



FAFEN PARLIAMENT MONITOR

PROVINCIAL ASSEMBLY OF BALOCHISTAN

34th SESSION | September 21 - October 1, 2016



FREE AND FAIR ELECTION NETWORK
www.fafen.org

LIST OF ABBREVIATIONS

ANP	Awami National Party
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
NP	National Party
PkMAP	Pashtoonkhwa Milli Awami Party
PML	Pakistan Muslim League
PML-N	Pakistan Muslim League (N)
PO	Point of Order

EXECUTIVE SUMMARY

The Provincial Assembly of Balochistan passed two government bills and adopted four resolutions amid low attendance of lawmakers during its 34th session. The other highlights of the session include disqualification of a Minority Member and skipping of Question Hour due to absence of the relevant ministers or the movers, says Free and Fair Election Network (FAFEN) in its Session Report.

The six-sitting session, which was marked by low attendance, began on September 21 and prorogued on October 1, 2016. On average 23 (33%) members were present at the outset and 20 (28%) at the adjournment of the sitting. Each sitting, on average started 53 minutes behind the schedule and lasted an hour and 51 minutes. The total time of the session remained 11 hours and six minutes. The fifth sitting was the longest that lasted three hours and 56 minutes while the second sitting was the shortest that consumed 39 minutes of the proceedings.

The Parliamentary Leaders of PML attended all the six sittings, followed by PkMAP (5), PML-N (4), ANP (3) and MWM and NP (two each). However, the Parliamentary Leaders of JUI-F, BNP and NP remained absent throughout the session.

The Speaker attended all the sittings and presided over the session for seven hours and 58 minutes (72%). The remaining three hours and eight minutes (28%) were chaired by the Members of Panel of

Chairpersons. The Chief Minister attended four sittings and remained present for five hours and four minutes (46% of the session time) while the Leader of the Opposition did not attend any sitting during the entire session.

The House passed two government bills, The Balochistan Prohibition of Sheesha Smoking Bill, 2016 and The Balochistan Employees Efficiency and Discipline (Amendment) Bill, 2016 during the session. The Sheesha Smoking bill was aimed at prohibiting the sale, purchase, import and consumption of sheesh tobacco within the province owing to the growing habits of sheesha smoking maniac among youth. While, the Employees Efficiency and Discipline Amendment Bill, 2016 proposed to amend the existing law to fulfil the requirement under draft Balochistan Levies Force Disciplinary Rule, 2015.

The House adopted four out of nine resolutions appearing on the agenda during the reporting period. These resolutions were related to the provision of funds for less developed areas, condemnation of attack on Pakistani soil by neighboring India, establishment of NADRA Executive Office and separate counters for women citizens in the province, besides seeking actions against substandard beverage companies in the province.

Furthermore, three resolutions pertaining to issues of permanent employment of the staff working in Basic

Health Units and District offices, commemorating September 8 as National Language Day and provision of compensation to the families of journalists and citizens who were killed in a blast in Quetta on August 8 were withdrawn by the movers after getting assurance from the ministers.

Two more resolutions on early completion of construction work at Pat Feeder Canal and payment of outstanding dues of water resources to the provincial government were referred to the Special Committee for further deliberations. Time consumed on the debates of lawmakers include six hours and seven minutes of the proceedings.

The House also adopted a motion under Rule 52 of the Rules of Procedure and Conduct of Business to declare the seat of a PML-N's Minority Member, Santosh Kumar vacant due to his continued absence from the House for 40 consecutive days.

The House deferred all Starred Questions appearing on the agenda during entire session due to the absence of movers or relevant ministers.

Lawmakers raised 47 Points of Order (POs) that consumed two hours and four minutes of the session's time. The highest number of POs (13) were raised during the last and sixth sitting consuming 20 minutes, while two POs consumed five minutes of the proceedings time during the third sitting.

Three reports of the Standing Committees on government bills were presented in the House while the lawmakers witnessed one incident of walkout by

NP lawmakers for 54 minutes against the attitude of the government for not taking them into confidence over major decisions.

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

6

Session
Duration

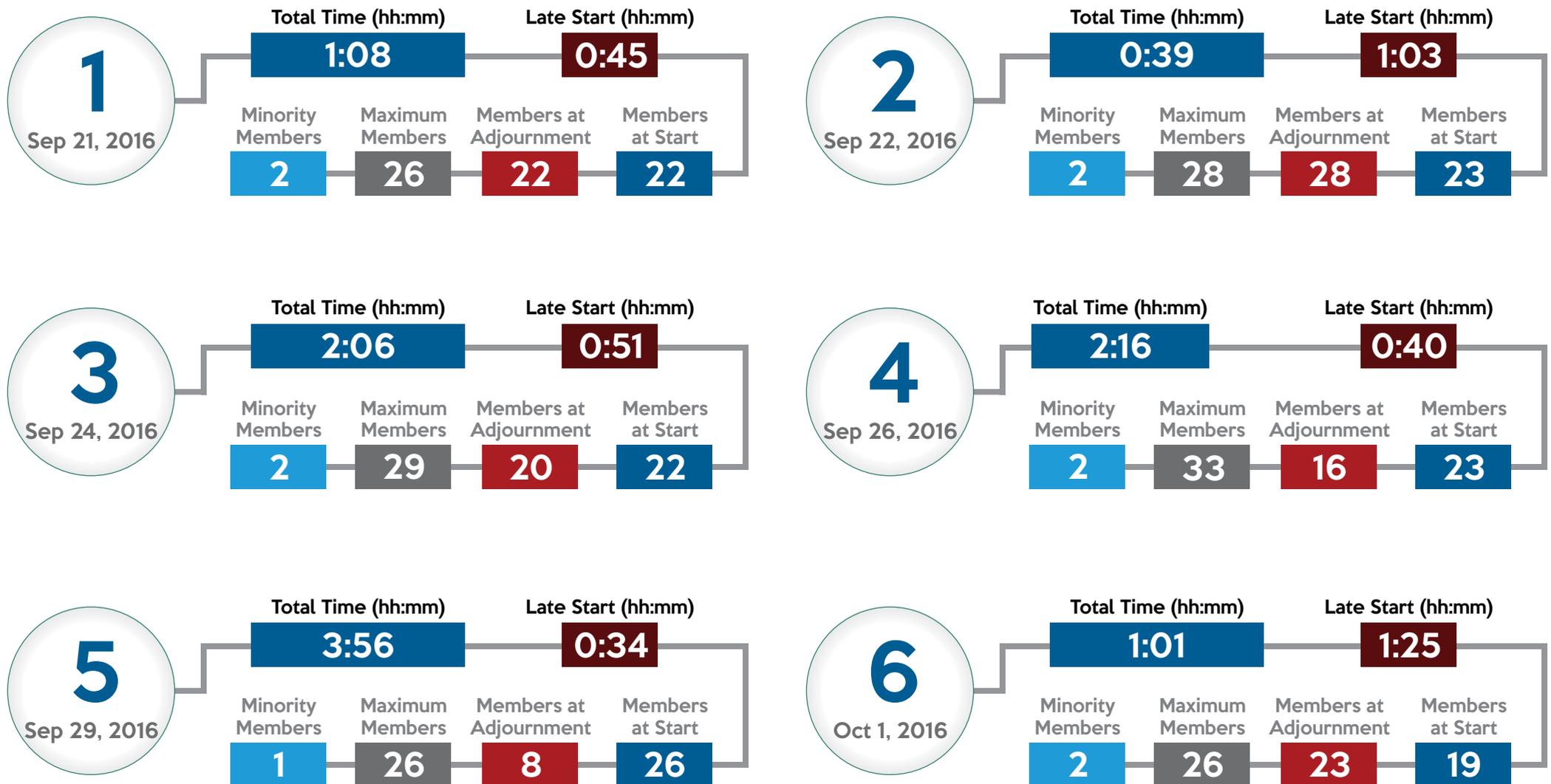
11 hours,
6 minutes

Average
Delay

53
minutes

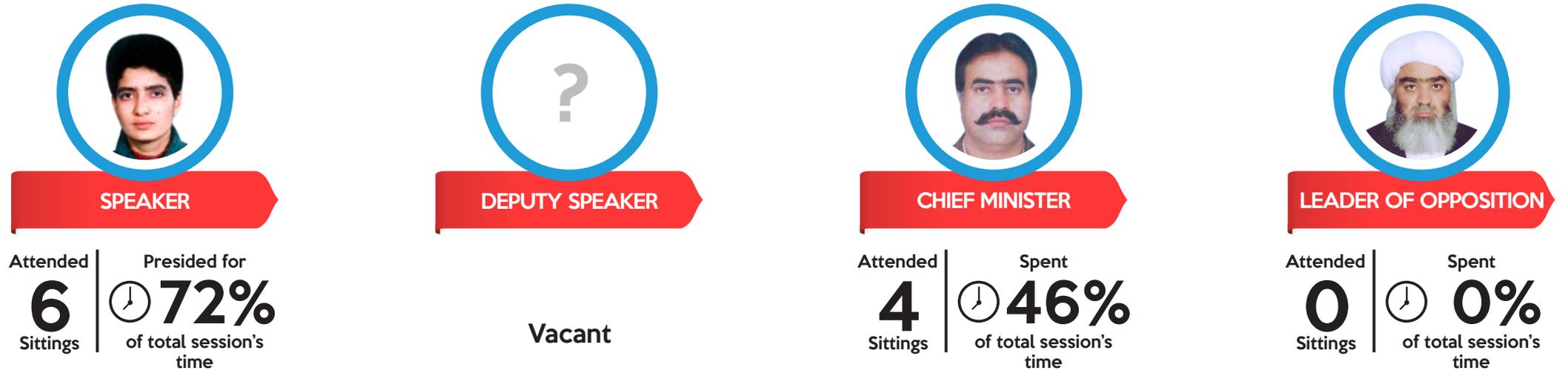
SITTING DATE, DURATION AND ATTENDANCE

The six-sitting session, which was marked by low attendance, began on September 21 and prorogued on October 1, 2016. On average 23 (33%) members were present at the outset and 20 (28%) at the adjournment of the sitting. Each sitting, on average started 53 minutes behind the schedule and lasted an hour and 51 minutes. The total time of the session remained 11 hours and six minutes. The fifth sitting was the longest that lasted three hours and 56 minutes while the second sitting was the shortest that consumed 39 minutes of the proceedings.



KEY MEMBERS ATTENDANCE

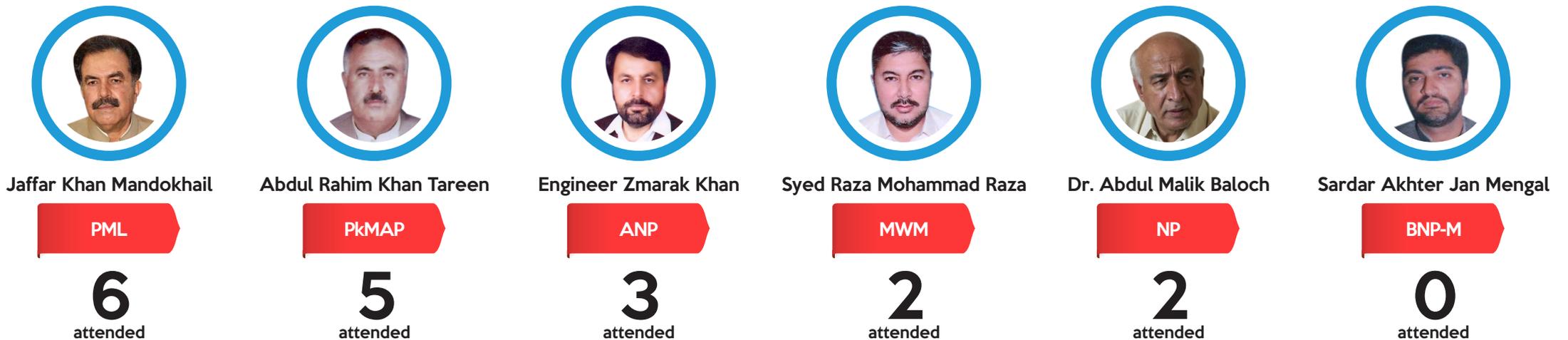
The Speaker attended all the sittings and presided over the session for seven hours and 58 minutes (72%). The remaining three hours and eight minutes (28%) were chaired by the Members of Panel of Chairpersons. The Chief Minister attended four sittings and remained present for five hours and four minutes (46% of the session time) while the Leader of the Opposition did not attend any sitting during the entire session.



The Panel of Chairpersons attended all six sittings and presided for 28% of total session time.

PARLIAMENTARY LEADERS ATTENDANCE

The Parliamentary Leaders of PML attended all the six sittings, followed by PkMAP (5), PML-N (4), ANP (3) and MWM and NP (two each). However, the Parliamentary Leaders of JUI-F, BNP and NP remained absent throughout the session.



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

24

Motion under
Rule 52

1

QUESTIONS

The House deferred all Starred Questions appearing on the agenda during entire session due to the absence of movers or relevant ministers.



MOTION UNDER RULE 52

The House also adopted a motion under Rule 52 of the Rules of Procedure and Conduct of Business to declare the seat of a PML-N's Minority Member, Santosh Kumar vacant due to his continued absence from the House for 40 consecutive days.

ADOPTED



Muhammad Khan Lehri

Declaring the seat of a PML-N's Minority member, Santosh Kumar vacant due to his absence from the House for 40 consecutive days.

Rule 52. Seat becoming vacant

If a Member remains absent, without leave of the Assembly, for forty consecutive days of its sitting, the Speaker shall bring this fact to the notice of the Assembly and thereupon any Member may move that the seat of the Member who has been so absent be declared vacant. If the seat of the Member is declared vacant, the Secretary shall communicate the fact to the Chief Election Commissioner and to the Member concerned.

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

2

Reports

3

Resolutions

9

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.

Passed Bills

The Balochistan Prohibition of Sheesha Smoking Bill, 2016

Mover: Sardar Raza Muhammad Barrach (PkMAP)

The Balochistan Employees Efficiency and Discipline (Amendment) Bill, 2016

Mover: Nawab Mohammad Khan Shahwani (NP)

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.

ADOPTED RESOLUTIONS

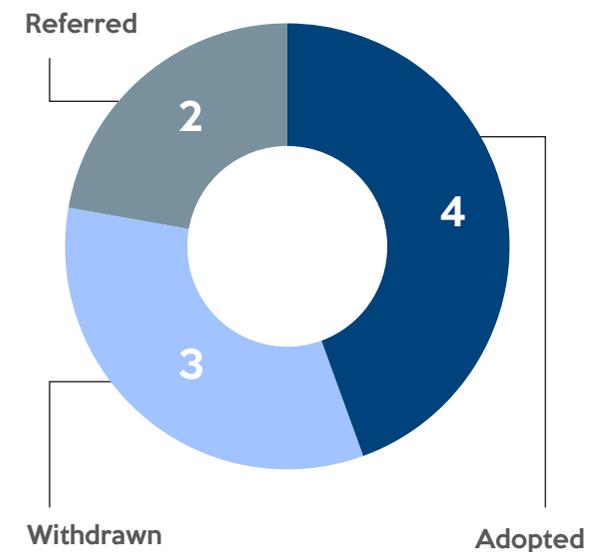
- Urging the Federal government to issue funds for less developed areas in the province.
- Condemned the attack on Pakistani soil by neighboring country (India).
- Establishment of NADRA executive office and separate counters for women citizens in the province.
- Urging the government to take actions against substandard beverage companies in the province.

WITHDRAWN

- Permanent employment of the staff of People's Primary Healthcare Initiative (PPHI) Balochistan, working in Basic Health Units and district offices.
- Commemorating September 8 as National Language Day.
- Provision of compensation to the families of journalists and some citizens who got killed in Quetta blast on August 8

REFERRED TO COMMITTEE

- Early completion of construction work of Pat Feeder Canal.
- Payment of outstanding dues of water resources.



REPORT

PRESENTED BY



William Jan Barkat

Report regarding the rent of Balochistan Houses' rooms in Islamabad and Karachi



Dr. Ruqayya Saeed Hashmi

Report on the Balochistan Prohibition of Sheesha Smoking Bill, 2016



William Jan Barkat

Report on the Balochistan Employees Efficiency and Discipline (Amendment) Bill, 2016

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

47

Protest and
Walkouts

1

POINTS OF ORDER

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

Lawmakers raised 47 Points of Order (POs) that consumed two hours and four minutes of the session's time. The highest number of POs (13) were raised during the last and sixth sitting consuming 20 minutes, while two POs consumed five minutes of the proceedings time during the third sitting.



WALKOUTS

3rd Sitting

► Walkout (NP Lawmakers)

Reasons: Against the government for not taking them into confidence on important decisions.


8 min

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.

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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 17,300 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.

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