5, 2013. The new Leader of the Opposition attended seven sittings.

The Chief Minister attended 16 sittings. The Speaker chaired 22 sittings, presiding over 61% of the six sessions during the parliamentary year. The Deputy Speaker attended 34 sittings, presiding over 32% of the sessions' duration. Members of the Panel of Chairpersons chaired the proceedings for the remaining time (7%).



1.3 Members' Attendance

On average, less than one-fourth of members were present at the start of each sitting in four of the six sessions. However, the attendance generally improved through the proceedings. On average, 36 members were present at the start and 75 at the end of a sitting. An average maximum of 95 members were present per sitting.

Though the quorum was found lacking in several sittings, the members did not bring it to the chair's notice.

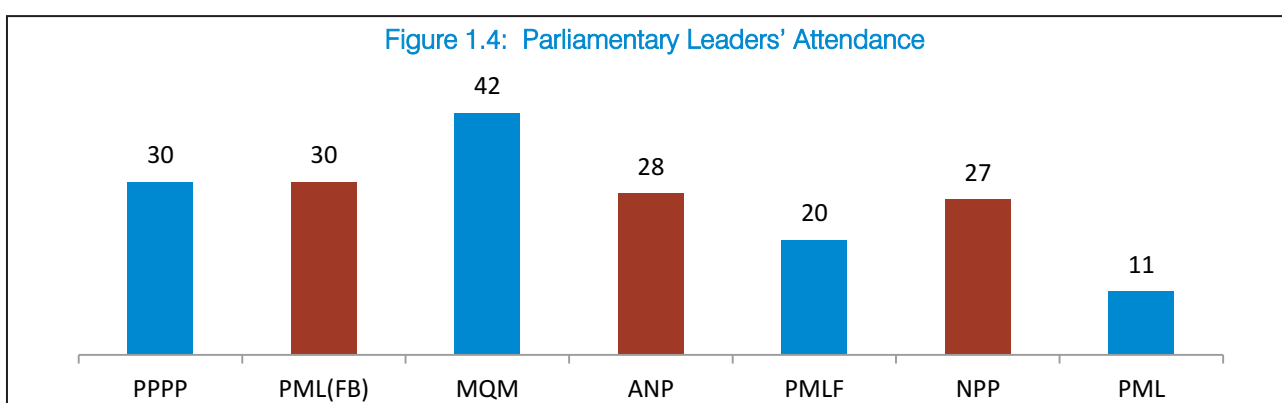
Table 1.3: Members' Attendance

Session No	Members at the outset	Members at the end	Maximum members present	Minority members present
35	29	57	71	4
36	23	65	85	6
37	20	98	98	6
38	61	96	148	6
39	49	69	93	5
40	34	64	73	4

1.4 Parliamentary Leaders' Attendance

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

The parliamentary leader of MQM attended the most sittings (42) during the fifth parliamentary year. The parliamentary leaders of PPPP and PML were present in 30 sittings each, followed by ANP (28), NPP (27) and the PML's parliamentary leader (11 sittings).



1.5 Members' Participation

FAFEN classifies members' participation into three categories – lawmakers who tabled agenda item(s) on the orders of the day, legislators who did not submit any agenda item but took part in debates, and members who submitted agenda items and participated in debates.



During the year, 16% members did not take part in any parliamentary business. Thirty one members who submitted agenda items on the floor also took part in debates whereas 109 participated in debates only.

Since MQM and PPPP had more seats than other parties in the house, most of the Sindh Assembly business during the reporting period was contributed by their members. As many as 76 PPPP and 47 MQM members participated in the proceedings during the year. Among other parties, seven PML members, five PMLF, three NPP and two ANP members took part in the assembly business.

All female MPAs participated in the assembly business whereas 80% male members (110 MPAs) took part in the proceedings. Both the male and female legislators were more interested in debates than submitting agenda items.

Out of nine minority members in the house, five participated in debates and submitted agenda items.

Table 1.5: Members' Participation

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	2	0	0%	100%	0%	2
2	MQM	0	39	8	0%	76%	16%	51
3	NPP	0	2	1	0%	67%	33%	3
4	PMLF	0	1	4	0%	13%	50%	8
5	PML	0	2	5	0%	18%	45%	11
6	PPPP	0	63	13	0%	68%	14%	92
Total		0	109	31	0%	65%	19%	167

2.0 Representation, Responsiveness and Government Oversight

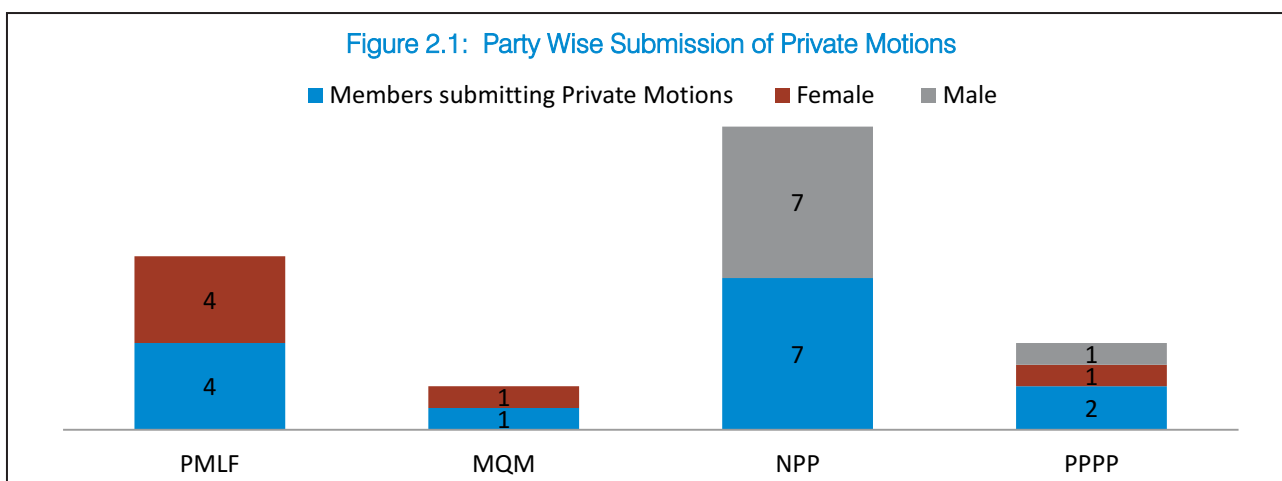
Legislature's responsiveness means members' collective actions on issues of public interest that are raised and discussed on the floor of the house. This section includes adjournment motions, privilege motions and private motions appearing on the list of business. The executive's oversight takes place when members submit questions to various ministries/departments about their performance. The ministries/ departments have to provide written and/or oral replies depending on the nature of the question asked.

2.1 Private Motions

The Rules of Procedures and Conduct of Business of the Sindh Assembly say a private motion appears on the list of business on private members' days: "On Tuesday, private business shall have precedence, and on all other days no business other than government business shall be transacted except with the consent of the Leader of the House or, in his absence, the Minister for Law and Parliamentary Affairs."

In the fifth parliamentary year, 14 private motions were moved by two male and three female members of NPP, PMLF, PPPP and MQM. None of the motions highlighting various matters of public interest was taken up by the house, same as the year before.

The unaddressed motions were on harmful impact of overnight packages of phone calls, maintenance of good governance in the province, illegal bus stands, energy and power, tribal clashes, water related issues, illegal immigrants, payments due to Watan Card holders, national status for Sindhi language, wheat price adjustments and real estate.



2.2 Questions of Privilege

Rule 58 of the Rules of Procedure of the Sindh Assembly says “a member may, with the consent of the Speaker, raise a question involving a breach of privilege of a member of the assembly or the committee thereof.” Privilege motions are not placed on the orders of the day.

2.2.1 Submission of Questions of Privilege

Six questions of personal privileges were moved in the fifth parliamentary year – one by an MQM member and the rest by PPPP members. Three of them were sent to the Standing Committee on Rules and Procedures and Privileges, two were withdrawn. A privilege motion, about threatening SMSes to a senator after he addressed the media over the issue of forced conversions, remained pending.

The privilege motions sent to the standing committee were regarding the misbehavior of a manager and staff of a toll plaza in Jamshoro with an MPA and the Women Development Minister, DIG South Karachi failing to provide security to a female MPA despite being informed that she was receiving threats, and an allegation that a legislator's wife has been promoted and posted as additional secretary in the education department.

Two questions of privileges were withdrawn. One was moved by a female MQM legislator calling for same amount of funds to be given to both male and female lawmakers, while the other was about an illegal transfer of land.

A privilege motion by a PPPP legislator about receiving threatening SMSes after he had addressed media about forced conversions of members of religious minorities was left pending by the end of the assembly's term.

Table 2.2.1: Questions of Privilege

Sr. No.	Questions of Privilege	Party	Status
1.	Misbehavior of government official with Women Development Minister and another MPA.	PPPP	Taken up
2.	MPA had received threats and demanded security which was not given.	PPPP	Taken up
3.	Leveling of false allegation against mover regarding promotion and posting of his wife as additional secretary (academic) education department.	PPPP	Taken up
4.	Received threatening messages after addressing media on issue of forced conversions of religious minorities.	PPPP	Kept pending
5.	Regarding gender discrimination regarding release of the MPAs private funds. She requested that for the women MPAs the same ratio of funds be released as in case of male MPAs.	MQM	Withdrawn by Member
6.	The unauthorized transfer of plot, allotted to the Presbyterian Church, through the collusion of the officers of the Board of Revenue.	PPPP	Withdrawn by Member

2.3 Adjournment Motions

According to rule 71 of the Rules of Procedures of the Sindh Assembly, “A motion for an adjournment of the business of the assembly for the purpose of discussing a definite matter of recent and urgent public importance may be made with the consent of the Speaker.”

Nine out of 15 adjournment motions submitted during the year were taken up for debate. Eight members – six male and two female – submitted adjournment motions. Party-wise, three MQM members, two each of PMLF and PPPP, and a male NPP member submitted adjournment motions.

The house debated adjournment motions on the rise of targeted attacks in Karachi; a Catholic School's land being grabbed; against the statement of an MNA's relative that MPAs belonging to religious minorities were affiliated with RAW, CIA and Mossad etc.; airing of a blasphemous video; misuse of a church as a store in Karachi; cancellation of electricity schemes; WASA's inability to address water scarcity; remarks of the federal interior minister against minorities; and the provision of religious education to minority students in schools.

However, adjournment motions on the misuse of the blasphemy law, outbreak of measles, ban on new gas connections in Sindh, government not implementing development schemes, and the government's failure to hold consultations on forming new provinces were not taken up.

Table 2.3: Adjournment Motion

Session No.	Adjournment Motion	Gender	Party	Status
Session-35	Increase in cases of target killings in Karachi.	Single Female	PMLF	Taken Up
	Land grabbing of a Catholic school.	Single Male	PPPP	Taken Up
	Against allegations on minority MPAs of being funded by RAW, CIA, Mossad etc. by an MNA's relative published in an edition of the Daily Ummat in Karachi.	Single Male	PPPP	Taken Up
	Sindh government has spent only 28% of Rs111 billion in nine months, which were allocated for the development schemes in the province through annual development program; it proves non seriousness of provincial government toward bringing development in Sindh.	Single Female	PMLF	Not Taken Up
Session-36	The federal government has banned new gas connection to Sindh's including those in district Naushero Feroze [and have also started] load shedding. The people of the provinces producing gas have the first right in its use before it can be exported to other province according to article 158 of the constitution.	Single Male	NPP	Not Taken Up
Session-38	Condemnation of blasphemous video on social media	All Male	MQM	Taken Up
Session-40	The federal parliament has proposed bifurcation of a province by a constitutional amendment without seeking approval of the people of the province concerned. This is a threat to the integrity of Sindh.	Single Male	NPP	Not Taken Up
	The lack of freedom to ordinary people and parliamentarians to speak over blasphemy and related laws due to direct threats to their lives.	Single Male	PPPP	Not Taken Up
	The recent allotment /joint venture agreement between the federal government and a private party to develop and sell islands in Sindh amounting to thousands of acres which are the property of the people of Sindh.	Single Male	NPP	Not Taken Up
	The opening of a church which is being used as store at the Ojha Campus of Dow University of Health Sciences Karachi.	Single Male	PPPP	Taken Up
	The official correspondence issued by the Government of Sindh cancelling recently approved electric schemes for the poor people of Sindh.	Single Male	NPP	Taken Up
	If WASA and the revenue officials do not take future steps to address the water scarcity issue and its proper utility, there will be no drinking water available.	Single Male	PPPP	Taken Up

Session No.	Adjournment Motion	Gender	Party	Status
Session-40	The derogatory remarks of Federal Interior Minister against minorities.	Single Male	PPPP	Taken Up
	The federal government's deal with a private party to develop and sell islands in Sindh.	Single Female	PMLF	Not Taken Up
	Students belonging to religious minorities should be given religious education in schools.	Single Male	PPPP	Taken Up

2.4 Question Hour

The oversight of the executive is one of the assembly's core functions through which it asserts itself as a representative body. It is necessary for the accountability of the executive's actions and to ensure the implementation of policies and decisions made on the floor of the house.

In Sindh Assembly, the government oversight is carried out through questions submitted by members to inquire about the performance and policies of a ministry/department.

As many as 416 starred questions – 69 per session – were submitted by legislators in the fifth parliamentary year. The ministries responded to 230 questions on the floor and members asked an additional 739 supplementary questions.

Table 2.4A: Starred Questions

Session No.	Starred Questions on the Agenda	Starred Questions taken up	Starred Questions Not taken up	Supplementary Questions
35th	71	44	27	155
36th	99	55	44	136
37th	8	8	0	24
38th	6	5	1	2
39th	29	13	16	46
40th	203	105	98	376
Total	416	230	186	739

Five legislators – one male and four female – actively submitted questions in the fifth year. A female PMLF MPA asked the most questions (62) in the year. She asked questions from the ministries of Sindh Technical Education and Vocational Training Authority, Food, Women Development and Forest Department.

Table 2.4B: Top Five Members Submitting Questions

Sr. No.	Name	Party	Number of Questions asked
1.	Nusrat Bano Seher Abbasi	PMLF	62
2.	Arif Mustafa Jatoi	NPP	41
3.	Heer Soho	MQM	38
4.	Bilquees Mukhtar	MQM	12
5.	Humera Alwani	PPPP	10

Female legislators asked more questions in the fifth parliamentary year than their male counterparts. Thirteen female members submitted 265 questions whereas 16 male MPAs put up 151 questions. Of the female members submitting questions, PMLF's legislators' share was 48%, followed by MQM (41%). None of the female members of NPP and male members of PMLF asked questions during the year.

Figure 2.4A: Party Wise participation of members

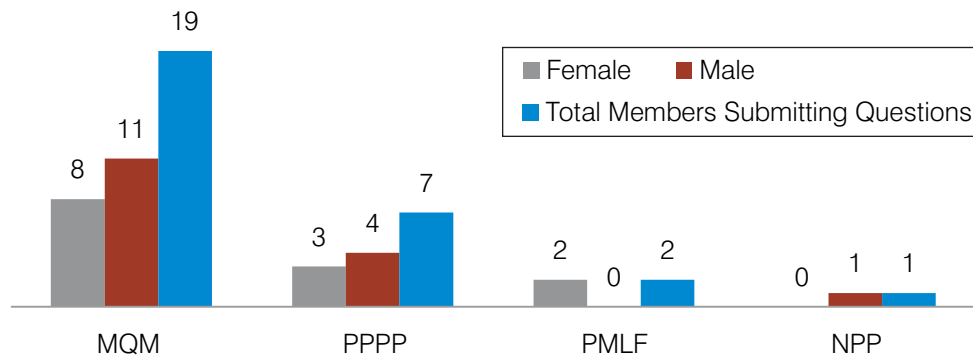
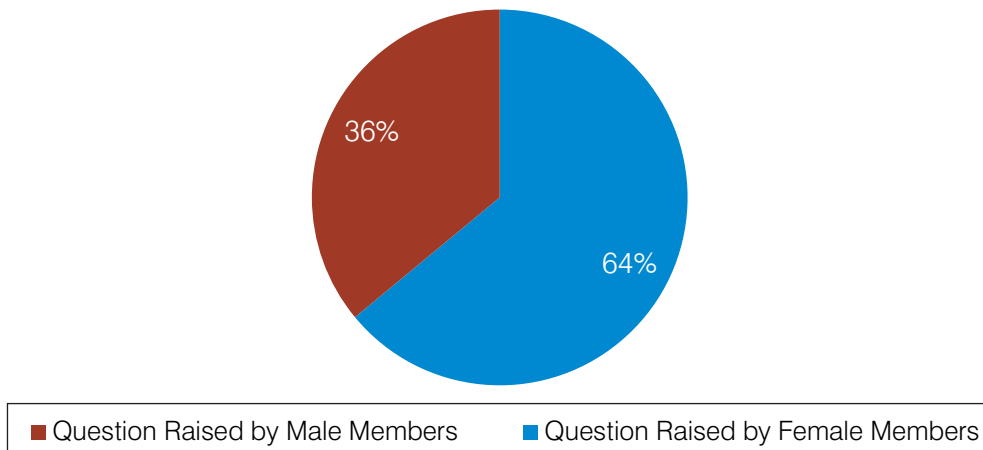


Figure 2.4B: Gender wise submission of questions



2.4.1 Questions by Ministry

Of the 33 ministries, eight received more than half of the questions during the year. Thirty five questions were addressed to the Ministry of Sindh Technical Education and Vocational Training Authority, followed by the Home Department (34), Mines and Minerals Development (32), Local Government (28), Food Department (25), Agriculture (21) and 20 questions each to Ministries of Forest, and Works and Services.

The ministries submitted full responses for 97% of the questions tabled during the year. The Sindh Technical Education and Vocational Training Authority, the Cooperatives Department, Social Welfare, Wildlife, and Works and Services combined left 13 questions unanswered.

The interest of various parties is also reflected by the ministries they question the most. Members belonging to MQM put up maximum questions to the Home Department, PMLF to the Food Department, NPP to the Irrigation Department and Sindh Technical Education and Vocational Training Authority, and the PPPP to the Ministry of Mines & Minerals Development.

Table 2.4.1: Ministry-wise Questions

Ministry Concerned	MQM	NPP	PMLF	PPPP	Total
Agriculture	10	5	4	2	21
Anticorruption	1	-	2	1	4
Auqaf	1	2	-	-	3
Coal & Energy Development	3	-	3	-	6
Cooperatives Department	3	1	-	-	4

Ministry Concerned	MQM	NPP	PMLF	PPPP	Total
Culture	3	4	5	4	16
Environment	1	3	10	1	15
Fisheries	10	3	-	-	13
Food	9	5	11	-	25
Forest	6	4	10	-	20
Home Department	22	5	3	4	34
Industries	3	-	10	-	13
Information	4	2	1	-	7
Irrigation	4	8	4	1	17
Jail	2	1	4	2	9
Katchi Abadies	-	-	1	-	1
Labour	-	4	3	-	7
Land Utilization	1	4	-	-	5
Law & Parliamentary Affairs	-	5	-	-	5
Local Government	10	4	10	4	28
Mines & Minerals Development	10	2	7	13	32
Minorities	-	-	1	5	6
Planning and Development	8	1	2	-	11
Rural Department	2	-	-	-	2
Sindh Technical Education and Vocational Training Authority	12	8	9	6	35
Social Welfare	1	5	5	-	11
Sports	-	-	3	5	8
Transport	-	2	1	-	3
Wildlife	3	3	6	-	12
Women Development	5	-	5	-	10
Works & Services	10	5	5	-	20
Youth Affairs	-	-	3	-	3
Zakat and Ushr	10	-	-	-	10
Total	154	86	128	48	416

3.0 Legislation

The Sindh Assembly passed a total of 47 bills in the fifth parliamentary year, including four private bills. Of them, 20 were amendments to the existing laws and 27 were pieces of legislations. The focus of legislation was education, government employees, human rights, minority rights, health, local government and members' perks and privileges.

The Sindh Assembly passed bills on addressing domestic violence, promoting breastfeeding, protecting the properties of minorities, and ensuring free education. The legislation on the local government, however, sent MQM, a government's ally, to the opposition benches.

Considering legislation on matters of national significance through careful debate and discussion is arguably a legislature's chief and most important function. Legislation comes in the form of government and private-member bills, ordinances, resolutions and committee reports on various bills and other related matters. Breaking tradition with the previous year, four private member bills were passed by the house .

A private members' bill on property rights of religious minorities was passed by the house – the Sindh Protection of Communal Properties of Minorities Bill 2012. On another positive note, the Domestic Violence (Prevention and Protection) Bill presented in 2008 was finally passed by the house.



However the legislative output of the assembly during the year resulted in tense relations in the house, with the Sindh Peoples' Local Government Ordinance 2012 causing strife between the PPPP and MQM members and nationalist parties, and becoming a major factor in the changing face of the opposition benches during the assembly's term.

3.1 Government Bills

The Sindh Assembly passed 43 treasury-backed bills – 17 amendments and 26 new bills. The most notable of these was the long-awaited Domestic Violence (Prevention and Protection) Bill, first presented in the house in 2008.

While the province faced the same energy related problems such as shortages, increasing tariffs and load-shedding as the rest of the country, only a single piece of legislation in this regard was passed by the house: the Sindh Coal Bill 2012, aiming to facilitate coal exploration and development in Sindh.

More than two-fifths of the legislations passed during the year were about education; providing for the establishment of educational institutions, and their regulation and monitoring etc.; Other bills sought to revise and/or raise the existing structures of appointment of employees, as well as the powers, functions, salaries, allowances and privileges of Sindh MPAs.

The house passed three health-related bills, one aiming to encourage breastfeeding to enhance infant nourishment, the second to pass the subject of human organs and tissue transplant to the province as per the 18th Amendment, and the third mandating the sale of iodized salt in the province.

The Lyari and the Malir Development Authorities (Revival and Amending) Bill 2009 was introduced during the period. Three other bills – the Gambit Institute of Medical Sciences (Amendment) Bill 2012, the Sindh Civil Servants (Amendment) Bill 2012, and the Sindh Civil Servants (Second Amendment) Bill 2012 – were left unaddressed.

Passed Government Bills

Education

1. The Right of Children to Free and Compulsory Education (Sindh) Bill 2013

The article 25A of the constitution provides for free education to all children between the ages of five and 16 years as a fundamental right and makes its provision a duty of the government. This bill declares education mandatory for children aged five to 16 years in the province making it compulsory upon the government to establish schools in the areas where they are not available, within a period of three years. It also binds private schools to provide free education to at least 20% of the students admitted in every class. With the passage of the bill, the Sindh Compulsory Primary Education Ordinance 2001 stands repealed.

2. The Education City Bill 2012

This bill deals with establishing education cities in districts of Sindh including Karachi. Under this law, Sindh Education City Board headed by Chief Minister Sindh would be formed to provide strategic vision and policy guidelines for setting up Education City by controlling land allotment, removing encroachments, preparing master plans and approving building plans, etc.

3. The Sindh Higher Education Commission Bill 2013

This bill deals with the establishment of a higher education commission for promotion of education in the province and managing affairs of higher education at provincial level.

4. The Shaheed Benazir Bhutto City University Bill 2013

To enhance the educational facilities and encourage the participation of private sector, the bill authorizes the establishment of Shaheed Benazir Bhutto City University in Karachi.

5. The Jinnah Sindh Medical University Bill 2012

Preceded by an ordinance presented earlier in 2012, this bill was introduced in the 40th session, giving the Chief Minister the responsibility to formulate the admission policy. The bill was passed amid protests by MQM lawmakers, who had requested that it be presented on a later date, since it was brought on the floor through supplementary business and there was lack of consensus between the MQM and PPPP on the new law.

6. The Jacobabad Institute of Medical Sciences Bill 2013

The bill seeks the establishment of an institute of medical sciences in Jacobabad.

7. **The Sindh Institute of Ophthalmology and Visual Sciences Bill 2013**
This bill provides for setting up the Institute of Ophthalmic Diseases and Ophthalmology in Hyderabad.
8. **The Dawood University of Engineering and Technology Bill 2013**
This bill grants university status to the Dawood College of Engineering and Technology. After the passage of the bill it has become the second university of engineering in the public sector in Karachi.
9. **The Karachi School of Business and Leadership Institute Bill 2012**
The bill deals with the establishment of the Karachi School of Business and Leadership Institute to enhance educational facilities and encourage the participation of private sector in education.
10. **The Qalandar Shahbaz University of Modern Sciences Bill 2013**
This bill authorizes establishment of Qalandar Shahbaz University of Modern Sciences in Tando Muhammad Khan to provide quality education in modern sciences.
11. **The Shaheed Benazir Bhutto Dewan University Bill 2011**
To enhance the educational facilities and encourage the participation of private sector in education, the bill authorizes establishment of the Shaheed Benazir Bhutto Dewan University in Karachi.
12. **The Shaheed Zulfikar Ali Bhutto University of Law Karachi Bill, 2012**
This law authorizes establishment of Shaheed Zulfikar Ali Bhutto University of Law in Karachi.
13. **The Hyderabad Institute of Arts, Science and Technology Bill 2013**
The bill seeks to establish an Institute of Arts, Science and Technology in Hyderabad to improve educational facilities and encourage the participation of private sector in education.
14. **The Benazir Bhutto Shaheed Human Resource Research and Development Board Bill 2013**
This bill authorizes the establishment of a Benazir Bhutto Shaheed Human Resource Research and Development Board to carry out research for development of human resources to provide a range of skills and vocational trainings to unemployed persons.
15. **The Shaheed Benazir Bhutto University of Veterinary and Animal Sciences Sakrand Bill 2012**
The bill provides for the establishment of a university in Sindh for a large percentage of the region's population dependent on livestock. The university will have six faculties: faculty of veterinary sciences, faculty of bio-sciences, faculty of animal production and technology, faculty of livestock business management, faculty of fisheries and wildlife, faculty of information technology and faculty of allied sciences.
16. **The Habib University Bill 2012**
The bill aims for the establishment of Habib University in Karachi to enhance educational facilities in the province and encourage participation of private sector in education.
17. **The Shaheed Zulfikar Ali Bhutto Institute of Science and Technology (Amendment) Bill 2012**
The bill seeks to make amendments to a former act, whereby the board of the Shaheed Zulfikar Ali Bhutto Institute of Science and Technology (SZABIST) would be given more powers to run its affairs more effectively.
18. **The Sindh Teacher Education Development Authority Bill 2012**
The goal of this bill is to constitute an institutional home/focal point, the Sindh Teacher Education Development Authority, for strategically managing the whole domain of teacher education and development.

Members' Privileges

1. **The Sindh Provincial Assembly (Members) Privileges (Amendment) Bill 2013**
The bill amends the Sindh Provincial Assembly (Members) Privileges Act 1975 allowing a former member facilities such as access to government guesthouses; lifetime entry pass for the assembly secretariat, assembly library and the Speaker's gallery; use of VIP lounges at all airports; official or gratis passport for self, spouse and dependents under the age of 18 years of age for life; and issuance and renewal of four



weapons licenses at fees applicable to government employees.

2. The Sindh Assembly Members (Salaries and Allowances) (Amendment) Bill 2009

This bill amends the sections 3, 4, 5 and 5A (i) of the Sindh Assembly Members (Salaries and Allowances) Act 1974, increasing salaries and allowances of Sindh Assembly members. In Section 5A(i) subsection (1), the words Rs40,000 have been substituted with Rs120,000. The members will also get cellphone charges – Rs10,000 a month.²

3. The Sindh Assembly Speaker's and Deputy Speaker's (Salaries, Allowances and Privileges) (Amendment) Act 2009

The bill amends the Sindh Speaker's, Deputy Speaker's (Salaries, Allowances and Privileges) Act 1975, increasing the salaries, allowances and privileges of the Speaker and the Deputy Speaker. In section 6(2), the figures Rs39,500 and Rs35,000 have been substituted with Rs55,300 and Rs49,000, respectively.³

4. The Sindh Ministers (Salaries, Allowances and Privileges) (Amendment) Bill 2008

This bill amends the Sindh Ministers (Salaries, Allowances and Privileges) Act 1975. The amendment provides for a raise in salary, allowances and privileges of ministers.

5. The Sindh Special Assistants (Appointment, Powers, Functions, Salaries, Allowances and Privileges) (Amendment) Bill 2008

The bill allows increase in salaries/honoraria, fringe benefits, perks and allowances of special assistants.

Health

1. The Sindh Protection of Breast-Feeding and Child Nutrition Bill 2013

After the passage of the 18th Amendment bill, the subject of health has been devolved to the provinces. Asking the government to set up an Infant Feeding Board, the bill aims to ensure “safe and adequate nutrition for infants and young children by promoting and protecting breastfeeding and by regulating the marketing and promotion of breast milk substitutes.” It makes propagating any material that encourages bottle-feeding or discourages breastfeeding punishable with imprisonment up to two years and a fine ranging from Rs50,000 to Rs500,000.

2. The Sindh Compulsory Iodization of Salt Bill 2013

The bill provides for compulsory “iodization of edible salt to prevent iodine deficiency disorder in the people.”

3. The Sindh Transplantation of Human Organs and Tissues Bill 2013

After the passage of the 18th Amendment, the subject of transplanting human organs and tissues has been devolved to the provinces. This bill deals with legal and ethical aspects with the transplantation of human organs and tissues and bans commercial donors in the province.

Government Servants

1. The Sindh (Regularization of Adhoc and Contract Employees) Bill 2013

This bill regularizes all the Sindh government employees hired on contract and adhoc basis from BPS-01 to BPS-18. However the employees working on daily wages and work charge basis are excluded from provisions of this bill.

2. The Sindh Civil Servants (Amendment) Bill 2013

Inserting 23-A in the Sindh Civil Servants Act 1973, the bill regularizes out of turn promotions in the police department. According to the bill's statement, the law enforcement personnel of Sindh police have “risked their lives and exhibited exceptional acts of gallantry in the line of duty.” Therefore to “retain the morale of the Force”, it said amendments have been made to the Sindh Civil Servants Act 1973. It also gives right to any person aggrieved from these promotions to file an appeal with Sindh Services Tribunal.

3. The Sindh Civil Servants (Second Amendment) Bill 2013

Inserting 23-B in the Sindh Civil Servants Act 1973, the bill regularizes out of turn promotions. It provides for regularizing the services of employees absorbed or promoted in various departments of government. The

²<http://dawn.com/2013/03/16/legislature-privileges-perks-raised-by-up-to-660pc/>

³<http://dawn.com/2013/03/16/legislature-privileges-perks-raised-by-up-to-660pc/>

opposition protested against the passage of the bill, terming it a contempt of court, saying a number petitions and applications on out of turn promotions in the police and other departments of Sindh were pending before the Supreme Court. It gives right to any person aggrieved from these promotions to file an appeal with Sindh Services Tribunal.

4. **The Sindh Government Servants Benevolent Fund (Amendment) Bill 2012**

The bill aims to facilitate widows and elderly women and provide them with easy access to district officers for payment of benevolent fund.

Tenancy

1. **The Sindh Tenancy (Amendment) Bill 2013**

The present bill amends sections 2, 17, 23, 24, 28, 30, 31 and 33 of the Sindh Tenancy Act 1950 to ensure cordial relations between the landlord and the tenant. However in section 24 (c), the words “but the landlord shall not take any free labor from tenant or a member of his family against his will” have been omitted.

The National Coalition Against Bonded Labor (NCABL) opposed the amendment of clause 24(c) in the tenancy act, terming it unjust and one that “amounts to sanctioning bonded labor”.⁴

Human Rights

1. **The Domestic Violence (Prevention and Protection) Bill 2013**

The bill institutionalizes measures to prevent and protect women, children and any vulnerable person from domestic violence. It asks the provincial government to form a commission to review from time to time the existing provisions of the law on domestic violence and look into complaints and take suo motu notice of matters relating to domestic violence.

Finance and Revenue

1. **The Sindh Finance (Amendment) Bill 2013**

The bill binds banks, post offices and all other private or public institutions collecting utility bills from the consumers to deposit money collected for electricity duty directly to the government's accounts.

2. **The Sindh Revenue Board (Amendment) Bill 2012**

This bill empowers Sindh Revenue Board to regularize its existing officials in BPS 1 to 20 on contract or temporary basis through a selection committee. Under this law, the selection committee may be notified by the government or as the case may be, the board and/or government shall not be required to consult the Sindh Public Service Commission for making such appointments or on matters relating to qualifications of persons for such appointments.

Local Government

1. **The Sindh (Repeal of the Sindh people local government act 2012 and revival of the Sindh local government ordinance 1979) Bill 2013**

This bill repeals the Sindh People Local Government Act 2012 and enacts the old Sindh Local Government Ordinance 1979. The SPLGA proposed five metropolitan corporations in Karachi, Hyderabad, Larkana, Sukkur and Mirpurkhas giving greater power to the mayors of these cities, while the rest of the province would continue to function under the 1979 local government ordinance. The media, civil society, politicians and intellectuals differed with the provisions of the bill, terming the new system a tool to polarize Sindh and a cause for great concern in the public.

2. **The Sindh Laws (Second Amendment) Bill 2012**

The amendment seeks to revise the title of positions in local government institutions. The title of district officer is to be replaced with collector, executive district officer with commissioner and district coordination officer with district officer.

Industry/Trade

1. **The Sindh Coal Bill 2012**

This bill deals with exploration and development of coal sector in Sindh. Under this bill, an inspectorate

⁴<http://hrcp-web.org/hrcpweb/ncabl-call-for-end-to-bonded-labour/>

would be established for coal mining, safety, assessment of environmental issues, health and welfare of coal mine workers, and recovery operations.

2. The Sindh Industrial Relations Bill 2013

This bill aims at protecting industrial workers' rights and reviving trade unions. After the passage of the 18th Amendment, industries have become a provincial subject and provinces are required to legislate on this issue.

Law and Order

1. The Sindh Arms Bill 2013

The bill is aimed at reforming the legislation on arms and ammunition in Sindh to “curb the proliferation of arms and ammunition, whether licensed or not, which disrupts the social harmony and development, vitiates the law and order affairs and directly contributes to the barbarity of violence.” For various offences related to possessing illegal arms to their smuggling, the bill provides for jail terms from ten to 14 years along with fine.

Miscellaneous

1. The Sindh Public Procurement (Amendment) Bill 2013

The law will give exemption to the government from the rules of Public Procurement Regulatory Authority while giving contracts for the procurement of various commodities.

2. The Sindh High Density Development Board (Amendment) Bill 2011

This amendment in the Sindh High Density Development Board Act 2010 is aimed at including the representatives of professional bodies and stakeholders who are experts in planning and designing of housing schemes for creating effective mechanism in high-rise buildings.

3. The Colonization of Government Lands (Sindh Amendment) Bill 2011

The Provincial Assembly of Sindh unanimously passed this bill allowing more time to private parties to utilize allotted lands. Previously, the government-allotted lands could not be utilized for a period of two years due to business and financial crises, therefore in order to encourage and assist the business community, section 10 of the Colonization Act was amended to extend the term of use of land from three months to six months and from two years to five years.

4. The Sindh Public Procurement (Amendment) Bill 2012

The bill amends the section 21 of the Sindh Public Procurement Act 2009 to give the government power to grant exemption to procurement of an object or class of objects in the national interest from the “operation of this Act or any other law or rules or regulations” made to regulate public procurement.

3.2 Private Bills Passed

The Sindh Assembly passed four private members' bills during the fifth year in contrast to the year before, when only government bills were passed. All these bills were passed in the 40th session. Additionally, the Protection of Religious Minorities Properties Bill 2012 and the Sindh Control of Goondas (Amendment) Bill 2012 were introduced and sent to the relevant standing committees in the 35th and 40th sessions respectively.

Table 3.2: Private Bills Passed

Sr. No.	Type of Legislation	Name of Bill/Amendment	Passed	Introduced
1.	Bill	The Sindh Protection of Communal Properties of Minorities Bill 2012	✓	-
2.	Amendment	The Sindh Ministers (Salaries, Allowances and Privileges) (Amendment) Act 2013	✓	-
3.	Amendment	The Sindh Assembly Speaker's and Deputy Speaker's (Salaries, Allowances and Privileges) (Amendment) Act 2013	✓	-
4.	Amendment	The Sindh Laws (Amendment) Bill, 2012	✓	-
5.	Bill	The Protection of Religious Minorities Properties Bill, 2012	-	✓
6.	Amendment	The Sindh Control of Goondas (Amendment) Bill, 2012	-	✓

Details of Passed Private Members' Bills

1) **The Sindh Protection of Communal Properties of Minorities Bill 2012**

This bill is aimed at stopping the “builder mafia” from luring people to sell, alienate, transfer and lease the properties of the religious minorities in the name of development projects. According to the bill, no property of a minority community meant for its communal use “shall be bought, sold or transferred by any person without NOC from the provincial government.” Buying and/or selling any property belonging to a minority community meant for communal use will get seven years of jail term along Rs100,000 fine. Moreover, such a sale or transfer of minorities' property will be of “no legal effect”. However the bill is not applicable to Evacuee Trust properties.

2) **The Sindh Ministers (Salaries, Allowances and Privileges) (Amendment) Act 2013**

The bill amends the Sindh Ministers (Salaries, Allowances and Privileges) Act 1975, inserting article 20 (perks and privileges for Chief Minister). According to the amendment, a person who has remained Chief Minister for at least four years is entitled to 70% of salary and allowances along with staff including private secretary, driver, cook, a gardener, a sanitary worker along with lifetime police security, landline and mobile phone facility up to Rs10,000, and a bullet proof car for six months.

3) **The Sindh Laws (Amendment) Bill 2012**

The Sindh Laws (Amendment) Bill, 2012 is the first private bill to be unanimously approved in the provincial assembly in the past five years. The bill will amend the spelling of Sind and add an additional “H” letter in the end as Sindh in all legal acts and ordinances.

4) **The Sindh Assembly Speaker's and Deputy Speaker's (Salaries, Allowances and Privileges) (Amendment) Act 2013**

The bill amends the Sindh Speaker and Deputy Speaker's (Salaries, Allowances and Privileges) Act 1975 inserting article 20 (perks and privileges for the Speaker). According to the amendment, a person who has remained Speaker for at least four years is entitled to 70% of salary and allowances along with staff including private secretary, driver, cook, a gardener, a sanitary worker, lifetime police security, landline/mobile phone facility of up to Rs10,000 and a 2400cc car for six months.

3.3 Ordinances

An ordinance is a law issued by the Governor on a matter that requires urgent attention. Such a law has to be brought before the relevant assembly for formal legislation before it expires – 90 days in the provincial assemblies.

Four ordinances were laid before the house in the 38th session, which consisted of a single sitting.

Table 3.3: Details of Ordinance

Sr. No.	Name of Bill/Amendment
1.	The Sindh Peoples Local Government Ordinance 2012
2.	The Sindh Transplantation of Human Organs and Tissues Ordinance 2012
3.	The Sindh Civil Servants (Amendment) Ordinance 2012
4.	The Sindh Civil Servants (Second Amendment) Ordinance 2012

1. **The Sindh Civil Servants (Amendment) Ordinance 2012**

The ordinance provides to safeguard the interest of the employees of the provincial government and to utilize the services of competent civil servants of the Federal Government in the affairs of the province by making provisions in the Sindh Civil Servants Act 1973.

2. **The Sindh Civil Servants (Second Amendment) Ordinance 2012**

The ordinance makes provisions for the Sindh government to constitute a committee and its sub-committee to scrutinize the cases of absorptions/appointments by transfer/out-of-turn promotions under Sindh Civil Servants (Amendment) Ordinance.

3. **The Sindh Transplantation of Human Organs and Tissues Ordinance 2012**

The ordinance was laid in order to establish a monitoring authority to regulate organ transplant surgeries carried out by specified medical institutions across the province. According to the law, any person who is



not less than 18 years of age may in writing duly signed and verified by the respective evaluation committee donate any of his/her organs or tissue for transplantation. He/she may authorize any medical institution or hospital duly recognized by the monitoring authority for this purpose. No transplantation of human organ and tissue from a donor other than a “close blood relative” shall be carried out without prior permission and only from a notified medical institution provided that such donations by Pakistan citizen shall not be permissible to citizen of other countries.

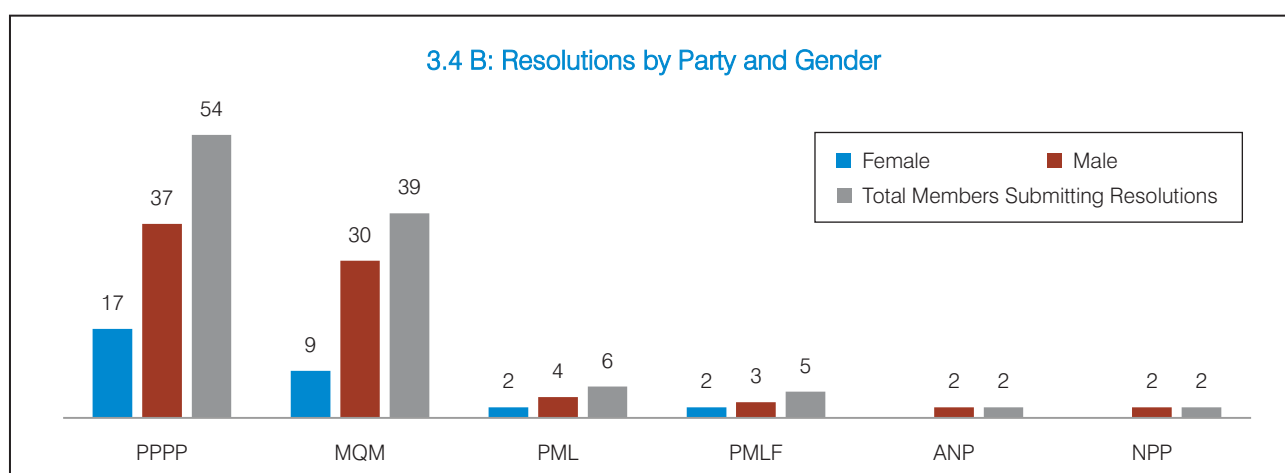
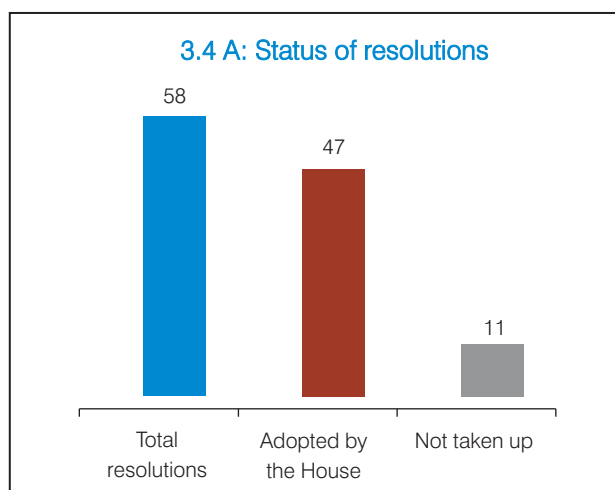
4. The Sindh Peoples Local Government Ordinance 2012

The ordinance states that out of 23 districts of Sindh province, Karachi, Hyderabad, Mirpurkhas, Sukkur and Larkana are to be given the status of metropolitan corporations. Mayors and deputy mayors would be appointed in these five districts to look after their matters, while a commissioner system is to be implemented in the remaining 18 districts of the province.⁵

3.4 Resolutions

Through resolutions, the house expresses its opinion, makes recommendations, or conveys a message on a definite and important issue. Resolutions may be moved by ministers or private members.

Out of the 58 resolutions submitted in the house during the fifth year, 47 were adopted.



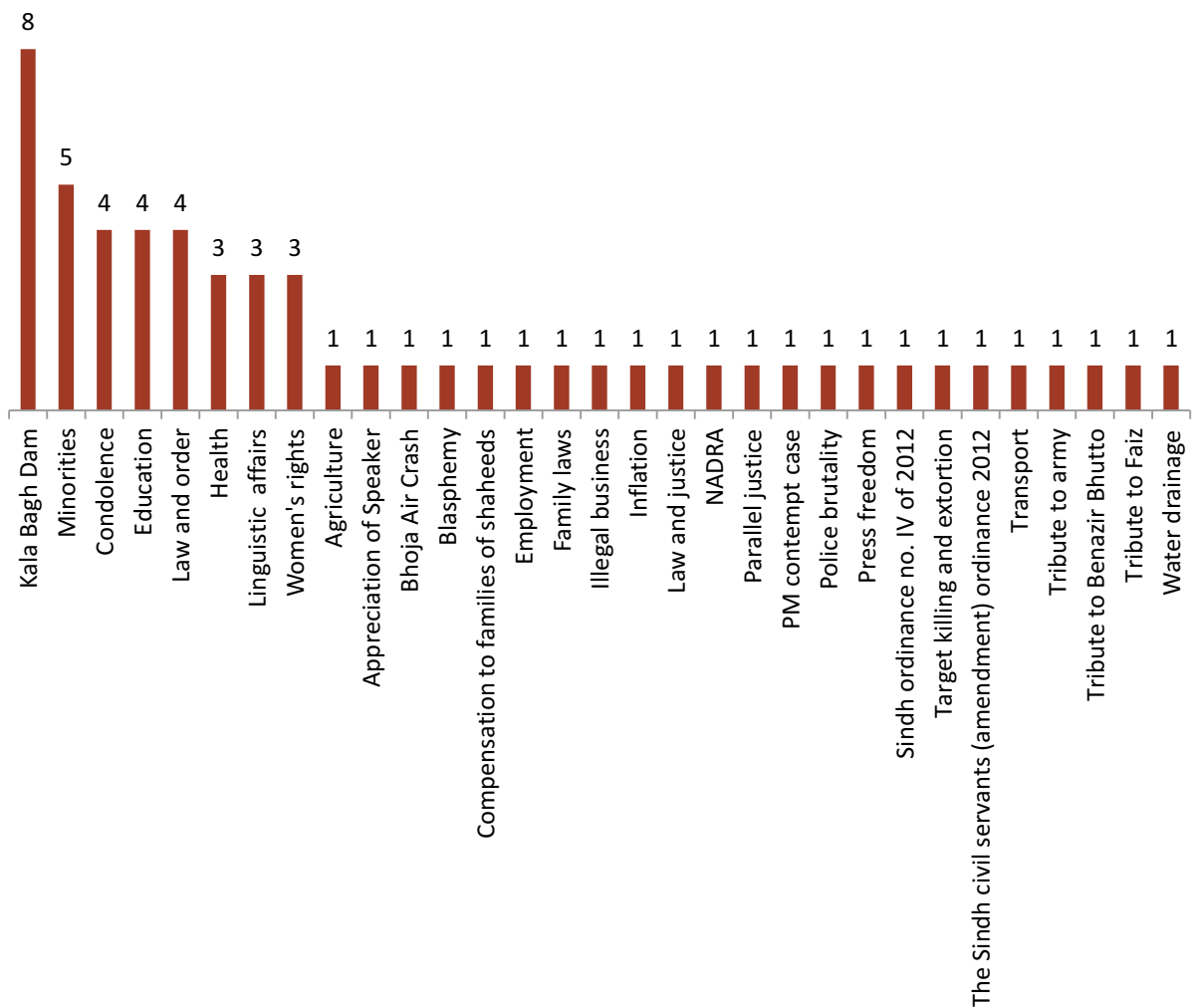
⁵<http://tsj.com.pk/wp-content/uploads/2012/09/SPLGO-2012.pdf>

Most of the resolutions adopted by the house were on Kalabagh Dam, minorities' rights, education, women's rights, language issues, law and order and health.

The house adopted eight resolutions against the construction of the Kalabagh Dam saying it was detrimental to interprovincial unity and harmony. Furthermore, one of the resolutions condemned the Lahore High Court decision and the Punjab Chief Minister statement favoring the construction of Kalabagh Dam.

Adopting five other resolutions, the house recommended that the government include local non-Muslim heroes in curricula, conduct a study on the causes behind issues faced by religious minority members, protect them and eliminate forced conversions in the province. The House also condemned the burning of Joseph Colony in Lahore on March 9, 2013.

Table 3.4C: Themes of Adopted Resolutions



3.4.1 Details of Adopted Resolutions

35th Session (April 23 - May 8, 2012)

The house adopted five resolutions during the first session of the year. The PPPP and MQM members submitted a joint resolution on the Bhoja plane crash in Islamabad on April 20, 2012. It called upon the federal government to launch an immediate inquiry into the incident and compensate the families of the plane crash victims.

Four more resolutions adopted during the session were moved by the PPPP members. Through these resolutions, the house commemorated the World Press Freedom Day by reiterating its commitment to uphold the freedom of the press, reposed its confidence in Prime Minister Syed Yusuf Raza Gillani after he was convicted in the contempt of court by the Supreme Court in April 2012, called for including local non-Muslim heroes in curricula, and demanded



measures against those who influence parents of minors to “make relation/nikkah” under the social malpractice of chitti.

36th Session (June 7 - June 25, 2012)

Three resolutions were adopted during the session. A resolution by a PPPP member was adopted to authorize the National Assembly to enact a law regulating the intellectual property rights of plant breeders. As part of the World Trade Organization (WTO), the parliament is required to enact a law on the protection of plant breeders. However as the proposed law falls under the purview of provincial legislation, one or more provincial assemblies have to pass a resolution to authorize the parliament to enact such a law under article 144 of the Constitution.

The issue of target killings and extortion was raised by an MQM member, who urged the government to take strict measures against extortionists and terrorists and provide adequate security to the business community in Sindh. The assembly also paid tributes to soldiers who died during the avalanche in Siachen in December 2012. The resolution was tabled by an NPP member.

38th Session (October 1, 2012)

A single resolution by a PPPP member condemning airing of a blasphemous film on social media on September 11, 2012 was adopted in the first sitting of the 38th session.

39th session (November 15 - December 7, 2012)

Out of the ten resolutions adopted during the session, eight were on the construction of Kalabagh Dam. Moved by the PPPP, PMLF, PML and ANP members, the resolutions opposed the construction of the dam, terming it detrimental to national unity and a socio-economic disaster for Sindh. Other resolutions said the construction of Kalabagh Dam was a dead issue that would adversely affect interprovincial harmony, an opinion endorsed by three federation units – Sindh, Balochistan and Khyber Pakhtunkhwa.

Sponsored by PPPP members, the house passed resolutions to pay tributes to late former Prime Minister Benazir Bhutto and offer condolences on the death of a Senator.

40th Session (February 4- March 15, 2013)

The house adopted 28 resolutions in the last session – 48% of all the adopted resolutions in the fifth year. In the third sitting, the house adopted a resolution to pay tribute to late Siraj-ul-Haque Memon, an acclaimed Sitara-i-Imtiaz-winning Sindhi novelist. MPAs also called on the provincial government to compensate the families of martyrs, particularly the shaheeds of Karsaz incident in 2007 through another resolution. Both resolutions were tabled by a PPPP member.

Three resolutions were tabled by PPPP MPAs in the fifth sitting. One demanded an in-camera briefing by the Inspector General and Additional Inspector General of Police on the law and order situation in Karachi, while the second called on the government to ensure the safety of religious minorities and their properties. The third resolution was adopted on the International Women's Day, with the house reiterating its resolve to uphold women's rights.

Health was the subject of three of six resolutions adopted by the house during the sixth sitting. The house urged the government to take initiatives in maternal and child health care to control women and infant mortality, ensure provision of mammography machines in hospitals to investigate breast cancer cases, and take necessary measures to control the spread of deadly viral diseases. The first two resolutions were moved by PPPP members and the third by a PML legislator.

Two other resolutions tabled by PPPP members called for resolving disputes between passengers and transporters over transportation charges and for effective measures to improve the female literacy ratio to at least 80% in the province by 2015.

In the seventh sitting, the assembly condemned the Punjab police for assaulting a Punjab MPA and MQM leader, and paid tribute to Faiz Ahmed Faiz on his 102nd birth anniversary by adopting two resolutions moved by PPPP MPAs.

The house condemned the suicide attack on the Hazara community in which 113 people were killed on a resolution tabled by the MQM, PMLF, PPPP, PML and NPP members.

In the 11th sitting, PPPP MPAs tabled a resolution on giving the Balochi, Punjabi, Pushto and Sindhi languages the status of national languages by amending article 251 of the Constitution. Another resolution, also tabled by PPPP lawmakers, called for giving Sindhi the status of a national language.

During the 13th sitting, the house adopted a resolution sponsored jointly by the PPPP and MQM members calling upon the provincial government to establish a public sector university in Hyderabad. PPPP members tabled another resolution condemning the acts of terrorism in Shikarpur and Jacobabad and called upon the PMLN to “to disassociate themselves and discontinue all overt and covert support to banned terrorist organizations who are the perpetrators of such heinous activities”.

The Sindh government was requested to introduce courses for girl guides, national cadets, civil defense and first aid training for students. This resolution was jointly tabled by the PMLF, PPPP, PML and MQM MPAs. Another resolution sponsored jointly by the PPPP and PML member called for the annulment of section 89 of the Pakistan Penal Code, which clears from fault the guardian or someone who does something, with the guardian's permission, for the child or the person of unsound mental condition in good faith (such as a doctor operating on a tumor).

Additionally, the Speaker's services were appreciated by the house through a resolution sponsored by the PPPP, MQM, PMLF and NPP lawmakers.

In the 15th sitting, the house condemned the Abbas Town (Karachi) twin blasts on March 3, 2013 targeting the Shia community in two resolutions tabled by the PMLF and PPPP members. Additionally, the house paid tributes to Engineer Muhammad Rafiq Advocate, an MPA who passed away on March 5, 2013. The resolution was moved by a PPPP member.

In the same sitting, on the occasion of International Women's Day on March 8, 2013, two resolutions were tabled by female MQM and PPPP MPAs. The house adopted both resolutions to pay tribute to the women of Pakistan and resolved to struggle further to “establish a just and equitable environment conducive for sustainable development of Pakistan.”

In the 18th sitting, the house adopted two resolutions condemning the violence against the Christian community in Badami Bagh, Lahore, urging the Punjab government to bring the culprits to justice and compensate the victims. They also resolved to stop the misuse of blasphemy laws. A resolution sponsored by MQM MPAs asked the federal government to put blood groups on the Computerized National Identity Cards (CNIC).

To promote education in Sindh, the house adopted a resolution in the 21st sitting seeking the establishment of the Indus International University in Tando Muhammad Khan. The resolution was tabled by a PPPP member.

3.4.2 Resolutions Not Taken Up

Eleven resolutions appearing on the agenda were not taken up by the house. The unaddressed resolutions were moved by PPPP, NPP, MQM and PMLF members. These resolutions were about the Sindh Civil Servants (Amendment) Ordinance 2012, employment, youth development, water related issues, inflation, minority rights and alternative justice system.

4.0 Order and Institutionalization

Order and Institutionalization is important for an efficient and productive legislature. This section includes the details of lawmakers' speeches and treasury's rejoinders on points of order – a parliamentary instrument employed to highlight a breach in assembly rules or to bring public issues on the floor of the house. FAFEN also observes the conduct of members in the house and the instances of protests and boycotts during the sessions.

Members spoke on points of orders not only to indicate violation in the rules and procedures of the assembly but also highlighted issues of public interest. Most protests were regarding law and order, governance, Kalabagh Dam and passage and repeal of legislations.

4.1 Points Of Order (POs)

Rule 196 of the rules and procedures of the Sindh Assembly says “a point of order shall relate to the interpretation or enforcement of the rules or the interpretation of the provisions of Constitution regulating the business of the assembly.” The Speaker is required to give a ruling on these issues. No discussion or debate is allowed on any point of order but the Speaker may hear a member before giving his decision.

Lawmakers raised 202 points of order consuming nearly 10 hours – 12% of the total time the assembly met in the year. Points of order took the most session time in the 35th session, when 82 points of order took up 35% of the session time. On the other hand, no POs were raised in the 38th in-camera session.



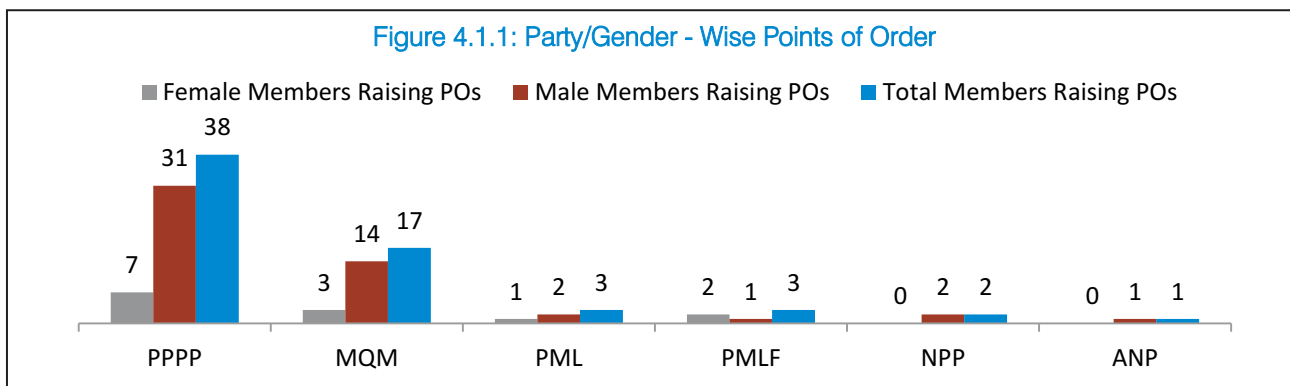
Table 4.1: Points of Order

Session No.	No. of POs	Time Taken (Minutes)
35	82	212
36	50	125
37	15	85
38	0	0
39	10	13
40	45	154
Total	202	589

4.1.1 Points of Order by party and gender

Sixty-four legislators shared their opinion on points of order during the year – 60% belonging to PPPP and 24% to MQM, the two biggest parties in the assembly. Among the parties occupying fewer seats in the house, more PMLF members expressed their opinion on points of order followed by NPP, PML and ANP. Apart from issues related to business of the house that remained the most debated topic, MPAs actively spoke about law and order, especially in Karachi.

Male lawmakers, especially those belonging to PPPP, shared their views more keenly than their female counterparts as 51 males raised 152 points of order and 13 females raised 54. Seven of the 13 women legislators who raised POs belonged to the PPPP.



4.1.2 Issues

Members used the points of orders erroneously to speak on matters of public importance and/or constituency-level issues rather than pointing out breaches in parliamentary discipline etc. This in part may also be because these issues could not be accommodated through interventions like CANs, adjournment motions provided in the regulatory framework, and also because their admittance through these tools is a limited and the process is lengthy. The business of the house, water related issues, education, employment and law and order remained the major issues on which MPAs spoke through points of order.

A fifth of the points of order raised during the year were about the business of the house. Sindh is facing several water related challenges such as distribution of water for irrigation, shortage of potable water and inadequate drainage system in certain areas. Members spoke about these issues on the floor of the assembly on 20 points of order.

Law and order issues such as targeted attacks, kidnapping, and bomb blasts etc. were brought in the plenary through several points of order. Legislators spoke about funds for Sindh Education Foundation, Sindh University teachers' protests, regularization of lecturers and establishment of a university in Hyderabad and Qasimabad points of order. The lawmakers also requested through points of order that employees of some organizations be regularized and their issues resolved.

Table 4.1.2: Details of Issues raised through Points of Order

Subject of Points of Order	Number of Issues raised
Business of the house	40
Water related issues	20
Education	13
Employment	12
Law and order	12
Karachi related issues	8
Miscellaneous affairs	7
Media	6
Health	5
Parliamentary affairs	4
Police	4
Praise of female members	4
Praise of government	4
Communications	3
Energy	3
Minorities affairs	3
PM contempt case	3
Women rights	3
Parliamentary affairs	2
Annual budget	2
Compensation	2
Criticism of colleague(s)	2
Criticism of WAPDA	2
Honor killing	2
Local government ordinance in Sindh	2
Misuse of government facilities	2
Perks and privileges of members	2
Railways	2
Judiciary	2
Target killings	2
Agriculture (wheat procurement)	2
Agriculture	1
Asghar khan case(implementation of supreme court)	1
Constitution	1
Corruption	1
Criticism of government	1
Criticism of media	1
Culture	1
Democracy	1
Elections	1
Human rights	1

Subject of Points of Order	Number of Issues raised
Judiciary	1
Kalabagh Dam	1
Kidnapping	1
Labour rights	1
Load shedding	1
New provinces	1
Newcastle disease	1
NPIW employees protest	1
Performance of the Sindh Assembly	1
Protest	1
Reconstruction and rehabilitation	1
Rules of procedure	1
Tribute to Benazir Bhutto	1
Veterinary doctors	1
Total	204

4.2 Protest/Boycott/Walkout

The Sindh Assembly witnessed eight walkouts and 13 protests in the fifth year, consuming six hours and 29 minutes or 8% of the time the assembly was in session.

PMLF and NPP lawmakers protested against the alleged sale of Sindh islands by the government, misuse of government facilities, and the issue of Kalabagh Dam. PML, ANP, NPP and PMLF members staged a walkout as they were not allocated the opposition benches after they had left the government.

MQM lawmakers staged walkouts over the law and order in Karachi, the killings of its workers and the repeal of the local government law. They also protested against the passage of the Jinnah Sindh Medical University Bill.

The PMLF, NPP, PML and ANP lawmakers protested the provincial government issued ordinance on introducing new local government system in the province.

In the 40th session, the PPPP MPAs protested twice over the non-implementation of Supreme Court's verdict in the Asghar Khan case.

The passage of the Sindh Civil Servants (Amendment) Bill 2013 prompted a protest and walkout from PML, NPP and ANP lawmakers.

Table 4.2: Protest/Boycott/Walkout

Session	Party/Members	Reason of Protest/Boycott/Walkout	Time	Protest/Boycott/Walkout
36	MQM	Law and order situation in Karachi	33	Walkout
	MQM	Killings in Shershah Market in Karachi	3	Walkout
	MQM	Law and order situation and killing of party workers in Karachi	8	Walkout
38	PMLF, NPP, PML , ANP	Issuance of local government ordinance in Sindh	45	Protest
39	PMLF, ANP, PML, NPP	Demanding allotment of opposition seats	121	Walkout
	PPPP, PMLF,NPP	Kalabagh Dam	12	Protest
40	PML, NPP ANP	Over the passage of Sindh Civil Servants (Amendment) Bill 2013	5	Protest

Session	Party/Members	Reason of Protest/Boycott/Walkout	Time	Protest/Boycott/Walkout
40	PML, NPP, ANP	Over the passage of Sindh Civil Servants (Amendment) Bill 2013	31	Walkout
	PMLF,PML, NPP	Alleged possession of government vehicles by a former advisor	5	Protest
	PPPP, MQM, PMLF	Alleged possession of government vehicles by a former advisor	5	Protest
	PML, PMLF, ANP NPP, MQM, PPPP	Non-provision of MPA priority program by the Ministry of Finance	10	Protest
	MQM	Against the approval of the Sindh Repeal of the Sindh People Local Government Act 2012	6	Walkout
	NPP, PMLF, PML	On the Chairs disallowance to speak on the Sindh Repeal of the Sindh people local government act 2012	10	Protest
	MQM	Against the passage of Jinnah Sindh Medical University Bill 2013	15	Protest
	MQM	Over remarks of a PPPP minister about Abbas Town tragedy	3	Walkout
	PPPP	Over non-implementation of Supreme Court decision in Asghar Khan case	10	Protest
	PMLF	Over the alleged agreement of the government to sell some islands of Sindh	2	Protest
	PPPP	Over non-implementation of Supreme Court decision in Asghar Khan case	10	Protest
	PMLF, NPP	Over the alleged agreement of the government to sell some islands of Sindh	14	Protest
NPP, PMLF	Over the alleged agreement of the government to sell some islands of Sindh	41	Walkout	

4.3 Members' Conduct

Members are required to comply with a certain standard of behavior during the session. Some actions are prohibited under the assembly rules, ranging from walking around during the session to making inflammatory comments in speeches. The following violations of the rules were observed during the Sindh Assembly sessions during the year. Though the list does not indicate the frequency or the severity of these violations, many of the listed behaviors were observed and recorded in almost every sitting:

- Moving/walking around frequently.
- Coming in between a member who is speaking and the Speaker.
- Applauding or referring to strangers present in the galleries (other than foreign delegations).
- Making noise.
- Making running commentaries.
- Using offensive expressions or abusive language.
- Using mobile phones in the House.
- Eating/drinking during proceedings.
- Delivering written speeches without the Speaker's permission.

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.

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.

Committee

A Parliamentary committee constituted under Rules of Procedure, comprising of various Members of Parliament.

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.

We wish to extend our acknowledgment to the Sindh Assembly Website for material contributions presented in the Glossary.

Disclaimer: The data cited in this report is based on direct observation of the Sindh Assembly's proceedings during the fifth parliamentary year. Every care has been taken to maintain accuracy. However errors and omissions are expected, please write to House 145, St 37, F10/1, Islamabad - 051-8466232.

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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