



## FAFEN PARLIAMENT MONITOR



### **FIFTH SESSION**

Provincial Assembly of Balochistan  
(August 16 –August 30, 2013)

Free and Fair Election Network  
[www.fafen.org](http://www.fafen.org)

FAFEN PARLIAMENT MONITOR

### List of Abbreviations

ANP	Awami National Party
BNP	Balochistan National Party
BNPA	Balochistan National Party (Awami)
PML	Pakistan Muslim League
PML-N	Pakistan Muslim League (Nawaz)
PkMAP	Pakhtunkhuwa Mili Awami Party
NP	National Party
MWMP	Majlis-i-Wahdatai Muslimeen Pakistan
JUI-F	Jamiat Ulema-i-Islam (Fazal-ur-Rehman)



This report is based on direct observation of proceedings of Provincial Assembly of Balochistan, conducted by CPD, a member organisation of FAFEN.



## Executive Summary

The Balochistan Assembly amended the law on local government to pave way for holding the elections on party basis as the House debated the law and order situation in the province during the fifth session.

Additionally, the House passed the Balochistan Public Procurement Regulatory Authority (Amendment) Bill 2013 which lays down the procedures for appointing managing director and reconstituting the board by amending the Balochistan Public Procurement Regulatory Authority Act-VIII 2009.

The eight-sitting session from August 16 to August 30 lasted for 20 hours and 32 minutes. On average, each sitting met for two hours and 34 minutes witnessing an average delay of 40 minutes.

Both the Chief Minister and the Leader of Opposition attended four sittings each during the session. The Speaker and Deputy Speaker each presided over the session for 41% of the session while the rest of the proceedings were chaired by a Panel of Chairpersons.

On average, a maximum of 33 legislators attended the sitting whereas 32 legislators were present at the time of start and 25 at adjournment. An ANP legislator pointed out quorum once during the seventh sitting as the proceedings were suspended for 30 minutes.

A motion to present the draft of the proposed amendments under the 18th amendment in the House rules of procedure was approved. The draft of amendments was laid before the House by an independent legislator.

The House adopted five resolutions during the session. One of them called on the provincial government to bind the administration of Habibullah Coastal Power Company to run the plant at optimal capacity. Two resolutions called for reducing airfares and resuming international flights to Quetta and reviewing the decision of closing down National Commission for Human Development. In the last sitting two resolutions were adopted calling for doing away with illegal speed-breakers on the highways, and the construction of Bakhshapur Highway and connecting it with national highways.

The adjournment motions taken up during the session were on law and order situation in the province - especially the suicide attack on Civil Lines Quetta, in which more than 30 police officials, including the Deputy Inspector General, were killed.

JUI-F legislators staged two walkouts for

### Introduction

An essential component of democracy is publicly accessible information about the political decision-making processes, such as parliamentary deliberations among elected representatives. Citizens must have information about whether and how their representatives are performing in the Parliament in order to hold those elected leaders accountable.

The Parliament Watch Project (PWP), launched in 2008, aims at generating objective and statistically-sound information about parliamentary performance to foster informed engagement between the constituents and their elected representatives. Universal access to information about national legislative processes is an essential component of democracy. A society cannot be truly democratic until constituents know about the person they are voting for, and whether or not the elected representatives are fulfilling their responsibilities. Since there is a dearth of publicly accessible information about the political decision-making processes, such as parliamentary deliberations, the PWP is an effort to bridge this gap. This report will be a contribution towards creating a more informed citizenry and an increasingly responsible parliament.

The PWP employs direct observation as one of the tools to evaluate parliamentary proceedings with the following indicators:

**Transparency:** Government's accountability requires transparency in decision-making and policy implementation. Transparency refers to the amount and quality of information available to the public as well as timely and clear information communicated within legislative bodies themselves. Inclusive and strong decisions can only be made when all legislators are well-informed about parliamentary proceedings.

**Participation:** Only the active and responsible participation of all the Members can make the business of parliament meaningful. The participation can be judged through various indicators like attendance of parliamentary leaders and other members and their active involvement in parliamentary discussion and activities.

**Responsiveness:** Parliament's responsiveness means Members' collective actions on the issues of public interests which are raised and discussed on the floor of the house through legislation, resolutions or any other agenda item. Responsiveness of government to the public is measured in terms of parliamentary oversight and effective implementation of policy decisions. Parliament's executive oversight function is mainly carried out through questions and parliamentary committees.

**Parliamentary Output:** Parliamentary output primarily comes in the form of legislation and resolutions. The quantity of such output is indicative of parliament's efficiency. The quality of output is equally important. Considering legislation on matters of national significance through careful debate and discussion is arguably a parliament's chief and most important function.

**Order and Institutionalization:** Order and institutionalization of members are important for an efficient and productive parliament. Order may be measured, for example, by the conduct of members and the chair's effective management of parliamentary business. Institutionalization refers to members' understanding and compliance with rules of procedure for parliamentary business.

51 minutes. The walkouts were staged after the House did not adopt a resolution to give status of district to far flung areas of Balochistan and when the *Fateha* prayer for a JUI-F worker was disrupted.

Legislators of ANP and PkMAP moved two privilege motions. An ANP lawmaker moved the privilege motion against the MPAs of a political party for accusing him in a press conference of inflicting violence on that party's workers. PkMAP lawmaker submitted a privilege motion against an attack on him.

Legislators raised 52 point of orders consuming three hours and 58 minutes (19%) of the total session time.

## 1.0 Session Duration and Members' Participation

This section details the time and duration of the session, including the delays and breaks recorded during the proceedings. It also documents the overall attendance of MPAs and the Chief Minister, the Leader of the Opposition, Speaker and Deputy Speaker.

### 1.1 Session's Time

The session spread over eight sittings from 16-30 August 2013 lasted 20 hours and 32 minutes. On average each sitting met for two hours and 34 minutes and started 40 minutes behind schedule. The longest delay of 61 minutes was recorded in the fifth sitting.

The first sitting lasted only for 23 minutes, while the fifth sitting was the longest (five hours and 10 minutes). However the fifth sitting also included a break of an hour and 17 minutes. The Chair suspended the first sitting's regular agenda to allow the House to offer condolences and pay tribute over the death of an NP legislator.

**Table 1.1: Duration**

Day and Date	Sitting No	Late Starts	Hours	Minutes
Friday, August 16, 2013	1st	35	0	23
Monday, August 19, 2013	2nd	30	2	35
Thursday, August 22, 2013	3rd	40	2	29
Saturday, August 24, 2013	4th	60	2	36
Tuesday, August 27, 2013	5th	61	5	10
Wednesday, August 28, 2013	6th	21	4	35
Thursday, August 29, 2013	7th	47	0	54
Friday, August 30, 2013	8th	25	1	50
<b>Total</b>	<b>8 Sittings</b>	<b>Average delay 40 minutes</b>	<b>20 hours and 32 minutes</b>	

### 1.2 Key Members' Attendance

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

The Chief Minister and the Leader of the Opposition both attended four sittings each. The Chief Minister attended the proceedings for 14 hours and 50 minutes (72% of the total session time) whereas the Leader of the Opposition presence in the plenary was ten hours and 42 minutes (52% of the session time).

The Speaker and the Deputy Speaker both presided over 41% (nearly five hours each) of the session time while the remaining proceedings (13%) were chaired by the members of Panel of Chairpersons.



### 1.3 Members' Attendance

As the Balochistan Assembly does not make public the attendance records of members, FAFEN conducts a headcount at the start, at the end and at the time of maximum attendance in each sitting.

On average, nearly half of the members did not attend the sitting with 32 members were observed to be present at the start, 25 at the adjournment and 33 were present at the time of maximum attendance.

Two out of three minority lawmakers, on average, attended the sitting.

**Table 1.3**

Sitting no.	Members present at the outset	Members at the end	Maximum members	Minority members
1st	32	32	32	2
2nd	26	17	26	2
3rd	34	36	36	3
4th	40	32	40	3
5th	41	24	41	3
6th	39	27	39	3
7th	17	13	17	2
8th	30	19	30	1
<b>Average</b>	<b>32</b>	<b>25</b>	<b>33</b>	<b>2</b>

## 2.0 Parliamentary Output

This section reviews the lawmaking along with the resolutions adopted during the session.

### 2.1 Government Bills

The House passed two government amendment bills on the agenda. The Balochistan Local Government (Amendment) Bill 2013 amends the Balochistan Local Government Act 2010 to hold local government elections on party basis.

The Balochistan Public Procurement Regulatory Authority (Amendment) Bill 2013 provides for making amendments in the Balochistan Public Procurement Regulatory Authority Act-VIII 2009 including laying down procedures for appointing managing director and reconstituting the authority's board.

### 2.2 Resolutions

Through resolutions, the House expresses its opinion, makes recommendations, or conveys a message on a definite and important issue. The House can also commend, urge, or request action upon a situation under consideration by the government through these resolutions.

The House adopted five resolutions during the session. One of them called on the provincial government to bind the administration of Habibullah Coastal Power Company to run the plant at optimal capacity. Two resolutions called for reducing airfares and resuming international flights to Quetta and reviewing the decision of closing down National Commission for Human Development. In the last sitting two resolutions were adopted calling for doing away with illegal speed-breakers on the highways, and the construction of Bakhshahpur Highway and connecting it with national highways. The resolutions were tabled, either singly or jointly, by lawmakers of NP and PkMAP.

The resolutions left unaddressed were on setting up new districts, the toppling of the democratic Egyptian government, need of a cadet college in district Zhob, allocation of 80% employment for the local people in the Reko diq project, eradication of interest-based financial system, repair and expansion of Zhob-Dera Ismail Khan Road, and setting up sugar mills in the province.

Table 2.2

Sr. No	Resolutions	Party	Status
1.	The House calls upon the provincial government to contact the federal government that it should make administration of Habibullah Coastal Power Company bound to run the plant to generate 124 megawatt electricity. The company should also be made bound to run Black Start emergency generator. In case of any disobedience the agreement may be cancelled under the 18th amendment and their supply of gas may also be suspended	PkMAP NP	Adopted
2.	This House calls upon the provincial government to contact the federal government over the issue of international flights in Balochistan. The flights stopped may be restored immediately and also fares for Quetta to Islamabad and Karachi may be reviewed. As usual Hajj operation from Quetta may be continued in the forthcoming Hajj Days.	PkMAP NP	Adopted
3.	Whereas, the National Commission for Human Development (NCHD) program was launched under the Presidential Ordinance 2002 in different districts of Balochistan to end educational backwardness and to raise literacy rate. Now the program being put to an end has created great anxiety among the teachers and the employees. This House calls upon the provincial government to contact the federal government to review its decision regarding closing down NCHD program and its offices.	NP	Adopted
4.	Various speed-breakers constructed for security purposes by security personnel on National highway violate highways laws and cause accidents. It is requested to remove the speed-breakers immediately so that the flow of traffic can be maintained and no abominable incident happens.	NP	Adopted
5.	The National Highway has been constructed on Bakhshapur Indus, Harga, but the other Balochistan areas are not linked with it. So, we request the provincial assembly to discuss this matter with the federal government and ask for the approval of linking the Balochistan M-8 Highway with the road of Bakhshapur Sindh. The request is to build the National Highway which joins the areas of Balochistan, Sindh and Quetta such as Shahiwah, Manjhi Pur, Sohbatpur, Dera Allah Yar, Osta Muhammad and Qiba Saeed Khan.	Unanimously Adopted	
6.	The House calls upon the provincial government to take steps for the creation of new districts in the thickly populated and far flung areas of Balochistan. Whereas, District Kachhi may also be divided into two districts, so as problems of these areas could be resolved.	ANP JUIF	Not Adopted
7.	This House calls upon the provincial government to contact the federal government to strongly condemn the toppling of a democratic government in Egypt and worst violence of its history. Moreover, this should also be demanded of the international community through our Foreign Office to play its role to put an end to the ongoing torture and violence by the military regime in Egypt, so as ongoing bloodshed of Egyptian Muslim brothers comes to an end, and a democratic process be started in Egypt again.	JUI-F	Not Taken UP
8.	The Reko Diq project is under way in Chagai under the supervision of Samar Mubarak Mand and the local people have the first right of employment in this project. However 80% employees on different posts in this project have been appointed from Punjab, which is a great injustice to Balochistan province. This House, therefore, calls upon the provincial government to contact the federal government that 80% employments in this project may be allocated for the local people in particular and people of Balochistan in general.	PML NP PML-N	Not Taken Up
9.	Whereas, business of interest is being undertaken in Quetta, which is totally against the spirit of Islam. While on the other hand Muslims involved in this heinous business are not up against each other but thousands of families have also been destroyed due to this business. The government should take necessary steps to resolve this issue.	JUIF	Not Taken Up
10.	This House calls upon the provincial government to contact the federal government that due to poor condition of the Zhob to Dera Ismail Khan Road it is not useable for traffic and this situation is causing great problems for the people of the province. Keeping in view the situation Zhob-Dera Ismail Khan Road via Dana Sar may be prepared, repaired and expanded so that people of the province could find easy access to Punjab and Khyber Pakhtunkhwa without wasting of any time.	JUIF	Not Taken Up
11.	This House calls upon the provincial government to contact the federal government that setting up of sugar mills in Dera Allahyar, Sohbatpur, Osta Muhammad and Dera Murad Jamali areas may be allowed.	PML PMLN	Not Taken Up
12.	The price of Sui gas in Balochistan is 70 to 93 rupees per kg while in Lahore and Karachi its price is 64-90 rupees, which is a great injustice to province of Balochistan. At present, five completed CNG stations in the province are still close, depriving the owners of these stations of starting their business. The House calls upon the provincial government to contact the federal government that permission may be given to make these CNG stations operational, whereas, CNG rates may be brought at par with other provinces.	PkMAP	Not Taken Up
13.	The district Zhob is a backward areas and due to absence of a cadet college its students have to take admission in cadet colleges of other areas and this situation is creating sense of deprivation among the students of the district.	JUIF	Not Taken UP



### 3.0 Representation and Responsiveness

This section details the adjournment motions, questions of privilege, debates etc. taken up by the House during the session.

#### 3.1 Adjournment Motions

Under rule 70 of the Balochistan Assembly, a motion for an adjournment of the business of the assembly for the purpose of discussing a definite matter of recent and urgent public importance may be made with the Speaker's consent.

Three adjournment motions were moved during the session – one by a PkMAP and two by JUI-F legislators. Two of the motions by the PkMAP and JUI-F legislators were about the killing of SHO and the subsequent suicide attack at his funeral at the Police Lines in Quetta in which along with three senior police officials, more than 30 policemen were killed. The members also wanted the House to debate the attack on a mosque on the Eid Day.

The motion by the PkMAP legislator was admitted for discussion while the House debated the one moved by the JUI-F MPA. Additionally the motion moved by the JUI-F legislator called for debating the incident of killing of passengers in Mach after their identification. The other adjournment motion taken up by the House was about the spread of cholera in parts of the province.

**Table 3.1 : Adjournment Motions**

AM	Party	Status
A day before Eid a blast targeted police officers in the funeral ceremony of SHO city Muhibullah Dawi. In this suicide blast, DIG Operation Fiaz Ahmed Sunmbal, SP Traffic Anwar Khalji, and DSP Shams-ur-Rehman Yousafzai lost their lives. It was said that 35 police officers along with them were martyred in this blast. Whereas many other police officers got injured. This House should also discuss the incident of firing on Farooqia Mosque on 9th August 2013 (Eid Day) in which a number of people lost their lives.	PkMAP	Admit for Discussion
The motion is about the spread of cholera in the areas of Gastoi Kali, Bawar, Mund, Zhob. Hundreds have become victims of this disease.	JUIF	Taken up
On 8th August 2013 SHO Muhibullah Dawi was murdered near Almu Chowk in an attack in which his children were also injured. On the same day at the SHO's funeral, a suicide attack claimed the lives of 38 police officers. Similarly on 9 August 2013, on the Eid day in a firing incident on Farooqia Mosque, 15 innocent people were martyred. In another incident in Mach, 14 passengers were taken off from the bus and killed after their identification. Citizens are insecure and a situation of chaos is prevailing.	JUIF	Taken up

#### 3.2 Privilege Motion

According to the rules and procedure of the Balochistan Assembly, “a member may, with the consent of the Speaker raise a question involving breach of privilege either of a member or of the assembly or of a committee thereof”.

Legislators of PkMAP and ANP moved two privilege motions in the fifth session. An ANP member submitted a privilege motion against the MPAs of a political party for accusing him in a press conference of inflicting violence on their workers. The other motion by a PkMAP member was against the attack on him during the by-polls.

#### 3.3 Discussion on Law and Order

The House debated the law and order situation of Balochistan in the sixth sitting of the session. Nine lawmakers - four of PkMAP, two BNP-M, one each of JUI-F, MWM and NP - discussed the law and order situation in Balochistan for two hour and 10 minutes. Members spoke on terrorism, military operation and ethnic and sectarian violence in the province. The Chief Minister spoke for 32 minutes while concluding the debate.

#### 3.4 Rules and Procedure

The House approved a motion to amend the Rules and Procedure and Conduct of Business of Balochistan Assembly 1974 under the 18th amendment. The draft to amend the rules was moved by an independent lawmaker and 26 legislators voted in favor of the motion.

## 4.0 Order and Institutionalization

This section reviews points of order – a parliamentary tool to bring to the Chairs' notice any violations of rules and procedures while the House business is being transacted. It also details instances of protests, walkouts and boycotts during the session.

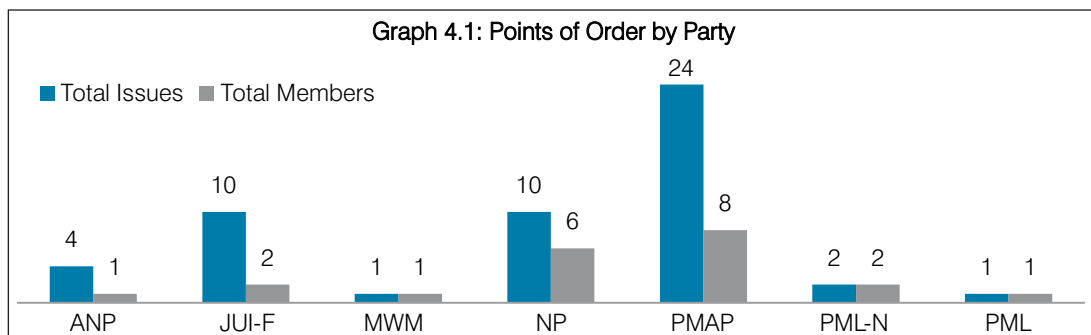
### 4.1 Points of Order

A total of 21 lawmakers spoke on points of order for three hours and 58 minutes -19% of the session time. Instead of highlighting a breach in the assembly rules and procedures, the legislators used the points of order to speak about national, regional and local issues.

**Table 4.1: Points of Order**

Sitting No	Points of Order	Time Consumed (Mins)
1st	11	23
2nd	15	145
3rd	5	9
4th	0	0
5th	11	45
6th	8	14
7th	1	1
8th	1	1
<b>Total</b>	<b>52</b>	<b>238</b>

Overall, 20 male MPAs shared their views on 51 points of order while one female NP MPA spoke on a point of order. Nearly half (47%) of the points of order were raised by eight male MPAs belonging to PkMAP. Six legislators of NP spoke on 10 points of order, followed by two JUI-F members who also raised ten points of order.



Three-fourth of the points of order raised issues about the business of the House (15), condolence on death of a colleague (nine), energy and power (six), parliamentary affairs (six) and five on law and order situation.

### 4.2 Protests, Boycotts and Walkouts

Two walkouts were recorded during the session consuming 51 minutes. Both walkouts were staged by the opposition party – JUI-F. The party's legislators walked out when a resolution calling for giving district status to far flung areas of Balochistan was not adopted. They also walked out of the House when the treasury benches disrupted a fateha prayer offered for a JUI-F worker killed during the by-elections.

*Disclaimer: The data cited in this report is based on direct observation of the Balochistan Assembly's proceedings during the 4th session. Every care has been taken to maintain accuracy. To intimate any errors and omissions, please contact House 145, St 37, F-10/1, Islamabad - 051-8466232*





## Glossary

### Adjournment Motion

A motion to adjourn the business of the assembly for the purpose of discussing a definite matter of recent and urgent public importance.

### Amendment

A motion to amend an earlier motion before that earlier motion is put to the assembly for its decision.

### Assembly

National assembly or a provincial assembly

### Assent

Refers to the power of the Governor to assent the Bill passed by the assembly or return the same to the assembly for reconsideration.

### Chairperson

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

### Chair

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

### Committee

A parliamentary committee constituted under Rules of Procedure, comprising of various members of parliament.

### Constitution

Means the Constitution of the Islamic Republic of Pakistan 1973.

### Deputy Speaker

When the office of Speaker is vacant or Speaker is absent or is unable to perform his functions due to any cause the Deputy Speaker acts as the Speaker of the house.

### Leader-of-the-Opposition

"Leader of the Opposition" means a Member who, in the opinion of the Speaker, is the leader of the majority of opposition members for a certain time period.

### Legislation

The process of crafting law.

### Member

A member of the assembly and for purposes of moving or opposing a bill, an amendment, a motion or a resolution, includes a minister.

### Motion

A proposal made by a member or a minister relating to any matter, which may be discussed by the assembly and includes an amendment.

### Mover

The mover of a bill, a resolution, a motion or an amendment of a bill, a resolution or a motion and in the case of a government bill, a resolution, a motion or an amendment, a minister or a parliamentary secretary acting on behalf of the government.

### Opposition

The party or parties who do not belong to the governing party.

### Point of Order

Relates to the interpretation or enforcement of Parliamentary rules of business or articles of the constitution that regulate the business of the assembly. The mover of a point of order raises a question which is within the cognizance of the Speaker.

### Private Member

A member who is not a minister or a parliamentary secretary.

### Private Member's Bill

A proposed law introduced by a private member.

### Quorum

Quorum is the minimum number of members of assembly necessary to conduct the business of the assembly. Under Article 55(2) of the Constitution 1/4th of the total membership of the assembly is required for quorum.

### Question Hour

A time fixed under the rules for asking and answering questions.

### Resolution

A motion for the purpose of discussing and expressing an opinion on a matter of general public interest.

### Speaker

The Speaker of the assembly, including the Deputy Speaker or any other member acting as the Chairperson on a particular sitting or number of sittings.

### Starred Question

A question that requires an oral answer in addition to a written reply.

### Sitting

A meeting of the assembly or that of a committee on a day.

### Table

The table of the house.

### Unstarred Question

"Unstarred Question" means a question for a written answer.



**FAFEN Election Observation Secretariat**  
House 145, St 37, F-10/1, Islamabad

(P) 051-84 66 230-32  
(F) 051-84 66 233

(E) [secretariat@fafen.org](mailto:secretariat@fafen.org)  
(Twitter) [@\\_FAFEN](https://twitter.com/_FAFEN)

[www.fafen.org](http://www.fafen.org)

## About FAFEN

Free and Fair Election Network (FAFEN), established in 2006, is a coalition of 42 leading civil society organizations working to strengthen all forms of democratic accountabilities in Pakistan. Governed by Trust for Democratic Education and Accountability (TDEA), FAFEN's key achievements include:

- Observed the public display of Pakistan's 2007 draft electoral rolls and conducted the country's first statistically-valid voters' list audit
- Deployed 18,829 trained, neutral Election Day observers nationwide to monitor the February 18, 2008, General Elections
- Fielded 264 long-term observers nationwide and published 19 pre-election reports
- Conducted 260 simultaneous Parallel Vote Tabulations (PVTs)- the largest PVT effort in the world
- Conducted a Constituent Aspirations Survey in December 2008 with 3,124 respondents regarding attitudes and beliefs of people living in the constituencies
- Observed Gilgit-Baltistan 2009 General Elections and 2010-2012 By-Elections in various constituencies of the Punjab, Balochistan and Khyber Pakhtunkhwa
- Implements a unique methodology to observe and report on legislative proceedings and performance under a Parliament Watch Project
- Monitors public institutions across Pakistan and issues monthly reports on the state and performance of educational, health and other local institutions as well as reports on prices, crimes, incidence of disease, caseload in lower courts, and political and electoral violence

FAFEN continues to implement robust programs in-between elections related to monitoring parliamentary affairs, connecting constituents to their elected representatives, monitoring the performance of public and elected institutions and advocating electoral and democratic reforms. FAFEN is also monitoring political and electoral violence and promoting active citizenship through ongoing civic education activities across the country. FAFEN is currently implementing Supporting Transparency, Accountability and Electoral Processes (STAEP) in 200 National Assembly constituencies in 119 districts across Pakistan.