

PROVINCIAL ASSEMBLY OF BALOCHITSAN

FAFEN PARLIAMENT MONITOR



26th Session

09-18 February, 2016



FREE AND FAIR ELECTION NETWORK
www.fafen.org

LIST OF ABBREVIATIONS

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

30 MPAs remain inactive during 26th session of Balochistan Assembly

ISLAMABAD: Thirty lawmakers did not take part in proceeding of 26th session of the Balochistan Assembly which adopted 11 resolutions and passed two bills amid low attendance of lawmakers, says Free and Fair Election Network (FAFEN) in its Session Report.

The session, comprising four sittings, started on February 9 and ended on February 18, 2016. The session was marked by low attendance of lawmakers as an average of 16 (24%) members remained present in the start and end of each sitting. One minority member, on average, attended each sitting of the session.

On average, each sitting started 41 minutes behind the schedule and lasted 150 minutes. The longest sitting on February 12, 2016 lasted 3 hours and 48 minutes and the shortest sitting lasting 112 minutes was witnessed on February 9, 2016.

In all, thirty lawmakers were such who did not participate in the session. Among non-participating members, 14 belonged to PML-N followed by NP, JUI-F and PML (4 each), and one each of PkMAP, BNP-A and BNP. The only independent member in the House also remained inactive during the session.

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

Ten (16%) members submitted the agenda items, nine (14%) members took part in debates while 15 (23%) have submitted the agenda as well as took part in debates.

Thirteen PkMAP lawmakers participated in the session followed by NP (7), PML-N (6), JUI-F (4), PML, BNP, ANP and MWM (one each). Female lawmakers remained more active in terms of participating in debates and submitting the agenda and took part in 58 percent proceeding as compared to male members who have participated in 52 percent proceeding of the House.

Lawmakers focused to highlight economic and development issues during this session and also demanded execution of quota apportioned for Balochistan in various federal departments by adopting resolutions. They also ensured legislation to regulate and prohibit use of sound system and expressing of hate matter on walls. In this connection, two government bills were passed which included the Balochistan Sound System (Regulation) Bill 2015 and the Balochistan Prohibition of Expressing Matters on Walls (Amendment) Bill, 2015.

Another two government bills – the Balochistan Witness Protection Bill, 2015 and the Balochistan Public Service Commission (Amendment) Bill, 2015 – were introduced. The latter bill was referred to the special committee after reservations of lawmakers from treasury benches.

The provincial legislature adopted a total of 11 out of 14 resolutions appearing on the agenda during the session. Two separate resolutions adopted by the House condemned terrorist attack on Bacha Khan University Charsadda and suicide attack near Liaquat Park, Quetta. Nine other adopted resolutions were about constructing new roads in District Ziarat and Harnai; reducing the prices of petroleum products by Rs. 15 per liter; utilization of funds for electrification of 23 districts; resolving matter

of improper treatment facilities in Children Hospital Quetta; representation of Balochistan in Pakistan Bureau of Statistics; equal distribution of tax revenue to the provinces; implementation on water quota agreed by provinces; payment of royalty to Balochistan against use of its electricity and also payment of outstanding dues to natural resource producing companies.

The House observed question hour in three sittings and lawmakers raised 27 questions addressed to different departments. Fourteen starred questions were taken up on the floor of the House and responded to by the relevant Ministers. Other thirteen questions remained unaddressed due to absence of government representatives or their movers.

The Speaker attended all four sittings and chaired the 76 percent of session time while a member of Panel of Chairpersons presided over the remaining 24 percent of the session. The post of Deputy Speaker is lying vacant since December 23, 2015.

The Chief Minister (Leader of the House) attended two sittings and participated in 60% of session's proceeding while the Leader of the Opposition was present in two sittings and attended 57% of the proceeding time. Parliamentary leaders of JUI-F, PkMAP, ANP and PML-N attended two sittings each while NP Parliamentary Leader attended only one sitting. However, Leaders of PML, BNP and MWM did not attend any sitting during the session.

The session witnessed one walkout by PkMAP female lawmaker for 98 minutes during 4th sitting after non-inclusion of her adjournment motion on the list of business.

Four reports including one government and three legislative reports of standing committees were presented

before the House during the session. These reports included the Annual Report of Public Service Commission for year 2014 and the Standing Committee reports on the Balochistan Sound System (Regulation) Bill 2015, the Balochistan Prohibition of Expressing Matters on Walls (Amendment) Bill, 2015 and the Balochistan Public Service Commission (Amendment) Bill 2015.

Lawmakers raised 27 Points of Order (POs) that consumed 52 minutes of the session time. Moreover, five adjournment motions appeared on the list of business during the session of which two were admitted for discussion, two were withdrawn by the movers and one was deferred by the House after the assurance given to the mover by relevant Minister to look into the matter highlighted by him.

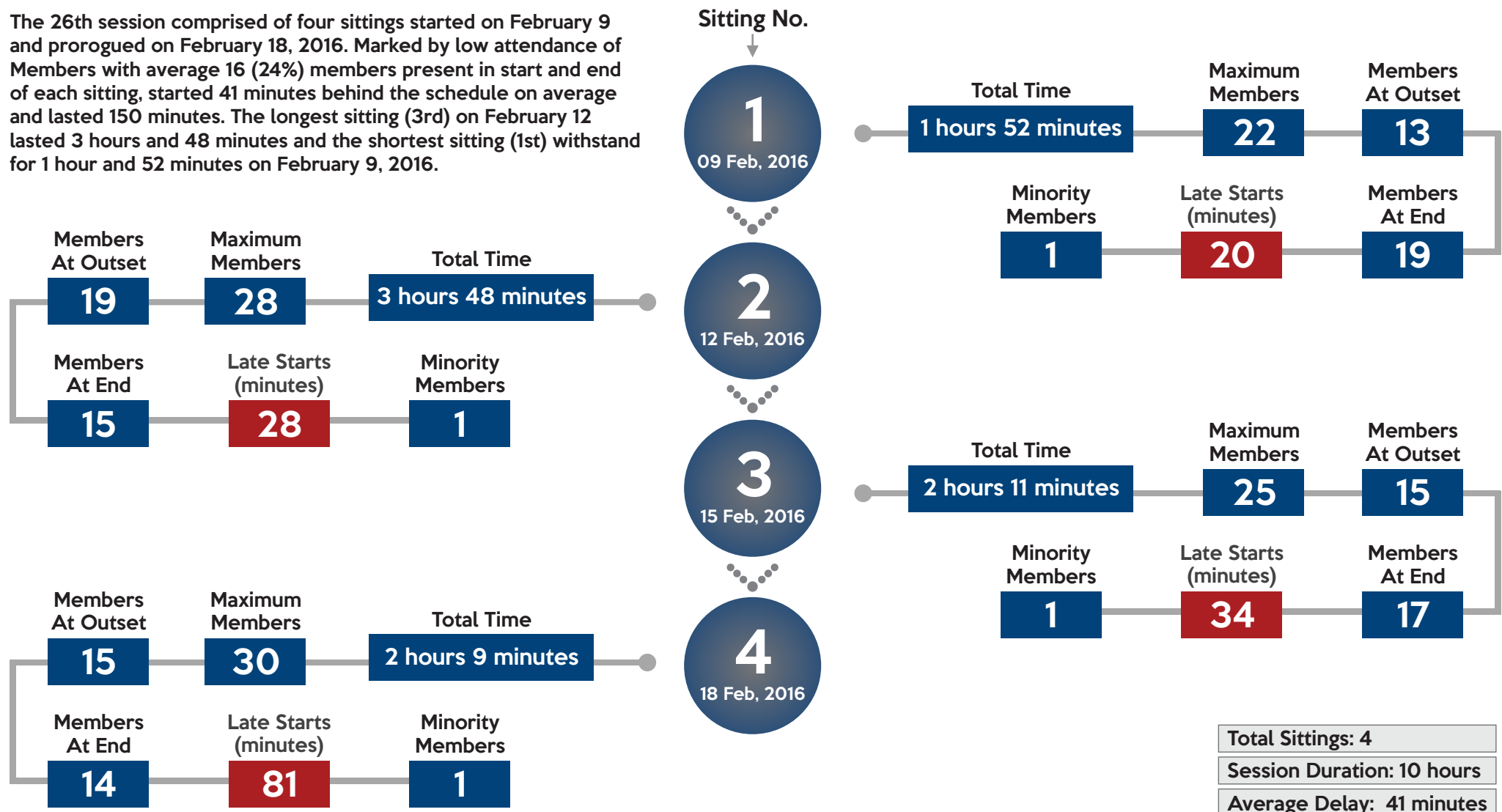
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SESSION TIME, ATTENDANCE AND PARTICIPATION

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.

SITTING DATE AND DURATION

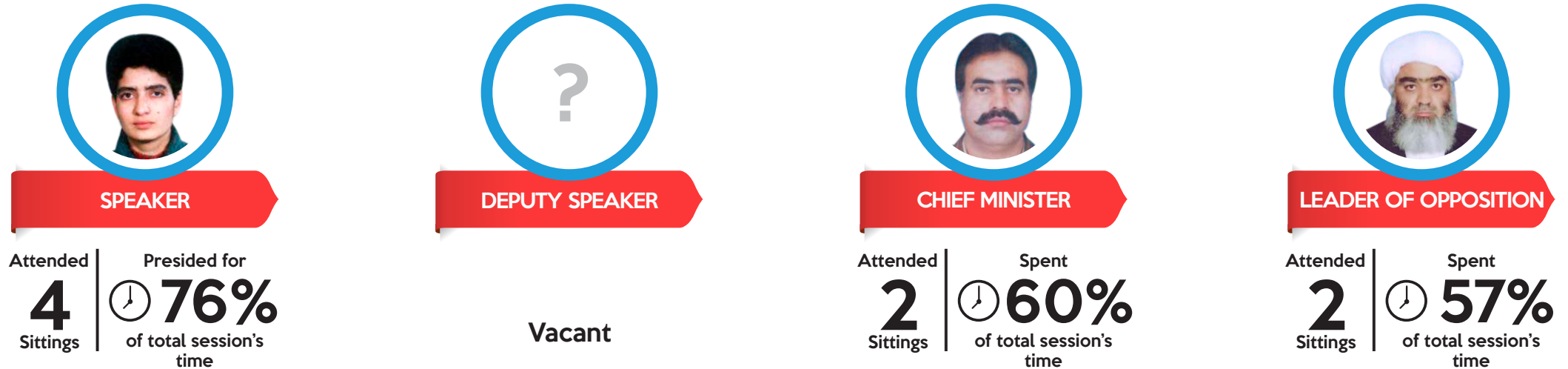
The 26th session comprised of four sittings started on February 9 and prorogued on February 18, 2016. Marked by low attendance of Members with average 16 (24%) members present in start and end of each sitting, started 41 minutes behind the schedule on average and lasted 150 minutes. The longest sitting (3rd) on February 12 lasted 3 hours and 48 minutes and the shortest sitting (1st) withstand for 1 hour and 52 minutes on February 9, 2016.



Total Sittings: 4
 Session Duration: 10 hours
 Average Delay: 41 minutes

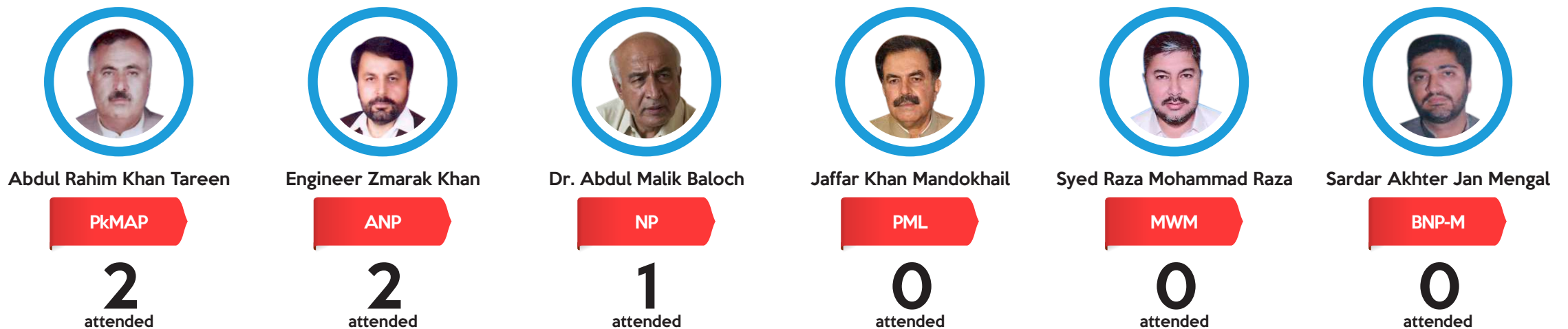
KEY MEMBERS ATTENDANCE

The Speaker attended all four sittings and chaired the 76 percent of session time while a member of Panel of Chairpersons remained present in four sittings and presided over 24 percent of the session. The post of Deputy Speaker is lying vacant since December 23, 2015.



PARLIAMENTARY LEADERS ATTENDANCE

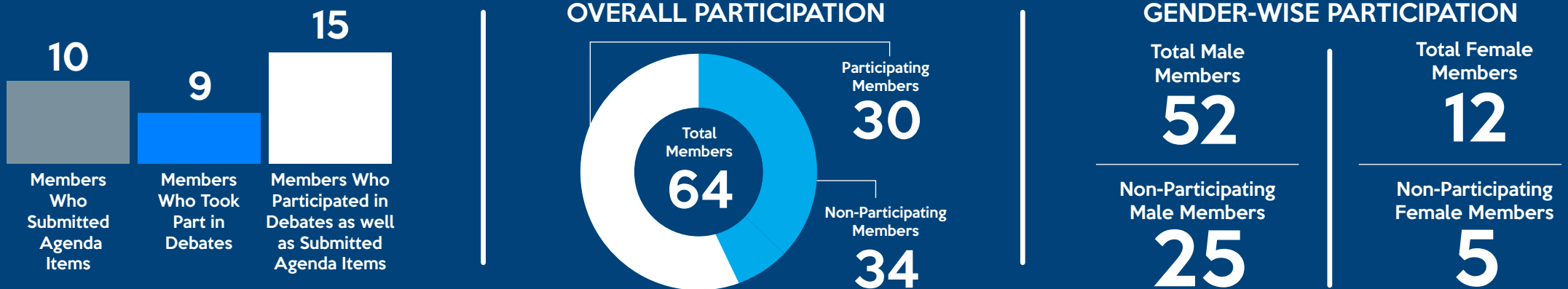
The Chief Minister (Leader of the House) attended two sittings and participated in 60% of session's proceeding while the Leader of the Opposition was present in two sittings and attended 57% of the proceeding time. Parliamentary leaders of JUI-F, PkMAP, ANP and PML-N attended two sittings each while NP Parliamentary Leader attended only one sitting. However, Leaders of PML, BNP and MWM did not attend any sitting during the session.



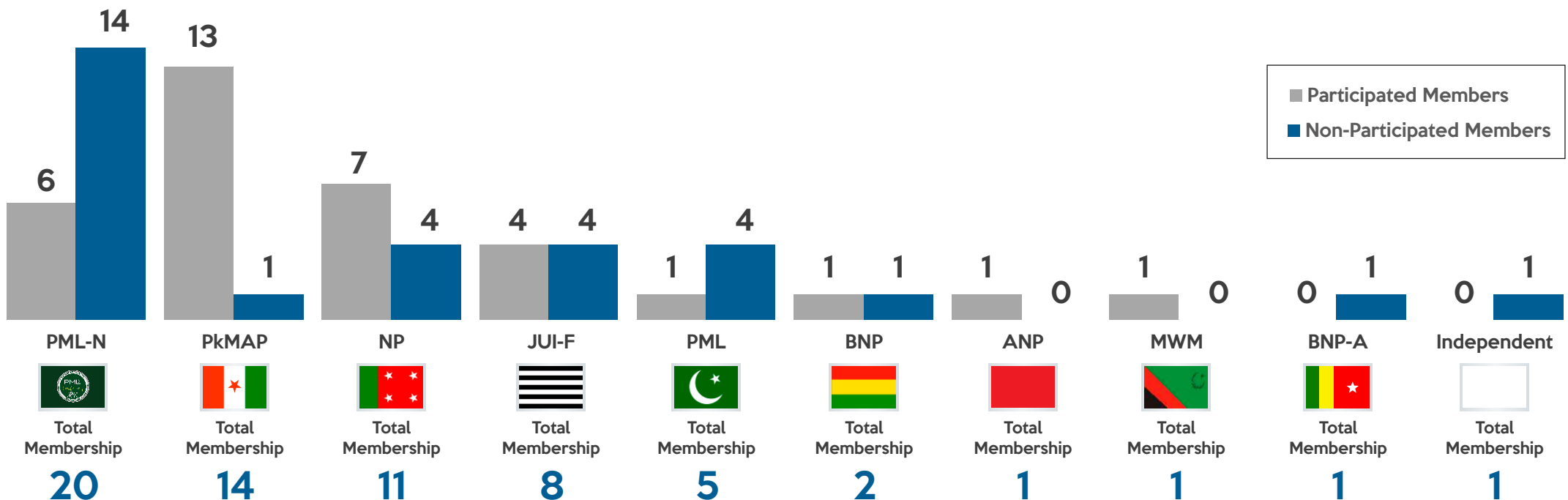
MEMBERS PARTICIPATION

Ten (16%) members submitted the agenda items, 9 (14%) members took part in debates while 15(23%) have submitted the agenda as well as took part in debates. Thirteen PkMAP lawmakers participated in the session followed by NP (7), PML-N (6), JUI-F (4), PML, BNP, ANP and MWM (one each). Female lawmakers remained more active in terms of participating in debates and submitting the agenda and took part in 58 percent proceedings as compared to male members who have participated in 52 percent proceeding of the House. Among non-participating members 14 belonged to PML-N followed by NP, JUI-F and PML (4 each), and one each of BNP-A, PkMAP and BNP. The only independent member in the House was also remained mum during the session.

MEMBERS PARTICIPATION



PARTICIPATING AND NON- PARTICIPATING MEMBERS



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.

QUESTIONS

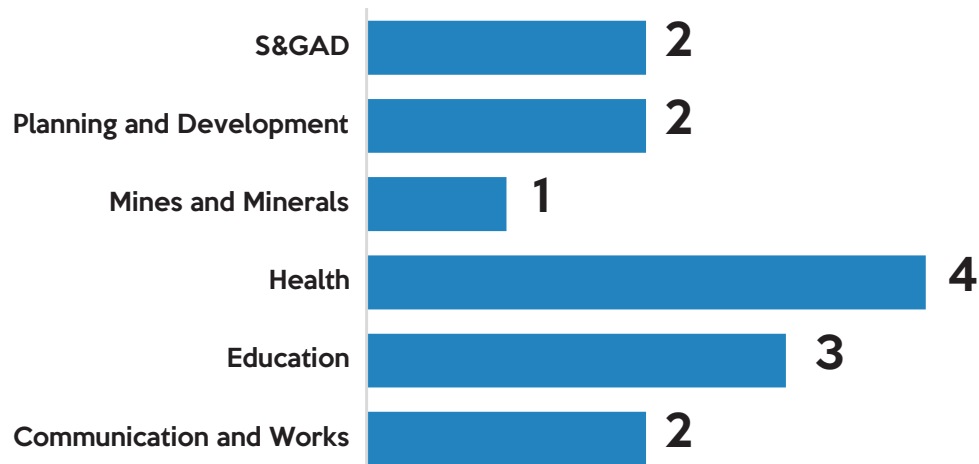
The House observed question hour in three sittings and lawmakers raised 27 questions addressed to different departments. Fourteen starred questions were taken up on the floor of the House and responded to by the relevant Ministers. Other thirteen questions remained unaddressed due to absence of government representatives or their movers.

STARRED QUESTIONS: 27

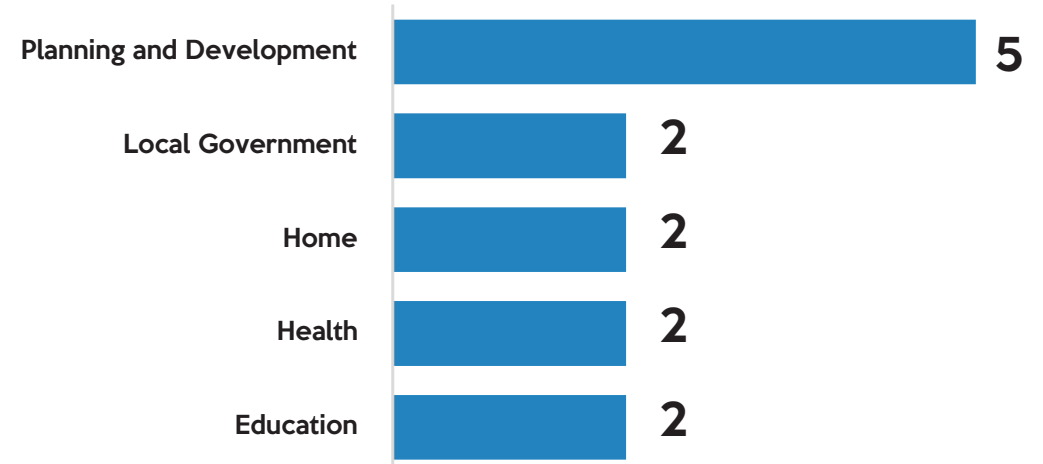
Taken up
14

Not Taken up
13

TAKEN UP QUESTIONS



NOT TAKEN UP QUESTIONS



ADJOURNMENT MOTIONS (AM)

Lawmakers submitted five Adjournment Motions during the session out of which two were admitted for discussion, two were withdrawn by the movers while one was deferred by the House after the assurance given to the mover by relevant Minister.

On Agenda **5**

Admitted for Discussion **2**

Withdrawn by Mover **2**

Deferred **1**

DEBATE ON ADJOURNMENT MOTIONS



Submitted by:
Molana Abdul Wasay



JUI-F

Suicide attack on FC vehicle in Quetta and terrorist attack on police mobile at Saryab Road Quetta



Submitted by:
Agha Syed Liaqat Ali



PkMAP

Distribution of tax revenue to the provinces on equal basis



Submitted by:
Yasmeen Bibi



NP

Security threats to the educational institutes in the province

WITHDRAWN ADJOURNMENT MOTIONS



Submitted by:
Agha Syed Liaqat Ali



JUI-F

Royalty issues of electricity supply from various power plants of the province



Submitted by:
Sardar Abdul Rehman Khetran



PkMAP

About Govt. Girls College Muslim Bagh student suicide because of inappropriate behavior of college principal

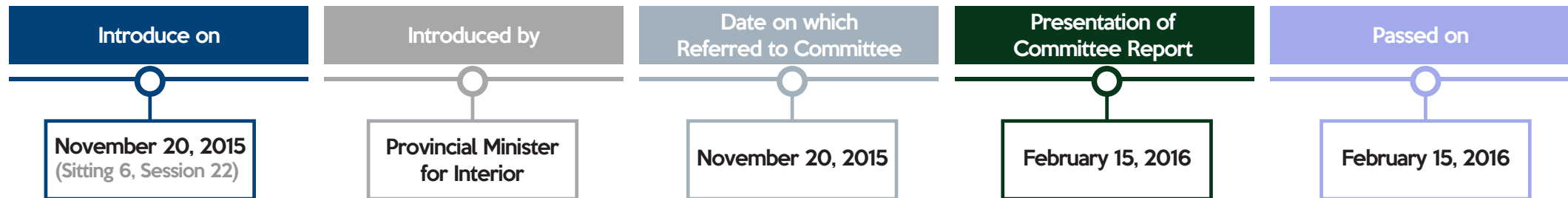
This section deals with the legislative business, resolutions, reports and documents presented before the House during the session.

LEGISLATION

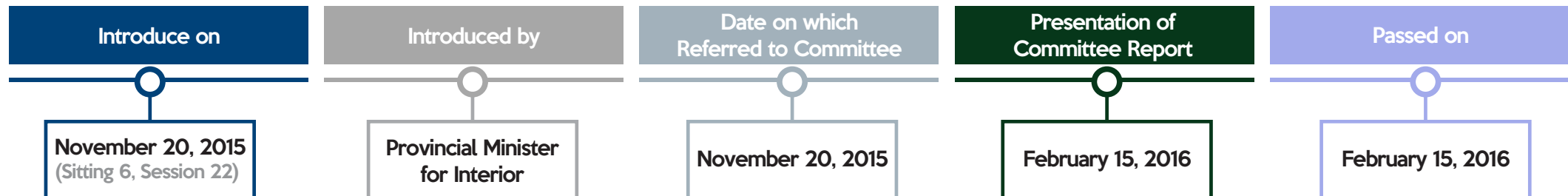
Lawmaking on matters of national and provincial importance through rigorous debate is the most important function of a legislature. This section reviews the nature, status and consideration of government and private member legislations tabled during the session.



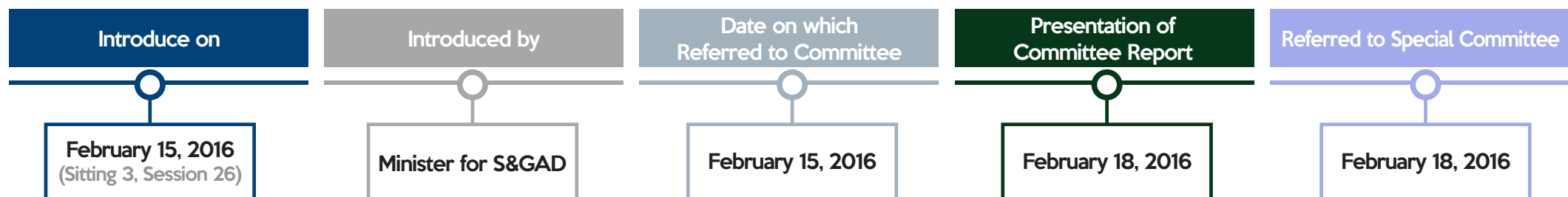
The Balochistan Prohibition of Expressing Matters on Walls (Amendment) Bill, 2015



The Balochistan Sound System (Regulation) Bill, 2015



The Balochistan Public Service Commission Bill, 2015



RESOLUTIONS

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

Party(ies)	Title	Type
ANP	To condemn terrorist attack on Bacha Khan University, Charsadda on January 19, 2016	Government
PkMAP	Urging the government to contact National Highways Authority (NHA) to construct new roads in District Ziarat and Harnai.	Joint
ANP	Urging the provincial government to contact with Federal government to reduce the prices of petroleum products by Rs. 15 per liter to provide benefits of decrease of oil prices in international market to direct consumers.	Private
PkMAP	To ensure utilization of funds released by the Provincial Government to Quetta Electric Supply Company (QESCO) for electrification of 23 districts.	Private
NP	The House has pays homage to the effected families in the suicide attack near Liaqat Park Quetta on 6th February 2016 and condemns the cowardly attack on the FC personnel, women and children.	Joint
PkMAP		
PML		
NP	Urging the federal government to ensure representation of Balochistan in Pakistan Bureau of Statistics.	Joint
PkMAP		
PML		
PkMAP	Urging the government to resolve the matter of improper treatment facilities in Mahroof Children Hospital Quetta.	Joint
PML-N		
PkMAP	Stressing the federal government to ensure distribution of tax revenue to the provinces on equal basis. The same resolution was submitted as Adjournment Motion by mover.	Government
PkMAP	Urging the government to contact the federal government on Water supply issue so that the province could get its share of Water according to agreed quota.	Government
PkMAP	Urging the government to contact federal government to ensure the payment of royalty to Balochistan province against electricity supply from Uch and Hub power plants to other provinces.	Government
PkMAP	Urging the government to ensure payment of outstanding dues of natural resource companies working in the province since 2009. As PPL, OGDCL, Mari Indus, Saindak, and other Chinese companies are bound to spend 10% of their profit on the welfare of the public.	Joint
PML-N		
NP		

REPORTS

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

LIST OF REPOTS PRESENTED BEFORE THE HOUSE

- The Annual Report of Public Service Commission for year 2014 under Section 9 of the Balochistan Public Service Commission Act 1989
- Standing Committee report on the Balochistan Sound System (Regulation) Bill 2015
- Standing Committee Report on the Balochistan Prohibition of Expressing Matters on Walls (Amendment) Bill, 2015
- Standing Committee Report on the Balochistan Public Service Commission (Amendment) Draft Bill,2015

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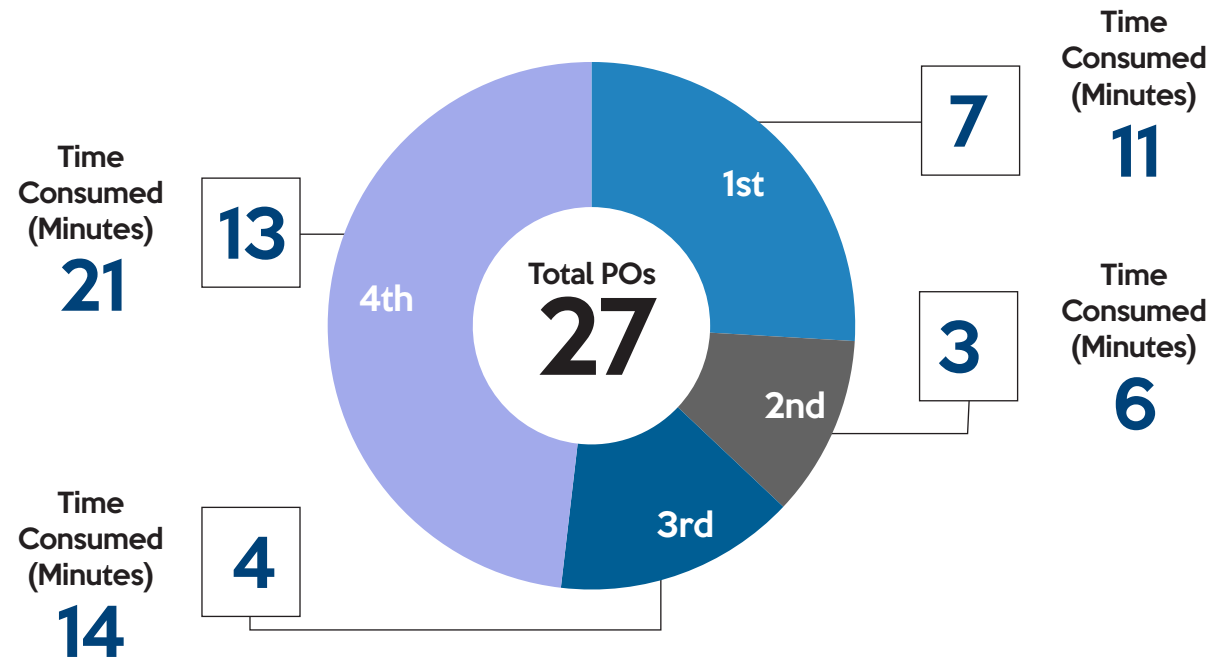
ORDER AND INSTITUTIONALIZATION

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

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 27 Points of Order (POs) that consumed 52 minutes of the session time. Members belonging to JUI-F raised 12 POs followed by PkMAP (8), NP (4), PML-N (2) and MWM (1). The highest number (21) POs were raised during the fourth sitting and male lawmakers raised maximum points of order (15) as compared to their female counterparts who raised twelve POs.



PROTEST AND WALKOUTS

Walkout

98
Minutes

Reason

For not including movers Adjournment Motion in the List of Business of the House.

PkMAP

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.

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Chairperson

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

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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.

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Legislation

The process of making law.

-

Legislative Process

The processes by which bills are approved by assembly.

-

List of Business

The 'List of Business' includes the business scheduled for an assembly sitting. The lists of businesses are to be brought before the assembly for consideration and decision at its sitting on any day.

Rule 2(1)(p)

Member

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

Rule 2(1)(l)

Minister

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

Rule 2(1)(n)

Motion

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

Rule 2(1)(o)

Mover

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

Rule 194 (4)

Opposition

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

-

Orders of the Day

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

Rule 2(1)(p)

Panel of Chairmen

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

Rule 13

Point of Order

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

Rule 201

Private member

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

Rule 2(1)(r)

Proceedings

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

Rule 21 (c) (Ref)

Prorogation of the Assembly

A session of the Assembly is terminated by prorogation.

Rule 4(2)

Question Hour

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

Rule 33

Quorum

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

Rule 195(1)(Ref)

Resolution

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

Rule 2(1)(s)

Rules

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

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

Session

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

Rule 2(1)(w)

Sitting

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

Rule 2(1)(x)

Special Committees

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

Rule 170

Speaker

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

Rule 12

Standing Committee

A sub-unit of Assembly established in a permanent fashion to aid the parent assembly in accomplishing its duties. A standing committee is granted jurisdiction over a particular area of legislation by the assembly.

Rule 128

Starred Question

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

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

Summoning of the Assembly

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

Rule 3

Table

The Table of the House

Rule 2(1)(z)

Un starred Question

Un starred Question means a question for a written answer.

Rule 2(1)(y)

About FAFEN

- FAFEN is one of the most credible networks of civil society organizations working for strengthening citizens' voice and accountability in Pakistan since 2006.
- FAFEN has harnessed information technology for real-time monitoring, facilitation and technical backstopping of partners for effective and result-based program delivery.
- FAFEN is the only civil society group to have been invited by the Judicial Commission to present the evidence of illegalities and irregularities documented through the course of General Elections 2013 Observation. The systemic and procedural issues identified by FAFEN have been acknowledged by the commission in its detailed findings.
- FAFEN's recommendations for electoral reforms have contributed to the work of Parliamentary Committee for Electoral Reforms.
- FAFEN's advocacy for parliamentary transparency, accountability and reforms has shaped public discourse on parliamentary reforms. Improved citizens' access to parliamentary information including daily public release of parliamentarians' attendance records can be directly attributed to FAFEN's work.
- FAFEN deployed 18,000 and 40,000 non-partisan and trained observers for the systematic observation of general election 2008 and 2013, respectively, largest citizens' observation ever undertaken in Pakistan.
- FAFEN's evidence and recommendations for reforms have improved the quality of public and political discourse on elections, its issues and need for reforms. Leading political parties and media houses extensively use FAFEN's election findings and analysis to build a case for reforms.
- With around 16,000 followers on Twitter and around 64,000 on Facebook, FAFEN is considered one of the most reliable sources of electoral and parliamentary information in the country.

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