



PROVINCIAL ASSEMBLY OF BALOCHISTAN

FAFEN PARLIAMENT MONITOR

36th SESSION

6th - 19th January 2017



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

Opposition Lawmakers Miss Opportunity to Grill Government

ISLAMABAD: The Provincial Assembly of Balochistan deferred 65 percent of the Starred Questions due to absence of their movers while it could not bring any legislative business on the agenda during the entire 36th session. The House also could not elect Deputy Speaker, whose office is lying vacant since December 2015, in violation of Rule 10 of the Rules of Procedure of the Assembly, observes Free and Fair Election Network (FAFEN) in its Session Report.

Provincial Assembly defers 65% questions due to movers' absence

The Assembly praised the Chief Minister for assuring to provide job opportunities for youth on the posts lying vacant in various public departments, condemned Indian violations along the Line of Control and demanded implementation of job quota reserved for special persons, before being prorogued sine die after convening six sittings between January 6 and January 20, 2017.

The House passed 11 resolutions while the lawmakers tabled 12 resolutions either individually or jointly on various matters of public importance during the reporting period. The adopted resolutions were regarding condemnation of killings of Muslims in Myanmar and urging the Federal Government to

highlight this issue at international fora; calling upon the government to ensure sale and purchase of mobile phones through their original invoices and CNICs' photocopies; condemning atrocities of Indian Army in the Occupied Kashmir and violations on the Line of Control (LoC), demanding the government to take effective measures against gas load-shedding as well as low tariff rates for gas consumers of the province; calling for up-gradation of facilities at Zhob Airport; urging the Federal Government to fill the vacant posts and restoring the dismissed employees of the Utility Stores Corporation of Pakistan; calling for ban on Pakistan International Airlines (PIA) planes in dilapidated condition and decrease its fares; paying tribute to the Chief Minister and his cabinet for giving assurance on the floor of House regarding provision of employment opportunities to youth on around 26,000 vacant posts in various public departments within 90 days; asking for construction of an alternate airport in the province; urging the government to formalize a systematic plan to cope up with climate and weather changes and pressing the provincial government to ensure implementation of job quota reserved for disabled persons in the province.

The House referred an amendment to Assembly's Rules of Procedure to relevant committee. The amendment was moved by a PkMAP lawmaker proposing for insertion of new rule for empowering

the standing committees to constitute sub-committees.

On average, 16 (23%) members were present at the outset and 17 (25%) at the adjournment of sitting. Two-member representation of the marginalized groups was also in attendance during the session. Each sitting, on average started 40 minutes behind the schedule and lasted for two hours and 30 minutes. The entire session took 15 hours and two minutes to complete, while the sixth sitting was the longest that consumed four hours and 22 minutes. The first sitting, however, was the shortest that took an hour and 34 minutes of the proceedings' time.

Assembly adopts 11 resolutions; No legislative business made part of agenda

The Parliamentary Leader of PML attended five sittings, which was followed by the leaders of PkMAP (4), ANP and MWM (3 each), JUI-F and NP (2 each). However, the Parliamentary Leader of BNP remained absent throughout the session.

The Speaker attended five sittings and presided over the session for eight hours and 16 minutes (55%). The proceedings of the remaining seven hours (45%) were chaired by the Members of Panel of Chairpersons.

The seat of Deputy Speaker is lying vacant since December 2015 which is a clear violation of Rule 10

of the Assembly's Rules of Procedure. Rule 10 states that whenever the office of the Speaker or Deputy Speaker becomes vacant, an election to fill that office shall be held – (a) If the Assembly is in session, as soon as possible during the session; and (b) If the Assembly is not in session, at the first meeting of the next session.

The Chief Minister attended two out of six sittings and remained present for three hours and 17 minutes (22% of the session time) while the Leader of the Opposition attended as many sittings for five hours and 29 minutes (36% of the session time).

The House deferred Question Hour during four sittings due to the absence of movers. The only Question Hour was held during fourth sitting during which seven out of 10 Starred Questions were taken up and responded to by the relevant minister on the floor of the House. In addition, a lawmaker raised one Supplementary Question during the same sitting. From the total 20 Starred Questions appearing on the agenda during the session, the House managed to take up only seven questions that received oral as well as written replies from the departments concerned. The remaining 13 (65%) questions were deferred by the House due to the absence of their movers.

Two audit reports were laid in the House during the reporting session. The Annual Report of Balochistan Public Service Commission for the year 2015 was presented by NP lawmaker during first sitting while an Audit report of the Auditor General of Pakistan for

year 2015-16 was laid by the Chief Minister during the third sitting.

A PkMAP male lawmaker moved an Adjournment Motion during first sitting to discuss the killing of a tribal leader in district Qila Abdullah. The House disposed of the motion and no further debate was held on the issue.

Deputy Speaker office lying vacant since December 2015

Lawmakers belonging to PkMAP submitted four Privilege Motions (PM) during the reporting period. The Presiding Officer while giving his ruling referred four motions to the concerned committees while one motion was disposed of.

Lawmakers raised 48 Points of Order (POs) that consumed three hours and seven minutes of the session's time. The highest number of Points of Order (14) was raised during the second sitting consuming 58 minutes, while four POs took 17 minutes of the proceedings' time during last (6th) sitting.

The lawmakers belonging to JUI-F and ANP walked out of the House for seven minutes during sixth sitting against the Chair for not allowing the Leader of the Opposition to speak on a Privilege Motion. Quorum was pointed out twice during the reporting period. During fifth sitting, a lawmaker belonging to ANP pointed out quorum that led to early adjournment of

the sitting, while quorum was pointed out second time during sixth sitting by a JUI-F lawmaker, but this time head count was done and the quorum was found to be complete.

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

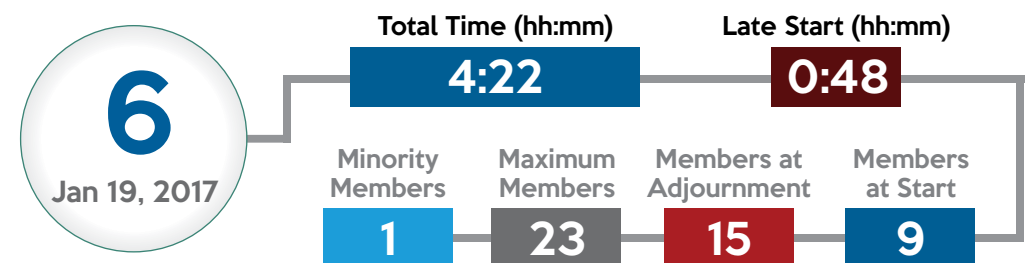
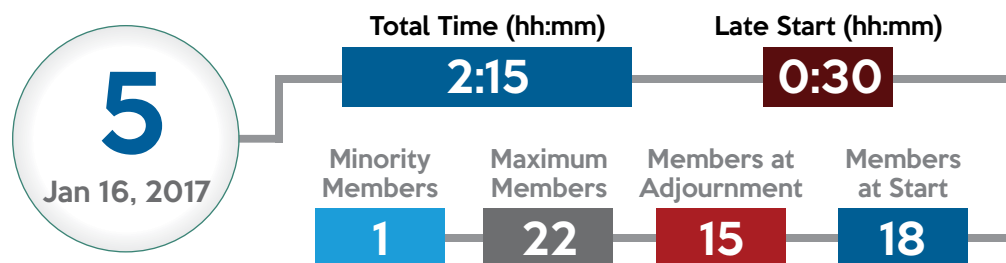
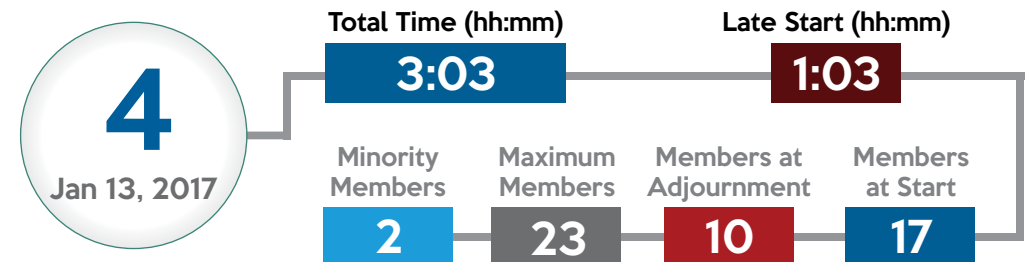
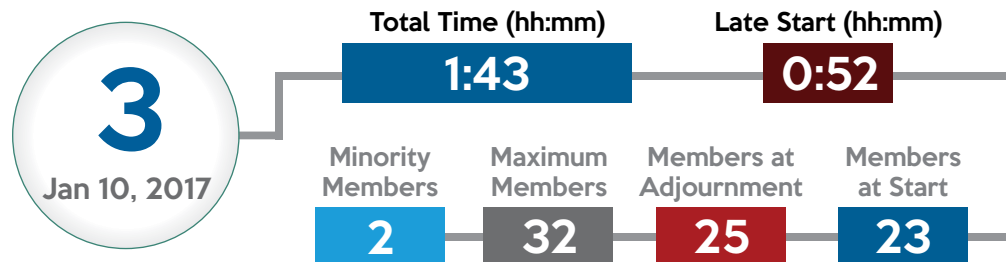
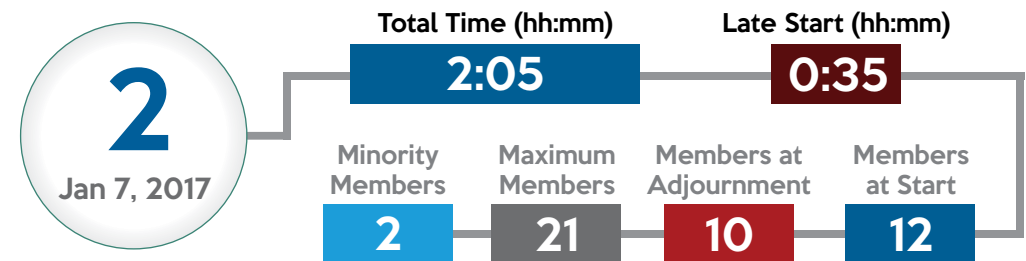
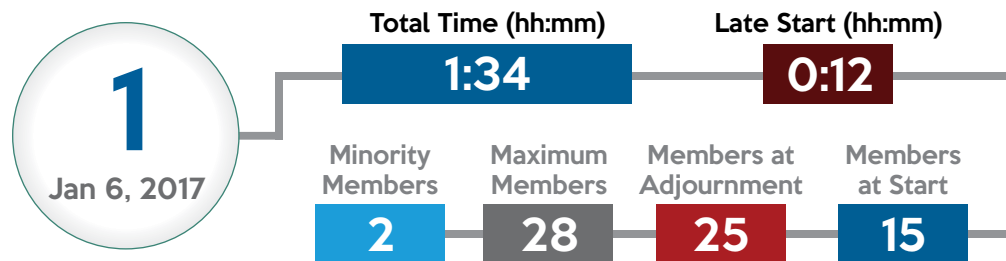
15 hours,
2 minutes

Average
Delay

40
minutes

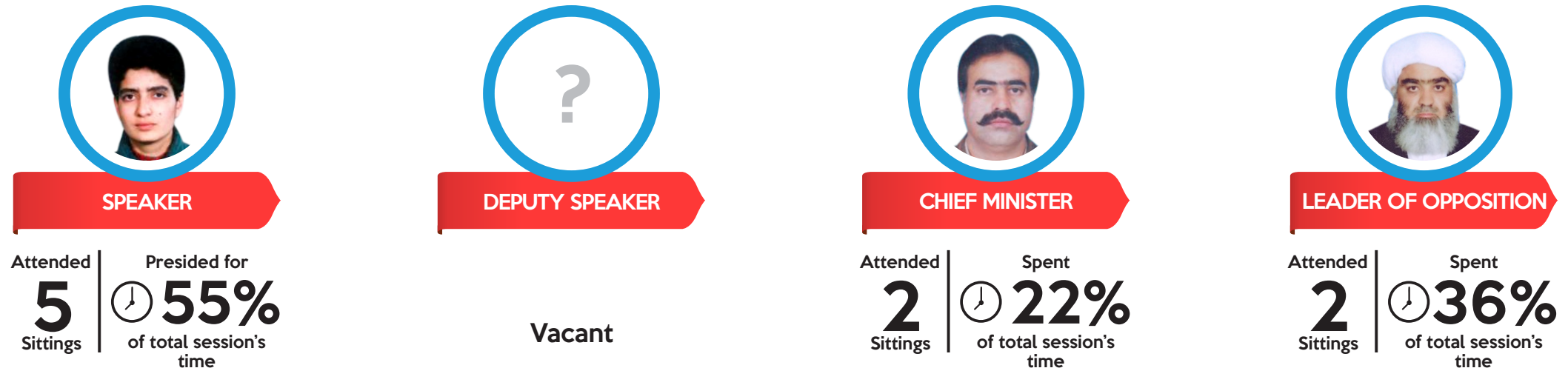
SITTING DATE, DURATION AND ATTENDANCE

The Session comprised six sittings started on January 6 and ended on January 19, 2017. On average, 16 (23%) members were present at the outset and 17 (25%) at the adjournment of sitting. Two-member representation of the marginalized groups was also in attendance during the session. Each sitting, on average started 40 minutes behind the schedule and lasted for two hours and 30 minutes. The entire session took 15 hours and two minutes to complete, while the sixth sitting was the longest that consumed four hours and 22 minutes. The first sitting, however, was the shortest that took an hour and 34 minutes of the proceedings' time.



KEY MEMBERS ATTENDANCE

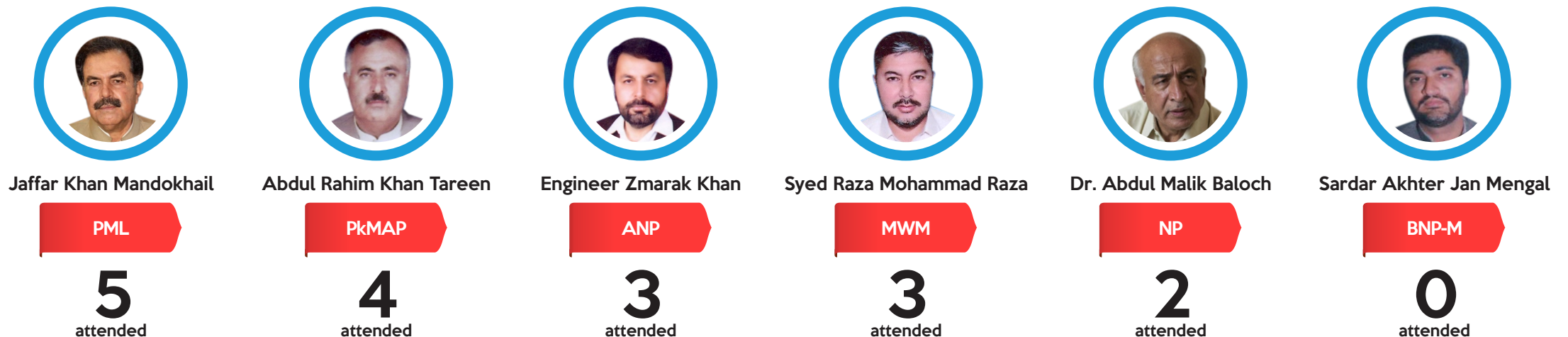
The Speaker attended five sittings and presided over the session for eight hours and 16 minutes (55%). The proceedings of the remaining seven hours (45%) were chaired by the Members of Panel of Chairpersons. The seat of Deputy Speaker is lying vacant since December 2015 which is a clear violation of Rule 10 of the Assembly's Rules of Procedure. Rule 10 states that whenever the office of the Speaker or Deputy Speaker becomes vacant, an election to fill that office shall be held – (a) If the Assembly is in session, as soon as possible during the session; and (b) If the Assembly is not in session, at the first meeting of the next session. The Chief Minister attended two out of six sittings and remained present for three hours and 17 minutes (22% of the session time) while the Leader of the Opposition attended as many sittings for five hours and 29 minutes (36% of the session time).



The Panel of Chairpersons presided for 45% of total session time.

PARLIAMENTARY LEADERS ATTENDANCE

The Parliamentary Leader of PML attended five sittings, which was followed by the leaders of PkMAP (4), ANP and MWM (3 each), JUI-F and NP (2 each). However, the Parliamentary Leader of BNP 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

20

Adjournment
Motion

1

QUESTIONS

The House deferred Question Hour during four sittings due to the absence of movers. The only Question Hour was held during fourth sitting during which seven out of 10 Starred Questions were taken up and responded to by the relevant minister on the floor of the House. In addition, a lawmaker raised one Supplementary Question during the same sitting. From the total 20 Starred Questions appearing on the agenda during the session, the House managed to take up only seven questions that received oral as well as written replies from the departments concerned. The remaining 13 (65%) questions were deferred by the House due to the absence of their movers.



ADJOURNMENT MOTION

A PkMAP male lawmaker moved an Adjournment Motion during first sitting to discuss the killing of a tribal leader in district Qila Abdullah. The House disposed of the motion and no further debate was held on the issue.



Abdul Majeed Khan Achakzai

Killing of JUI and tribal leader Malik Essa in Mazai Addah (district Qilla Abdullah)

Disposed of

MOTION



Sardar Raza Muhammad Barrach

The following members should be granted the status of member in various committees with respect to motion under rule 134.
Engineer Zmarak Khan Achakzai for committee on rules and procedures and privileges.
Mufti Gulab Khan Kakar for committee on local government, BDA, GDA, BCDA, urban planning and development.
Sardar Abdur Rehman Khetran for committee on public health engineering, WASA, Quetta greater water supply project.

Adopted

SECTION 3

PARLIAMENTARY OUTPUT

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

Reports

2

Resolutions

13

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 Assembly could not bring any legislative business on the agenda during the entire 36th session.

RESOLUTIONS

The House passed 11 resolutions while the lawmakers tabled 12 resolutions either individually or jointly on various matters of public importance during the reporting period. In addition, one resolution was disposed of by the Chair.

11

Adopted

01

Disposed

ADOPTED RESOLUTIONS

- Ensure sale and purchase of mobile phones through their original invoices and CNICs' photocopies of those making any such deals
- Condemned killings of Muslims in Myanmar and demanded the federal government to highlight this issue at international level
- Condemned atrocities of Indian Army in the occupied Kashmir and violations on the Line of Control (LoC), urging the federal government to take up the matter with international community to make India obey International laws
- Demanding the federal government to take effective measures against gas load-shedding as well as low tariff rates for gas consumers of the province
- Demanding the government to upgrade Zhob airport with state of the art facilities, as it is an only airport on the western route of China Pakistan Economic Corridor
- Urging the Federal Government to fill the vacant posts and restore the dismissed employees of the Utility Stores Corporation of Pakistan
- Ban on Pakistan International Airline (PIA) planes which are in dilapidated condition, and resulted in a recent plane crash incident killing 48 people on board. Moreover the lawmakers also urged the provincial government to approach federal government for decreasing the air fares
- Paid tribute to the Chief Minister and his cabinet for assurance given

by him on floor of the House about providing employment opportunities to youth on around 26,000 vacant posts in various public departments within 90 days

- It is a common practise in Pakistan and world wide that an alternate airport is available with the international airport, so that it can be used in emergency situations. Law makers said that in Quetta no alternate airport is available near the international airport, and urged the government to construct an alternate airport in district Pashin where a runway of civil aviation authority is already available
- Urging the government to formalize a systematic plan to cope with climate and weather changes
- Urging the provincial government to ensure implementation of job quota reserved for disable persons in the province

Disposed

- Demanding the provincial government to replace the word 'Grant' in Section A-14 of the Balochistan Residential Colleges Act, 2005 with 'Regular Budget'

REPORT

Two audit reports were laid in the House during the reporting session. The Annual Report of Balochistan Public Service Commission for the year 2015 was presented by NP lawmaker during first sitting while an Audit report of the Auditor General of Pakistan for year 2015-16 was laid by the Chief Minister during the third sitting.

PRESENTED BY



Nawab Mohammad Khan Shahwani

Annual report of Balochistan Public Service Commission for the year 2015



Sardar Sanaullah Khan Zehri

Audit report of the Auditor General of Pakistan for year 2015-16

AMENDMENT TO THE RULES

According to the Rule 233 of the Balochistan Assembly, a member may move a motion to amend the Rules of Procedure and Conduct of Business of the House with not less than fifteen clear days' notice accompanied by the amendment proposed. The Speaker shall decide that the proposed amendment is in order after it is included in the List of Business and the matter shall be referred to the standing committee.

The House referred an amendment to Assembly's Rules of Procedure to relevant committee. The amendment was moved by a PkMAP lawmaker proposing for insertion of new rule for empowering the standing committees to constitute sub-committees.

MOTION TO AMEND THE RULES

Moved by:



Abdul Majeed Khan Achakzai

PkMAP

Amendment to the Rules of Procedure and Conduct of Business of Balochistan Assembly 1974, proposing to empower the Standing Committees to constitute Sub-Committees.

**Referred to
Standing Committee**

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.

Privilege
Motion

5

Points of
Order

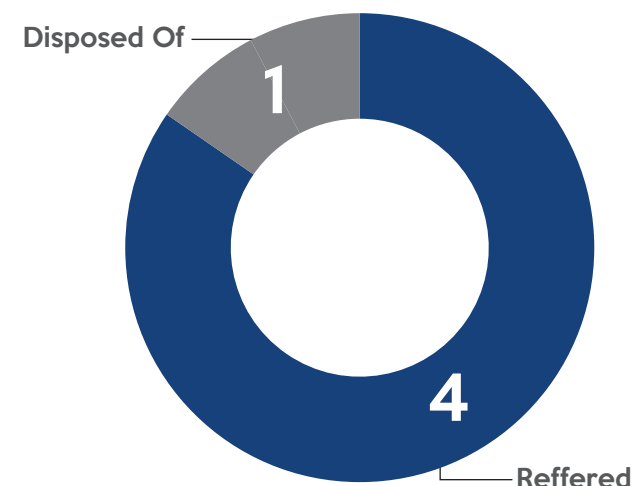
48

Walkouts

1

PRIVILEGE MOTION

Lawmakers belonging to PkMAP submitted four Privilege Motions (PM) during the reporting period. The Presiding Officer while giving his ruling referred four motions to the concerned committees while one motion was disposed of.



PRIVILEGE MOTIONS REFERRED TO COMMITTEE

Agha Syed Liaqat Ali

PkMAP

Contractors made allegations against the members of the provincial assembly, that they get 10% share from the government contracts in their constituencies.

Abdul Raheem Ziaratwal

PkMAP

A government official wrote a letter to Chief Minister Balochistan, and made baseless allegations against me. My privilege is breached from this act of the government officer, and urged the house to initiate a debate on this matter.

Hamid Khan Achakzai

PkMAP

A news was published in daily Mashriq Quetta on 7th January 2017 in which charges were levelled on me by Ex- Additional Chief Secretary (Development). My privilege was breached hence I beg to move a privilege motion to discuss this matter of urgent importance in the assembly.

Agha Syed Liaqat Ali

PkMAP

My privilege was breached because of the statement made by ACS in his letter to Chief Minister.

PRIVILEGE MOTION DISPOSED OF

Abdul Majeed Khan Achakzai

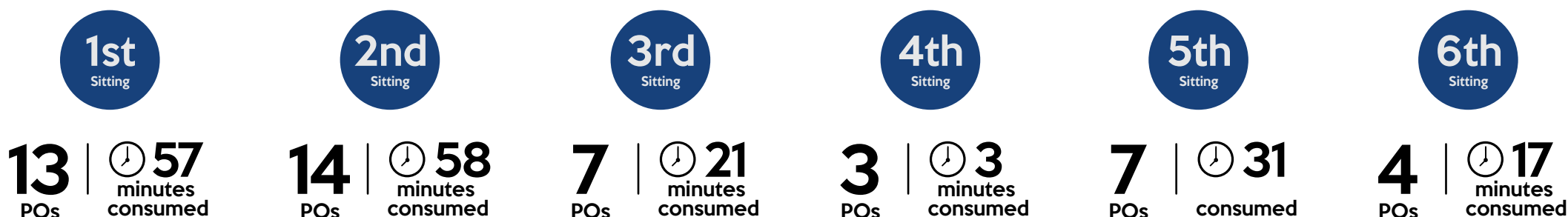
PkMAP

A news from the home minister in the newspaper has breached my privilege, in which he made a statement that I am involved in the defaming of the government.

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 48 Points of Order (POs) that consumed three hours and seven minutes of the session's time. The highest number of Points of Order (14) was raised during the second sitting consuming 58 minutes, while four POs took 17 minutes of the proceedings' time during last (6th) sitting.



WALKOUTS

6th Sitting

► Walkout (JUI-F & ANP Lawmakers)

Reasons: Leader of Opposition not being permitted by the Chair to speak on Privilege Motion

7 minutes

QUORUM

Sitting	Name of Member	Party	Speaker Action
5	Engineer Zmarak Khan	ANP	The bells were rung for ten minutes; however the quorum was found incomplete upon recount that led to the adjournment of the sitting
6	Mufti Gulab Khan	JUI-F	The bells were rung for five minutes and the proceedings remained suspended for ten minutes. However, the quorum was found complete upon recounting

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 17,700 followers on Twitter and around 88,500 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



Building No 1, Street 5
(Off Jasmine Road),
G 7/2, Islamabad