

PROVINCIAL ASSEMBLY OF SINDH

FAFEN PARLIAMENT MONITOR

6th SESSION

September 13 - Dec 20, 2019



FREE AND FAIR ELECTION NETWORK

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ABBREVIATIONS

GDA	Grand Democratic Alliance
MMA	Muttahida Majlis - e - Amal Pakistan
MQMP	Muttahida Qaumi Movement Pakistan
PPPP	Pakistan Peoples Party Parliamentarians
PTI	Pakistan Tehreek-e-Insaf
TLP	Tehreek - e - Labbaik Pakistan
PO	Point of Order
AM	Adjournment Motion
CAN	Call Attention Notice

Total
Sittings

38

Cumulative
Duration

75

Hours & 23 Minutes

Longest Sitting

36th

3 Hours & 17 Minutes

Total
Break Time

11

Minutes

SINDH ASSEMBLY TRANSACTS ONE-THIRD AGENDA DURING 6TH SESSION

■ Session Continues for more than Three Months, Adopts 23 Resolutions

The Provincial Assembly of Sindh addressed more than one-third of its scheduled business during sixth session comprising 38 sittings that continued between September 13, 2019 and December 20, 2019, observes Free and Fair Election Network (FAFEN) in its session report.

The low attendance of the lawmakers was marked during the session as an average of 40 lawmakers (24%) were observed to be present at the start and 50 members (29%) percent at the end of each sitting. Each sitting, on average, started an hour and 19 minutes behind the schedule and lasted an hour and 59 minutes.

The Leader of the House attended eight out of 38 sittings and remained present for the 17 percent of the session's time, while the Opposition Leader was present in 27 sittings and attended 52 percent of the proceedings.

The regular as well as supplementary agenda of the House during sixth session comprised 13 government bills and six private members' bills, 77 resolutions, 110 Call Attention Notices (CANs), 31 amendments to the Rules of Procedure and Conduct of Business, 32 private motions and 301 starred questions. As many as 58 CANs were answered, two Adjournment Motions were admitted for discussion and 123 questions were taken up in the House.

Lawmakers spoke on 83 Points of Order (POs) during the session, consuming an hour and 34 minutes of the proceedings. One question of privilege was sent to privilege committee while two were withdrawn by their respective movers. Seventeen reports of the standing committees of Human Rights, Health and Law & Parliamentary Affairs were part of agenda of which 12 were presented in the House during the session.

The question of quorum surfaced for four times during the session. The Chair adjourned the sittings twice due to lack of quorum while it was found complete once and led to the adjournment of the sitting on another occasion.

1 Session, Duration and Attendance

The 6th session spanning over 38 sittings commenced on September 13, 2019 and prorogued on December 20, 2019. The low attendance of the

Average Sitting Delay

1

Hour & 19 Minute

Members at Outset (Average)

40

present

Members at End (Average)

50

present

Total Bills

19

lawmakers was marked during the session as an average of 40 lawmakers (24%) were observed to be present at the start and 50 members (29%) percent at the end of each sitting. Out of nine Minority member's, six lawmakers, on average, attended each sitting.

Each sitting, on average, started an hour and 19 minutes behind the schedule and lasted an hour and 59 minutes. The Speaker attended 35 out of 38 sittings and presided over 72 percent (54 hours and 18 minutes) of the session's time. The Deputy Speaker, on the other hand, remained present in 37 sittings and chaired 28 percent (20 hours and 54 minutes) of the proceedings. The Members of the Panel of Chairpersons did not preside any sitting. The proceedings remained suspended for 11 minutes due to calls for prayers and lack of quorum. The Leader of the House remained present in eight sittings and attended 17 percent of the session's time, while the Opposition Leader was present in 27 sittings attending 52 percent of the proceedings. The parliamentary leaders of PPPP attended 36 sittings, followed by TLP (25), MMAP (22), PTI (16) and MQMP and GDA (15 each).

2 Assembly Output

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

2.1 Legislation

The legislative business brought before the House during fifth session comprised 13 government and six private member's bills. The House passed nine out of 13 government bills while four were sent to relevant committees. Out of six private member's bills, three were rejected while remaining three were not taken up in the House.

2.1.1 Government Bills Passed

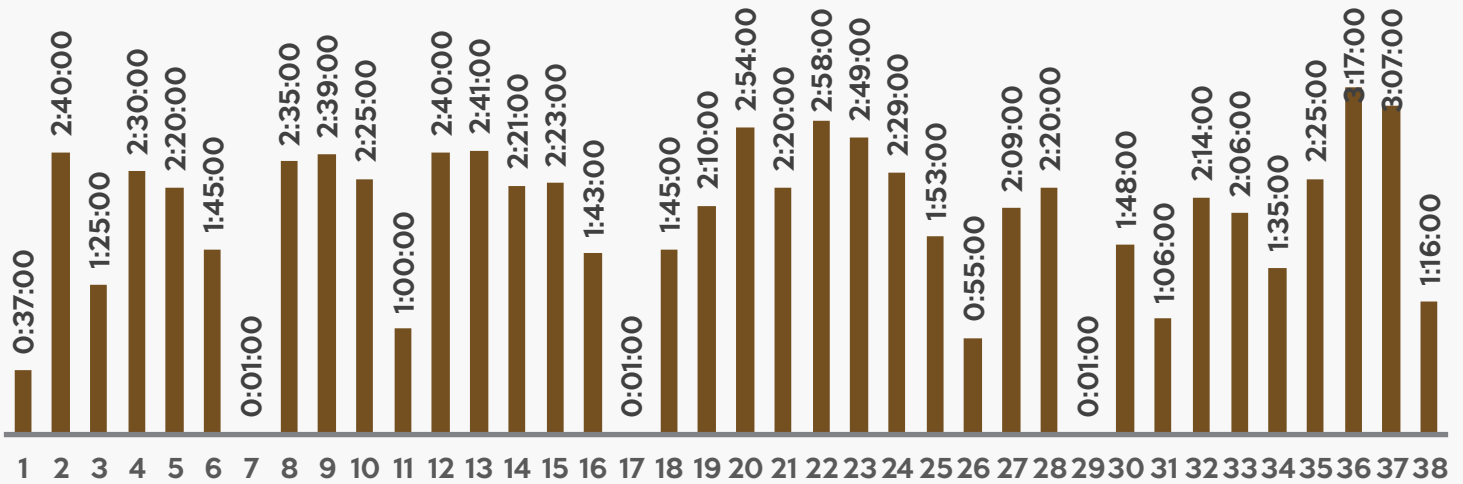
(1) The Provincial Motor Vehicles (Amendment) Bill, 2019

The bill allows the hearing-impaired persons to secure driving licences without any fee. Traffic police official who will conduct the driving test of an applicant facing the problem of hearing impairment will be himself/herself required to understand the sign language. The new law makes it mandatory for hearing-impaired persons to use a special device and mirrors while driving, which would enable them to perceive any vehicle around them using a horn or the siren of any emergency vehicle such as ambulance. A special light will blink in the car to enable the hearing-impaired person to know about the horn while vehicles of such person shall attach mandatory stickers on the vehicle.

(2) The Sindh Institute Of Ophthalmology and Visual Sciences (Amendment) Bill, 2019

The bill suggests that the Institute of Ophthalmology and Visual Sciences shall be an independent degree awarding Institute which may undertake postgraduate teaching and training program. It also

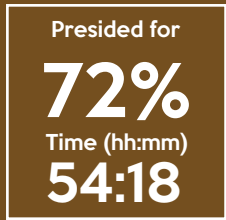
SITTINGS DURATION (hh:mm)



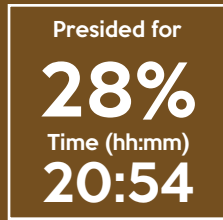
KEY MEMBERS' ATTENDANCE



Speaker



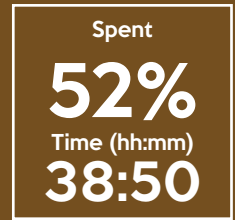
Deputy Speaker



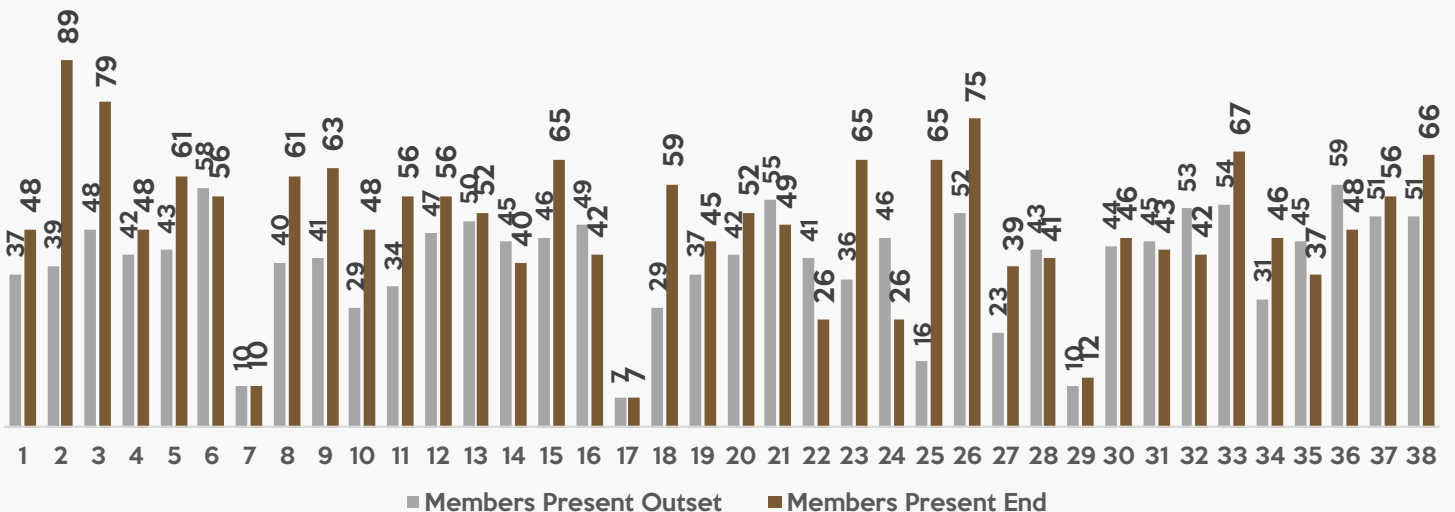
Leader of the House



Leader of the Opposition



MEMBERS' ATTENDANCE



PARLIAMENTARY LEADERS ATTENDANCE



MUKESH KUMAR CHAWLA



PPPP

36
attended



MUHAMMAD QASIM



TLP

25
attended



SYED ABDUL RASHEED



MMAP

22
attended



HALEEM ADIL SHEIKH



PTI

16
attended

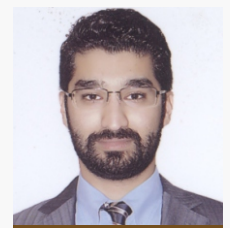


KANWAR NAVEED JAMEEL



MQMP

15
attended



HUSNAIN ALI MIRZA



GDA

15
attended

19

Total Bills

13

Government Bills

6

Private Members' Bills

9

Govt. Bills Passed

suggests to handover to hand over Eye Hospital Khairpur to the Sindh Institute of Ophthalmology and Visual Sciences.

(3) The Sindh Reproductive Healthcare Rights Bill, 2019

It aims to facilitate reproductive healthcare and promote reproductive health rights in the Province of Sindh.

(4) The Sindh Charities Registration and Regulation Bill, 2019

The bill aims to register and regulate charities and collection and utilization of charitable funds.

(5) The Agricultural Produce Markets (Amendment) Bill, 2019

The bill proposes to amend the section 8 of the Agricultural Produce Markets Act, 1939 and suggests to replace the word "Government" wherever occurring with the words "Minister for Agriculture". The section 8 is about the Constitution of the Market Committees and this bill will authorize the Minister for Agriculture to look into the all matters regarding formation of the Committees.

(6) The Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Manpuri Bill, 2019

It aims to ban the import, export, manufacturing, sale and purchase of gutka, mainpuri and their derivatives in the province.

(7) The Coastal Development Authority (Amendment) Bill, 2019

It aims to add Karachi's coastline in the jurisdiction of the Coastal Development Authority.

(8) The Sindh Women Agricultural Workers Bill, 2019

The bill aims at empowering the women of the rural swathes of the province. It recognizes women workers of the agricultural sector as formal labourers and aims to protect the social security rights of female labourers. It recognizes and safeguards the rights of women workers associated with the sectors of cultivation, fisheries, poultry, and animal husbandry. This law will enable the female workers of the agricultural sectors to get financial assistance from the endowment fund of the Benazir Income Support Program.. Rights of women agricultural workers will be equal to industrial labourers of the province in view of the concept of universalisation of social security. It enables a woman labourer of the agricultural sector to demand a contract of employment if she needs so. It also allows woman agricultural workers to get rights related to collective bargaining, social welfare including child health, community development, economic profit, and for accessing publicly supplied goods and services.

(9) The Sindh Institute Of Physical Medicine and Rehabilitation Bill, 2019

It aims to set up Sindh Institute of Physical Medicine and Rehabilitation to provide free therapy to those who become disabled in the accidents. It would also introduce degree courses as well.

4

Introduced Govt. Bills

3

Private Members' Bills Not Taken up

3

Private Members' Bills Rejected

77

Resolutions

2.1.2 Govt. Bills Introduced

(1) The Sindh Consumer Protection (Amendment) Bill, 2019

It aims to set up consumer protection councils at the provincial and district levels.

(2) The Sindh Safe Cities Authority Bill, 2019

It aims to establish Sindh Safe Cities Authority to ensure the safety and security of the citizens. The authority would construct, develop and maintain a city-wide integrated command, control and communication system within the province.

(3) The Sindh Students Union Bill, 2019

It seeks to lift the ban on student unions in the educational institutions of the province and activate an effective system to provide for the establishment of students unions and regulating them.

(4) The Sir Cowasjee Jahangir Institute of Psychiatry And Behavioral Sciences, Hyderabad Bill, 2019

The bill aims to set up Sir Cowasjee Jahangir Institute of Psychiatry and Behavioral Science in Hyderabad by converting 150-year old Mental hospital, at Deh Gidoo Hyderabad. It aims to address the issue of rising mental health cases and provide better treatment to the patients

2.1.3 Bills Not Taken Up

Sr.	Bill	Type
1.	The Sindh Criminal Law (Protection of Minorities) Bill, 2019	Private
2..	The Sindh Education Standards and Curriculum (Amendment) Bill, 2018	Private
3.	The Sindh Advisors (Appointments, Powers, Functions, Salaries, Allowances And Privileges) (Amendment) Bill, 2019	Private

2.1.4 Bills Rejected

Sr.	Bill	Type
1.	The Sindh Provincial Assembly (Members) Privileges (Amendment) Bill, 2018	Private
2.	The Sindh MPA Accessibility Bill, 2018	Private
3.	The Criminal Law (Protection of Minorities) Bill, 2019	Private

2.2 Amendments in the Rules of Procedure

The House did not consider the 31 amendments in sub-rule 4(a) of rule 267 of rules of procedure. Out of total 31 amendments, 17 were moved by PPPP lawmakers, eight by PTI and six by MQMP lawmakers.

23

Adopted
Resolutions

31

Amendments
to Rules

110

Total
CANs

58

Responded
CANs

2.3 Resolutions

The House adopted 23 out of 77 resolutions during the session. Few of the adopted resolutions paid tributes to martyrs of Movement for Restoration of Democracy, Sufi Saint Shah Abdul Latif Bhittai, late PPP MPA Ghulam Shah Jeelani on his political services and Baba Shree Guru Nanak on his 550th birthday anniversary while the House also condemned the desecration of Holy Quran in Norway, ransacking of temple in Ghotki, efforts to alter the limits of Sindh, Indian atrocities in Kashmir, arrest of PPPP leader Khursheed Shah and dissolution of the Pakistan Medical and Dental Council (PMDC).

The other adopted resolutions demanded to reopen the Sindh Department in Federal Urdu University, initiate more water provision projects in Karachi, abandon controversial hydropower plant on the Chashma-Jhelum Link Canal, take action against the PCB authorities involved in discriminatory decisions, provide healthcare facilities to detained PPPP President Asif Ali Zardari, punish those involved in kidnapping of a Kunri resident, lift ban from students' unions in educational institutions, take appropriate and sustainable measures to dispose of garbage from Karachi, conduct third party audit of the sixth population census and arrest those involved in the destruction of Martyrs Monument structure at Jinnah Ground in Karachi.

As many as 95 lawmakers sponsored these resolutions of which 55 appeared on the regular agenda while remaining 22 were taken as supplementary agenda items. Lawmakers individually sponsored 62 private resolutions, 14 were jointly sponsored and one was government resolution. PTI lawmakers sponsored 33 resolutions followed by PPPP (21), GDA (16), MQMP (6) and TLP (one).

2.4 Reports and Papers

A total of 17 reports of the standing committees of Human Rights, Health and Law & Parliamentary Affairs appeared on the list of business during the session. Twelve reports were presented in the House while five reports of Standing Committees of Human Rights were not taken up.

3 Representation and Responsiveness

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.

3.1 Questions

As per Rule 38 of the Sindh Assembly, the House holds a 60-minute question hour at the outset of a sitting except on the sittings falling on Saturdays, Sundays and the day set for oath taking/elections of key members. The lawmakers asked as many as 301 starred questions from

45

Unaddressed
CANs

7

Deferred
CANs

25

Adjournment
Motions

2

Admitted
Adjournment
Motions

22 departments of the government during the session. The House took up 123 (40 percent) starred questions for verbal answers during the proceedings while the remaining 178 (60 percent) were left unaddressed due to absence of their movers or the concerned ministers. In addition to this, the lawmakers asked 699 supplementary questions as well for further elucidation of the government's replies on starred questions.

The ministry wise break-up of starred questions raised during the session is as following:

Ministries/Departments	Number of Questions
Home	70
Health	35
Livestock & Fisheries	23
Excise, Taxation & Narcotics Control Departments	18
Finance	18
Energy	15
Local Government	15
Information, Science & Technology	14
Revenue & Relief	13
Culture, Tourism & Antiquities	10
Minorities Affairs	10
Women Development	9
Zakat & Ushr	9
Agriculture	7
Auqaf	6
Human Settlement	6
Law	6
Labour	5
Information & Archives	4
Public Health Engineering	4
Supply and Prices	3
Population Welfare	1
Total	301

3.2 Calling Attention Notices

A lawmaker can call the attention of a minister/department's head for any matter involving law and order situation or a definite matter of urgent public importance, by submitting one calling attention notice per sitting. According to Rule 69 of the Sindh Assembly, a calling attention notice cannot be debated and the member moving the notice cannot respond to the reply furnished by the government.

The lawmakers submitted as many as 110 Call Attention Notices (CANs)

32

Private
Motions

301

Starred
Questions

123

Questions
Taken-Up

3

QoPs

to draw government's attention to the issues of public importance. Of these, 58 CANs were taken up for answers during the session and the 45 CANs were left unaddressed due to the absence of either the movers or the relevant ministers. As many as seven CANs were deferred to be taken up in the next session.

CANs were related to the 22 different ministries of the Sindh government. The CANs addressed during the reporting period were sponsored by lawmakers belonging to PTI (36), MQM (six), GDA and MMAP (seven), PPPP and TLP (one each).

3.3 Adjournment Motions

The Assembly may adjourn its regular proceedings to debate any definite and urgent matter of public importance raised through an Adjournment Motions. Following the discussion, the House may refer the contents of debated Adjournment Motion to the provincial cabinet for its consideration through a substantive motion.

The lawmakers belonging to treasury and opposition parties submitted 25 Adjournment Motions seeking discussions on matters of urgent public importance. The House admitted two AMs for discussion, 16 AMs were not taken up due to absence of their movers or early adjournment of sittings, two were deferred to be taken up in the next session while five were rejected by the Chair for not complying the Assembly Rules.

3.4 Private Motions

A total of 32 private motions appeared on the orders of the day during the session but none of them was taken up by the House. Out of total 32 unaddressed motions, 18 were sponsored by PTI lawmakers, five by PPPP, four MQMP, three by GDA and two by MMAP lawmakers. These motions were mainly related to governance and service delivery issues.

3.5 General Debates in the House

The House conducted debate on various parliamentary interventions during the 6th session of Sindh Assembly which included resolutions, legislative proposals and matters of public importance. Lawmakers consumed a total of ten hours and 33 minutes in debates on various issues.

As many as 49 lawmakers participated in debates on various resolutions tabled in the house, 12 lawmakers participated in legislative debates, two lawmakers each from PPPP and PTI participated in a debate on matter of public importance.

Order and Institutionalization

Order and Institutionalization is important for an efficient and productive legislature. This section provides information about Points of Order, quorum and any instances of walkout during the proceedings.

83

Points of
Order

14

Protests

6

Walkouts

4

Identification
of
Lack of
Quorum

4.1 Question of Privilege (QoP)

The Rule 71 of the Rules of Procedure of the Provincial Assembly of Sindh, 2013 allows any member, with the consent of the Speaker, to raise a question involving a breach of privilege either of a member or of the Assembly or of a Committee. The Speaker decides the admissibility of any written notice of Question of Privilege moved by member after checking its compliance with relevant Assembly Rules.

The lawmakers individually submitted three Questions of Privileges (QoPs). The Chair referred a QoP submitted by the PPPP lawmaker to the Privilege Committee while two others individually sponsored by PTI and MMAP lawmakers were withdrawn by their movers after government assurance.

4.2 Points of Order

Lawmakers spoke on 83 Points of Order (POs) during the session, consuming an hour and 34 minutes of the proceedings. They discussed the issues related to house business, politics, health, train accidents, public issue, law and order as well as overall governance through these POs.

4.3 Walkout/Protest

The opposition lawmakers staged protests on 14 occasions during the session consuming two hours and two minutes of the proceedings. The main causes of these protests were the complaints of opposition parties about the attitude of the Chair for not giving floor to its lawmakers, exchange of derogatory remarks between treasury and opposition benches, non-consideration of opposition's agenda items, controversial remarks against the Prime Minister and the passage of the Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Manpuri Bill, 2019.

Moreover, the opposition benches and some treasury benches lawmakers staged walkouts on six occasions. The lawmakers of PPPP, PTI and MQM walked out against the use of derogatory language against each other while PTI members staged walk out at three occasions against skipping private member agenda by the Chair, tabling of resolution against PTI Parliamentary Leader and the passage of the Sindh Prohibition of Preparation, Manufacturing, Storage, Sale and Use of Gutka and Manpuri Bill, 2019. MQM and PTI jointly walked out from the House on an occasion against the Chair's attitude who did not allow them to speak about the supplementary resolution while GDA also walked out on an occasion against the passage of legislative proposal.

4.4 Quorum

The lawmakers belonging to PTI identified the lack of quorum three times while a lawmaker belonging to MQMP pointed out quorum on an occasion during the proceedings. On two occasions, the quorum was found complete while proceedings of one sitting was suspended and other sitting had to be adjourned.

ABOUT FAFEN

- FAFEN is one of the most credible networks among civil society organizations working to strengthen 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 finalization of the Elections Act, 2017 and helped improve the quality of public and political discourse on elections. Leading political parties and media houses extensively use FAFEN's election findings and analysis to build upon the cases for 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 around 18,000, 40,000 and 20,000 non-partisan and trained observers for the systematic observation of the General Elections 2008, 2013 and 2018, respectively.
- With more than 25,000 followers on Twitter and around 143,000 on Facebook, FAFEN is considered to be one of the most reliable sources of electoral and parliamentary information in the country.

Free and Fair Election Network

www.fafen.org

www.openparliament.pk

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This report is based on direct observation of the proceedings of the National Assembly conducted by Free and Fair Election Network. Every effort has been made to keep this report, which deals with on-floor performance of the Members, accurate and comprehensive. Errors and omissions are excepted.