

HANDBOOK FOR PUNJAB ASSEMBLY MEMBERS



**Provincial Assembly of the Punjab
2017**

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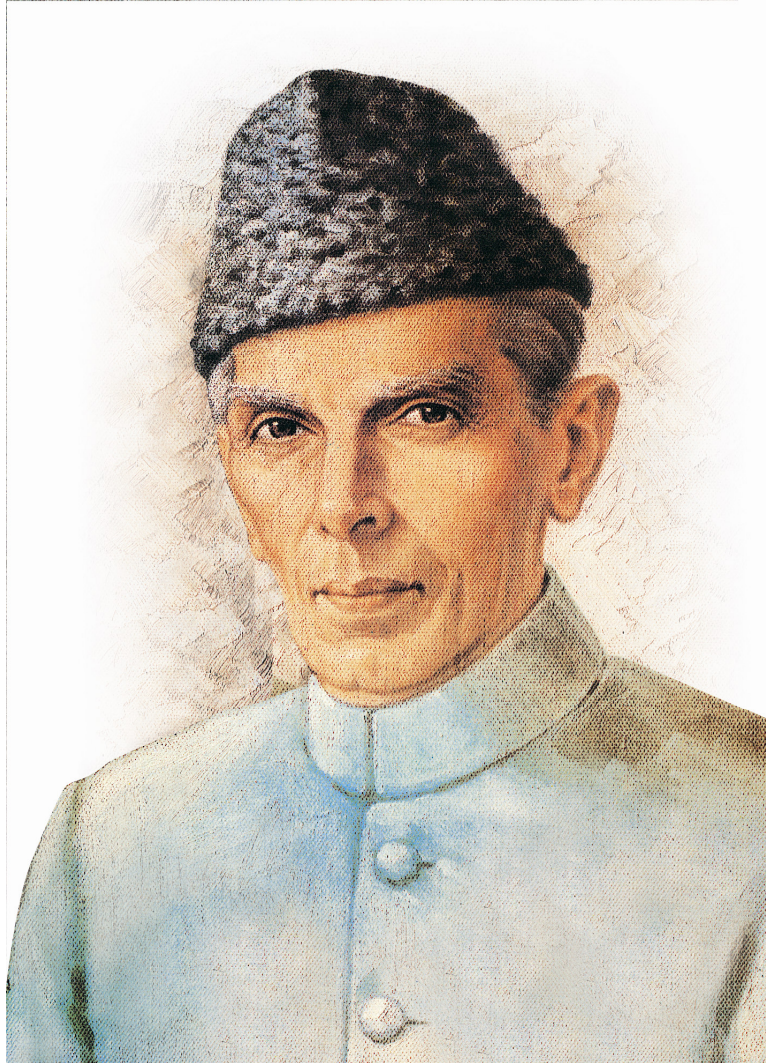
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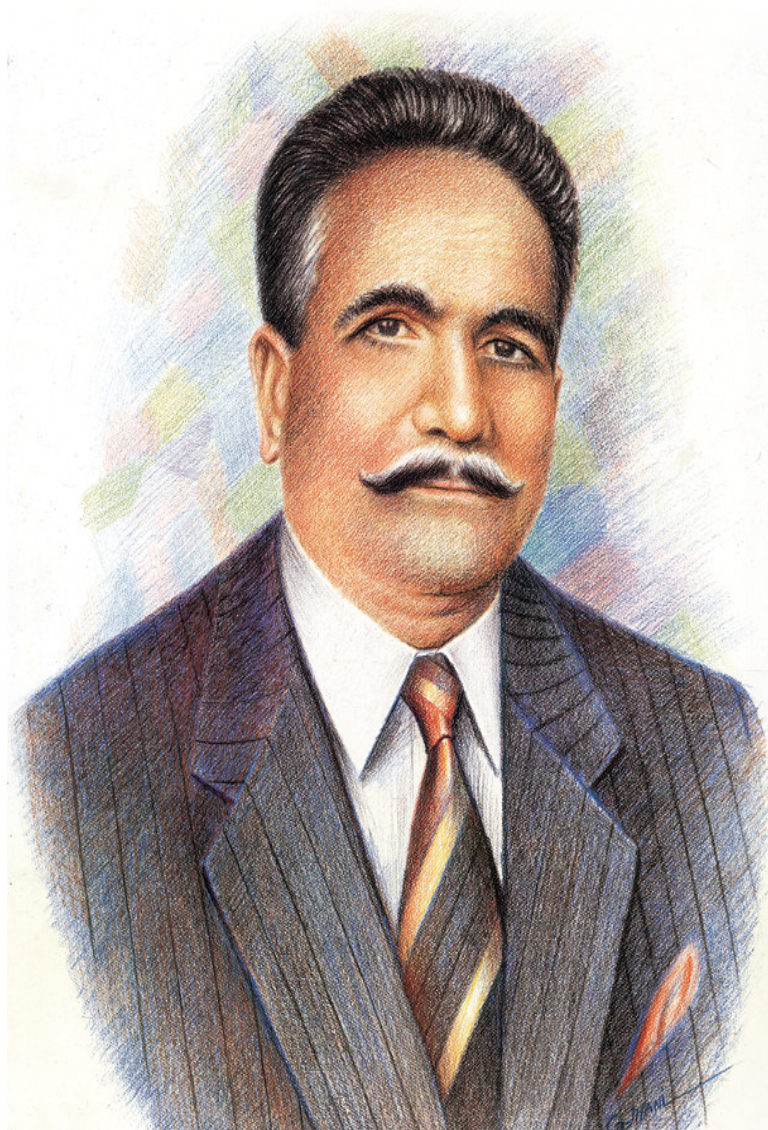
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Quaid-e-Azam Muhammad Ali Jinnah
Founder of the Nation



*Allama Sir Dr Muhammad Iqbal
Great Muslim Poet and Philosopher
(Member of the Punjab Legislative Council 1927)*



Malik Muhammad Rafique Rajwana
Governor of the Punjab



Mian Muhammad Shahbaz Sharif
Chief Minister of the Punjab



Rana Muhammad Iqbal Khan
Speaker
Provincial Assembly of the Punjab



Sardar Sher Ali Gorchani
Deputy Speaker
Provincial Assembly of the Punjab



Mian Mahmood ur Rashid
Leader of the Opposition
Provincial Assembly of the Punjab

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HANDBOOK FOR PUNJAB ASSEMBLY MEMBERS

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PREFACE

According to the Constitution of Islamic Republic of Pakistan 1973, Pakistan is a federal republic with four provincial units. It has a bicameral Parliament at national level and four unicameral Provincial Assemblies in its four provinces.

In a democratic setup, legislature is one of the three pillars of State along with the executive and the judiciary. Legislatures derive their strength from the efficient performance of the legislators. It is, therefore, essential that they are fully acquainted with the functioning of the House.

In the year 2002, the Punjab Assembly Secretariat published a Handbook to impart the comprehension of rules and procedure to the new Members of the Assembly. The objective was to provide them with basic information about the conduct of business in the Assembly, so that they may be able to play their constitutional role more efficiently in the House. Its revised (second) edition was published in the year 2008.

Now its third and improved edition is being published on website. The Handbook is published to facilitate the Members and is in no way a substitute for the Constitution and the Rules of Procedure.

It is hoped that this edition would be a valuable reference book for public representatives and others.

Rai Mumtaz Hussain Babar

Senior Secretary

Provincial Assembly of the Punjab

April 2017

CHAPTER-I

INTRODUCTION

Chapter-I

Introduction

Building

The building of Provincial Assembly of the Punjab was designed by Mr Bazel M Salune, Superintending Architect, Punjab and built on Shahrah-e-Quaid-e-Azam, (The Mall) Lahore. Its foundation stone was laid down on November 17, 1935 and was completed in 1938. The building and the adjoining land spread over an area of 16 acres. The building has two floors. On ground floor, there is a wide reception area, cafeteria, library, office of the Leader of the Opposition, one committee room, and offices of the Assembly Secretariat. Two rooms on ground floor have been dedicated for bank and dispensary to facilitate Members and staff of the Assembly. The first floor consists of Chief Minister's chamber, Speaker's chamber, Deputy Speaker's office, Conference room, offices for Ministers, two committee rooms and offices of the Secretariat.

After increase in the membership of Assembly in the year 2002, and the expected consequential increase in the staff of the Secretariat as well as to provide additional office accommodation to the Ministers and their Staff, it was planned in the year 2005 to build an additional Assembly building. The construction started in the year 2006 and is in progress. In order to maintain the grandeur of the historic present building, it was decided that the additional building would be a true replica of this present building.

The hall or chamber of the House is situated at the first floor of the present building. It has two chambers; the lower chamber, having a capacity of 271 seats, is meant for conduct of the business of the House and the upper chamber, with a capacity of 200 seats, contains galleries for the media including radio and TV as well as visitors for witnessing the proceedings of the House. With the increase in the membership of the Assembly, the existing Hall became insufficient to accommodate these Members. As stopgap arrangement, a portion of the visitor's gallery and press gallery was made part of the House reducing the capacity of press and visitors' galleries from 200 to 100. Now the members, attending Session of the Assembly, are seated in two separate chambers, situated on two floors.

This temporary arrangement gave birth to practical intricacies both for the members and the Chair. Along with additional Assembly building, a new Assembly Hall was, therefore, also planned to be constructed positioned between the old and the new Assembly buildings. It would have a capacity of 500 seats in the main hall and 600 seats in the galleries for visitors and 300 seats in the press gallery for media personals.

For the boarding of out-station members coming to Lahore for attending meetings of the Assembly or of a Committee, there are two residential hostels namely, Pipals House and New MPAs' Hostel. A total of 80 rooms are available in these two Hostels (40 each).

Historical Background

The following sixteen Provincial Assemblies have so far been constituted in the province of Punjab since the creation of Pakistan:

1.	West Punjab Legislative Assembly	15-08-1947 to 25-01-1949
2.	Punjab Legislative Assembly	07-05-1951 to 14-10-1955
3.	Interim Provincial Assembly of West Pakistan	Reconstituted as Provincial Assembly of West Pakistan
4.	Provincial Assembly of West Pakistan	19-05-1956 to 07-10-1958
5.	Provincial Assembly of West Pakistan	09-06-1962 to 08-06-1965
6.	Provincial Assembly of West Pakistan	09-06-1965 to 25-03-1969
7.	Provincial Assembly of the Punjab	02-05-1972 to 13-01-1977
8.	Provincial Assembly of the Punjab	09-04-1977 to 05-07-1977
9.	Provincial Assembly of the Punjab	12-03-1985 to 30-05-1988
10.	Provincial Assembly of the Punjab	30-11-1988 to 06-08-1990
11.	Provincial Assembly of the Punjab	05-11-1990 to 28-06-1993
12.	Provincial Assembly of the Punjab	18-10-1993 to 17-11-1996
13.	Provincial Assembly of the Punjab	18-02-1997 to 11-10-1999
14.	Provincial Assembly of the Punjab	25-11-2002 to 18-11-2007
15.	Provincial Assembly of the Punjab	09-04-2008 to 20-03-2013
16.	Provincial Assembly of the Punjab	01-06-2013 to date

Composition of Legislatures of Pakistan

The composition of legislatures in Pakistan is given below:

Senate¹

Province/Area	General Seats	Seats reserved for			Total
		Women	Technocrats and Ulema	Non-Muslim	
Federal Capital	2	1	1	-	4
Punjab	14	4	4	1	23
Sindh	14	4	4	1	23
Khyber Pakhtunkhwa	14	4	4	1	23
Balochistan	14	4	4	1	23
FATA	8	-	-	-	8
Total	66	17	17	4	104

National Assembly²

Province/Area	General Seats	Seats reserved for		Total
		Non-Muslims	Women	
Federal Capital	2	} 10	-	2
Punjab	148		35	183
Sindh	61		14	75
Khyber Pakhtunkhwa	35		8	43
Balochistan	14		3	17
FATA	12		-	12
Total	272	10	60	332+10=342

¹ The Constitution of the Islamic Republic of Pakistan 1973; Article 59.

² The Constitution of the Islamic Republic of Pakistan 1973; Article 51.

Provincial Assemblies¹

Province	General Seats	Seats reserved for		Total
		Women	Non-Muslims	
Punjab	297	66	8	371
Sindh	130	29	9	168
Khyber Pakhtunkhwa	99	22	3	124
Balochistan	51	11	3	65

Mode of Elections

The elections to the general seats in the Assemblies are held on the basis of joint electorate and single member territorial constituencies. However, the members to fill the seats reserved for women and non-Muslims are elected through the proportional representation system of political parties' lists of candidates on the basis of the total number of general seats secured by each political party in the Assembly. The total number of general seats won by a political party also includes the independent returned candidates who join a political party within three days of the publication in the official Gazette of the names of the returned candidates.

Double Membership

No person can, at the same time, be a member of both Houses of the Parliament, or a House and a Provincial Assembly, or the Assemblies of two or more Provinces, or a House or a Provincial Assembly in respect of more than one seat. However, a person may contest election for two or

¹ The Constitution of the Islamic Republic of Pakistan 1973; Article 106.

more seats at the same time, whether in the same Assembly or in different Assemblies. If he is elected to more than one seat, he must, within a period of thirty days after the declaration of the result for the last such seat, resign all but one of his seats. Whereas, a member of a Council may contest an election without resigning from the membership of the Council; the Nazims and the Naib Nazims of Zila Councils, Tehsil Councils, Town Councils, and Union Councils, however, cannot contest election for a seat in either House of the Parliament or in the Provincial Assembly without resigning from their offices. However, even a member of a Council cannot hold more than one office simultaneously.

Duration of Provincial Assembly

Unless sooner dissolved, the Assembly has a life of five years, and it stands dissolved at the expiration of that term.¹ The Assembly is required to hold at least three sessions, and to have minimum one hundred² working days in a parliamentary year. The interval between two sessions cannot exceed one hundred and twenty days.³ The Assembly year is counted with effect from the date of its first meeting.⁴

¹ The Constitution of the Islamic Republic of Pakistan 1973; Article 107.

² The Constitution of the Islamic Republic of Pakistan 1973; Article 54 (2) read with Article 127 (g).

³ The Constitution of the Islamic Republic of Pakistan 1973; Article 54(2) read with Article 127.

⁴ The Constitution of the Islamic Republic of Pakistan 1973; Article 107.

Dissolution of Provincial Assembly

The Governor is required to dissolve the Assembly on the advice of the Chief Minister. In case, the Governor does not so dissolve the Assembly, it automatically stands dissolved at the expiration of forty-eight hours after the Chief Minister has so advised. However, the Chief Minister, against whom a notice of a resolution for a vote of no-confidence has been received, cannot advise the Governor to dissolve the Assembly.¹

The Governor may also dissolve the Provincial Assembly in his discretion, but in restricted circumstances and subject to the previous approval of the President.²

Summoning and Prorogation of Provincial Assembly

The Governor, from time to time, summons and prorogues the Assembly.³ The Speaker of the Assembly is also required to summon the Assembly, within fourteen days of the receipt of requisition from at least one-fourth of the total membership of the Assembly (93 members in case of Provincial Assembly of the Punjab). In that case, the Speaker alone prorogues the Assembly.⁴

¹ The Constitution of the Islamic Republic of Pakistan 1973; Article 112(1).

² The Constitution of the Islamic Republic of Pakistan 1973; Article 112(2).

³ The Constitution of the Islamic Republic of Pakistan 1973; Article 109 (a) (b) read with Article 105.

⁴ The Constitution of the Islamic Republic of Pakistan 1973; Article 54(3) read with Article 127.

In either case, Assembly Secretariat publishes a Notification in the Punjab Gazette indicating the date, time and place of the meeting. The copy of the Notification is endorsed to all the members for information. Its announcement over the radio/TV and in the Press is also made. A Notification with regard to prorogation of the Assembly is also published likewise.

First Meeting

The Provincial Assembly shall meet on the twenty-first day following the day on which a general election to the Assembly is held, unless sooner summoned by the Governor.¹

Till the election of the Speaker, the meeting of the Assembly will be presided over by the outgoing Speaker of previous Assembly² and if he is not available for the purpose, the sitting will be presided over by a person nominated by the Governor³. The Governor has the power either to nominate a member-elect or somebody else. In case, the Governor nominates a member-elect, he will first make oath before the Assembly.

Oath

A person elected to the Assembly cannot sit or vote in the Assembly until he has made before the Assembly oath in

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 130 (2).

²The Constitution of the Islamic Republic of Pakistan 1973; Article 53 (8) read with Article 127.

³ Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 6(2).

the form prescribed in the Third Schedule of the Constitution.¹ After making oath, each member is required to sign the Roll of Members in the presence of Secretary Assembly.

Seating

The members sit in the Assembly in such order as may be determined by the Speaker, and in his absence, as may be specified by the Secretary.² The members are required to occupy the seats allocated to them, and they cannot speak or vote from any other seat.

However, for the sittings of the Assembly for oath taking, the election of the Speaker, the Deputy Speaker and Chief Minister, the members sit in order of the constituency/identity number. A separate block is allocated for the lady members.

Attendance and Leave of Absence

All the Members are required to attend the sittings of the Assembly, however, a member desirous of obtaining leave of absence from a sitting may do so through an application of leave addressed to Speaker.³

If a member remains absent for forty consecutive days of the sittings of the Assembly without its leave, the Assembly

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 65 read with Article 127 and the Third Schedule.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 8.

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 34.

may declare his seat vacant.¹ It is necessary to keep an authentic record of the presence of the members at each sitting. The Punjab Assembly Secretariat maintains an attendance register/sheet. The members must mark their attendance at the earliest as the attendance register/sheet is concluded at the close of the proceedings on each day.

The Provincial Assembly of the Punjab made the history when it became the first of all legislatures in Pakistan to start publishing the attendance record of its members on its website regularly.

Resignation

A member may, by writing under his hand addressed to the Speaker, resign his seat and thereupon his seat becomes vacant.² The resignation is processed and notified in accordance with the procedure given in the rules.

Language of the Assembly

A member shall ordinarily address the Assembly in Urdu. However, if any member is unable adequately to express himself in that language, the Speaker may allow him to address the Assembly in English language or in any other recognized language of the Province.³

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 64 read with Article 127, and Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 36.

²The Constitution of the Islamic Republic of Pakistan 1973; Article 64 read with Article 127.

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 218.

Governor's Address

The Governor may address the Provincial Assembly and may for that purpose require the attendance of the Members.¹

Advocate General

The Advocate General has the right to speak and otherwise take part in the proceedings of the Assembly. If so named as member, he has also right to speak and to take part in the proceedings of any Committee of Assembly. However, he is not entitled to vote.²

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 110.

²The Constitution of the Islamic Republic of Pakistan, Article 111.

CHAPTER-II

FUNCTIONARIES

Chapter-II

Functionaries

Speaker and Deputy Speaker

Election

After a general election, a Provincial Assembly shall, at its first meeting and to the exclusion of any other business, elect from amongst its members a Speaker and a Deputy Speaker and, so often as the office of Speaker or Deputy Speaker becomes vacant, the Assembly shall elect another member as Speaker or, as the case may be, Deputy Speaker.¹

The election of the Speaker is held by secret ballot, and a member obtaining majority of the votes of the members present and voting is declared to have been elected as Speaker.

The election of Deputy Speaker is held in the same manner after the election of the Speaker.² The Speaker/Deputy Speaker assumes office after making oath in the form prescribed in the Third Schedule of the Constitution.

On dissolution of the Assembly, the Speaker continues in his office till the person elected to fill the office by the next Assembly enters upon his office.³

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 108.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 10.

³The Constitution of the Islamic Republic of Pakistan 1973; Article 53 (8), read with Article 127.

Resignation or Removal

The Speaker may submit his resignation to the Governor, and the Deputy Speaker, to the Speaker.¹ The Speaker or the Deputy Speaker may also be removed from office by the majority of the total membership of the Assembly, in accordance with the procedure given in the rules. The Speaker/Deputy Speaker cannot preside the meeting of the Assembly in which a resolution for his removal from office is being considered. Whenever the office of the Speaker or the Deputy Speaker becomes vacant, the Assembly elects another member to fill the vacant office.²

Panel of Chairmen

At the commencement of each session, the Speaker nominates, in order of precedence, from amongst the members, a panel of not more than four Chairmen to preside over the sittings of the Assembly in the absence of the Speaker and the Deputy Speaker.

In the absence of the Speaker, the Deputy Speaker takes the Chair. In case, he is also absent, the Chairman having precedence amongst those present at the sitting occupy the Chair. In the absence of all of them, the Assembly may elect one of the members present to preside at the sitting. The Presiding Officer has the same powers as the Speaker has when presiding at a sitting.

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 53 (5) (6), read with Article 127.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 12.

Functions

The Speaker takes a cardinal position in the Assembly. Although he is elected as a nominee of a political party, it is assumed that he would conduct the business of the Assembly as an impartial arbiter and shall manage the proceedings in line with the established norms of democracy. He is also required to effect a balance between the Treasury and the Opposition Benches.

In addition to the functions relating to the conduct of business of the Assembly, the Speaker also performs certain administrative and financial functions under the Constitution and the rules. Briefly to say, the Speaker is required –

- (a) to take the Chair at every sitting of the Assembly at the appointed time;
- (b) to call a sitting to order and to conduct business;
- (c) to preserve order and decorum, and to enforce decisions;
- (d) to decide all points of order;
- (e) to suspend or expel a member;
- (f) to order the Galleries to be cleared or any stranger to be removed;
- (g) to hold a secret sitting of the Assembly;
- (h) to expunge any remarks from the proceedings of the Assembly; and
- (i) to amend notices and motions.

Chief Minister

Election

After the Election of the Speaker and the Deputy Speaker following general elections, the Assembly shall, to the exclusion of any business, elect one of its members as Chief Minister.

The Chief Minister shall be elected by the votes of the majority of the total membership of the Provincial Assembly:

Provided that, if no member secures such majority in the first poll, a second poll shall be held between the members who secure the two highest numbers of votes in the first poll and the member who secures a majority of votes of the members present and voting shall be declared to have been elected as Chief Minister:

Provided further that, if the number of votes secured by two or more members securing the highest number of votes is equal, further polls shall be held between them until one of them secures a majority of votes of the members present and voting.¹

The voting will be held through the method of 'Division' i.e., the members desiring to vote in favour of each of the candidate will pass in a single file from the Chamber to the Lobby by recording their votes at the door through the teller deputed for the purpose. The Speaker shall communicate to the Governor the name of the member so

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 130(4).

elected as the Chief Minister. The Governor shall invite such member to take oath of office of Chief Minister. ¹

Vote of Confidence in Chief Minister

A member may give notice in writing to the Secretary for moving a resolution for seeking a vote of confidence in the Chief Minister under clause (7) of Article 130 of the Constitution.

Vote of No-Confidence

The majority of the total membership of the Assembly may also remove the Chief Minister by passing a resolution for a vote of no-confidence against him. The notice for the purpose is given to the Secretary Assembly by not less than twenty per centum of the total membership of the Assembly (*74 members*). The Chief Minister ceases to hold office as soon as the resolution is passed.²

Resignation

The Chief Minister may, by writing under his hand addressed to the Governor, resign his office.³ The Governor may ask the Chief Minister to continue to hold office until his successor enters upon the office of Chief Minister.⁴

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 130 (5).

²The Constitution of the Islamic Republic of Pakistan 1973; Article 136 (1), Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 23.

³The Constitution of the Islamic Republic of Pakistan 1973; Article 130 (8).

⁴The Constitution of the Islamic Republic of Pakistan 1973; Article 133.

Cabinet

As soon as may be, a Cabinet of Ministers, headed by the Chief Minister, is formed to aid and advice the Governor in the exercise of his functions. The Governor appoints Provincial Ministers from amongst members of the Assembly on the advice of the Chief Minister. A Minister may submit his resignation to the Governor. He may also be removed from his office by the Governor on the advice of the Chief Minister. The Cabinet shall be collectively responsible to the Provincial Assembly and the total strength of the Cabinet shall not exceed fifteen members or eleven percent of the total membership of a Provincial Assembly, whichever is higher.¹

Leader of the Opposition

Before the February 2016 amendment in the Rules of Procedure of Provincial Assembly of the Punjab, there was no formal procedure for the nomination or removal of Leader of the Opposition; the Speaker was authorized to nominate him almost in his sole discretion. But now a new Chapter has been inserted in the 1997 Rules for this purpose. After the election of the Chief Minister, or the vacation of office of the Leader of the Opposition, the Speaker shall call members of the opposition for submission of the name for the Leader of the Opposition. The Speaker shall ascertain the majority and declare the

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 130 (6).

member who commands the majority as the Leader of the Opposition.¹

If the Speaker receives a notice by majority of the members of the Opposition for removal of the Leader of the Opposition and he is satisfied that the Leader of the Opposition does not command the majority of the members of the opposition, he shall declare that the Leader of the Opposition stands removed.²

Advisors and Special Assistants

The Chief Minister may appoint Advisors³ and Special Assistants⁴ to assist him, and assign functions and duties to them. The Chief Minister may also remove them from office. However, the Chief Minister shall not appoint more than five Advisors and Special Assistants.

Parliamentary Secretaries

The Parliamentary Secretaries for one or more departments are appointed by the Chief Minister to deal with such Parliamentary affairs concerning their departments as may be entrusted to them by the Minister and perform such public functions as may be entrusted to them by the Minister⁵. After February 2016 amendment in the Rules of

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 23A.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 23B.

³The Constitution of the Islamic Republic of Pakistan 1973; Article 130 (11).

⁴The Punjab Special Assistants (Salary, Allowances and Privileges) Ordinance, 2002 (Ordinance LXXVI of 2002), Section 3.

⁵The Punjab Parliamentary Secretaries (Salary, Allowances and Privileges) Ordinance, 2002 (Ordinance LXXI of 2002), Section 3.

Procedure of the Provincial Assembly of the Punjab, 1997
their role in the Assembly business has increased manifold.

Chairpersons of Committees

The Committees of the Assembly elect their Chairpersons from amongst their members who presides the meetings of the Committees.¹

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 151.

CHAPTER-III

GENERAL PROCEDURE

Chapter-III

General Procedure

Rules of Procedure

Legislatures follow a framework and procedural guideline to direct and monitor their indoor working, and steer the proceedings and business in the House. The conduct of business in the Provincial Assemblies of Pakistan had throughout been regulated and governed by the relevant provisions of the Constitution and the rules of procedure framed, from time to time, either by the Governor or by the Assembly itself. Article 67 (1) of the 1973 Constitution provides that a House may make rules for regulating its procedure and the conduct of its business.

Since 1947, the following rules regulated the procedure and conduct of business in the Provincial Assembly of the Punjab:-

- (1) West Punjab Legislative Assembly Rules of Procedure (1948);
- (2) Rules of Procedure of the Legislative Assembly of West Pakistan (1955);
- (3) Provincial Assembly of West Pakistan Rules of Procedure (1956);
- (4) Rules of Procedure of the Provincial Assembly of West Pakistan (1962);

- (5) Rules of Procedure of the Provincial Assembly of West Pakistan (1968);
- (6) Rules of Procedure of the Provincial Assembly of the Punjab (1972);
- (7) Rules of Procedure of the Provincial Assembly of the Punjab (1973); and
- (8) Rules of Procedure of the Provincial Assembly of the Punjab (1997).

Presently, the conduct of the business in the Punjab Assembly is regulated under the relevant provisions of the 1973 Constitution and the Rules of Procedure of the Provincial Assembly of the Punjab 1997. However, all matters not specifically provided for in the Rules of Procedure and all questions relating to the detailed working of the rules of procedure are regulated in such manner as the Speaker may, from time to time, direct¹. Similarly, all questions relating to the interpretation or enforcement of the Rules or such Articles of the Constitution as regulate the business of the Assembly are decided by the Speaker².

Amendment of the Rules

A member may give fifteen days' notice of a motion for leave to amend the rules. The leave to amend the rules may be granted by the Assembly by majority of the members present and voting. The Assembly may directly proceed to

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 235.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 209.

decide the proposed amendment or refer it to Standing Committee on Law. In the latter case, the same procedure is followed as is prescribed for a Bill with such variations as the Speaker may direct.¹

Suspension of Rules

In case any inconsistency or difficulty arises in the application of the Rules, a member may, with the consent of the Speaker, move that any rule may be suspended under rule 234 in its application to a particular motion before the Assembly. The Assembly may, by a vote of the majority of the members present and voting, suspend the relevant rules.²

Annual Calendar for Sessions of the Assembly

After the commencement of each parliamentary year, the government shall provide a calendar for sessions of the Assembly to the Speaker. The Assembly shall be summoned on the dates given in the calendar but the Governor may summon the Assembly on a date other than that mentioned in the calendar.³

Sittings

The first sitting of the Assembly is held on such day and at such time as the Governor may specify in his order. On subsequent days, the Assembly sits on such days and at such time as may be fixed by the Speaker at the time of

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 244-A.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 234.

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 33 (A).

adjourning the Assembly. Each sitting commences with *Tilawat* and *Na'at*.¹

Secret Sitzings

The sittings/meetings of the Assembly are open to general public. However, if so requested by the Leader of the House, or by a Minister, the Speaker may fix a day or part of the day for secret sitting of the Assembly. When the Assembly sits in secret, no stranger is permitted to be present in the Chamber, Lobbies or Galleries, except the Secretary and such other officers of the Assembly or other persons as the Speaker may direct.²

Classification of Business

The business of the Assembly is classified as Government business or as private members' business. Government business includes Bills, resolutions, amendments and other motions introduced by a Minister. Private members' business includes Bills, resolutions, amendments and other motions introduced by private members. Each Tuesday is allocated for transaction of private members' business. If there is no sitting on a Tuesday, Private Member's business shall have precedence on the next working day. On all other working days, only Government business is transacted.³

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 24 (3).

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 213 (2).

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rules 26&27.

Arrangement of Business

Secretary Assembly arranges Government business in such order as the Minister for Law and Parliamentary Affairs or any other Minister authorized by him may intimate to the Assembly Secretariat. However, the private members' business is transacted in the order prescribed in sub-rule (2) of rule 28 of the Rules of Procedures of the Provincial Assembly of the Punjab, 1997. The Secretary prepares a List of Business (Agenda) for a sitting, and makes a copy thereof available to every member and any other person entitled to speak or otherwise take part in the proceedings of the Assembly.¹

Quorum

The quorum for a sitting of the Assembly is one-fourth of the total membership of the Assembly² *i.e.* not less than 93 members in the case of Provincial Assembly of the Punjab. If at any time during a sitting of the Assembly, the attention of the Speaker is drawn to the fact that members less than one-fourth of the total membership of the Assembly are present, he shall suspend the sitting and shall order the bells to be rung for five minutes and if after the said period there is still no quorum, he shall adjourn the Assembly for fifteen to thirty minutes.

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 32.

²The Constitution of the Islamic Republic of Pakistan 1973; Article 55 (2) read with Article 127.

If, on a fresh count being taken after the expiry of the said period, it is still found that there is no quorum, the Speaker shall adjourn the Assembly till the next working day or *sine die*, as the situation may require.¹

Mode of Address

A member desiring to speak on any matter before the Assembly or to raise a point of order or privilege shall speak only when called upon by the Speaker to do so. He shall speak from his place, shall rise when he speaks and shall address the Speaker. The Speaker may, however, permit a member disabled by sickness or infirmity to speak while sitting. The speech of a member who speaks without the permission of the Speaker is not recorded and it does not form part of the proceedings of the Assembly.²

Voting

Unless otherwise provided in the Constitution, all decisions of the Assembly are taken by majority of the members present and voting,³ but the person presiding does not vote except in case of equality of votes. The votes on any question put to the Assembly are normally obtained by voices. If the decision of the Speaker is challenged, he may either count the votes by asking the members in favour of a question or against it to rise in their seats, or order a

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 5.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 201.

³The Constitution of the Islamic Republic of Pakistan 1973; Article 55 read with Article 127.

Division. For purposes of Division, the members in favour of a motion pass in a single file from the Chamber to the Lobby and record their votes.¹

Notices and Notice Office

Except when otherwise provided by the rules, every notice required by the rules must be given in writing addressed to the Secretary and signed by the member with his name and constituency number. All notices should be delivered in the Notice Office of the Assembly. The said office is kept open on every working day between such hours as may, from time to time, be notified.²

Points of Order

A member may raise a point of order relating to the interpretation or enforcement of the rules or such Articles of the Constitution as regulate the business of the Assembly, and are in the cognizance of the Speaker. A point of order can also be raised in relation to the business before the Assembly at the moment. Ordinarily, no debate is allowed on a point of order, and the decision of the Speaker is final and binding.³

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 208.

² Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 189.

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 209.

Personal Explanation

A member may, with the permission of the Speaker, make a personal explanation, although there is no such question before the Assembly; but, no debate is allowed on it.¹

Expunction of Remarks

If the Speaker is of the opinion that words have been used in a debate which are defamatory, indecent, unparliamentary or undignified, he may, at any time, order that such words be expunged from the proceedings of the Assembly; and, such words do not form part of official record.²

Decisions of the Assembly

The Assembly gives its decision on a motion. A matter requiring the decision of the Assembly is brought forward by means of a question put by the Speaker on a motion moved by a member.³ A motion is a self-contained proposal submitted for the approval of the Assembly and drafted in such a manner as to be capable of expressing a decision of the Assembly. Any other member is entitled to move an amendment in a motion by a member. Unless otherwise provided in the rules, a motion requires at least seven days' notice, and an amendment in a motion, two days' notice.⁴

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 204.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 221.

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 191.

⁴Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 192.

Report of Proceedings

The Assembly Secretariat publishes a report of the *verbatim* proceedings of the Assembly. The report so published is an authentic record of the proceedings of the Assembly and cannot be questioned or challenged on any ground whatsoever.¹

Rulings

The decisions of the Chair on a point of order or otherwise are called '*Rulings of the Chair*'. Unless revised, the said decisions are final and binding.²

Lapse of Business

On the prorogation of a session, all notices other than notices of questions and notices relating to the bills, lapse and fresh notices therefor shall have to be given for the next session. However, on the dissolution of Assembly, all pending business lapses.³

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 219.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 209 (A).

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 226.

CHAPTER-IV

ASSEMBLY BUSINESS

Chapter-IV

Assembly Business

Constitutional Mandate

Under the Constitution–

- (a) the State must exercise its powers and authority through the chosen representatives of the people;
- (b) the executive authority of the Province vests in the Governor and there is a Cabinet of Ministers with the Chief Minister at its head to aid and advise the Governor in the exercise of his functions;
- (c) the Cabinet is collectively responsible to the Provincial Assembly;
- (d) the executive authority of the Province ordinarily extends to the matters with respect to which the Provincial Assembly has power to make laws;
- (e) the Parliament shall have exclusive power to make laws with respect to any matter in the Federal Legislative List;
- (f) The Parliament and a Provincial Assembly shall have power to make laws with respect to criminal law, criminal procedure and evidence. However, a Provincial Assembly shall, and Parliament shall not, have power to make laws with respect to any matter not enumerated in the Federal Legislative List.¹

¹The Constitution of the Islamic Republic of Pakistan 1973 Article 142 (b) (c).

- (g) If any provision of an Act of a Provincial Assembly is repugnant to any provision of an Act of Parliament which Parliament is competent to enact, then the Act of Parliament, whether passed before or after the Act of the Provincial Assembly, shall prevail and the Act of the Provincial Assembly shall, to the extent of the repugnancy, be void.¹
- (h) If one or more Provincial Assemblies pass resolutions urging Parliament to make law to regulate any matter not enumerated in Federal Legislative List, it shall be lawful for the Parliament to pass an Act to regulate that matter accordingly, but any Act so passed may, as respects any Province to which it applies be amended or repealed by Act of the Assembly of that Province.²
- (i) no expenditure from Provincial Consolidated Fund can be made unless it has been authorised by the Provincial Assembly and included in the Schedule of Authorised Expenditure laid in the Assembly;³ and
- (j) Auditor General is required to audit the expenditure made by the Provincial Government, and submit its reports to the Provincial Assembly through the Governor.⁴

¹The Constitution of the Islamic Republic of Pakistan 1973 Article 143.

²The Constitution of the Islamic Republic of Pakistan 1973 Article 144 (1).

³The Constitution of the Islamic Republic of Pakistan 1973 Article 123.

⁴The Constitution of the Islamic Republic of Pakistan 1973 Article 171.

Functions of the Assembly

The above reference, although brief, shows that the Assembly, in addition to making and unmaking the Provincial Government,¹ performs the following functions:

- (a) Overseeing the Government;
- (b) Legislation; and
- (c) Financial Accountability.

(a) Overseeing the Government

Various parliamentary tools have been provided in the Rules of Procedure of the Provincial Assembly of Punjab 1997 for obtaining necessary information about the working of the Government Departments, for overseeing the Government, and for making recommendations on matters of general public importance; *viz.*- Assembly Questions, Call Attention Notices, Adjournment Motions, Resolutions, General Discussion and Zero Hour. A brief account of these parliamentary tools follows.

Questions

Except on a Saturday, a Sunday or a holiday if a sitting is held on such a day, the first hour of every sitting, after *Tilawat*, *Na'at* and the swearing in of members, if any, is reserved for asking and answering questions. However, there is no question hour on certain days; *viz.*- the day fixed for general oath-taking, the day fixed for election of Speaker/Deputy Speaker and Chief Minister, the day fixed for moving of a resolution of confidence in the Chief

¹For details, *see* Chapter-II (Functionaries).

Minister, the days fixed for moving of a resolution of no confidence against the Speaker, the Deputy Speaker or the Chief Minister, the day fixed for address by the Governor, the days fixed for different stages of Budget and the day allocated for consideration of the Finance Bill.¹

Questions are either starred or unstarred. A starred question requires an oral answer. However, an unstarred question is to be replied in writing. A member who desires to ask a starred question, must distinguish it with an asterisk. A member may ask questions after giving notice, in writing, to the Secretary. An ordinary question requires at least fifteen days' prior notice. However, the Speaker, with the consent of the Minister concerned may allow a question to be asked at a short notice. Such a question is called Short Notice Question. A member shall not ask more than two starred questions including short notice questions and five unstarred questions provided that questions postponed or transferred from an earlier date or to another department shall not be included into it. If a member in whose name a question stands is absent, the Speaker may, at the request of any other member, direct that the answer to it be given.² Not more than thirty five starred questions shall be placed on the list of questions for a sitting.

A question addressed to a minister must relate to a matter of public affairs with which he is officially concerned and should not be of undue length. The main purpose of

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 42 (1) (2).

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 52 (1), Rule 55 (3).

questions is to seek information and also to draw attention of the government to public grievances and to get them redressed. After the reply has been read out by the Minister, supplementary questions are allowed to seek clarifications and throw light on different aspects of the question and its reply. Supplementary questions can be asked in respect of any question. The rules also provide for one-hour discussion on a matter of public importance arising out of the answer to a question.¹

A question may be addressed to a private member provided the substance of the question relates to some bill, resolution or other matter connected with the business of the House for which that member is responsible.²

Call Attention Notices

A member may raise a matter of public importance involving law and order through a call attention notice. The notice is in the form of a question and is addressed to the Chief Minister. The notice must be given in writing to the Secretary not less than forty-eight hours before the commencement of the sitting in which it is proposed to be asked. Not more than two questions, to be selected by the Speaker, are included in the list of business for a sitting on every Monday and Thursday. The time for asking and answering such questions is fifteen minutes immediately after the question hour. The Chief Minister, Minister for Law & Parliamentary Affairs or the Minister concerned

¹ Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 61.

² Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 47.

may answer such a notice on the same day or on any other day fixed by the Speaker.¹

Adjournment Motions

A member may move a motion for adjournment of the Assembly to discuss a matter of urgent public importance dealing substantially with one definite issue of recent occurrence. The right to move an adjournment motion is limited by certain conditions mentioned in the rules. The notice of such a motion must be given, in triplicate, to the Secretary not less than one hour before the commencement of the sitting in which it is proposed to be moved. The Speaker decides the admissibility of these notices for moving in the House. The time for discussing adjournment motions is half an hour in a sitting and the motions are taken up in the same order in which they were received. When the Adjournment Motions are taken up in the House, the Minister or the Parliamentary Secretary concerned replies and either it is disposed of or is admitted by the Assembly for discussion. However, a Member shall not move more than one Adjournment Motion in the same sitting and not more than one such motion is admitted on any one day and the rest of the motions are taken up on the next available day. The motion which is admitted is discussed for not more than two hours within three days after leave is granted, on the day fixed by the Speaker.²

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 65.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 80 – 85.

Resolutions

A resolution, on any matter of general public interest, may be moved by a private member on fourteen days' notice and by a Minister, on three days' notice.¹ A resolution is in the form of an expression of the opinion or recommendation or convey a message of the Assembly on one definite issue. It should neither relate to a matter under adjudication in a court, nor should it reflect on the conduct of, the Governor or a Judge of the Supreme Court, or of a High Court.² The admissibility of a resolution is decided by the Speaker.³ It is then brought up on agenda for discussion. When the resolution is taken up in the House, any member or Minister may oppose it. No debate is permissible on a resolution which has not been opposed.⁴ However, in other cases, the time limit for speeches is prescribed by the rules.⁵

If the resolution is passed by the Assembly, a copy thereof shall be forwarded to the Department concerned or, as the case may be, to the Federal Government or the National Assembly.

If the resolution relates to a Department of the Provincial Government, the Department concerned shall, within a period of ninety days from the date of communication of the resolution by the Assembly Secretariat or within

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 115.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 116.

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 118.

⁴Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 124.

⁵Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 123.

extended period of another ninety days by the Speaker, apprise the Assembly of the action taken on the resolution.¹ In case of disagreement the Department will submit detailed report containing reasons.

The Assembly also takes up certain resolutions mentioned in the Constitution; viz.- a resolution disapproving an Ordinance or extending its period for further ninety days² or a resolution authorizing the Parliament to make a law on a subject which is otherwise within the provincial legislative field³ and a resolution authorizing the President for imposition of emergency in the Province if Provincial Government is unable to control internal disturbances⁴.

General Discussion

A Minister or a member may give notice of a motion that any policy or situation may be discussed by the Assembly. The Assembly shall proceed to discuss the motion after the mover has concluded his speech and no question shall be put at the conclusion of the debate unless a Minister or a member, with the consent of the Speaker, moves a substantive motion in appropriate terms in which case a question shall be put. Provided that substantive motion shall be moved immediately after the original motion has been put to the House by the Speaker.⁵

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 126 (2).

²The Constitution of the Islamic Republic of Pakistan 1973 Article 128 (2) (a).

³The Constitution of the Islamic Republic of Pakistan 1973 Article 144 (1)

⁴The Constitution of the Islamic Republic of Pakistan 1973 Article 232 (1)
First Proviso

⁵Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 243.

Zero Hour

In order to facilitate the members to raise issues of urgent public importance a new parliamentary tool was introduced in the Rules of Procedure of the Provincial Assembly of the Punjab, 1997 in February 2016.¹

The last half an hour of every sitting shall be utilized as Zero Hour. Not more than one notice of a Member shall be entertained. The Member shall not speak for more than five minutes while raising the matter. If two or more notices are received for zero hour from two or more Members, the Speaker shall decide the order in which such notices shall be taken up for discussion. A Member may give a notice in writing regarding matters of urgent public importance relating to the government to the Secretary between one hour before the scheduled commencement of a sitting. The Minister or the Parliamentary Secretary concerned may respond to the matter.

(b) Legislation

Powers and Limitations

The Provincial Assembly is empowered to make laws for the Province. It cannot, however, make any law –

- (a) which is repugnant to any provisions of the Constitution;
- (b) which is inconsistent with a federal law; or

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997, Ch.XII-A.

- (c) which violates or contravenes any of the fundamental rights; or
- (d) which is repugnant to the injunctions of Islam as laid down in the Holy Quran and the Sunnah; or
- (e) which is not in consonance with the Principles of Policy.

Acts and Ordinances

A law may be enforced either by an Act of the Assembly or through an Ordinance issued by the Governor. An Ordinance has the same force and effect as an Act of the Assembly and is subject to the same restrictions as are imposed on the powers of the Assembly. Generally speaking, the Assembly has the exclusive jurisdiction to make laws. However, in exigencies when immediate legislation is required and the Assembly is not in session, the Governor may make and promulgate an Ordinance, which may be withdrawn by him at any time. An Ordinance remains in force for a period of ninety days, and is required to be laid before the Assembly. Once so laid, it is treated as a Bill introduced in the Assembly. The Assembly is also competent to extend (for once) the period of Ordinance for further ninety days, and also to disapprove it through a resolution.¹

Bills

A proposal to make or amend a law is brought before the Assembly in the form of a Bill *i.e.* the proposed draft law.

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 128.

A Bill is, in fact, a motion to make a law. A notice of a Bill must contain a statement of objects and reasons signed by a member and if it requires consent of the Government for its introduction, the notice must be accompanied by a request to obtain such consent and Speaker will decide whether the consent is required or not. However, no such statement is required in the case of an Ordinance laid in the Assembly. A Bill with respect to any matter within the Provincial legislative field may, subject to the rules, be introduced in the Assembly.

Government and Private Members Bills

The bills are either Government Bills or Private Members' Bills. Whereas, a Government bill may be introduced as a right by giving notice accompanied by a copy of the bill with a statement of objects and reasons signed by the Minister. A private members' Bill requires at least fifteen days' notice, and can be introduced with the leave of the Assembly. A private members' Bill is taken up on a private members' day *i.e.* Tuesday. A money bill, or a bill or an amendment which if enacted and brought into operation would involve expenditure from the Provincial Consolidated Fund, or withdrawal from the Public Accounts of the Province cannot be introduced or moved in the Assembly except by, or with the consent of, the Provincial Government.

Introduction of a Bill

On introduction, a Bill other than a Bill introduced under clause 3 of Article 128 of Constitution of Islamic Republic

of Pakistan (i.e. an ordinance) is published in the official Gazette, and the Speaker refers it to the Standing Committee concerned with the direction to submit its report by a specified date. However, the Finance Bill is not referred to any Committee. When the report of the Standing Committee on a Bill has been laid in the House and after the expiry of three days, the Bill may be taken into consideration at once or it may be referred to a Select Committee or it may be circulated for eliciting opinion thereon. The Assembly considers the Bill in three stages, normally called the three readings of the Bill.

First Reading of the Bill

On the day fixed for consideration of the Bill, the principles of the Bill and its general provisions may be discussed but the details of the Bill are not discussed further than is necessary to explain its principles. At this stage, the Assembly is required to decide whether or not it wishes to consider the Bill further.

Second Reading of the Bill

At this stage, the Assembly considers a Bill clause by clause. At this stage any member may propose such amendments to the Bill as are within the scope and relevant to the subject matter of the Bill. Each clause separately, or a group of clauses (in which no amendment has been proposed), is put to the vote of the Assembly.

Third Reading of the Bill

After the Assembly has completed the second stage of a Bill and has voted in respect of all the clauses of a Bill, a

motion is moved by the member/minister concerned that the Bill be passed. The Assembly may pass the Bill by a majority of the members present and voting.

Assent and Publication

A Bill passed by the Assembly is submitted to the Governor for assent. When a Bill is assented to by the Governor, the Assembly Secretariat publishes it in the official Gazette as an Act of the Assembly. The Governor, however, may return the Bill, other than a Money Bill, to the Assembly for reconsideration.

(c) Financial Accountability

Mode of Financial Accountability

The Assembly exercises its control over the financial affairs of the Government in two ways; *viz* consideration as well as approval of the budget and consideration of the Reports of the Auditor General of Pakistan.

Pre-Budget Discussion

The Provincial Assembly of the Punjab is the first legislature in Pakistan to include in its Rules provision for pre-budget discussion.

The Minister for Law and Parliamentary Affairs, in consultation with the Finance Minister, shall include, in the list of business, the general discussion seeking proposals of the Members for the next budget in a session of the Assembly which is held during the months of January to March each year. The general discussion on budget proposals shall take place for at least four days during the

session. The Assembly may recommend the proposals to the Government for the next budget on a resolution moved by the Finance Minister after the conclusion of the discussion.¹

Passing of Budget

A Provincial Government is required to lay a statement of the estimated receipts and expenditure of the Provincial Government known as ‘Annual Budget Statement’ for the next financial year before the Assembly. The Budget is presented to the Assembly on such day and at such time as the Governor may appoint. The Finance Minister, or a Minister acting on his behalf, presents the Budget. The Budget is not referred to any Committee, and the Assembly considers it in two stages –

- (a) general discussion on the Budget as a whole; and
- (b) discussion and voting on demands for grants, including voting on motions for reduction, if any.

The Speaker allots separate days for both the stages of the Budget; however, two days must intervene between the presentation of the Budget, and its discussion; and, at least four days must be allotted for general discussion of the Budget. After the general discussion concludes, the second stage of voting on demands reaches. At this stage, each demand is discussed separately. The members may move cut motions in the demands for grants. A cut motion aims at reducing the proposed amount of the grant.

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Ch XV-A, Rule 133-A.

The admissibility of a cut motion is decided by the Speaker. All cut motions in respect of a demand are discussed before the demand is put to vote. On the last day of the days allotted for discussion and voting on the demands for grants, at the time when the sitting is to terminate, the Speaker forthwith puts every question necessary to dispose of all the outstanding matters in connection with the demands for grants. Thus, all outstanding demands for grants are voted upon and passed without discussion. In Parliamentary parlance, this is known as '*guillotine*'. After all the demands have been approved, the Chief Minister authenticates, under his signatures, the Schedule of Authorised Expenditure and the same is laid before the Provincial Assembly.

Supplementary Budget

During a financial year, if it is found that the budgetary allocation for a service is insufficient or that a need has arisen for expenditure on some new service not included in the Budget, the Provincial Government has the power to authorize necessary expenditure in anticipation of the approval of the Assembly. However, the Government is required to lay before the Provincial Assembly a Supplementary/Excess Budget Statement along with the Annual Budget for next financial year. The date for presentation of Supplementary Budget Statement is also fixed by the Governor and the procedure outlined above in respect of the Annual Budget is followed in case of the Supplementary Budget. However, not more than two days

can be allotted for general discussion on the Supplementary Budget.

Reports of the Auditor General

The forms, principles and methods for keeping the accounts of the Provincial Government are prescribed by the Auditor General of Pakistan with the approval of the President. The reports of the Auditor General relating to the accounts of the Province are submitted to the Governor who causes them to be laid before the Provincial Assembly.

The said accounts and audit reports are referred by the Assembly to its Public Accounts Committees for examination and report within a year.

In scrutinizing the said accounts and audit reports, a Public Accounts Committee is bound to satisfy itself that the expenditure has been made according to the authorised appropriation. If any money has been spent on any service during a financial year in excess of the amount granted by the Assembly for that purpose, the Committee examines with reference to the facts of each case the circumstances leading to such excess expenditure and makes such recommendations as it may deem fit. The report of the Public Accounts Committee containing its observations and recommendations on the appropriation accounts and audit paras contained in the audit reports, presented to the Provincial Assembly is sent to the Provincial Government for implementation and follow up action.

CHAPTER-V

COMMITTEES

Chapter-V

Committees

Committee System

The Parliament transacts a great deal of its business through committees. These committees are appointed to deal with specific items of business requiring expert or detailed consideration. The system of parliamentary committees is particularly useful in dealing with matters which, on account of their special or technical nature, or better considered in detail by a small number of members rather than by the entire House itself. Moreover, the system saves the time of the House for the discussion of important matters and prevents the Parliament from getting lost in details and thereby losing hold on matters of policy and broad principles.¹

Chapter XVII (rule 148 to rule 188) of the Rules of Procedure of the Provincial Assembly of the Punjab 1997, provides for the composition, constitution and functions of Standing and other Committees.

The Punjab Assembly has a total of forty-two Standing Committees (a standing committee is that which is constituted for the tenure of the Assembly) and certain other committees. There are following thirty-six Standing Committees for Government Departments:

¹Practice and Procedure of Parliament, by M N Kaul, Chapter XXX, p.729.

Standing Committees for Government Departments

S/N	Name of the Committee
1.	Standing Committee on Agriculture
2.	Standing Committee on Auqaf & Religious Affairs
3.	Standing Committee on Chief Minister's Inspection Team
4.	Standing Committee on Colonies
5.	Standing Committee on Communications & Works
6.	Standing Committee on Cooperatives
7.	Standing Committee on Education
8.	Standing Committee on Environment Protection
9.	Standing Committee on Excise & Taxation
10.	Standing Committee on Finance
11.	Standing Committee on Food
12.	Standing Committee on Forestry, Wildlife and Fisheries
13.	Standing Committee on Health
14.	Standing Committee on Home Affairs
15.	Standing Committee on Housing, Urban Development and Public Health Engineering
16.	Standing Committee on Human Rights
17.	Standing Committee on Industries, Commerce and Investment
18.	Standing Committee on Information and Culture
19.	Standing Committee on Irrigation and Energy
20.	Standing Committee on Labour and Human Resource
21.	Standing Committee on Law
22.	Standing Committee on Literacy & Non-Formal Basic Education
23.	Standing Committee on Livestock & Dairy Development

24.	Standing Committee on Local Government and Community Development
25.	Standing Committee on Management and Professional Development
26.	Standing Committee on Mines and Minerals
27.	Standing Committee on Planning & Development
28.	Standing Committee on Population Welfare
29.	Standing Committee on Revenue, Relief and Consolidation
30.	Standing Committee on Services & General Administration
31.	Standing Committee on Social Welfare & Bait-ul-Maal
32.	Standing Committee on Special Education
33.	Standing Committee on Transport
34.	Standing Committee on Gender Mainstreaming
35.	Standing Committee on Youth Affairs, Sports, Archeology and Tourism
36.	Standing Committee on Zakat & Ushr

Each of these Standing Committees consists of ten members; the Minister and the Parliamentary Secretary concerned are *ex-officio* members of a Committee. The members to the Committees are elected by the Assembly in accordance with the agreement of the Leader of the House and the Leader of the Opposition. In case there is no agreement, the members of each Committee shall be elected by the Assembly according to the principle of proportional representation. A Committee elects its Chairperson from amongst its members. A Committee may, with the approval of the Speaker, appoint a sub-committee

for a specified function arising out of the matter referred to the Committee.

The quorum for the election of the Chairperson of a Committee shall be the majority of the elected members and the quorum for an ordinary sitting of a Committee shall be three elected members.

Other Standing Committees

Besides above thirty-six Standing Committees for Government Departments, the following are six other Standing Committees:

S. No.	Name of the Committee
1.	Public Accounts Committees I
2.	Public Accounts Committees II
3.	Committee On Privileges
4.	Committee On Government Assurances
5.	Library Committee
6.	Finance Committee

Out of these forty-two Committees, Library Committee is nominated by the Speaker and the rest are elected by the Assembly.

Public Accounts Committees I & II

While all the legislatures in Pakistan have one Public Accounts Committee, the Provincial Assembly of the Punjab has two Public Accounts Committees. Each Committee consists of thirteen members¹ to be elected by

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 176 (2).

the Assembly and the Finance Minister is its *ex-officio* member. The Committees deal with the Appropriation Accounts of the Government and the report of the Auditor-General and such other matters as the Assembly or the Speaker or the Finance Minister may refer to them. The quorum for a sitting of Public Accounts Committee shall be four elected members.

Committee on Privileges

The Assembly has a Committee on Privileges. The Committee consists of thirteen members¹ to be elected by the Assembly and the Minister for Law and Parliamentary Affairs is its *ex-officio* member. The Committee examines every question of privilege referred to it and determines with reference to the facts of each case whether a breach of privilege is involved and, if so, the nature of the breach and the circumstances leading to it and make such recommendations as it may deem fit. The quorum for a sitting of Committee on Privileges shall be four elected members.

Committee on Government Assurances

In order to scrutinize the assurances, promises and undertakings given on the floor of the Assembly, by a Minister or a Parliamentary Secretary during the term of the Assembly, it has a Committee on Government Assurances. The Committee consists of ten members² to be elected by the Assembly for its duration. The matters are

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 180 (2).

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 182 (2).

referred to this Committee by the Speaker on the written proposal of a member.

Finance Committee of the Assembly

The expenditure of the Assembly and its Secretariat is controlled by the Assembly on the advice of the Finance Committee. The said Committee consists of the Speaker of the Assembly, the Minister for Finance and seven other members¹ who are elected by the Assembly. The Speaker is the *ex-officio* Chairman of the Finance Committee. The quorum for a meeting of the Committee is the majority of the membership including Speaker or the Finance Minister. The Committee approves the Annual and Supplementary Budget Estimates of the Assembly and its Secretariat, which are respectively included in the Annual Budget Statement and the Supplementary Budget Statement by the Government. The Committee may make recommendations in regard to any financial matter relating to the Assembly or its Secretariat referred to it by the Assembly or the Speaker. The working of the Committee is regulated under the Provincial Assembly of the Punjab Finance Committee Rules 1974.

Library Committee

The Assembly has a Library Committee consisting of Deputy Speaker, who is its *ex-officio* Chairman, and nine other members² to be appointed by the Speaker. The Committee considers and advises on such matters

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 185 (1).

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 183 (1).

concerning the Library of the Assembly as may be referred to it by the Speaker.

Other Committees

The Punjab Assembly has some other Committees namely, Business Advisory Committee, House Committee, Special Committee and Select Committee.

Business Advisory Committee

The Speaker nominates the committee from time to time in consultation with the Leader of the House and the Leader of the Opposition. It consists of not more than twelve members including the Speaker who is its *ex-officio* Chairman¹. The committee ordinarily meets at the commencement of each session to discuss and finalize the agenda for the session. It may also recommend the time that should be allocated for the discussion of the stage or stages of such Government Bills and other business as the Speaker, in consultation with the Leader of the House, may refer to it. The Speaker may assign any other function to the Committee.

House Committee

The House Committee consists of not more than ten members including the Chairman². The Committee and its Chairman are nominated by the Speaker for a term of one year. A member may be re-nominated by the Speaker to the new House Committee. The House Committee deals with

¹ Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 186 (1).

² Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 184 (1).

such questions relating to residential accommodation for members as may, from time to time, be referred to it by the Speaker.

Select Committee

After the report of the Standing Committee on a Bill has been presented to the House and on a day appointed for consideration of the Bill, a member may move that the Bill be referred to a Select Committee.¹ The Minister-in-charge of the Department to which the Bill relates, the Chairperson of the Committee concerned with the Bill, the member-in-charge and the Minister for Law and Parliamentary Affairs shall be included in a Select Committee. The other members of the Committee shall be nominated by the Assembly from amongst its members when a motion that the Bill be referred to a Select Committee is adopted. The Chairperson of the Committee concerned with the Bill shall be the Chairperson of the Select Committee.

Special Committee

The Assembly may, by a motion, appoint a Special Committee which shall have such composition and functions as may be specified in the motion. The Committee shall consist of not more than twelve members excluding the Speaker or a Minister, if any of them is named as a member of the Committee in the motion².

¹ Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 172.

² Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 187 (2).

CHAPTER-VI

CONDUCT OF MEMBERS

Chapter-VI

Conduct of Members

The members are expected to conduct themselves in such a manner as is conducive to the dignity and decorum of the Assembly. They must observe the rules the long established parliamentary conventions and the general rules of social conduct. In short, a member is required –

- (a) to bow to the Chair when entering or leaving the House, and to maintain order and decorum in the House;
- (b) not to read books or newspapers or letters except in connection with the business of the Assembly;
- (c) to remain reasonably silent while someone else is speaking and not to interrupt or disturb any member addressing the Assembly;
- (d) not to pass between the Chair and any member who is speaking;
- (e) to address the Chair and keep to his usual seat while addressing the Assembly;
- (f) not to read his speech;
- (g) not to discuss any matter which is *sub judice* and not to reflect on the President or the Governor in their personal capacity;
- (h) not to discuss or reflect on the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his official duties;
- (i) not to make a personal charge against a member, minister or the holder of a public office, except in so far as it may be relevant in regard to the matter before the Assembly;

- (j) not to obstruct proceedings and not to make running commentaries when speeches are being made in the Assembly;
- (k) not to applaud when a stranger enters any of the Galleries except when a foreign delegation or a foreign dignitary is specially invited to the sitting;
- (l) not to make any reference, in his speech, to a stranger in any of the Galleries, except when a foreign delegation or a foreign dignitary is specially invited to the sitting;
- (m) not to occupy a seat in the Galleries and while in the Chamber not to engage himself in conversation with any visitor in a Gallery;
- (n) not to use a mobile phone in the Chamber;
- (o) to hear the Speaker in silence; and, whenever the Speaker opts to address the Assembly, to resume his seat;
- (p) not to leave his seat while the Speaker is addressing the Assembly;
- (q) not to cast unnecessary reflection on the conduct of any person who cannot defend himself before the Assembly;
- (r) not to be irrelevant and not to indulge in unnecessary and tedious repetition while addressing the House; and
- (s) not to eat or drink in the House.

CHAPTER-VII

PRIVILEGES

Chapter-VII

Privileges

Privileges of the Assembly/Committees

Subject to the Constitution and the Rules of Procedure of the Provincial Assembly of the Punjab 1997, there is freedom of speech in the Assembly and no member is liable to any proceedings in any court in respect of anything said or any vote given by him in the Assembly and no person is so liable in respect of the publication by or under the authority of the Assembly of any report, paper, votes or proceedings.¹ In addition, certain privileges have been enumerated in the Provincial Assembly of the Punjab Privileges Act 1972 and the Rules of Procedure of the Provincial Assembly of the Punjab 1997; viz. –

- (a) The members have been declared as VIPs.²
- (b) Civil or criminal proceedings do not lie against any member by reason of any matter or thing which he may have brought up or given notice of his intention to bring up before the Assembly or any Committee thereof by Bill, Resolution, Motion, Question or otherwise;³
- (c) A member cannot be detained under any provincial law relating to preventive detention or be required to appear in person in any civil or revenue court or commission during a session of the Assembly and

¹The Constitution of the Islamic Republic of Pakistan 1973; Article 66 read with Article 127

²The Provincial Assembly of the Punjab Privileges Act, 1972, section 15.

³The Provincial Assembly of the Punjab Privileges Act, 1972, section 3.

for a period of fourteen days before and fourteen days after the session of the Assembly, and no member of a Committee shall be so detained or required to appear before such Court, during a sitting of the Committee and for a period of three days before and three days after the meeting of the Committee.¹

- (d) If a member is arrested or detained on any criminal charge and the court before which any case relating to such charge is pending against such member is duly informed by the member that he has been summoned to attend any session of the Assembly or a meeting of any Committee thereof, such court shall, if the offence is bailable, release such member on his personal recognizance in sufficient time to enable him to attend the session of the Assembly or a meeting of any Committee thereof as the case may be.²
- (e) No process, civil or criminal, can be served upon a member within the precincts of the Assembly Building except with leave of the Speaker.³
- (f) The salaries and allowances paid or payable to the members under the law are not liable to attachment in execution of a decree under the provisions of the Code of Civil Procedure 1908.⁴
- (g) No action, civil or criminal, lies against any person for removing or excluding by order or authority of the

¹The Provincial Assembly of the Punjab Privileges Act, 1972, section 4.

²The Provincial Assembly of the Punjab Privileges Act, 1972, section 6.

³The Provincial Assembly of the Punjab Privileges Act, 1972, section 7.

⁴The Provincial Assembly of the Punjab Privileges Act, 1972, section 8.

Speaker, any person infringing the rules of procedure or otherwise behaving in a disorderly manner within the precincts of the Assembly.¹

- (h) The Assembly or any Committee thereof may direct any person to appear before the Assembly or the Committee as the case may be and to produce or cause to be produced any paper, book, record or document in the possession or under the control of such person.²
- (i) A member shall be entitled to display on his vehicle, for distinctive appellation, an official plate issued by the Assembly Secretariat. However, on ceasing to hold office, the Member shall surrender the official plate to the Assembly Secretariat within three days.³
- (j) A member shall be exempt from the payment of toll tax levied by the Punjab Government or any local authority in the Province.⁴
- (k) Subject to the availability of accommodation and previous intimation, a member is entitled to accommodation in every circuit house, rest house, dak bungalow maintained by Government or any Local Body under the control of the Government, on payment of such amount as is charged from a

¹The Provincial Assembly of the Punjab Privileges Act, 1972, section 9.

²The Provincial Assembly of the Punjab Privileges Act, 1972, section 10 (1).

³The Provincial Assembly of the Punjab Privileges Act, 1972, section.15-A.

⁴The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act, 1974, Section 12.

touring officer while on duty.¹

- (l) Subject to previous intimation, a member may visit hospitals, dispensaries, social welfare centers, educational institutions for boys located within his constituency.²
- (m) A member is authorized to inspect the jails falling within the district of his constituency within office hours.³
- (n) When a member is arrested on a criminal charge or for a criminal offence or is sentenced to imprisonment by a court or is detained under an executive order, the committing judge, magistrate or executive authority as the case may be, shall immediately intimate such fact to the Speaker, indicating the reasons in the back of the action, and the place where the member is detained or imprisoned.⁴
- (o) When a member is released on bail before or after conviction or is otherwise released, such fact shall be intimated to the Speaker by the authority concerned.⁵
- (p) The Assembly has the privilege to regulate its own procedure, and the validity of the proceedings in the Assembly cannot be called in question on the ground of any irregularity of procedure.⁶

¹The Provincial Assembly of the Punjab Privileges Act, 1972, section.16

²The Provincial Assembly of the Punjab Privileges Act, 1972, section 17.

³The Provincial Assembly of the Punjab Privileges Act, 1972, section 18.

⁴Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 77.

⁵Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 78.

⁶Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 233 (1).

(q) The Assembly has the privilege to act, notwithstanding any vacancy in the membership thereof and no proceedings in the Assembly are invalid by reason only that a person who was disqualified for being or continuing as member, or a person who was otherwise not entitled to do so, was present at or voted or otherwise took part in the proceedings.¹

(r) The unauthorized disclosure of the proceedings or decisions of a secret sitting by any person in any manner has been declared as gross breach of privilege of the Assembly.²

Privilege Motions

The matters of breach of privilege are taken up in the form of a privilege motion. A Member who wishes to raise a question involving a breach of privilege either of a member or of the Assembly or of the Committee thereof, shall give notice in writing to the Secretary not less than one hour before the commencement of the sitting on the day the question is proposed to be raised.³ The privilege

¹The Constitution of the Islamic Republic of Pakistan 1973; Articles 67 and 69 read with Article 127. Also see Rule 233(2) of the Rules of Procedure of the Provincial Assembly of the Punjab, 1997.

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 217.

³Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 69 (1).

motions are taken up after the question hour and the call attention notices, if any. A privilege motion must relate to a specific matter and must be raised at the earliest opportunity and it should be such as requires the intervention of the Assembly. A Minister or the Parliamentary Secretary concerned shall have a right to reply.¹ The Speaker may in consultation with the Minister for Law and Parliamentary affairs, refer any question of privilege to the Committee on privileges for report to the Assembly.²

Limitations

Notwithstanding the privileges mentioned above, all the members are subject to the law of the land, like any other citizen.³ The privileges granted to the members do not aim at raising them above the law. The objective is to facilitate them in the performance of their duties as legislators. While sitting and conducting business in the Chamber, they are bound by the provisions of the Constitution/law, the Rules of Procedure of the Provincial Assembly of the Punjab 1997, and the parliamentary conventions.

¹Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 71 (3).

²Rules of Procedure of the Provincial Assembly of the Punjab, 1997; Rule 74.

³The Constitution of the Islamic Republic of Pakistan 1973; Article 4.

CHAPTER-VIII

SALARY AND ALLOWANCES

Chapter-VIII

Salary and Allowances

The salary, allowances and privileges of the Speaker, Deputy Speaker, Ministers, Advisors and Special Assistants to Chief Minister, Parliamentary Secretaries, Leader of the Opposition and the Members have been determined by the following laws—

- (a) The Punjab Provincial Assembly Speaker (Salary Allowances and Privileges) Act 1975.
- (b) The Punjab Provincial Assembly Deputy Speaker (Salary, Allowances and Privileges) Act 1975
- (c) The Punjab Ministers (Salaries, Allowances and Privileges) Act 1975.
- (d) The Punjab Advisors (Salary, Allowances and Privileges) Ordinance 2002.
- (e) The Punjab Special Assistants (Salary, Allowances and Privileges) Ordinance 2002.
- (f) The Punjab Parliamentary Secretaries (Salary, Allowances and Privileges) Ordinance 2002.
- (g) The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974.

The salary, allowances and privileges admissible to the members under the Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, as amended from time to time are given below:

On monthly basis

a) Salary ¹	Rs.	18,000
b) Office maintenance allowance ²	Rs.	10,000
c) House Rent ³	Rs.	29,000
d) Telephone Allowance ⁴	Rs.	10,000
e) Sumptuary Allowance ⁵	Rs.	10,000
f) Utility Allowances ⁶	Rs.	6,000
Total	Rs.	83,000

The Government shall, by notification, increase the salary in proportion to the increase in the salary of the civil servants. The word “salary” shall include any *ad hoc* relief or special allowance provided to the civil servants of highest grade, having the effect of increase in the basic pay of the civil servants.⁷

In addition to the above, a car is also provided to a Chairperson of a committee during the whole term of his

¹The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 3.

²The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 10-A.

³The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974 Section 7-B (1).

⁴The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974 Section 10.

⁵The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974 10-B.

⁶The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974 Section 7-B (2).

⁷The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974 Section 3 (4).

office. The Chairperson is also allowed Rs. 15000. per month as petrol and maintenance allowance, however, maintenance of the car is entirely his responsibility. He is also allowed to draw a sum of Rs.3, 500 in lieu of driver.

The Leader of the Opposition is entitled to the salary, allowances and privileges as are admissible to a Provincial Minister under the Punjab Ministers (Salaries, Allowances and Privileges) Act, 1975 (XLI of 1975).¹

A sum of Rs. 120,000 per year is paid to each member for purposes of private travel by him.²

Other Allowances for the period of residence on duty

- (a) Accommodation allowance³ Rs: 1500 per day
- (b) Daily allowance⁴ Rs: 1000 per day
- (c) Conveyance allowance⁵ Rs: 600 per day

¹The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 11.

²The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 5-A.

³The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 7-A.

⁴The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 4.

⁵The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 4

Travelling Allowance

This allowance is admissible for the journeys in connection with the sessions of the Assembly or meetings of the Committees. In case of travel by air, the actual business class fare is admissible. In case of travel by train, an amount equal to the fare of the class travelled plus half fare of AC class is reimbursed. However, in case of journey by personal car, a member is paid @ Rs.15 per kilometer.¹

Installation of Telephone

A member is entitled, on government expense, the facility of a telephone at the place where he ordinarily resides, if the installation facility is available at such place.² The installation charges are paid by the Government; however, the payment of monthly bills is the responsibility of the member himself and, for the purpose, he is allowed the telephone allowance.

Medical Facilities

A member, his/her spouse, minor children and unmarried daughters residing with and wholly dependent on him are entitled to free indoor and outdoor medical facilities of the standard admissible to a class one officer.³ A dispensary is allocated in the Assembly Building, under the

¹The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 5.

²The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 10.

³The Punjab Provincial Assembly (Salaries, Allowances and Privileges of Members) Act 1974, Section 8.

administrative control of the Services Hospital Lahore for providing emergent outdoor treatment to the members.

Hostel Accommodation

The Assembly Secretariat or the Government undertakes no liability for providing hostel accommodation to the members for their stay at Lahore in connection with the sessions of the Assembly and meetings of the Committees. However, limited hostel accommodation is available in Pipals House and New MPAs Hostel: 40 rooms in each Hostel. The allotment and occupation of accommodation in the hostels are governed under the Provincial Assembly of the Punjab Hostels Rules 2002. The said rules *inter alia* provide that –

- (a) the allotment will be made on ‘*first come first served basis*’ on an application delivered to the Secretary;¹
- (b) the members elected from the constituencies of Lahore district, or who have their residential accommodation in Lahore or against whom previous dues have been outstanding are not eligible for allotment of hostel accommodation;²
- (c) a member who is allotted hostel accommodation will not be entitled to the accommodation allowance of residence on duty;³
- (d) no rent shall be charged for a single room during the period of residence on duty; however, a sum of Rs.

¹The Provincial Assembly of the Punjab Hostels Rules 2002, Rule 4(5).

²The Provincial Assembly of the Punjab Hostels Rules 2002, Rule 5.

³The Provincial Assembly of the Punjab Hostels Rules 2002, Rule 7(1).

150/- per day shall be charged for a single room and Rs. 250/- for a suite on other days.¹

¹The Provincial Assembly of the Punjab Hostels Rules 2002, Rule 7(2).

CHAPTER-IX

MEMBERS' SUPPORT SERVICES

Chapter-IX

Members' Support Services

Assembly Secretariat

The Punjab Assembly Secretariat is established to provide support services to the Members of the Provincial Assembly of the Punjab. The Assembly Secretariat is composed of three major Divisions: (i) Administration Division, (ii) Security and Maintenance Division; and, (iii) Research and Reference Division. The Senior Secretary Punjab Assembly is the administrative head of this Secretariat. In the performance of his legislative, financial and administrative functions, he is assisted by other supporting staff. The Assembly employees have been working under clear instructions to provide all sorts of lawful assistance to the members, regardless of their party affiliation.

Library

The Punjab Assembly Library is considered as one of the oldest Parliamentary Libraries in the country which was established in 1921. The Punjab Assembly Library has a collection of thousands of items including books, recordings, newspapers, pictures, maps and manuscripts. Serving as a research arm of the provincial legislature, it has a treasure of nearly 60,000 books on various subjects including law, parliamentary practices and debates, history, religion, culture and encyclopedias.

The Library utilizes KOHA Software as a search engine for books and their cataloging. The library catalogue is also available at www.library.pap.gov.pk. A book can be easily searched by its Accession Numbers, Classification Numbers (DDC), Author, Title and Subject, International Standard Book Number (ISBN) or any word. The Punjab Assembly library has successfully completed the process of scanning to preserve the valuable collection of antique books, debates and some other important documents. The Punjab Assembly Library has preserved record of Assembly debates since 1897 in digital format.

The Assembly Library has specialized collection of the proceedings of not only Senate, National Assembly of Pakistan, Provincial Assemblies of Punjab, Sindh, Khyber Pakhtunkhwa and Balochistan but also proceedings of different assemblies of the world e.g. Debates of Indian State Assemblies, Legislative Assembly of India (Pre-independence period), Indian Lok Sabha, British House of Commons and House of Lords; and US Congress. The available material in the library is valuable for the legislators and for their active participation in the legislative process. The mission of our library is to inspire legislative learning, advance knowledge and strengthen parliamentary community. Therefore, the Library supports its users through video films of proceedings of various international Parliaments in order to acquaint legislators with the parliamentary traditions of various democracies of the world.

Resource Center

The Parliamentary Information Technology Resource Center (PITRC) was established in collaboration with US funded Pakistan Legislative Strengthening Project (PLSP-USAID) at New MPAs Hostel. The PITRC is equipped with computers, printers, photocopier, scanner, fax machine and internet to facilitate the members.

Pakistan Institute for Parliamentary Services (PIPS), Satellite Office

Pakistan Institute for Parliamentary Services (PIPS) was established in December 2008 through an Act of Parliament to promote research, provide trainings and information to the Parliamentarians for better performance of their duties.

The PIPS assists national and provincial legislatures in making informed policies by conducting, or commissioning independent research on topical issues, conduct professional development and orientation programs for elected parliamentarians and staff of the National Parliament and Provincial Assemblies. PIPS gathers and organizes data as well as provides complete, accurate, timely and relevant information to facilitate parliamentarians in their day to day work; it also provides technical support and various intellectual and knowledge based resources to parliamentarians.

PIPS has recently established its satellite office in the Punjab Assembly at New MPAs Hostel, in order to facilitate the honorable Members of the Assembly.

Information Technology Services

Internet facility is provided to the Members as well as staff in the Secretariat. Wi-Fi and other Hotspots have been provided for wireless access to the internet. The Members are encouraged to use the facilities and suggest for their improvements. Each Member of the Assembly is also provided with an official email address.

For the security of the Assembly, a state-of-the-art security system has been installed which is being monitored through CCTV.

Website

The Punjab Assembly has a state of the art website www.pap.gov.pk. Necessary information about the Assembly and the Assembly Secretariat is published on it and is updated on regular basis.

The Punjab Assembly is the first legislature of the country to publish on its website the attendance of members attending the sessions. The Punjab Assembly uploads statistical information of business immediately after the conclusion of each sitting. The Punjab Assembly is the only Provincial Assembly to publish the reports of Committees laid and discussed in the House. The Punjab Assembly is the first legislature of Pakistan to start a live webcast of each sitting, and stands apart for actually having an archive of the recordings.

The Punjab Assembly hosts another website which is dedicated exclusively for maintaining the record of laws (www.punjablaws.gov.pk) applicable in the Punjab since

1860 and has a comprehensive search facility for lawyers and general public.

Specialized Services

The Budget and Accounts section makes all necessary arrangements for payment of salaries and allowances to the members; the Maintenance Branch looks after the affairs of Assembly Secretariat, Pipals House and New MPAs Hostel; the Security Branch is responsible for the safety and security of the members, the Assembly Building, Pipals House and New MPAs Hostel. Research and Reference Wing provides services to the members including reference and background material on any matter brought before the House and its standing Committees; produces solid research on Parliamentary Practices and Procedure.

Members Lounge

A comfortable Members' Lounge has been provided both at New MPAs hostel and Pipals House. The Lounge is exclusively reserved for the members (male as well as female). Visitors and journalists shall have no access to the Lounge.

Security and Traffic

The main features of the standing security and traffic arrangement are as under –

- (a) The entry to the premises of the Assembly Building shall be from the Alfalah Building side, and is subject to vehicle search. The exit shall be from the WAPDA House side.

- (b) Members may enter the Assembly building from the main gate.
- (c) The carrying of arms and ammunition in the Assembly Building, even by the members, is prohibited.
- (d) No gunmen, drivers and visitors are allowed to enter the Assembly Building when the Assembly is sitting.
- (e) The inflow of any brief case or baggage or any other article is subject to scan on the X-Ray baggage scanning machine.
- (f) A parking place has been provided on western side of the Assembly building for vehicles of the members.
- (g) No vehicle shall be parked in the courtyard in front of the Assembly Building, except the vehicles of the Chief Minister, the Speaker, the Deputy Speaker, and the Leader of the Opposition.

**IMPORTANT
PARLIAMENTARY
TERMS**

Important Parliamentary Terms

Absolute Majority: more than half the votes of the total membership of the Assembly.

Abstain: to abstain from voting for or against a motion, while present in the House.

Act (of Provincial Assembly): Bill having been passed by the Assembly, assented to by the Governor and published in Punjab Gazette.

Adjournment: to suspend proceedings to another time.

Adjournment Debate: the debate on an Adjournment Motion, if admitted by the House, for not more than two hours on a day fixed by the Speaker.

Adjournment Motion: a motion seeking to adjourn the routine business of the Assembly for the purpose of discussing a definite matter of recent and urgent public importance.

Adjournment of the House: termination of sitting of the House for the following or some later day.

Adjournment *Sine Die*: to suspend the proceedings without fixing a time or date for next meeting, usually culminating into prorogation.

Advocate General: Advocate General of the province who is entitled to sit in the House.

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

Allotment of Days: the Speaker has the authority to allot days for different stages of the budget process.

Amending Act: an Act of Assembly whose sole purpose is to alter existing Act(s).

Amendment: a motion to amend an earlier motion before that earlier motion is put to the Assembly for decision.

Assent: power of the Governor to validate a bill passed by the Assembly.

Ayes and Noes: *Ayes* is used for voting 'yes' and *Noes* for voting 'no' in the Assembly.

Backbenchers: the members other than Ministers, Parliamentary Secretaries, Advisors and Special Assistants.

Bi-cameral: a Parliament consisting of two Houses; e.g. the national parliament of Pakistan is bi-cameral (Senate and National Assembly), while in provinces, it is unicameral.

Bill: a proposal for making a new law or amending an existing one.

Breach of Privilege: disregard of any of the rights and immunities of Members or Assembly/Parliament or of a Committee.

Budget: the statement of the estimated receipts and expenditure of the Government for a fiscal year which the government should lay before Assembly every year; Supplementary Budget is an expenditure statement regarding outgoing fiscal year to provide funds to the Government to meet new or additional expenses in a fiscal year.

Business: any matter which can be brought before the Assembly under the Constitution and the Rules.

By-elections: occurs when a seat in the Assembly becomes vacant during its tenure (i.e. between two general elections) due to death, resignation, unseating or disqualification of a member.

Cabinet: consists of Ministers, with the Chief Minister as its head, to aid and advise the Governor in the exercise of his functions.

Call Attention Notice: a notice through which a special question of public importance involving law and order may be raised.

Casting Vote: a deciding vote used by the Presiding Officer of the Assembly, when the votes on both sides are equal.

Chair: refers to the Presiding Officer at a meeting of the House or a Committee.

Chamber: the place where the Assembly meets to transact its business.

Chief Minister: chief executive of the Province and is a member elected by the majority of the total membership of the Assembly.

Class of Business: business of the House is classified as Government Business or Private Members' Business.

Clause (of a bill): segment of a bill consisting of an individual sentence or statement, once a bill becomes law, its clauses are referred to as 'section'.

Clause-by-Clause Consideration: a stage for consideration of a bill when amendments can be proposed in the clause of the Bill.

Closure: through a motion, a member requests the Speaker to close the debate and put the question.

Committee: group of members who are usually elected by the Assembly for special purpose or subject; there are following categories of committees in the Assembly.

- **Standing Committee** is constituted for the tenure of the Assembly to aid the parent Assembly in discharge of its duties;
- **Select Committee** is constituted to reconsider a Bill cleared by a Standing Committee;
- **Special Committee** is constituted to deal with particular areas or issues.

Constituency: a constituency delimited for a seat of Provincial Assembly under the Delimitation of Constituencies Act, 1974 (XXXIV of 1974).

Constituent: a registered voter in a constituency.

Constitution: the supreme law of the land (Constitution of the Islamic Republic of Pakistan 1973).

Cut Motion: a motion moved by a member to reduce the amount of a demand for grant.

Debate: a discussion in which the arguments for or against a subject are presented in the House according to rules.

Demand for Grants: a proposal made by Minister for Finance to the Provincial Assembly for withdrawal of certain sum out of Provincial Consolidated Fund for expenditure which are granted or deemed to have been granted under Article 122 of the Constitution.

Dissolution: the termination of Assembly, either on the expiry of its five years term or otherwise in accordance with the provision of the Constitution.

Division: a mode of voting by dividing the members into two groups (ayes and noes) in order to reach a decision.

Division Bell: before a Division to take place, the Speaker shall direct that the division bells be rung to enable members not present in the chamber to return to their seats.

Election: the process of choosing a representative through vote.

Ex-Officio Member: refers to a person who, by virtue of an office or position held, is officially attached to a committee as a non-voting member.

Expunction: if the Speaker is of the opinion that the words used in debates are defamatory, indecent, un-parliamentary or un-dignified, he may order expunction of such words from debates, i.e. not to be included in the printed version.

Finance Bill: a bill which may be introduced at the time of presentation of budget to give effect to the financial proposals of the Government for the next financial year, and includes a bill to give effect to supplementary financial proposals for any period.

Fiscal Year: the twelve months period, from July 1 to June 30, used by the Government for budgetary and accounting purposes.

Floor of the House: the part of the Chamber reserved for the Members and the officials of the House.

Galleries: areas in the House set aside for the public, the press and distinguished visitors who wish to watch a sitting.

Gazette: the Punjab Gazette.

General Discussion: a Minister or a member may give notice of a motion that any policy or situation may be discussed by the Assembly.

Guillotine: a provision in the rules which requires that the House reach a decision on a given matter by a particular date or at the end of a specified period of time.

House: *see* 'Chamber'.

In-Camera Sitting: a closed and private session of the Assembly or a Committee with a purpose to keep the proceedings secret.

Leader of House: the Chief Minister or a member designated by the Chief Minister to represent Government and regulate Government business in the Assembly.

Leader of Opposition: a member who is declared as such by the Speaker under Chapter IV-A of Rules of Procedure of the Provincial Assembly of the Punjab, 1997.

Legislation: the process of making a law.

Legislator: member of a legislature.

Legislature: a Assembly, or a Parliament with whatever nomenclature is known.

Limitation of Debate: whenever the debate on any motion in connection with a Bill or on any other motion becomes protracted, the Speaker may, after taking the sense of the Assembly, fix a time limit for the conclusion of discussion on any stage or all stages of the Bill or the motion, as the case may be.

List of Business: commonly known as agenda; a list of different kinds of business which may be taken up during a sitting.

Lobby: covered corridor immediately adjoining the chamber and conterminous with it.

Mace: a large, heavy and richly-ornamented staff which is the symbol of authority of the House; when the Speaker takes the Chair, the mace is placed on the table to signify the House is in session.

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.

Member-in-Charge: in the case of Government Bill, a Minister or a Parliamentary Secretary acting on behalf of the Government, and in the case of a Private Member's Bill, the member who has introduced it or any other member authorized by him in writing to assume charge of the Bill in his absence.

Minister: a Provincial Minister appointed under Article 132 of the Constitution and includes the Chief Minister.

Minutes: the instant written record of a meeting.

Money Bill: a Bill or amendment which if enacted and brought into operation would involve expenditure from the Provincial Consolidated Fund or withdrawal from the Public Account of the Province; the money Bill or amendment, therefore, shall not be introduced or moved in the Provincial Assembly except by or with the consent of the Government.

Motion: a proposal made by a member relating to any matter which may be discussed by the Assembly.

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.

No Confidence Motion: a resolution for the removal of Chief Minister under Article 136 of the Constitution.

Oath of Office: a person elected to the House shall not sit or vote until he has made before the House oath in the form set out in the Third Schedule of the Constitution.

Opposition: the party or parties who do not belong to the governing party.

Out of Order: contrary to the rules of parliamentary procedure, the expression may be applied to motions, bills

or to any intervention which runs contrary to the rules of the House.

Panel of Chairmen: at the commencement of a session, the Speaker nominate, in order of precedence, from amongst members a panel of not more than four Chairmen and in the absence of the Speaker and the Deputy Speaker, the member having precedence amongst those present at the sitting takes the Chair.

Parliament: the parliament of Pakistan consists of the President of the Pakistan and two Houses to be known as the National Assembly and the Senate.

Parliamentary Calendar: a calendar for the proposed sessions of the Assembly during a Parliamentary year.

Parliamentary Secretary: a member appointed as such to assist the Minister in performing his or her functions.

Parliamentary Year: the year starting from the day of first meeting of the Assembly and is repeated likewise every year till its dissolution; the Assembly is required to meet for at least one hundred days during a Parliamentary Year.

Point of Order: a point raised in the House seeking interpretation or enforcement of the rules or such Articles of the Constitution as regulate the business of the Assembly and shall raise a question which is within the cognizance of the Speaker.

Portfolio: the area of responsibility or duties of a Minister in a Government.

Pre Budget Discussion: general discussion to be held in a session of the Assembly which is summoned during the months of January to March each year for seeking proposals of the Members for the next budget.

Preamble: an introductory paragraph of a bill in which the reasons for its introduction are set forth.

Precedent: a Speaker's ruling or a practice of the House taken as a rule for subsequent cases of similar nature, not all decisions and practices constitute precedent.

Precincts of the Assembly: the Assembly building, courtyard and gardens, Committee rooms and includes the hall, members' lobbies, galleries, rooms of the Speaker, the Deputy Speaker, the Ministers and other offices of the Government located in the Assembly building, as well as the offices of the Assembly Secretariat and any other premises which are notified as such for a specified time by the Speaker in the Gazette.

Presiding Officer: in relation to a sitting of the Assembly, means any person who is presiding at that sitting.

Press Gallery: a gallery in the House reserved for accredited members of the media.

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.

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

Prorogation: termination of a session of Assembly.

Provincial Consolidated Fund and Public Account: all revenues received by the Government, all loans raised by that Government, and all moneys received by it in repayment or any loan, shall form part of a consolidated fund, to be known as the Provincial

Consolidated Fund; all other moneys received by or on behalf of the Provincial Government or received by or deposited with the High Court or any other court established under the authority of the Province shall be credited to the Public Account of the Province.

Putting of the Question: question by the presiding officer to a vote.

Question: a parliamentary tool of oversight of the executive; a question may be asked for the purpose of obtaining information on a matter of public concern within the cognizance of the Minister to whom it is addressed; and is categorized as under:

- **Starred Question:** a question for an oral answer.
- **Unstarred Question:** a question for a written answer.
- **Short Notice Question:** a question regarding a matter of urgent public importance given with the consent of the concerned Minister.
- **Supplementary Question:** when a starred question has been answered, any Member may ask such supplementary questions as may be necessary for elucidation of the answer.

Question Hour: the first hour of every routing sitting of the Assembly is reserved for asking and answering of the questions.

Question of Privilege: a member may raise a question involving a breach of privilege either of a member or of the Assembly or of a Committee.

Quorum: the minimum number of members of Assembly ($\frac{1}{4}^{\text{th}}$ of the total membership) necessary to conduct the business of the Assembly.

Quorum Call: to draw the attention of the Presiding Officer to the absence of a quorum.

Readings of Bill: the stage during the passage of a bill; there are a total of three readings as under:

- **First Reading:** the principles of the Bill and its general provisions may be discussed but the details of the Bill are not discussed further than is necessary to explain its principles;
- **Second Reading:** the Assembly considers a Bill clause by clause.
- **Third Reading:** after voting on all the clauses of a Bill is completed, a motion is moved by the member/minister incharge of the Bill for its passage; the Assembly may pass the Bill by a majority of the members present and voting.

Referral to a Committee: committing a bill, a resolution, a question or any other matter to a Committee for study and report.

Report (of a Parliamentary Committee): a written or verbal statement by a Committee to the house about the matter referred to it giving the results of an inquiry, asking for additional powers or returning a bill after consideration, with or without amendments.

Requisitioned Session: a session summoned by the Speaker on a requisition signed by not less than one fourth of the total membership of the Assembly, i.e. 93 members.

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

Roll of Members: a Register which shall be signed in the presence of the Secretary by every member after making the oath.

Rules: the Rules of Procedure of the Provincial Assembly of the Punjab 1997.

Ruling of the Chair: decisions by the Chair on any matter either on the floor of the House or in Speaker's Chamber on a file, which shall be final and shall not be called in question.

Secret Sitting: *see* 'in-camera sitting'.

Secretary: of the Assembly and includes any person for the time being performing the duties of the Secretary.

Sergeant at Arms: is an officer appointed by the Speaker to carry out his order in respect to keep order in the House.

Session: the period commencing on the day of the first sitting of the Assembly after having been summoned and ending on the day the Assembly is prorogued or dissolved.

Simple Majority: *see* 'absolute majority'.

Sitting: a meeting of the Assembly or that of a Committee on a day.

Sub-Committee: a Committee may, with the approval of the Speaker, appoint a sub-committee, for a specified function arising out of the matter referred to the Committee.

Sub-judice: a matter under judicial consideration and therefore prohibited from discussion elsewhere including the Assembly.

Table: the Table of the House on which documents are laid.

Whip: an informal office; refers to a member of a political party in a legislature whose task is to ensure the presence of the members of the party in the House.

Zero Hour: The last half an hour of a sitting is reserved for taking up matters of urgent public importance relating to the government and requiring intervention of the Assembly.