

PROVINCIAL ASSEMBLY OF BALOCHITSAN

FAFEN PARLIAMENT MONITOR



27th SESSION

26 March -11 April, 2016



FREE AND FAIR ELECTION NETWORK
www.fafen.org

LIST OF ABBREVIATIONS

ANP	Awami National Party
AM	Adjournment Motion
BNP	Balochistan National Party
BNP-A	Balochistan National Party (Awami)
CM	Chief Minister
JUI-F	Jamiat-e-Ulema Islam (Fazul Rahman)
MWM	Majlis Wahdatul Muslimeen
NFC	National Finance Commission
NP	National Party
PkMAP	Pashtoonkhwa Milli Awami Party
PML	Pakistan Muslim League
PML-N	Pakistan Muslim League (N)
PO	Point of Order

25 MPAs remain inactive during 27th session

ISLAMABAD: Twenty-five lawmakers did not take part in any of the proceedings during 27th session of the Balochistan Assembly that adopted 10 resolutions and passed one bill amid low attendance, says Free and Fair Election Network (FAFEN) in its Session Report.

The session, comprising seven sittings, started on March 26 and ended on April 11, 2016. The session was marked by low attendance of lawmakers as on average 19 (30%) members remained present during the start and 18 (28%) at the end of each sitting. One minority member, on average, attended each sitting of the session.

On average, each sitting started 35 minutes behind the schedule and lasted 142 minutes. The longest sitting of 2 hours and 32 minutes was witnessed on March 29, 2016 while the shortest sitting lasted 45 minutes on April 11, 2016.

The most striking part of the session was the disinterest shown by 25 lawmakers in the proceedings of the House. Among the non-participating members, 12 belonged to PML-N, followed by JUI-F (4), NP and PML (3 each) and one each of PkMAP and BNP-A. The only independent lawmaker in the provincial assembly also remained inactive during the session.

FAFEN observes lawmakers' participation against three categories; members who only submit agenda on the Orders of the Day, lawmakers who take part in the debate and the legislators who both submit agenda and take part in the on-floor discussion.

Six (9%) members submitted the agenda items, 14 (22%) lawmakers took part in the debates while 19 (30%)

legislators submitted both the agenda items and took part in debates. Thirteen PkMAP lawmakers enthusiastically participated in the session, followed by NP and PML-N (8 each), JUI-F (4), PML and BNP (2 each), and one each of ANP and MWM. The female lawmakers remained more active in terms of taking part in the debates and submitting agenda items, besides participating in 92 percent of the proceedings. In comparison, their male counterparts only participated in 54 percent of the proceedings.

The main focus of the lawmakers during the session remained security and development. They also demanded execution of the quota apportioned for Balochistan in the energy and power sectors. The legislators, by sponsoring resolutions, called for development of agricultural sector in the province, stressed the need for constructing small dams, demanded provision of training on drip irrigation process and pleaded for less load-shedding of electricity for the agriculturalists. The House did not witness heavy legislative business during the session as it passed only one treasury backed bill – the Balochistan Witness Protection Bill, 2015 – that aimed to ensure protection for witnesses and avoid revealing their identity in serious criminal cases.

The Provincial Assembly adopted six out of 10 resolutions appearing on the agenda. The adopted resolutions included minimization of load-shedding hours to benefit farmer community, making provincial Art Gallery useful for the youth, providing additional electricity to various districts, construction of small dams to store rain water and formally declaring Ziarat as a Tourism Zone.

A resolution against involvement of Indian secret agency

Research and Analysis Wing (RAW) in spreading terrorism activities in the province was also adopted by the House during the session that was initially submitted as an Adjournment Motion by the Leader of the Opposition.

Two resolutions urging the provincial government to give one month salary to government employees as bonus on religious festivals and allocation of funds for establishment of new colleges for girls were rejected by the House while another two resolutions pertaining to provision of funds for construction of road from Zob to Mughal Kot and training of farmers on drip irrigation process were deferred during the aforementioned session.

The House observed question hour in three sittings and lawmakers raised 26 questions addressed to different departments. Eleven starred questions were taken up on the floor of the House and responded to by the relevant ministers. Fifteen other questions remained unaddressed due to the absence of government representatives or their movers.

The Speaker attended all seven sittings and chaired 75 percent of the session's time while a Member of Panel of Chairpersons presided over the remaining 25 percent of the session. The post of Deputy Speaker is still lying vacant since December 23, 2015.

The Chief Minister (Leader of the House) attended two sittings and participated in 26% of the session's proceedings while the Leader of the Opposition was present in three sittings and attended 43% of the proceedings time. Parliamentary leaders of PkMAP and PML attended five sittings, followed by ANP and MWM (4 each) and NP (2). However, Leader of BNP did not attend any of the sittings during the entire session.

The session witnessed an incident of token walkout by

JUI-F member during 5th sitting for non-inclusion of the Adjournment Motion sponsored by the Opposition Leader. Another two incidents of walkout were staged by the entire opposition and a female member belonging to NP against the Speaker for rejecting the Adjournment Motion with majority votes that consumed 54 minutes of the proceedings.

Three reports, including one government and two of the standing committees, were presented before the House during the session. These included reports on the Balochistan Witness Protection Bill, 2015, the second Bi-Annually Monitoring Report of National Finance Commission and the Standing Committee on Rules of Procedure and Privilege on proposed amendment to the Rules of Procedure and Conduct of Business for formation of Council of Chairmen and the Standing Committee on Implementation of Resolutions.

Lawmakers raised 39 Points of Order (POs) that consumed 164 minutes of the session time. Moreover, one adjournment motion out of two appearing on the list of business was admitted for discussion while the other was rejected by the House.

SECTION 1

SESSION TIME, ATTENDANCE AND PARTICIPATION

This section gives a statistical overview of the session covering the number of sittings, duration of sitting attendance and participation of members in the House proceedings.

Total
Sittings

7

Session
Duration

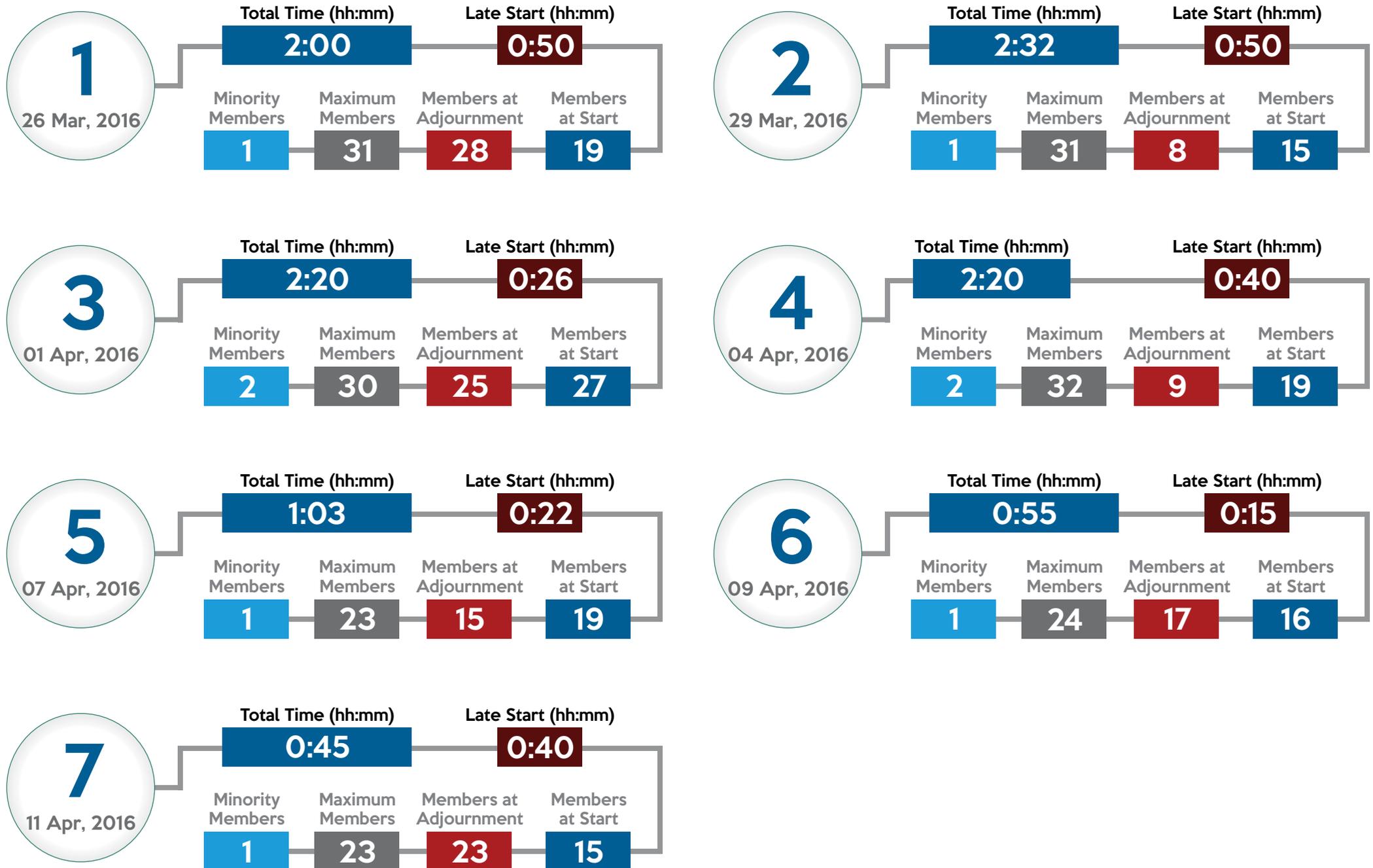
**11 hours,
55 minutes**

Average
Delay

**35
minutes**

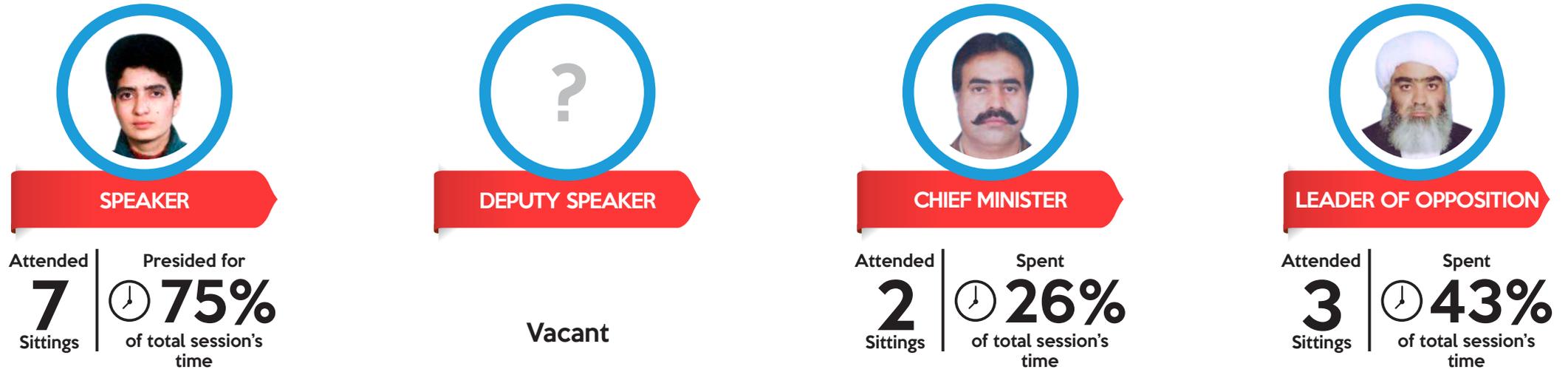
SITTING DATE, DURATION AND ATTENDANCE

The 27th session comprised of seven sittings started on March 26 and prorogued on April 11, 2016. Marked by low attendance of Members with average 19 (31%) members present in start and 18 (30%) at the end of each sitting, started 35 minutes behind the schedule on average and lasted 142 minutes. The longest sitting (2nd) on March 29 lasted 2 hours and 32 minutes and the shortest sitting (7th) withstand for 45 minutes on April 11, 2016.



KEY MEMBERS ATTENDANCE

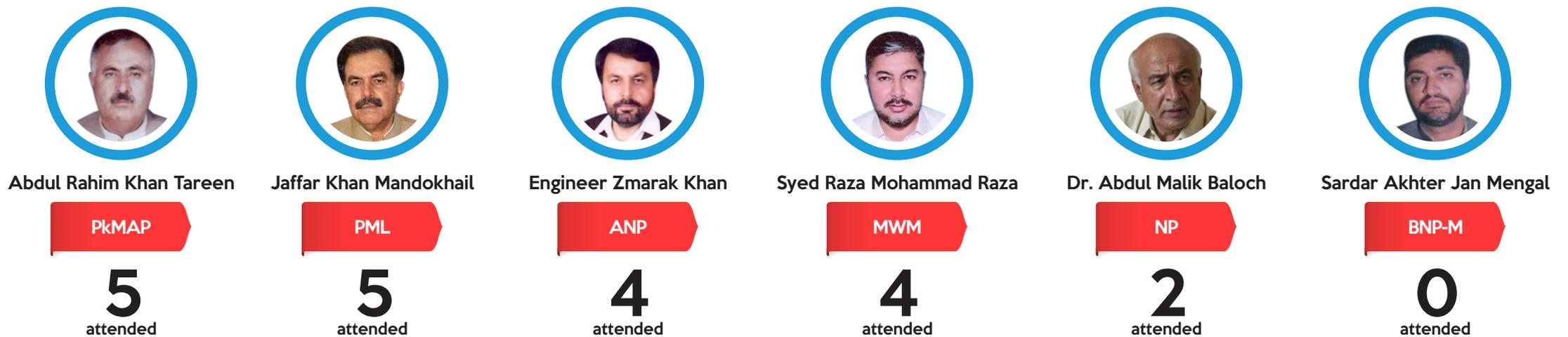
The Speaker attended all seven sittings and chaired the 75 percent of session time while a member of Panel of Chairpersons remained present in seven sittings and presided over 25 percent of the session. The post of Deputy Speaker is lying vacant since December 23, 2015.



The Panel of Chairpersons attended all seven sittings and presided for three hours sharing 25 percent of total session time.

PARLIAMENTARY LEADERS ATTENDANCE

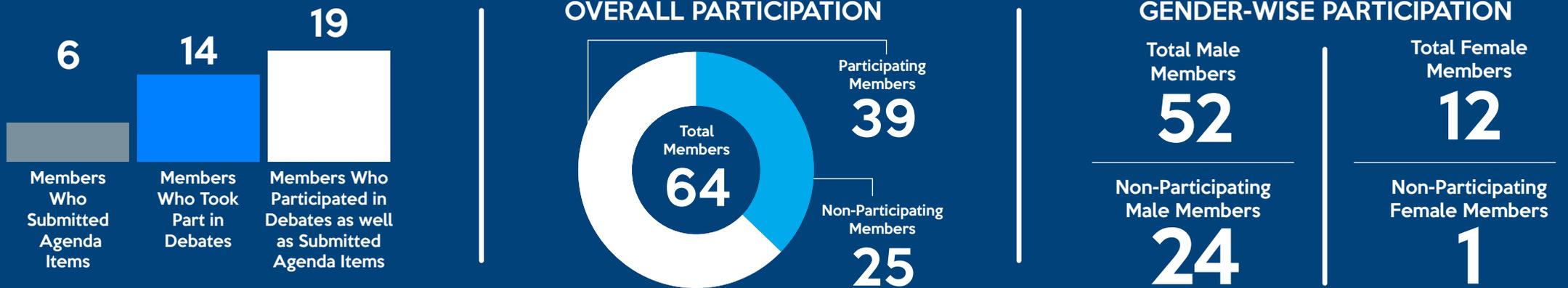
The Chief Minister (Leader of the House) attended two sittings and participated in 26% of the session's proceedings while the Leader of the Opposition was present in three sittings and attended 43% of the proceedings time. Parliamentary leaders of PkMAP and PML attended five sittings, followed by ANP and MWM (4 each) and NP (2). However, Leader of BNP did not attend any of the sittings during the entire session.



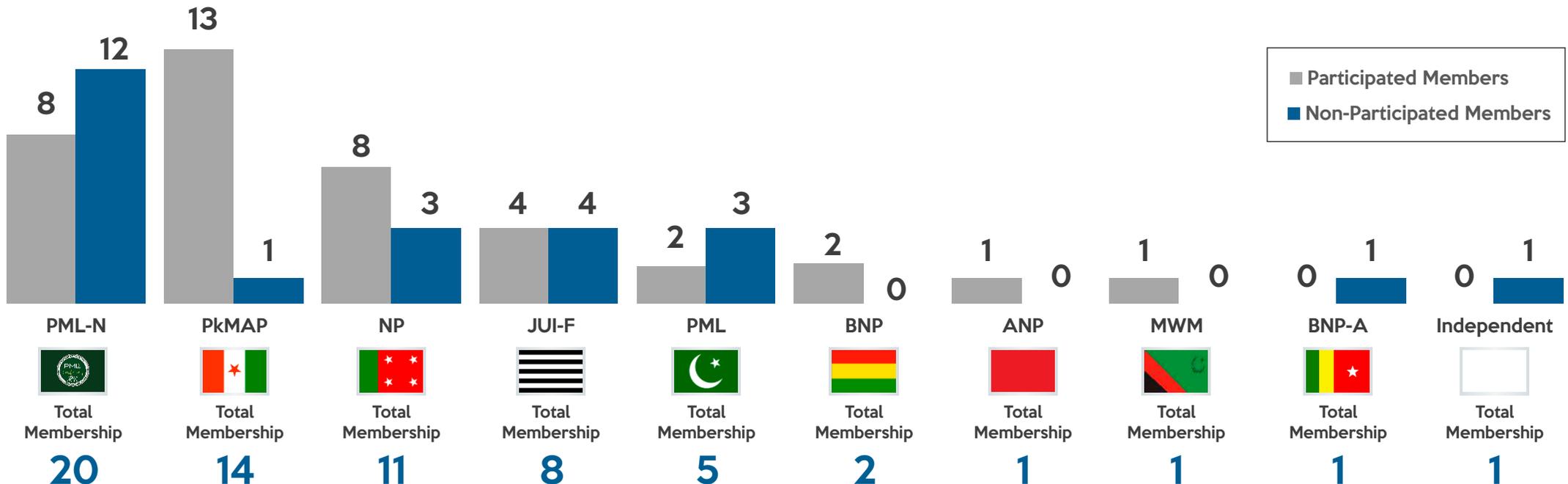
MEMBERS PARTICIPATION

Six (9%) members submitted the agenda items, 14 (22%) members took part in debates while 19 (30%) have submitted the agenda as well as took part in debates. Thirteen PkMAP lawmakers participated in the session followed by NP and PML-N (8 each), JUI-F (4), PML and BNP (2 each), ANP and MWM (one each). Female lawmakers remained more active in terms of participating in debates and submitting the agenda and took part in 92 percent proceedings as compare to male members who have participated in 54 percent proceeding of the House. Among non-participating members 12 belonged to PML-N followed by JUI-F (4), NP and PML (3 each), and BNP-A (1). The only independent member in the House was also remained mum during the session.

MEMBERS PARTICIPATION



PARTICIPATING AND NON- PARTICIPATING MEMBERS



SECTION 2

REPRESENTATION, RESPONSIVENESS AND GOVERNMENT OVERSIGHT

This section gives statistical as well as qualitative overview of legislator's interventions in the House – Calling Attention Notices (CANs), Questions, Adjournment Motions (AM) or any other motions – for the oversight of government and to articulate issues of public interest and importance.

Starred
Questions

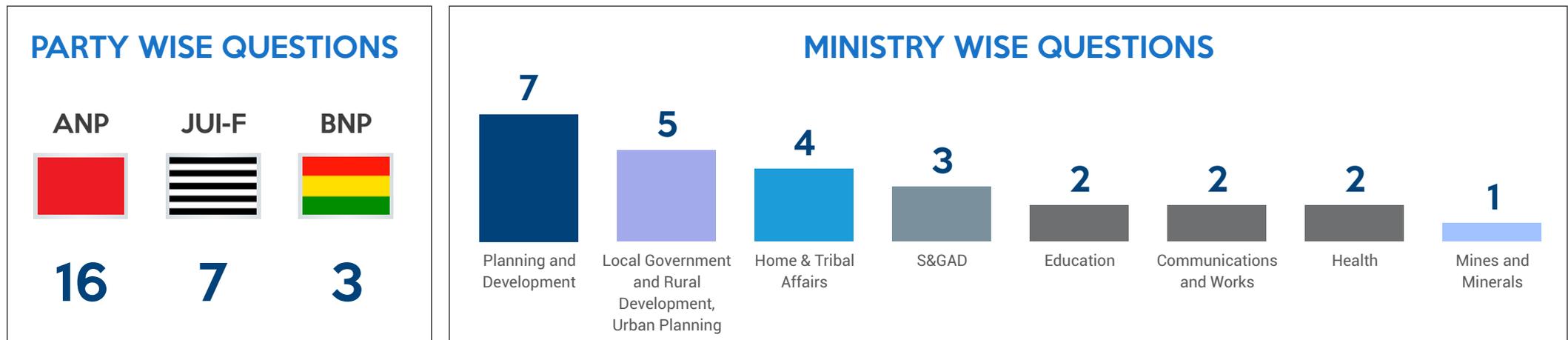
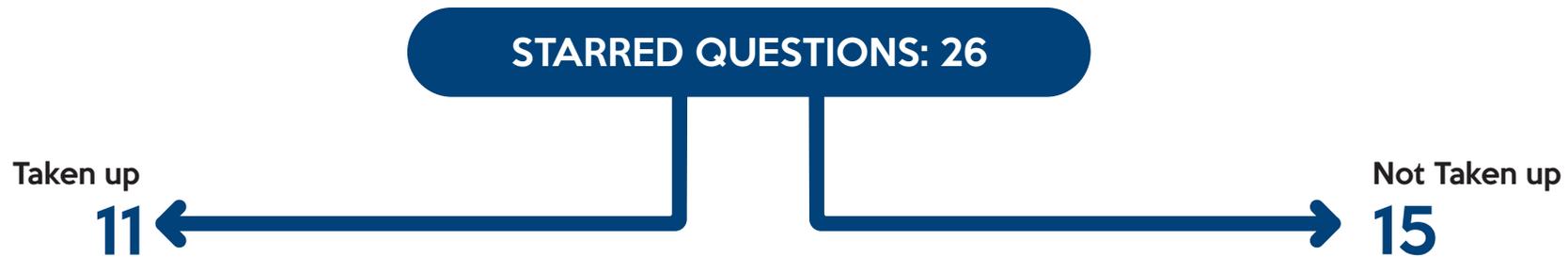
26

Adjournment
Motions

2

QUESTIONS

The government orally responded to eleven out of 26 starred questions appearing of the agenda during the session. Lawmakers belonging to ANP raised 16 questions followed by JUI-F (7) and BNP (3). The highest number of questions (7) was asked from Planning and Development department and as low as one question was asked from Mines and Minerals department. In addition, lawmakers asked eight supplementary questions from various departments during the session.



AMENDMENT TO THE RULES

ADOPTED AMENDMENT



Mover:
Yasmeen Bibi



NP

To insert an amendment in Rule 170 by inserting sub-rule 170-A for formation of Council of Chairmen and the Standing Committee on Implementation of Resolutions

ADJOURNMENT MOTIONS (AM)

Lawmakers submitted two Adjournment Motions during the session out of which one was admitted for discussion and later converted into resolution and unanimously adopted while the other motion was rejected by the House.

On Agenda **2**

Admitted for Discussion **1**

Rejected **1**



Submitted by:
Molana Abdul Wasay



Arrest of Indian intelligence agency Research and Analysis Wing (RAW) officer from Sarawan in Balochistan by Security forces that evidently establish the involvement of India in spreading terrorism in Balochistan.

Converted into Resolution



Mrs. Shahida Rauf



Ms. Husan Bano



Molana Abdul Wasay



Use of force by Police department on Young Doctors Rally

Rejected

SECTION 3

PARLIAMENTARY OUTPUT

This section deals with the legislative business, resolutions, reports and documents presented before the House during the session.

Bills on
Agenda

1

Reports

3

Resolutions

10

LEGISLATION

Lawmaking on matters of national and provincial importance through rigorous debate is the most important function of a legislature. This section reviews the nature, status and consideration of government and private member legislations tabled during the session.

The Balochistan Witness Protection Bill, 2015



RESOLUTIONS

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

6

Adopted

2

Deferred

2

Rejected

ADOPTED RESOLUTIONS

- Unannounced load shedding in Balochistan is affecting the agriculture sector and the farmers have to face difficulties. Due to massive load shedding prominent agriculturist of the province are switching to other professions. The government should contact the federal government to minimize the hours of load shedding to benefit the farmer community of the province.
- Art gallery in Balochistan is nonfunctional with absence of basic facilities. Due to fewer facilities, youth in the province are unable to get benefit from the art gallery. This House requests the provincial government to make this institution functional.
- Security Agencies have arrested Indian intelligence agency Research and Analysis Wing (RAW)'s officer from Sarawan in Balochistan. This evidently showed that India is involved in spreading terrorism in Balochistan. The House requests the government to take up this matter with international community.
- The federal government initiated a double transmission electricity scheme from Dadu to Khuzdar and DG Khan to Lora Lai in 2013-14. At the end of this project extra 725 megawatt was to be given to Balochistan. Still most of the work of this project is completed but the province is not getting its actual share of 725 megawatt and receiving 200 to 350 megawatt. This House requests the provincial government to contact NTDC and direct them to provide 725 megawatt of electricity to Balochistan through this transmission line.
- Drought in Balochistan has effected the both the agriculture and cattle farming sector. The water level is decreasing rapidly so there is a need that the provincial government should contact the federal government and urge them to start a survey for construction of small dams to store rain water.
- The House requests the provincial government to declare Ziarat as a Tourism Zone so that Balochistan province can get economic benefits from tourism activities in this area.

REJECTED AND DEFERRED RESOLUTIONS

- The government employees of provincial should be given advance one month salary bonus on religious festivals that would help in eliminating anxiety and deprivation of the employees.
- The provincial government is doing serious efforts to finish educational backwardness in the province. The government has increased the educational budget from 3.5% to 26% and also started establishing primary schools with the upgradation of middle schools to higher throughout the province. Many new medical colleges and universities are also being established throughout the province. It is required that the government should establish colleges for girls on the pattern of cadet and residential collages for boys in the northern and southern districts of Balochistan in the upcoming financial year of 2016-17.
- Pakistani government inaugurated a road project from Zhob to Mughal Kot which is mainly used for travelling to KP and Punjab. Majority of the heavy transport using this route for transportation purposes. Unfortunately funds are not still provided to complete this project. It is required that the provincial government should contact the federal government for funds to complete this project.
- The underground water level is decreasing rapidly due to continuous drought. In this situation the farmers are installing more tube wells and as a result the water level is decreasing rapidly. The House requests that provincial government that it should arrange a seminar on drip irrigation for the farmers.

REPORTS

A total of three reports including two reports of standing committees and one government report were presented before the House during the session.

LIST OF PRESENTED REPOTS

1. A standing committee report on the Balochistan Witness Protection Bill, 2015
2. The second Bi-Annually Monitoring Report of National Finance Commission from Jan-Jun 2015
3. Report of the Standing Committee on Rules of Procedure and Privilege to insert an amendment in Rule 170 by inserting sub-rule 170-A for formation of Council of Chairmen and Standing Committee on Implementation of Resolutions.

SECTION 4

ORDER AND INSTITUTIONALIZATION

Order and institutionalization is important for an efficient and productive legislature. This section provides information about Points of Order, Questions of Privilege, Quorum and any instances of walkout, protest or boycott during the proceeding.

Points of
Order

39

Protest and
Walkouts

3

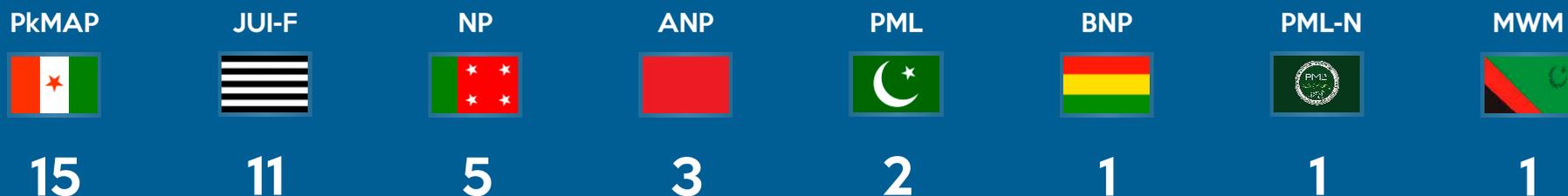
POINTS OF ORDER

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

Lawmakers raised 39 Points of Order (POs) that consumed 164 minutes of the session time. Members belonging to PkMAP raised 15 POs followed by JUI-F (11), NP (5), ANP (3), PML (2), BNP, PML-N and MWM (one each). The highest number (8) POs were raised during the third and fourth sitting and male lawmakers raised maximum points of order (26) as compared to their female counterparts who raised thirteen POs.



PARTY WISE POINTS OF ORDER



WALKOUTS

Sitting	Name of Parties	Reason(s)	Time	Type
5	JUI-F	Against the attitude of the Speaker for not giving the permission to the mover to submit an Adjournment Motion	1	Walkout
6	Entire Opposition	Against the Speaker for rejecting the adjournment motions submitted by JUI -F lawmakers.	52	Walkout
	NP		2	Walkout

GLOSSARY: BALOCHISTAN ASSEMBLY

Adjournment Motions

A motion for an adjournment of the business of the Assembly for the purpose of discussing a definite of recent and urgent public importance may be made with the consent of the Speaker.

Rule 70

Amendment

Amendment means a motion to amend an earlier motion before that earlier motion is put to the Assembly for its decision.

Rule 2 (1) (b)

Arrangement of Business

The order in which business of House is to be taken up. The secretary is responsible to arrange Government business in such order prescribed by Leader of the House or in his absence by the Law Minister.

Rule 25

Assembly

The Provincial Assembly of Balochistan

Rule 2(1)(c)

Chair

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

-

Chairperson

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

-

Chief Minister

The Chief Minister elected under Article 130 of the Constitution of Pakistan.

Rule 2(1)(e)

Class of Business

The business of the Assembly classified as Government business, or/and Private Members' business.

Rule 23

Committee

A Committee Constituted under the rules of Balochistan Assembly

Rule 2(1)(f)

Constitution

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 appointed by the Governor Balochistan under clause (a) of sub-rule 1 acts as the Speaker of the House.

Rule 12(5)

Government

The Provincial Government of Balochistan

-

House

House means the area in the building of Provincial Assembly of Balochistan designated for Assembly to meet.

Rule 220 (for Ref)

Leader of the House

The head of cabinet in the province or the Chief Minister of Balochistan is the Leader of the House

Rule 2(1)(e)

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 making 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 lists of businesses are to be brought before the assembly for consideration and decision at its sitting on any day.

Rule 2(1)(p)

Member

A Member of the Provincial Assembly of Balochistan. A member of the assembly and for purposes of moving or opposing a bill, an amendment, a motion or a resolution, including a minister.

Rule 2(1)(l)

Minister

Minister means a Provincial Minister appointed under Article 132 of the Constitution of Pakistan.

Rule 2(1)(n)

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.

Rule 2(1)(o)

Mover

The referred to a mover 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.

Rule 194 (4)

Opposition

The party or parties who do not belong to the governing party and represents the benches belongs to Opposition in the House.

-

Orders of the Day

The list of business to be brought before the Assembly for consideration and decision at its sitting on any day.

Rule 2(1)(p)

Panel of Chairmen

A panel of not more than four persons nominated by the Speaker amongst the Members at the commencement of each session and arranges their names in order of precedence.

Rule 13

Point of Order

Relates to the interpretation or enforcement of parliamentary rules of business or such 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.

Rule 201

Private member

A Member of the Balochistan Assembly other than the Minister and Parliamentary Secretary.

Rule 2(1)(r)

Proceedings

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

Rule 21 (c) (Ref)

Prorogation of the Assembly

A session of the Assembly is terminated by prorogation.

Rule 4(2)

Question Hour

The first hour of a sitting of the House except on private members' day, and during the day Budget is presented is fixed for asking and answering of questions notices given to by the members.

Rule 33

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.

Rule 195(1)(Ref)

Resolution

A motion for the purpose of discussing and expressing an opinion on a matter of general public interest and includes a resolution specified in Constitution.

Rule 2(1)(s)

Rules

Rules mean the Rules of Procedure and Conduct of Business, 1974 of Provincial Assembly of Balochistan.

Rule 1(1), 2(1)(t)

Session

The Period commencing on the day the first meeting of the Assembly after having been summoned and ending on the day the Assembly is prorogued or dissolved.

Rule 2(1)(w)

Sitting

The meeting of the Assembly or any of its Committees from the commencement of its business to the termination of the business for the day.

Rule 2(1)(x)

Special Committees

The Assembly may, by motion, appoint a Special Committee which shall have such composition and functions as may be specified in the motion.

Rule 170

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.

Rule 12

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.

Rule 128

Starred Question

A question that requires an oral answer in addition to a written reply. A maximum of five starred question of Member can be placed on list of questions for any one day.

Rule 2(1)(y), Rule 38(1)(limit for starred questions)

Summoning of the Assembly

The Governor Balochistan may summon the Assembly to meet on specific time and specific date under Article 109(a) of the Constitution. When the Assembly is summoned, the Secretary shall intimate to each Member the date, time and place of the meeting and shall cause a notification to this effect to be published in the Gazette.

Rule 3

Table

The Table of the House

Rule 2(1)(z)

Un starred Question

Un starred Question means a question for a written answer.

Rule 2(1)(y)

About FAFEN

- FAFEN is one of the most credible networks of civil society organizations working for strengthening citizens' voice and accountability in Pakistan since 2006.
- FAFEN has harnessed information technology for real-time monitoring, facilitation and technical backstopping of partners for effective and result-based program delivery.
- FAFEN is the only civil society group to have been invited by the Judicial Commission to present the evidence of illegalities and irregularities documented through the course of General Elections 2013 Observation. The systemic and procedural issues identified by FAFEN have been acknowledged by the commission in its detailed findings.
- FAFEN's recommendations for electoral reforms have contributed to the work of Parliamentary Committee for Electoral Reforms.
- FAFEN's advocacy for parliamentary transparency, accountability and reforms has shaped public discourse on parliamentary reforms. Improved citizens' access to parliamentary information including daily public release of parliamentarians' attendance records can be directly attributed to FAFEN's work.
- FAFEN deployed 18,000 and 40,000 non-partisan and trained observers for the systematic observation of general election 2008 and 2013, respectively, largest citizens' observation ever undertaken in Pakistan.
- FAFEN's evidence and recommendations for reforms have improved the quality of public and political discourse on elections, its issues and need for reforms. Leading political parties and media houses extensively use FAFEN's election findings and analysis to build a case for reforms.
- With around 16,300 followers on Twitter and around 73,000 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

www.openparliament.pk | www.fafen.org | www.parliamentfiles.com



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