

**RULES OF PROCEDURE  
OF THE  
PROVINCIAL ASSEMBLY  
OF THE PUNJAB  
1997**



**PROVINCIAL ASSEMBLY OF THE PUNJAB  
SECRETARIAT, LAHORE (PAKISTAN)  
2018**

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2018**



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## PREFACE

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The history of Rules of Procedure in the Punjab Legislature in independent state of Pakistan, dates back to the year 1948 when “The West Punjab Legislative Assembly Rules of Procedure (1948)” governed the proceedings of the then West Punjab Legislative Assembly. “The Rules of Procedure of Provincial Assembly of the Punjab 1973” were the first rules under the 1973 Constitution. These rules were made by the Governor, under Article 67, read with Article 127, of the Constitution, to regulate the proceedings of the Punjab Assembly.

In 1997, these rules were substituted by the Rules of Procedure of the Provincial Assembly of the Punjab 1997; this time also made by the Governor of the Punjab under the same provisions of the Constitution. Later, the Punjab Assembly, in its meeting held on 25 June 1997, adopted these rules, with the addition of Chapter XIX pertaining to the method of amendment of the rules.

These rules have been amended from time to time and its revised editions are printed every time substantial changes occur thereto, to facilitate the hon’ble Members of the Assembly as well as the Government functionaries; the last one was published in the year 2016. Since no change has been brought in these rules after 2016 edition, this edition may be rightly called as the reprint of that edition and is hoped to serve, as always, the Members of the Assembly in the performance of their constitutional role in a befitting manner.

**Lahore:**  
1 July 2018

**Rai Mumtaz Hussain Babar**  
Senior Secretary

# **RULES OF PROCEDURE OF THE PROVINCIAL ASSEMBLY OF THE PUNJAB 1997<sup>1</sup>**

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<sup>1</sup>Originally the rules were made by the Governor of the Punjab, pursuant to the powers under Article 67 read with Article 127 of the Constitution of the Islamic Republic of Pakistan *vide* Assembly Secretariat Notification No.PAP/Legis-1(94)/9611, dated 29 January 1997 – see the Punjab Gazette (Extraordinary) dated 29 January 1997, pp.73-130. Later, in its meeting held on 25 June 1997, the Punjab Assembly, under clause (1) of Article 67, read with Article 127, of the Constitution adopted these rules, with the addition of Chapter XIX pertaining to the method of amendment of the rules.

# CHAPTER I

## INTRODUCTORY

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**1. Short title and commencement.**— (1) These rules may be called the Rules of Procedure of the Provincial Assembly of the Punjab 1997.

(2) They shall come into force at once.

**2. Definitions.**— (1) In these rules, unless the context otherwise requires—

(a) “Amendment” means a motion to amend an earlier motion before that earlier motion is put to the Assembly for decision;

(b) “Assembly” means the Provincial Assembly of the Punjab;

(c) “Auditor-General” means the Auditor General of Pakistan appointed under Article 168 of the Constitution;

(d) “Bill” means a motion for making a law;

(e) “Budget” means the Annual Budget Statement within the meaning of Article 120 of the Constitution;

<sup>1</sup>[(f) “Chamber” means the place where the Assembly meets to transact its business and notified by the Speaker as the Chamber;]

(g) “Committee” means a Committee constituted under these rules;

(h) “Constitution” means the Constitution of the Islamic Republic of Pakistan;

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016; pp 3937-44, for the following:

“(f) “Chamber” means the place where the Assembly meets to transact its business;”.

- (i) “Gazette” means the Punjab Gazette;
- (j) “Government” means Government of the Punjab;
- (k) “Governor” means Governor of the Punjab;
- (l) “House” means the Assembly;
- (m) “Leader of the House” means the Chief Minister or a member designated by the Chief Minister to represent Government and regulate Government business in the Assembly;
- <sup>1</sup>[(n) “Leader of Opposition” means a member declared as Leader of Opposition by the Speaker under Chapter IV-A;]
- (o) “Lobby” means the covered corridor immediately adjoining the Chamber and coterminous with it;
- (p) “Member” means a member of the Assembly, and for purposes of moving or opposing a Bill, an amendment, a motion or a resolution, includes a Minister;
- (q) “Member-in-Charge” means, 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 authorised by him in writing to assume charge of the Bill in his absence;
- (r) “Minister” includes the Chief Minister;
- (s) “Mover” means 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

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016; pp 3937-44, for the following:

“(n) “Leader of Opposition” means a member who, in the opinion of the Speaker, is for the time being leader of the majority of the members in the Opposition;”

- or a Parliamentary Secretary acting on behalf of the Government;
- (t) “Motion” means a proposal made by a member relating to any matter which may be discussed by the Assembly;
  - (u) “Precincts of the Assembly” means the Assembly Chamber’s building, courtyard and gardens, Committee rooms appurtenant thereto, 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, and 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;
  - (v) “Presiding Officer”, in relation to a sitting of the Assembly, means any person who is presiding at that sitting;
  - (w) “Private Member” means a member who is not a Minister or a Parliamentary Secretary;
  - (x) “Resolution” means 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;
  - (y) “Schedule” means a Schedule appended to these rules;
  - (z) “Secretary” means Secretary of the Assembly and includes any person for the time being performing the duties of the Secretary<sup>1</sup>;

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<sup>1</sup>In exercise of the powers conferred under rule 235 of the Rules of Procedure of Provincial Assembly of the Punjab 1997, the Speaker directed that the expression “Secretary”, wherever occur in the said Rules, be read as “Senior Secretary”; see Provincial Assembly of the Punjab Notification No. PAP/Estb/E-360/86/1756, dated 9<sup>th</sup> May 2018.

- (aa) “Session” means 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;
- (bb) “Supplementary Budget” means a consolidated statement, to be known as the Supplementary Budget Statement, laid before the Assembly under Article 124 of the Constitution;
- (cc) “Sitting” means a meeting of the Assembly or that of a Committee on a day;
- (dd) “Speaker” means the Speaker of the Assembly and includes the Deputy Speaker and a person for the time being acting as Speaker under the Constitution;
- (ee) “Starred question” means a question for an oral answer;
- (ff) “Table” means the Table of the House; and
- (gg) “Unstarred question” means a question for a written answer.

(2) Words and expressions used but not defined in these rules but defined in the Constitution shall have the same meanings as are assigned to them in the Constitution.

## CHAPTER II

# SUMMONING, PROROGATION, QUORUM, SEATING, OATH AND ROLL OF MEMBERS

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**3. Summoning of the Assembly.**— (1) When the Assembly is summoned, the Secretary shall cause a notification to be published in the Gazette stating the date, time and place of the sitting and shall, as far as practicable, also cause it to be issued to each member.

(2) When the period between the summoning of the Assembly and the date of the Notification on which it is required to meet is of less than ten days, the Secretary shall also cause the particulars referred to in sub-rule (1) to be announced over the Radio and Television and through the Press.

**4. Prorogation of the Assembly.**— When the Assembly is prorogued, the Secretary shall cause a notification to that effect to be published in the Gazette.

**5. Quorum.**— (1) 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.

(2) 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:

Provided that if an evening sitting has already been fixed for the transaction of Government business, the Assembly may be adjourned till the time of the evening sitting.

**6. Oath of members.**– (1) At the first sitting of the Assembly after a general election, the persons elected to the Assembly, who are present shall make, before the Assembly, the oath set out in the Third Schedule to the Constitution.

(2) The sitting held under sub-rule (1) shall be presided over by the outgoing Speaker or, in his absence, by such person as may be nominated by the Governor.

(3) If the person nominated under sub-rule (2) is a member-elect of the Assembly, he will make oath under sub-rule (1) before other persons elected to the Assembly do so.

(4) A person elected to the Assembly, who has not already made the oath under the provisions of sub-rule (1), may do so before the Assembly at any time, subject to the prior intimation to the Speaker or to the Secretary.

**7. Roll of members.**– There shall be a Roll of Members which shall be signed in the presence of the Secretary by every member after making the oath.

**8. Seating of members.**– (1) The members shall sit in the House in such order as the Speaker may determine.

(2) Before the election of the Speaker, the order shall be determined by the outgoing Speaker or, in his absence, by the Secretary.



## **CHAPTER III**

### **SPEAKER, DEPUTY SPEAKER AND PANEL OF CHAIRMEN**

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**9. Election of Speaker.**– (1) At the first sitting of the Assembly following a general election, after the members present have made oath and before the transaction of any other business, the Assembly shall proceed to elect a Speaker by secret ballot in accordance with this rule.

(2) The sitting of the Assembly for the election of the Speaker shall be presided at by the out-going Speaker or, in his absence, by the person nominated by the Governor under sub-rule (2) of rule 6 (hereinafter in this rule referred to as the Presiding Officer).

(3) No member shall preside at the sitting for the election in which he himself is a candidate.

(4) At any time before 5.00 p.m., on the day preceding the day on which the election is to be held, a member may propose another member for election as Speaker by delivering to the Secretary a nomination paper signed by him and accompanied by a statement by the member whose name is proposed that he is willing to serve as Speaker, if elected.

(5) A member who has been nominated may, in writing, withdraw his candidature at any time before the Assembly proceeds to elect a Speaker.

(6) On the day of election, the Presiding Officer shall read out to the Assembly the names of the members who have been duly nominated and have not withdrawn their candidature, as also the names of their proposers, and, if there is only one such member, shall declare that member to have been elected.

(7) Where, after withdrawals, if any, there remain only two candidates for election, a ballot shall be held between

them and the candidate who secures more votes than the other shall be declared to have been elected. If both the candidates secure an equal number of votes, a fresh ballot shall be held between them until one of them secures more votes than the other, and the candidate securing more votes shall be declared to have been elected.

(8) Where, after withdrawals, if any, there remain more than two candidates for election, the candidate obtaining more votes than the aggregate of votes secured by the other candidates shall be declared to have been elected. If no candidate secures more votes than the aggregate votes secured by the other candidates, there shall be a fresh ballot at which the candidate who secured the lowest number of votes at the last ballot shall be excluded from the election, and the balloting shall, in like manner, proceed until one candidate secures more votes than the remaining candidates or, as the case may be, the remaining candidates in the aggregate, and such candidate shall be declared to have been elected.

(9) Where, at any ballot any two of the three or more candidates secure an equal number of votes and one of them has to be excluded from election under sub-rule (8), the question as to which one of such candidates is to be excluded shall be determined by the casting vote of the Presiding Officer if he is an elected member, and, by drawing of lots, in any other case.

(10) The member elected as Speaker shall, before entering upon office, make before the Assembly oath in the form set out in the Third Schedule to the Constitution.

**10. Election of Deputy Speaker.**— (1) Immediately after the election of Speaker, the Assembly shall proceed to elect a Deputy Speaker and the procedure prescribed in rule 9 for the election of Speaker, shall apply to the election of Deputy Speaker as if references therein to Speaker were

references to Deputy Speaker and references to the Presiding Officer were references to Speaker.

(2) A person elected as Deputy Speaker shall, before entering upon office, make before the Assembly oath in the form set out in the Third Schedule to the Constitution.

**11. Vacancy in the office of Speaker or Deputy Speaker.**— (1) Whenever the office of Speaker becomes vacant, the Governor shall fix a date for the election of a new Speaker, if the Assembly is in session, as soon as possible during that session, and if the Assembly is not in session, at the commencement of the next session and the election shall be held in accordance with rule 9.

(2) Whenever the office of the Deputy Speaker becomes vacant, the Speaker shall fix a date for the election of a new Deputy Speaker and the election shall be held as soon as possible, if the Assembly is in session, during that session, and if the Assembly is not in session, at the commencement of the next session and the election shall be held in accordance with rule 10.

**12. Removal of Speaker or Deputy Speaker.**— (1) A member may give to the Secretary notice in writing of a motion for leave to move a resolution under paragraph (c) of clause (7) of Article 53 read with Article 127 of the Constitution for the removal from office of the Speaker or the Deputy Speaker and the Secretary shall forthwith circulate the notice to the members.

(2) The motion for leave to move the resolution shall be entered in the name of the member concerned in the List of Business for the first working day after the expiry of seven days of the receipt of the notice under sub-rule (1).

(3) No other item shall be included in the List of Business for the day fixed for a motion for leave to move a resolution under sub-rule (2).

(4) The Speaker or the Deputy Speaker shall not preside at a sitting of the Assembly when a resolution for his removal is being considered.

(5) Immediately after the motion referred to in sub-rule (2) has been moved, the Presiding Officer shall call such of the members as may be in favour of the leave being granted to rise in their seats and, if at least one-fourth of total membership of the Assembly does not so rise, he shall declare that the member has not the leave of the Assembly, or, if such membership so rises, call upon the member to move the resolution.

(6) Except with the permission of the Presiding Officer, a member shall not speak on the resolution for more than fifteen minutes but the mover of the resolution and the Speaker or, as the case may be, the Deputy Speaker, against whom the motion has been moved, may speak for thirty minutes or for such longer time as the Presiding Officer may permit.

(7) The Assembly shall not be adjourned until the motion for leave is disposed of or, if leave is granted, the resolution has been voted upon.

(8) The voting on the resolution shall be by secret ballot and shall be held in such manner as the Presiding Officer may direct.

(9) If the session during which notice has been given under sub-rule (1) has been summoned by the Speaker in pursuance of clause (3) of Article 54 read with Article 127 of the Constitution, the Assembly shall not be prorogued until the motion has been disposed of or, if leave is granted, the resolution has been voted upon.

(10) The Speaker or, as the case may be, the Deputy Speaker, shall stand removed from office on the resolution being passed by majority of the total membership of the Assembly.

**13. Panel of Chairmen.**– (1) At the commencement of a session, the Speaker shall 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 shall take the Chair.

(2) If at any time at a sitting of the Assembly neither the Speaker nor the Deputy Speaker nor any member on the Panel of Chairmen is present, the Secretary shall so inform the Assembly and the Assembly shall, by a motion, elect one of the members present to preside at the sitting.

**14. Powers and functions of the Speaker.**– (1) In addition to the specific functions and powers provided by these rules and subject to sub-rule (4) of rule 12, the Speaker shall take the Chair at every sitting of the Assembly at the hour to which the Assembly was adjourned at the last sitting or at the hour at which the Assembly has been summoned to meet.

(2) The Speaker shall call the sitting to order.

(3) The Speaker shall preserve order and decorum, shall have all powers necessary for the purpose of enforcing his decisions and, in case of disturbance or disorder in the galleries, may cause them to be cleared.

(4) The Speaker shall decide all points of order.

(5) Subject to sub-rule (4) of rule 12, in the absence of the Speaker, the Deputy Speaker shall take the Chair at a sitting.

**15. Delegation of powers of the Speaker.**– The Speaker may, by an order in writing, delegate to the Deputy Speaker any of his powers under these rules.

**16. Power of the member presiding at a sitting.**– The Presiding Officer shall have the same powers as the Speaker has when presiding at a sitting; and, all references

in these rules to the Speaker shall be deemed to include a reference to the Presiding Officer.

## CHAPTER IV

### CHIEF MINISTER

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#### 1[A – ELECTION

**17. Election of Chief Minister.**– (1) After the election of the Speaker and the Deputy Speaker following a general election, or whenever the office of the Chief Minister falls vacant for any reason, the Assembly shall, to the exclusion of any other business, proceed to elect without debate one of its members as the Chief Minister.

(2) At any time before 5:00 pm preceding the day on which the Chief Minister is to be elected, any member may nominate another member for election as the Chief Minister (hereinafter called ‘the candidate’) by delivering to the Secretary a nomination paper set out in the First Schedule signed by himself as proposer and by another member as seconder, together with a statement signed by the candidate that he consents to the nomination.

(3) The nomination paper in terms of sub-rule (2), may be delivered either by the candidate, or the proposer, or the seconder.

(4) A candidate may be nominated by more than one nomination paper but no member shall subscribe, whether as proposer or seconder, more than one nomination paper at an election.

(5) The Secretary shall endorse under his signature the date and time of the receipt on each nomination paper, shall record it in the register maintained for the purpose, and shall issue an acknowledgement as set out in the First Schedule.

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397; published in the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

(6) If a member has subscribed to more than one nomination paper, the nomination paper delivered to the Secretary prior in time shall be valid and all subsequent nomination papers shall be invalid and shall not be taken into consideration.

**18. Scrutiny.**– (1) The Speaker shall, at 6:00 pm on the day preceding the day of the election or at such other time as he may determine, scrutinize the nomination papers received in terms of rule 17, in the presence of such candidates, their proposers or seconders as may wish to be present.

**Explanation.**– Where the Speaker determines the time for scrutiny of nomination papers other than the time mentioned in this sub-rule, the Secretary shall intimate the candidates, the proposers and the seconders, the time determined by the Speaker for scrutiny of the nomination papers.

(2) The Speaker may reject a nomination paper if he is satisfied that–

(a) the proposer or the seconder or the candidate is not a member;

(b) any provision of rule 17 has not been complied with; or

(c) the signature of the proposer or the seconder or the candidate is forged.

(3) Notwithstanding anything in <sup>1</sup>[sub-rule] (2), the Speaker shall not reject a nomination paper on the ground of any defect which is not of substantial nature and may allow any such defect to be rectified at the time of scrutiny.

(4) The Speaker shall endorse on each nomination paper his decision accepting or rejecting the nomination

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<sup>1</sup>Substituted for the word “clause”; *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016; pp 3937-44.



paper and shall, in case of rejection, record brief reasons for the rejection of a nomination paper.

(5) The rejection of a nomination paper of a candidate shall not invalidate the nomination of the candidate through another valid nomination paper.

(6) The decision of the Speaker, accepting or rejecting a nomination paper, shall be final.

**19. Withdrawal.**— A candidate may withdraw his candidature at any time before the commencement of the election by submitting an application, in writing under his hand, to the Speaker.

**20. Election.**— (1) Before the commencement of the election, the Speaker shall read out to the Assembly the name or names of the candidates validly nominated in the order in which their nomination papers were received and shall proceed to conduct the election in accordance with the procedure prescribed in the Second Schedule.

(2) If there is only one contesting candidate and he secures the votes of the majority of the total membership of the Assembly, the Speaker shall declare him to have been elected as the Chief Minister; but, in case, he does not secure that majority, all proceedings for the election, including nomination of the candidates, shall commence afresh.

(3) If no candidate secures the votes of the majority of the total membership of the Assembly in the first poll, the Speaker shall conduct a second poll between the candidates who secure the two highest numbers of votes in the first poll and shall declare the candidate who secures the majority of votes of the members present and voting to have been elected as Chief Minister:

Provided that if the number of votes secured by two or more candidates securing the highest number of votes is

equal, the Speaker shall hold further polls between them until one of them secures the majority of votes of the members present and voting, and shall declare such candidate to have been elected as the Chief Minister.

**21. Governor to be informed.**– The Speaker shall, as soon as may be, inform the Governor the name of the Chief Minister elected under these rules.]

## B – VOTE OF CONFIDENCE

**22. Vote of confidence in Chief Minister.**– (1) 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 <sup>1</sup>[clause (7)] of Article 130 of the Constitution and the Secretary shall, as soon as may be, circulate the notice to the members.

(2) The notice for moving the resolution under sub-rule (1)–

- (a) shall contain a statement signed by the Chief Minister that he has consented to the moving of the resolution;
- (b) may be given at short notice and its announcement in the House or release to the news media shall be a sufficient circulation for purposes of sub-rule (1); and
- (c) shall be entered in the name of the member concerned by the Secretary in the List of Business, as soon as may be, after the receipt thereof.

**Explanation:**– In this sub-rule, ‘short notice’ includes a notice given on the day on which its consideration is contemplated.

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<sup>1</sup>Substituted for ‘clause (3) or clause (5)’ *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

(3) The resolution may be taken up on any day including a holiday, an off day or a private members' day.

(4) After the resolution has been moved, the Assembly shall not be adjourned on that day until the resolution has been voted upon.

(5) There shall be no debate on the resolution under this rule and voting shall be held in accordance with the provisions of the Second Schedule.

(6) In a sitting fixed for the moving of a resolution mentioned in sub-rule (1), there shall be no business or proceedings other than those relating or consequential to the resolution.

(7) If, on the day fixed by the Governor for obtaining a vote of confidence from the Assembly under <sup>1</sup>[clause (7)] of Article 130 of the Constitution, the Chief Minister refrains from doing so, it shall be deemed that he does not command the confidence of the majority of the members.

(8) The Speaker shall, as soon as may be, inform the Governor the result of the proceedings under this rule.

### **C – VOTE OF NO CONFIDENCE**

**23. Resolution for vote of no confidence against Chief Minister.**– (1) A notice of a resolution under clause (1) of Article 136 shall be given in writing to the Secretary by not less than twenty per centum of the total membership of the Assembly.

(2) The Secretary shall, as soon as may be, circulate the notice to the members.

(3) A notice under sub-rule (1) shall be entered in the name of the members concerned in the List of Business for

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<sup>1</sup>Substituted for 'clause (5)' *vide* Notification No. PAP/Legis-1(27)/08/397; *see* the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

the first working day after the expiry of seven clear days of the receipt of the notice.

<sup>1</sup>[(4) Leave to move the resolution shall be asked for after the commencement of the sitting in terms of sub-rule (3) of rule 24 and before any other business on the List of Business, is taken up.]

(5) When the resolution is moved, the Speaker may, after considering the state of business, allot a day for the voting on the resolution:

Provided that the resolution shall not be voted upon before the expiry of three days, or later than seven days, from the day on which the resolution is moved in the Assembly.

(6) On the day appointed under sub-rule (5), the Speaker shall, without debate, put the resolution to the vote of the Assembly in accordance with the provisions of the Second Schedule and the Assembly shall not be adjourned on that day until the resolution has been voted upon.

(7) There shall be no other business on the day allotted by the Speaker for consideration of, and voting on, the resolution.

(8) The Speaker shall, as soon as may be, inform the Governor of the decision made by the Assembly in respect of the resolution.

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44, for the following:

“(4) Leave, to move the resolution, shall be asked for after the recitation from the Holy Quran, and before any other business entered in the List of Business is taken up.”

## LEADER OF OPPOSITION

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**23A. Declaration of Leader of Opposition.**– (1) Subject to this rule, the Speaker shall declare the Leader of Opposition.

(2) After the election of the Chief Minister consequent to the general elections, or the vacation of office of the Leader of Opposition owing to any cause or on the requisition of majority of the members of the Opposition, the Speaker shall inform the members of the Opposition about the date, time and place for submission of the name for Leader of Opposition.

(3) The Speaker, after verification of the signatures of the members, shall ascertain the majority on the date, time and place fixed for submission of the name of Leader of Opposition and declare the member who commands the majority of the members of the Opposition as Leader of Opposition.

(4) In case a member of the Opposition has signed two or more proposals or he has not signed any proposal, the Speaker may ascertain the signatures of such a member for purposes of declaration of the Leader of Opposition under this rule.

**23B. Removal of Leader of Opposition.**– (1) A notice signed by a majority of the members of the Opposition may be given to the Secretary showing that the Leader of Opposition has lost the support of the majority of the members of the Opposition.

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<sup>1</sup>New Chapter added *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

(2) The name of the proposed Leader of Opposition shall be mentioned in the notice under sub-rule (1).

(3) After verification of the signatures of the members of the Opposition, if the Speaker is satisfied that the Leader of Opposition does not command the majority of the members of Opposition, he shall declare that the Leader of Opposition stands removed.

(4) When the Leader of Opposition is removed, the Speaker shall immediately ascertain the member who commands majority of the members and declare him as the Leader of Opposition.

(5) The Speaker shall follow the procedure contained in rule 23A for ascertainment of the majority under this rule.

**23C. Vacancy in the office of Leader of Opposition.**— Whenever the office of the Leader of Opposition becomes vacant, it shall be filled in the manner provided in rule 23A.]

## CHAPTER V

### SITTINGS OF THE ASSEMBLY, CLASSIFICATION AND ARRANGEMENT OF BUSINESS

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**24. Days and time of sitting.**— (1) The Assembly shall sit on such days as the Speaker, having regard to the state of business of the Assembly, may from time to time direct.

(2) Unless the Speaker otherwise directs, the Assembly shall meet from 9:00 a.m. to 2:00 p.m.<sup>1</sup>

<sup>2</sup>[(3) A sitting of the Assembly shall commence with recitation of verses from the Holy Quran, Urdu translation of the verses and Naat in praise of Hazrat Muhammad (Peace Be Upon Him).]

**25. Adjournment of sitting.**— Subject to these rules, the Speaker may—

- (a) adjourn a sitting of the Assembly, *sine die* or otherwise; and
- (b) if he thinks fit, call a sitting of the Assembly at a time or date different from that to which it was earlier adjourned and the change shall be intimated to the members through announcement on radio, television and newspapers.

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<sup>1</sup>Mr Speaker was pleased to direct that on Fridays, the Assembly shall meet from 9:00 a.m. to 12:30 p.m. – see Notification No.PAP/Legis-1(94)/96/183, dated 24 August 1999, (published in the Punjab Weekly Gazette, dated 8 December 1999, p.873).

<sup>2</sup>Substituted *vide* Notification No.PAP/Legis-1(27)/08/1171, dated 7 August 2008 – see the Punjab Gazette (Extraordinary), dated 16 August 2008, p.231.

**26. Classes of business.**— (1) The business of the Assembly shall be classified as—

- (a) Government business; or
- (b) private members' business.

(2) Government business shall include Bills, resolutions, amendments and other motions introduced or initiated by a Minister.

(3) Private members' business shall include Bills, resolutions, amendments and other motions introduced or initiated by private members.

**27. Allotment of time for transaction of business.**— (1) On Tuesday, no business except the private members' business shall be transacted and on all other days no business other than Government business shall be transacted except with the consent of the Leader of the House or, in his absence, of the Minister for Law and Parliamentary Affairs.

(2) If there is no sitting on Tuesday, private members' business shall have precedence on the next working day.

(3) If any Tuesday is appointed by the Governor for the presentation of the Budget or is allotted by the Speaker for any stage of the Budget referred to in rule 137, a day in lieu of such Tuesday shall be set apart by the Speaker for private members' business.

**28. Arrangement of business.**— (1) The Secretary shall arrange Government business in such order as the Minister for Law and Parliamentary Affairs or, in his absence, any other Minister authorised by him in this behalf, may intimate on behalf of the Government.

(2) Subject to the provisions of sub-rule (3), on a day when private members' business is to be transacted such business shall be taken up in the following order—

- (a) Bills to be introduced;



- (b) resolutions on matters of general public interest;
- (c) Bills which have been introduced; and
- (d) any other motions.

(3) The Speaker may direct that Bills and resolutions may be taken up on separate days and on the day when Bills are so taken up, not more than the first half of the day shall be allowed for Bills to be introduced and the rest of the day for Bills, if any, which have advanced beyond the stage of introduction.

**29. Relative precedence of private members' Bills.**— (1) The relative precedence of private members' Bills shall be determined by ballot.

(2) Unless the House otherwise decides, private members' Bills shall be taken up in the following order—

- (a) Bills to be introduced;
- (b) Bills in respect of which the next stage is that the Bills be passed;
- (c) Bills in respect of which a motion has been carried that the Bill, as reported upon by a Standing or Select Committee, be taken into consideration;
- (d) Bills in respect of which the report of the Standing or the Select Committee has been presented;
- (e) Bills in respect of which the next stage is the presentation of the report of the Standing or the Select Committee; and
- (f) Bills which have been circulated for eliciting public opinion.

(3) The relative precedence of the Bills falling under the same clause of sub-rule (2) shall be determined by ballot.

(4) The ballot under this rule shall be held in accordance with the procedure set out in the Third

Schedule, on such day, not being less than five days before the day with reference to which the ballot is held:

Provided that the Speaker may, from time to time, make such variations in the procedure as he thinks fit.

**30. Precedence of Resolutions.**— (1) The relative precedence of resolutions, the notices of which have been given by the private members and which have been admitted, shall be determined by ballot to be held in accordance with the procedure set out in the Third Schedule, on such day, not being less than five days before the day with reference to which the ballot is held:

Provided that the Speaker may, from time to time, make such variations in the procedure as he thinks fit.

(2) A resolution which does not find place in the ballot shall not lapse but shall be included in the subsequent ballot in the same session.

**31. Precedence of motions.**— The relative precedence of motions under rule 243 shall be determined in accordance with the procedure laid down in rule 30 with the variation that reference in that rule to resolutions shall be deemed as references to motions under rule 243.

**32. List of Business.**— (1) The Secretary shall prepare a List of Business for a sitting, and make a copy thereof available to every member and any other person entitled under the Constitution to speak or otherwise take part in the proceedings of the Assembly.

(2) Save as otherwise provided by these rules—

- (a) the business for the day shall be transacted in the order in which it appears in the List of Business;
- (b) business not included in the List of Business shall not be transacted at a sitting without the leave of the Speaker; and

(c) no business requiring notice shall be set down for a day earlier than the day following the day on which the period of the notice necessary for that class of business expires.

(3) Unless the Speaker otherwise directs, not more than fifteen Bills and not more than five resolutions, excluding any resolution commenced on, and outstanding from, a previous day, shall be set down in the List of Business for a day allotted for the disposal of private members' business.

**33. Business outstanding at the end of the day.**— Subject to these rules, all business fixed for a day and not disposed of before the termination of the sitting on that day shall stand over until the next day available for such class of business or until such other day in the session so available as the member-in-charge of business may desire but private members' business so standing over shall have no priority on such day unless it has been commenced, in which case it shall only have priority over private members' business fixed for such day except the Bills to be introduced.

**<sup>1</sup>[33A. Annual calendar for sessions of the Assembly.**—

(1) After the commencement of each parliamentary year, the Government shall provide a calendar for sessions of the Assembly to the Speaker.

(2) The Secretary shall cause the calendar to be circulated amongst the members.

(3) 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

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<sup>1</sup>New Rules added *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

calendar.

(4) Nothing contained in this rule shall limit the power of the Speaker to summon a requisitioned session of the Assembly to meet at any time under clause (3) of Article 54 read with Article 127.

**33B. Sessions of the Assembly.**– (1) There shall be at least three sessions of the Assembly every year, and not more than one hundred and twenty days shall intervene between the last sitting of the Assembly in one session and the date appointed for its first sitting in the next session.

(2) The Assembly shall meet for not less than one hundred working days in each parliamentary year.]

## CHAPTER VI

### LEAVE OF ABSENCE, RESIGNATION, DEATH AND UNSEATING OF MEMBERS

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**34. Leave of absence from a sitting.**— (1) A member desirous of obtaining leave of absence from a sitting may make an application in writing addressed to the Speaker, stating reasons for his absence.

(2) After the question hour but before the List of Business for the sitting is entered upon, the Secretary shall read out the application to the Assembly and the Speaker shall put the question, without debate, that leave be granted.

(3) Where a member is prevented or incapacitated from making such an application, leave of the Assembly may be granted on an application made by any other member on his behalf.

(4) The Secretary shall, as soon as possible, communicate the decision of the Assembly to the member concerned.

(5) If a member who has been granted leave of absence under these rules, attends the session of the Assembly during the period of which leave of absence has been granted to him, the unexpired portion of the leave from the date of his resumed attendance shall lapse.

**35. Resignation of seat.**— (1) A member may, by writing under his hand addressed to the Speaker, resign his seat.

(2) If—

(a) a member hands over the letter of resignation to the Speaker personally and informs him that the resignation is voluntary and genuine and the

Speaker has no information or knowledge to the contrary; or

- (b) the Speaker receives the letter of resignation by any other means and he, after such inquiry as he thinks fit, either himself or through the Assembly Secretariat or through any other agency, is satisfied that the resignation is voluntary and genuine,—

the Speaker shall inform the Assembly of the resignation:

Provided that if a member resigns his seat, when the Assembly is not in session, the Speaker shall direct that intimation of his resignation specifying the date of resignation be given to every member immediately.

(3) The Secretary shall, after the Speaker satisfies himself that the letter of resignation is voluntary and genuine, cause to be published in the Gazette a notification to the effect that the member has resigned his seat and forward a copy of the notification to the Chief Election Commissioner.

(4) The date of resignation of a member shall be the date specified in writing by which he has resigned or if no date is specified therein the date of receipt of such writing by the Speaker.

**36. Seat becoming vacant.**— (1) If a member has been absent without leave of the Assembly for forty consecutive days of its sittings, the Speaker shall bring the fact to the notice of the Assembly and thereupon any member may move that the seat of the member who has been so absent be declared vacant.

(2) On consideration of the motion moved under sub-rule (1), the Assembly may defer, reject or accept the motion and if the motion is accepted, the seat of the member shall be declared vacant:

Provided that no such motion shall be considered before the expiry of seven days from the date on which the motion was moved.

(3) If the seat of the member is declared vacant, the Secretary shall cause a notification to that effect to be published in the Gazette and forward a copy of the notification to the Chief Election Commissioner.

**37. Attendance register.**— The Secretary shall cause a register or an attendance sheet to be kept showing the attendance of each member at each sitting and shall make the register or, as the case may be, the attendance sheet, available for inspection of the members.

**38. Unseating, disqualification and death of a member.**—

(1) If a member is unseated as a result of an election dispute or becomes disqualified from being a member, the Chief Election Commissioner shall immediately intimate the fact to the Speaker stating the date on which he has been unseated, or as the case may be, disqualified from being a member and on receipt of such intimation, the Speaker shall, as soon as may be, after the expiry of the period of limitation for appeal, inform the Assembly that such member has been unseated or disqualified by the Chief Election Commissioner.

(2) If the Assembly is not in session, the Speaker shall direct that the aforesaid information be given to the members immediately.

(3) In case of the death of a member, the Deputy Commissioner or, as the case may be, the Political Agent concerned shall immediately inform the Speaker and the Secretary shall, as soon as may be, after the Speaker has received intimation of the death of a member, cause to be published in the Gazette a notification stating the name of the member who has died and the date of his death and also forward a copy to the Chief Election Commissioner.





## CHAPTER VII

### GOVERNOR'S ADDRESS

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**39. Governor's address.**— The Governor may address the Assembly and may for that purpose require the attendance of the members by sending an intimation to this effect to the Speaker or, in his absence, to the Secretary.

**40. Inclusion of Governor's address in the List of Business.**— On receipt of intimation mentioned in rule 39, the Speaker or, in his absence, the Secretary shall cause the item "Address by the Governor" to be included in the List of Business for a date and time to be arranged in consultation with the Governor.

**41. Intimation to members about Governor's address.**— The Secretary shall intimate to the members the time and the date on which the Governor has required the attendance of the members for his address.



## CHAPTER VIII

### QUESTIONS

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**42. Time of Questions.**– (1) Except as provided in these rules, the first hour of a sitting, after <sup>1</sup>[commencement of the sitting in terms of sub-rule (3) of rule 24] and the swearing in of members, if any, shall be available for the asking and answering of questions.

(2) There shall be no question hour on –

- (a) <sup>2</sup>[a Saturday, a Sunday] or a holiday if a sitting of the Assembly is held on such a day;
- (b) a day fixed after a general election for making of oath by members generally;
- (c) a day fixed for –
  - (i) the election of the Speaker and the Deputy Speaker;
  - <sup>3</sup>[(ii) the election of the Chief Minister;]
  - (iii) moving, consideration and voting of a resolution for vote of confidence in the Chief Minister;
  - (iv) moving, consideration and voting of a resolution of no confidence in the Speaker, the Deputy Speaker or the Chief Minister;

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<sup>1</sup>Substituted for “the recitation from the Holy Quran”; *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

<sup>2</sup>Substituted for the words “a Friday, a Saturday” *vide* Notification No.PAP/Legis-1(94)/96/124, dated 26 December 1997 – *see* the Punjab Gazette (Extraordinary), dated 27 December 1997, p.2118.

<sup>3</sup>Substituted for “(ii) the ascertainment for the purpose of clause (2A) of Article 130 of the Constitution”; *vide* Notification No. PAP/Legis-1(27)/08/397 – *see* the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

- (v) address by the Governor;
- (vi) discussion on the Budget or the Supplementary Budget or for voting on demands for grants relating to the Budget or the Supplementary Budget; and
- (vii) consideration and passage of the Finance Bill.

**43. Notice of Questions.**— Not less than fifteen clear days' notice of a question shall be given unless the Speaker, with the consent of the Minister concerned, allows a question to be asked at shorter notice:

Provided that if the consent of the Minister is not received within seven days from the receipt of the communication, the Speaker may admit a short notice question if he is satisfied that it is a matter of urgent public importance.

**44. Short notice Questions.**— Questions at short notice shall ordinarily be answered at the commencement of the question hour:

Provided that—

- (i) a member shall not ask more than one short notice question in a sitting; and
- (ii) a short notice question shall not be asked to anticipate a question of which notice has already been given.

**45. Form of notice of Question.**— (1) A separate notice of every question shall be given in writing to the Secretary and shall specify the official designation of the Minister to whom it is addressed, or if the question is addressed to a private member, the name of that member.

(2) A member, who desires to ask a starred question, shall distinguish it with an asterisk.

(3) If, in the opinion of the Speaker, any starred question is of such a nature that a written reply would be more appropriate, he may direct that such question be placed on the List of Unstarred Questions.

**46. Subject matter of Questions.**— (1) Subject to the provisions of these rules, a question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the Minister to whom it is addressed.

(2) A question addressed to a Minister shall relate to the public affairs with which he is officially connected, or to a matter of administration for which he is responsible.

(3) The questions relating to a Department for which there is no Minister shall be addressed to the Minister for Law and Parliamentary Affairs.

**47. Questions to Private Members.**— A question may be addressed to a private member provided the subject-matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which that member is responsible, and the procedure in regard to such question shall, as far as may be, the same as that followed in the case of a question addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

**48. Admissibility of Questions.**— In order that a question may be admissible, it must satisfy the following conditions; namely—

- (a) it shall not bring in any name or statement not strictly necessary to make the question intelligible;
- (b) if it contains a statement, the member shall make himself responsible for the accuracy of the statement;

- (c) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (d) it shall not ask for an expression of opinion on or the solution of an abstract legal question or a hypothetical proposition;
- (e) it shall neither refer to the character or conduct of any person except in his official or public capacity nor to the character or conduct which can be challenged only on a substantive motion;
- (f) it shall not be of excessive length;
- (g) it shall not relate to a matter which is not primarily the concern of the Government;
- (h) it shall not ask for information on any matter under the control of bodies or persons not primarily responsible to the Government, except where the Government has financial interests in such bodies or persons;
- (i) it shall not ask for information on matters under the consideration of a Committee, nor shall it ask about the proceedings of the Committee, unless such proceedings have been placed before the Assembly by a report of the Committee;
- (j) it shall not make or imply a charge of a personal character;
- (k) it shall not raise questions of policy too large to be dealt within the limits of an answer to a question;
- (l) it shall not repeat in substance any question already answered;
- (m) it shall not be trivial, vexatious, vague or meaningless;
- (n) it shall not ask for information contained in documents easily accessible to the public or in ordinary works of reference;

- (o) it shall not contain references to newspapers by name and shall not ask whether statements in the Press or by private individuals or by non-official bodies are accurate;
- (p) it shall not ask for information regarding Cabinet discussions or any advice given to the Governor, or in relation to any matter in respect of which there is constitutional or statutory obligation not to disclose information;
- (q) it shall not—
  - (i) contain any reflection on the conduct of the Governor or a Judge of the Supreme Court or of a High Court;
  - (ii) contain any criticism of the decisions of the Assembly;
  - (iii) ordinarily ask for information or matter of past history;
  - (iv) seek information about matters which are in their nature secret or sensitive;
  - (v) contain any reflection on a decision of a court of law or statutory tribunal established in Pakistan or such remarks as are likely to prejudice a matter which is *sub-judice*;
  - (vi) relate to a matter which is *sub-judice*; and
  - (vii) refer discourteously to a foreign country.

**49. Speaker to decide admissibility of Questions.**— The Speaker shall decide the admissibility of a question and shall disallow any question or a part thereof which, in his opinion, is in contravention of these rules, or he may, in his discretion, amend its form.

**50. Notice of admission of Questions.**— A question shall not be placed on the List of Questions for answer until eight clear days have expired from the day on which the notice of

the admission of the question by the Speaker was given by the Secretary to the Minister, or the member to whom it is addressed.

**51. Allotment of days for Questions.**— The time for answering questions shall be allotted in rotation on different days for the answering of questions relating to such Department or Departments of the Government as the Speaker may, from time to time, specify and on such day only questions relating to the Department or Departments for which time on that day has been allotted, and questions addressed to private members, shall be placed on the List of Questions for answers.

**52. Number of Questions for a sitting.**— (1) Not more than two starred questions including short notice questions and five unstarred questions from the same member shall be placed on the List of Questions for a sitting:

Provided that nothing in this rule shall apply to a question postponed or transferred from an earlier date or to another department.

(2) Not more than thirty-five starred questions shall be placed on the List of Questions for a sitting and the remaining questions mature for answers, if any, shall be taken over to the next day allotted for the Department concerned.

(3) The questions shall be placed on the List of Questions in the order in which their notices are received, but a member may, by notice in writing given at any time before the sitting for which his question has been placed on the said List, withdraw his question.

**53. List of Questions.**— Questions which have not been disallowed shall be entered in the List of Questions for the day and the answers, if received from the Minister concerned not later than forty-eight hours before the commencement of the



question hour on the day on which the questions are set down in the List, shall be entered along with it, and shall be called in order in which they stand in the List unless the Speaker changes that order with the leave of the Assembly.

**54. Delay as to answers.**— (1) If the Minister or the Parliamentary Secretary concerned is not ready with the answer to a question or if the answer to a question has not been received within the time prescribed in <sup>1</sup>[rule 53], the Minister or the Parliamentary Secretary concerned shall state, in the House, the reasons therefor.

(2) If the Speaker is satisfied that it was beyond the control of the Minister or the Parliamentary Secretary concerned to have been ready with the answer, the question shall be put for answer on the next day allotted for that Department.

(3) The Speaker may direct that the Minister concerned shall enquire into the matter and report the result of the inquiry, including the action taken, if any, to the House on the next day allotted for that Department.

**55. Mode of asking Questions and answering.**— (1) At the time of asking questions, the Speaker shall call successively each member in whose name a starred question appears in the List of Questions.

(2) The member so called shall rise in his place and, unless he states that it is not his intention to ask the question standing in his name, he shall ask the question by reference to its number on the List of Questions.

(3) If, on a question being called, it is not put or the member in whose name it stands is absent, the Speaker

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<sup>1</sup>Substituted for “sub-rule (1)”; *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016; pp 3937-44.

may, at the request of any other member, direct that the answer to it be given.

(4) The questions shall be answered by the Minister or the Parliamentary Secretary concerned.

**56. Supplementary Questions.**— When a starred question has been answered, any member may ask such supplementary questions as may be necessary for the elucidation of the answer, but the Speaker shall disallow a supplementary question which, in his opinion, either infringes any provision of these rules relating to the subject matter and admissibility of questions or is otherwise an abuse of the right of asking questions.

**57. Written answers to Questions not replied orally.**— If any starred question placed on the List of Questions for answer on any day is not called for answer within the time available for answering questions on that day, the answer already supplied by the Minister concerned shall be laid on the Table by the Minister or the Parliamentary Secretary concerned or the member to whom the question is addressed and no oral answer shall be required for such a question nor shall any supplementary question be asked in respect thereof.

**58. Prohibition of discussion on Questions or answers.**— There shall be no discussion on any question or answer except as provided by rule 61.

**59. Questions relating to the Secretariat of the Assembly.**— Questions relating to the Secretariat of the Assembly including the conduct of its officers, may be asked of the Speaker by means of a private communication and not otherwise.

**60. No publicity of answers to Questions in advance.**— Answers to questions which Ministers propose to give in the Assembly shall not be released for publication until the answers have actually been given on the floor of the Assembly or laid on the Table.

**61. Discussion on a matter of public importance arising out of answer to a Question.**— (1) On every <sup>1</sup>[Wednesday], the Speaker may, on two clear days notice being given by a member, allot one hour for discussion on a matter of sufficient public importance which has during the last week been the subject of a question, starred or unstarred:

Provided that the Speaker may extend the time of sitting for that day by an hour.

(2) Such notices shall be considered by the Speaker in the order in which they have been received, and when one such notice is admitted all other notices shall lapse.

(3) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion, but he may not admit a notice which, in his opinion, seeks to revise the policy of the Government.

(4) There shall be no voting nor any formal motion in the course of or at the conclusion of such discussion.

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<sup>1</sup>Substituted for the word “Sunday”, *vide* Notification No.PAP/Legis-1(94)/96/124, dated 26 December 1997 – *see* the Punjab Gazette (Extraordinary), dated 27 December 1997, p.2118.



## CHAPTER IX

### CALLING ATTENTION

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**62. Procedure regarding calling attention.**— (1) A member may, with the consent of the Speaker, call the attention of the Chief Minister to any matter involving the law and order situation in the Province, through a 'Call Attention Notice'.

**Explanation.**— 'Call Attention Notice' means a notice by which a special question of public importance involving law and order may be raised.

(2) The 'Call Attention Notice' shall be in the form of a question addressed to the Chief Minister and shall be given in writing to the Secretary not less than forty-eight hours before the commencement of the sitting on the day on which it is proposed to be fixed.

**63. Admissibility.**— (1) A question under rule 62 shall not be admissible unless—

(a) it relates to a definite matter of recent and urgent public importance; and

(b) it satisfies the conditions mentioned in rule 48.

(2) A member shall not ask more than one such question in a sitting.

**64. Time of calling attention.**— (1) The notice shall be included in the List of Business on every Monday and Thursday, in such order as may be determined by the Speaker, in view of the public importance of the question raised thereby.

(2) The time for asking and answering such questions shall be fifteen minutes immediately after the question hour.

(3) Not more than two such questions shall be included

in the List of Business for a sitting.

(4) The Speaker may change the day or the time or both for asking a question.

(5) A question shall not be asked on the days mentioned in sub-rule (2) of rule 42.

**65. Mode of raising the question.**– Upon being asked by the Speaker, the member concerned may raise the question and the <sup>1</sup>[Chief Minister <sup>2</sup>], Minister for Law and Parliamentary Affairs] or the Minister concerned] may answer the question on the same day or on any other day fixed by the Speaker.

**66. Restriction on debate.**– (1) There shall be no debate on such questions or answers.

(2) When the question has been answered, any member may ask such supplementary questions as may be necessary for the elucidation of the answers but the Speaker shall disallow a supplementary question which, in his opinion, infringes any provision of the rules relating to the subject matter and admissibility of such questions or otherwise is an abuse of the right of asking such question.

**67. Notices to lapse.**– All notices of questions which are not included in the List of Business on a day immediately following the said notice shall lapse, and notices which, although brought on the agenda, are not disposed of because of expiry of time fixed for the purpose shall also lapse:

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<sup>1</sup>Substituted for the words “Chief Minister”, *vide* Notification No.PAP-Legis-1(43)/97/72, dated 11 June 1997 – *see* the Punjab Gazette (Extraordinary), dated 16 June 1997, p.836.

<sup>2</sup>New words inserted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

Provided that the questions brought on the List of Business for which the Speaker fixes another day, either himself or on the request of the <sup>1</sup>[Chief Minister or the Minister concerned], shall not lapse.

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<sup>1</sup>Substituted for the words "Chief Minister" *vide* Notification No.PAP-Legis-1(43)/97/72, dated 11 June 1997 – *see* the Punjab Gazette (Extraordinary), dated 16 June 1997, p.836.





## CHAPTER X

### PRIVILEGES

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**68. Question of privilege.**— A member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member or of the Assembly or of a Committee.

**69. Notice of question of privilege.**— (1) A member wishing to raise a question of privilege 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.

(2) If the question raised is based on a document, the notice shall be accompanied by the document.

(3) The Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions.

**70. Conditions of admissibility of question of privilege.**— The right to raise a question of privilege shall be governed by the following conditions; namely—

- (a) the question shall relate to a privilege granted by the Constitution, the law or the rules made under any law;
- (b) not more than one question shall be raised by the same member at the same sitting;
- (c) the question shall relate to a specific matter and shall be raised at the earliest opportunity;
- (d) the matter shall be such as requires the intervention of the Assembly; and
- (e) the question shall not reflect on the personal conduct of the Governor.

**71. Mode of raising a question of privilege.**– (1) Where a notice raising a question of privilege has been admitted, the Speaker shall, after the disposal of questions, if any, and before other business on the List of Business is entered upon, call upon the member who gave the notice and thereupon the member shall raise the question of privilege and make a short statement relevant thereto.

(2) Where a member is allowed to raise a question of privilege during the course of a sitting under the sub-rule (3) of rule 69, he shall raise the question immediately on his being allowed to do so, or at such other time as the Speaker may direct.

(3) A Minister or the Parliamentary Secretary concerned shall have a right to reply.

**72. Precedence of question of privilege.**– A question of privilege shall have precedence over adjournment motions.

**73. Consideration by the Assembly or reference to the Committee.**– If the Speaker holds the motion to be in order, the Assembly may consider and decide a question of privilege or may, on a motion either by the member who raised the question or by any other member, refer it for report to the Committee on Privileges.

**[74. Reference by the Speaker.**– Notwithstanding anything contained in these rules, the Speaker may, in

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44, for the following:

“**74. Reference by the Speaker.**– Notwithstanding anything contained in these rules, the Speaker may refer any question of privilege to the Committee on Privileges for examination, investigation and report.”

consultation with the Minister for Law and Parliamentary Affairs, refer any question of privilege to the Committee on Privileges for report to the Assembly.]

**75. Consideration of the report of the Committee.**— (1) After the report has been presented, a member may move that the report be taken into consideration whereupon the Speaker may put the question to the Assembly.

(2) A member may move an amendment that the matter be recommitted to the Committee for examination of a point or points which may have been left out of consideration by the Committee.

(3) The Assembly may agree with the report, with or without amendments, or may disagree with it and may itself decide the question of privilege.

**76. Priority for consideration.**— A motion that the report of the Committee on Privileges be taken into consideration shall be accorded the priority assigned to a matter of privilege and when a date has already been fixed for the consideration of the report, it shall be given priority as a matter of privilege on the day so appointed.

**77. Intimation to Speaker by Magistrate, and others, of arrest, detention, etc. of members.**— 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 for the arrest, detention or conviction, as the case may be, as also the place of detention or imprisonment of the member in the appropriate form set out in the Fourth Schedule.

**78. Intimation to the Speaker on release of members.**— 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 in the appropriate form set out in the Fourth Schedule.

**79. Treatment of communications received from Magistrates, etc.**— As soon as may be, after the Speaker has received a communication referred to in rule 77 or rule 78, he shall read it out in the Assembly if it is in session or, if the Assembly is not in session, direct that it may be circulated for the information of the members.

## CHAPTER XI

### ADJOURNMENT MOTIONS

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**80. Speaker's consent.**— Subject to the provisions of these rules, a motion for an adjournment of the business of the House for the purpose of discussion on a definite matter of urgent public importance may be made with the consent of the Speaker.

**81. Notice of a motion.**— The notice of a motion under rule 80, explaining the matter proposed to be discussed, shall be given in writing, in triplicate, to the Secretary not less than one hour before the commencement of the sitting in which the motion is proposed to be moved, and the Secretary shall thereupon bring the notice to the knowledge of the Speaker, the Minister for Law and Parliamentary Affairs and the Minister concerned.

**82. Restrictions on right to make adjournment motion.**— Notwithstanding anything in these rules, not more than one such motion shall be admitted on any one day but motions, if any, remaining unconsidered as regards their admissibility shall be held over for the next day and shall be taken up in the same order in which they were received, but before the motions of which notices are received subsequently.

**83. Conditions of Admissibility of a motion.**— A motion shall not be admissible unless it satisfies the following conditions; namely—

- (a) it shall raise an issue of urgent public importance;
- (b) it shall relate substantially to one definite issue;
- (c) it shall be restricted to a matter of recent occurrence;
- (d) it shall not repeat in substance motions for which

- consent has been refused by the Speaker or which have been found to be inadmissible or for which leave has been refused by the House or which have already been discussed by the Assembly;
- (e) it shall not anticipate a matter for the consideration of which a date has been previously appointed;
  - (f) it shall relate to a matter which is primarily the concern of the Government or a statutory body under the control of the Government or to a matter in which the Government have a substantial financial interest;
  - (g) it shall not contain arguments, inferences, ironical expressions or defamatory statements;
  - (h) it shall not refer to the conduct or character of a person except in his official or public capacity;
  - (i) it shall not deal with a matter in respect of which a resolution could not be moved;
  - (j) it shall not relate to a matter of privilege;
  - (k) it shall not deal with a hypothetical case;
  - (l) it shall not relate to a matter which can only be remedied by legislation;
  - (m) it shall not raise discussion which is detrimental to the public interest;
  - (n) it shall not deal with any matter which is *sub-judice*; and
  - (o) it shall not be moved on a day –
    - (i) fixed for general discussion of the Budget or the Supplementary Budget;
    - (ii) fixed for consideration or passage of the Finance Bill;
    - (iii) fixed after general election for making of oath by members generally;
    - (iv) fixed for the election of the Speaker and the Deputy Speaker;
    - (v) fixed for moving of a resolution for vote of confidence in the Chief Minister;

- <sup>1</sup>[(vi) fixed for the election of the Chief Minister;]  
(vii) fixed for moving or consideration and voting of a resolution of no-confidence in the Speaker, the Deputy Speaker and the Chief Minister; and  
(viii) fixed for address by the Governor.

**84. Asking leave for a motion.**— The leave to make a motion for adjournment shall be asked for only by the member who has given notice thereof after questions and privilege motions, if any, and before the List of Business is entered upon.

<sup>2</sup>**[84A. Number of motions and mode of reply.**— (1) A member shall not move more than one motion for adjournment during a sitting but that condition shall not apply to a motion moved in an earlier sitting and pended for reply on the request of the Minister or the Parliamentary Secretary concerned.

(2) After a motion for adjournment is moved or on any subsequent sitting to which the motion is pended, the Minister or the Parliamentary Secretary concerned shall reply the motion.]

**85. Procedure.**— (1) If the Speaker is of the opinion that the matter proposed to be discussed is in order, he shall read the statement to the Assembly and ask whether the member has the leave of the Assembly to make the

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69 for the following:

“(vi) fixed for the ascertainment under clause (2A) of Article 130 of the Constitution;”.

<sup>2</sup>New rule inserted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

adjournment motion and if objection is taken, he shall request such of the members as may be in favour of leave being granted to rise in their seats.

(2) If members less than one-sixth of the total membership of the Assembly rise in their seats, the Speaker shall inform the member that he has not the leave of the Assembly.

(3) If members not less than one-sixth of the total membership of the Assembly so rise, the Speaker shall announce that leave is granted and the motion shall be taken up for discussion in the same session for not more than two hours on such day, as soon as possible, within three days after the leave is granted, as the Speaker may fix:

Provided that the Speaker may of his own or on a motion made by a member extend the sitting of the Assembly on such day by two hours.

**86. Time limit for determination of admissibility.**— In a sitting, the aggregate time for the asking of leave under rule 84 and the granting or withholding of leave under rule 85, shall not exceed half an hour.

**87. Question to be put.**— On a motion to adjourn for the purpose of discussing a definite matter of recent and urgent public importance, the only question that may be put shall be “that the Assembly do now adjourn”, but no such question shall be put after the time for the discussion of the motion has expired.

**88. Time limit for speeches.**— A speech during the debate on a motion for adjournment shall not exceed ten minutes in duration:

Provided that the mover and the Minister or Parliamentary Secretary concerned may speak for twenty minutes each.



## CHAPTER XII

### LEGISLATION

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#### PART-I – INTRODUCTION OF BILLS

##### A – PRIVATE MEMBERS' BILLS

**89. Notice of private members' Bills.**– (1) Subject to sub-rule (2), a private member may move for leave to introduce a Bill after giving to the Secretary fifteen days' written notice of his intention to do so.

(2) The Speaker may admit a Bill at a shorter notice.

<sup>1</sup>[(3) The notice shall be accompanied by a copy of the Bill together with a statement of objects and reasons, signed by the member, and if the Bill is a Bill that, under the Constitution, requires consent of the Government for its introduction, the notice shall also be accompanied by a request that such consent may be obtained.]

<sup>2</sup>[(4) If a Bill is accompanied by a request under sub-rule (3), the Secretary shall cause a copy of the Bill to be transmitted to the Department concerned for obtaining orders of the Government thereon, and shall, on receipt of such orders, communicate the same to the member concerned.]

<sup>3</sup>[(5) If a question arises whether or not a Bill or an amendment of a Bill requires the consent of the Government, the question shall be decided by the Speaker, and his decision shall be final.]

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

<sup>2</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

<sup>3</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397– see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

(6) The Speaker may disallow a Bill if in his opinion it cannot be introduced in the Assembly or is otherwise not in order.

**90. Introduction of private members' Bills.**– (1) Motions for leave to introduce private members' Bills, which have been admitted by the Speaker, shall be set down in the List of Business for a day meant for private members' business.

(2) A motion for leave to introduce a private member's Bill shall not be made if a similar Bill of another private member has been introduced and is pending decision by the Assembly or if a motion for leave to introduce a similar Bill has been refused in the same session.

(3) If a motion for leave to introduce a private member's Bill is opposed, the Speaker, after permitting, if he so thinks fit, a brief explanatory statement by the member seeking leave and by the member or the Minister opposing it, may without further debate put the question.

(4) If leave is granted, the member-in-charge shall move forthwith to introduce the Bill, and on the motion being made, the Bill shall stand introduced.

## **B – GOVERNMENT BILLS**

**91. Notice of Government Bills.**– (1) A Minister may introduce a Bill after giving to the Secretary a written notice of his intention to do so.

<sup>1</sup>[(2) The notice shall be accompanied by a copy of the Bill together with a statement of objects and reasons, signed by the Minister.]

<sup>2</sup>[(3) \* \* \* \* \*]

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

<sup>2</sup>Omitted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

(4) The introduction of a Bill, other than the Bill which stands introduced under clause (3) of Article 128 of the Constitution, shall ordinarily be included in the List of Business for a day meant for Government business.

(5) When the item is called, the member-in-charge shall move to introduce the Bill and on the motion being made, the Bill shall stand introduced.

<sup>1</sup>[(6) An Ordinance laid before the Assembly under clause (2) of Article 128 of the Constitution shall be deemed to be a Bill introduced in the Assembly on the day it is so laid.]

(7) A statement of objects and reasons shall not be required for a Bill which stands introduced under clause (3) of Article 128 of the Constitution.

(8) The Secretary shall make such adaptations in an Ordinance as are necessary to convert it into a Bill and shall, unless otherwise required by the member-in-charge, include in the Ordinance so adapted, a clause repealing the Ordinance.

**92. Bills received from Parliament.**— (1) When a Bill passed by the Parliament for the amendment of the Constitution is received by the Assembly, the Secretary shall circulate the Bill to the members and shall also forward its copies to the Minister for Law and Parliamentary Affairs and the Minister-in-charge of the Bill.

(2) A Minister or a member may give notice to the Secretary for placing a Bill mentioned in sub-rule (1) on the List of Business of the Assembly and the Secretary shall, as soon as may be, place it on the List of Business.

(3) On the day fixed for consideration of the Bill, the Minister or the member concerned shall move that the Bill may be taken into consideration at once.

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

(4) After reconsideration or consideration, as the case may be, a motion shall be put before the House, by the Speaker, that the Bill be passed.

(5) The Secretary shall communicate the decision of the Assembly to the National Assembly and the Senate.

## **PART II – PUBLICATION OF BILLS**

**93. Publication of Bills.**– (1) Subject to sub-rules (2) and (3), the Secretary shall cause the Bill that has been introduced to be published in the Gazette as early as possible.

(2) It shall not be necessary to publish in the Gazette the Bill which stands introduced under clause (3) of Article 128 of the Constitution.

(3) The Speaker may order the publication in the Gazette of any Bill, together with the statement of objects and reasons accompanying it, before its introduction and if it is so published, it will not be necessary to publish it again after its introduction.

## **PART III – CONSIDERATION OF BILLS**

**94. Reference of Bills to Standing Committees.**– Upon introduction, a Bill other than a Finance Bill, shall be referred by the Speaker to the appropriate Standing Committee with directions to submit its report by a date fixed by him in this behalf:

Provided that the member-in-charge may move that the requirements of this rule may be dispensed with, and if the motion is carried, the provisions of rule 95 shall apply to the Bill as if the report of the Standing Committee on the Bill were presented on the day on which the motion is carried but it shall not be necessary again to supply copies of such Bills to the members.

**Explanation.**— In this sub-rule, ‘Finance Bill’ means the Bill introduced each year to give effect to the financial proposals of the Government for the next following financial year and includes a Bill to give effect to the supplementary financial proposals for any period during the financial year.

**95. Time of consideration of Bills.**— (1) After the report of the Standing Committee on the Bill has been presented to the House or the report is deemed to have been presented as a result of suspension of the requirement of rule 94, the Secretary shall—

- (a) cause the copies of the Bill as introduced, together with modifications, if any, recommended by the Standing Committee, to be supplied to each member, as soon as may be, after the receipt of the report; and
- (b) shall set down the Bill on the List of Business for a day meant for Government business or on a day meant for private members’ business, as the case may be, if the notice of a motion under rule 96 has been received.

(2) If a Standing Committee does not make a report or an interim report within the prescribed time in respect of a Bill, the Secretary shall, as soon as may be, intimate the fact to the members.

(3) The day on which a motion under rule 96 has been included in the List of Business shall be such that at least three clear days shall intervene between the issue of copies of the Bill to members and the consideration of a motion under rule 96.

**96. Motions to be made by member-in-charge.**— On the day appointed under rule 95 or on any subsequent day to which the matter might have been adjourned, the member-

in-charge may make any of the following motions in regard to his Bill—

- (a) that it be taken into consideration at once; or
- (b) that it be taken into consideration on a date to be fixed forthwith; or
- (c) that it be referred to a Select Committee; or
- (d) that it be circulated for the purpose of eliciting opinion thereon.

**97. Bills repugnant to the Injunctions of Islam.—** (1) After a motion under rule 96 has been made and before the discussion of the principles of a Bill starts, a member may move that the Bill be referred to the Council of Islamic Ideology for advice whether or not the Bill or any part thereof is repugnant to the injunctions of Islam and if two-fifths of the total membership of the Assembly support and vote for the motion, the question shall be referred to the Council of Islamic Ideology for advice.

(2) Notwithstanding a reference under sub-rule (1), the Assembly may, at any time, proceed with the Bill, if it considers that, in the public interest, the passage of the Bill should not be postponed until the advice is furnished.

(3) The advice of the Council of Islamic Ideology on a question referred to it under sub-rule (1) shall, on receipt, be immediately laid on the Table by a Minister and if the Assembly is not in session at that time, it shall be laid on the Table on the first day of its next session.

(4) The member who was incharge of the Bill before it became a law, may give notice of a motion for reconsideration of the law so made and may also propose amendments to bring the law in conformity with the advice of the Council of Islamic Ideology or to make it in accordance with the Injunctions of Islam.

(5) If no notice is given by the member-in-charge in accordance with sub-rule (4) within thirty days of the

circulation of the advice, any member may give such a notice along with the proposed amendments.

(6) After the expiry of seven days in the case of notice under sub-rule (4) and fifteen days in the case of notice under sub-rule (5), the motion shall be included in the List of Business for a day meant for Government business or for a day meant for private members' business, as the case may be, and the law shall be reconsidered as if it were a Bill in respect of which a motion that the Bill be taken into consideration at once has been carried.

(7) Nothing in this rule shall prevent the member-in-charge from giving notice of a fresh Bill seeking to replace the law so made.

**98. Discussion of principles of Bills.**— (1) On the day on which any of the motions referred to in rule 96 is made, or on any subsequent day to which discussion thereof is postponed, the principles of the Bill and its general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles.

(2) At this stage, amendments to the Bill may not be moved, but—

(a) if the member-in-charge moves that the Bill be taken into consideration, any member may move an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion; or

(b) if the member-in-charge moves that the Bill be referred to a Select Committee, any member may move an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried and the Bill

is circulated in accordance with that direction, and opinions are received thereon, the member-in-charge may, if he wishes to proceed with the Bill thereafter, move that the Bill be referred to the Standing Committee concerned or to a Select Committee or that it be taken into consideration.

**99. Person by whom motions in respect of Bills may be made.**— A motion that the Bill be taken into consideration shall not be made by any member other than the member-in-charge of the Bill and a motion that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon shall not be made by any member other than the member-in-charge except by way of amendment to a motion made by the member-in-charge.

**100. Procedure after presentation of report.**— (1) Where a Bill has been referred to a Select Committee, the member-in-charge may, after the presentation of the final report by the Select Committee, move—

- (a) that the Bill, as reported by the Select Committee, be taken into consideration; or
  - (b) that the Bill, as reported by the Select Committee, be referred to the same Committee again either—
    - (i) as a whole; or
    - (ii) with respect to particular clauses or amendments only; or
    - (iii) with instructions to the Select Committee to make some particular or additional provisions in the Bill; or
  - (c) that the Bill as reported by the Select Committee be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.
- (2) If the member-in-charge moves that the Bill be taken into consideration under paragraph (a) of sub-rule (1),



a member may object to its being so taken into consideration, if a copy of the report of the Select Committee has not been made available to members at least three days before the motion is made and the objection shall prevail unless the Speaker allows the report to be taken into consideration.

(3) If the member-in-charge moves that the Bill, as reported upon by the Select Committee, be taken into consideration, any member may move an amendment that the Bill be referred to the same Committee again or be circulated or re-circulated for the purpose of eliciting opinion or further opinion thereon.

**[101. Consideration of a Bill.**— (1) Notwithstanding anything contained in these rules, but subject to sub-rule (3), the Speaker shall, when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the Assembly clause by clause.

(2) The Speaker may call each clause separately and when the amendments relating to it have been dealt with, he shall put the question: “That this clause (or, as the case may be, that this clause as amended) do stand part of the Bill”.

(3) Subject to sub-rule (4), the Speaker may, if he thinks fit, put as one question, a group of clauses in which no

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44, for the following:

**“101. Consideration of a Bill clause by clause.**—

Notwithstanding anything in these rules, the Speaker may, when a motion that a Bill be taken into consideration has been carried, submit the Bill, or any part of the Bill, to the Assembly clause by clause. The Speaker may call each clause separately, and when the amendments relating to it have been dealt with, he shall put the question: “That this clause (or, as the case may be, that this clause as amended) do stand part of the Bill”.”

notice of amendment has been received or the amendments have been withdrawn and in such an eventuality, the Speaker shall put the question: “That the group of clauses do stand part of the Bill”.

(4) If a member requests that question regarding any clause be put separately, the Speaker shall put the question regarding that clause separately.]

**102. Postponement of clause.**– The Speaker may, if he thinks fit, postpone the consideration of a clause.

**103. Schedule.**– The consideration of the schedule or schedules, if any, shall follow the consideration of clauses. Schedules shall be put from the Chair, and may be amended, in the same manner as clauses, and the consideration of new schedules shall follow the consideration of the original schedules. The question shall then be put: “That this schedule (or, as the case may be, that this schedule as amended) do stand part of the Bill”.

**104. Clause one, preamble and title of the Bill.**– Clause one, the preamble, if any, and the title of a Bill shall stand postponed until the other clauses and schedules (including new clauses and new schedules) have been disposed of and the Speaker shall then put the question: “That clause one, or the preamble or the title (or, as the case may be that clause one or the preamble or the title as amended) do stand part of the Bill”.

**105. Amendments.**– (1) When a motion that the Bill be taken into consideration has been carried, any member may propose such amendment to the Bill as is within the scope of, and relevant to, the subject matter of the Bill.

(2) If a notice of a proposed amendment has not been given two clear days before the day on which the Bill, the relevant clause or the Schedule is to be considered, any member may object to the moving of the amendment and such objection shall prevail unless the Speaker allows the amendment to be moved.

<sup>1</sup>[(3) If the amendment is an amendment which, under the Constitution, requires the consent of the Government before it is moved, the notice shall be accompanied by a request that such consent may be obtained and the Secretary shall cause a copy of the amendment to be transmitted to the Department concerned for obtaining orders of the Government thereon and shall, on receipt of such orders from that Department, communicate the same to the member concerned.]

<sup>2</sup>[(4) If a question arises whether or not an amendment requires the consent of the Government, the question shall be decided by the Speaker and his decision shall be final.]

(5) The Secretary shall, as far as practicable, cause a list of the amendments of which notices have been received to be made available to every member.

**106. Conditions of admissibility of amendments.**— The following conditions shall govern the admissibility of amendments—

- (a) an amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates;
- (b) an amendment shall not be inconsistent with any previous decision of the Assembly on the same question;

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

<sup>2</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

- (c) an amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical;
- (d) if an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole:  
Provided that in order to save time and repetition of arguments a single discussion may be allowed to cover a series of interdependent amendments;
- (e) the Speaker shall determine the place at which an amendment shall be moved;
- (f) the Speaker may refuse to propose an amendment which, in his opinion, is frivolous or meaningless; and
- (g) an amendment may be moved to an amendment which has already been proposed by the Speaker.

**107. Orders of amendments.**– (1) Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate; and in respect of any such clause a motion shall be deemed to have been made: “That this clause do stand part of the Bill”.

(2) An amendment shall be moved by the member who has given its notice.

**108. Withdrawal of amendments.**– An amendment moved may, by leave of the Assembly, but not otherwise, be withdrawn at the request of the member moving it. If an amendment has been proposed to an amendment, the

original amendment shall not be withdrawn until the amendment proposed to it has been disposed of.

## **PART IV – PASSING OF BILLS**

**109. Passing of Bills.**– (1) When a motion that a Bill be taken into consideration has been carried and the Bill has been considered clause by clause, the member-in-charge may at once move that the Bill be passed.

(2) If amendments have been made in a Bill (other than the Finance Bill), the Speaker, of his own motion or on a motion made by a member, may direct that the Bill be examined with a view to reporting what amendments of a formal or consequential character should be made in the Bill as a matter of drafting by a Drafting Committee to be appointed by the Assembly and the report of the Committee shall be presented within such period not exceeding seven days as the Speaker may direct.

(3) When the report referred to in sub-rule (2) has been presented and the decision of the Assembly on the consequential amendments proposed has been made or if the Bill has not been referred to the Drafting Committee, the member-in-charge may at once move that the Bill be passed.

(4) When a motion that the Bill be passed has been made, the general provisions of the Bill may be discussed but only with reference to the amendments, if any, made in the Bill.

**110. Withdrawal of Bills.**– The member-in-charge of a Bill may, at any stage of the Bill, move for leave to withdraw the Bill, and if such leave is granted, the Bill shall stand withdrawn and no further motion shall be made with reference to the Bill.

**111. Assent by Governor.**– When a Bill is passed by the Assembly, an authenticated copy thereof signed by the Speaker and, in the case of a Money Bill, along with a

certificate signed by him under clause (5) of Article 115 of the Constitution, shall be transmitted to the Governor by the Secretary for action under Article 116 of the Constitution.

<sup>1</sup>[**112. Publication.**– When a Bill is assented or is deemed to have been assented to by the Governor under Article 116 of the Constitution, the Secretary shall immediately cause it to be published in the official Gazette as an Act of the Assembly.]

**113. Bills returned by Governor.**– (1) When a Bill passed by the Assembly is returned by the Governor to the Assembly with a message requesting that the Bill, or any specified provision thereof, be reconsidered or that any amendment specified in the message be considered, the Secretary shall circulate the message to the members and shall also send an intimation to that effect to the Minister for Law and Parliamentary Affairs and to the Minister-in-charge.

<sup>2</sup>[(2) The member-in-charge may give notice of motions in respect of a Bill returned by the Governor in the

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

<sup>2</sup>Before this amendment, a detailed procedure was notified by the order of Mr Speaker (published in Notification No. PAP/Legis-1(27)/08/507, dated 21 January 2012); the same was incorporated in the Rules *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44, by substituting following sub-rules (2) to (5):

“(2) The Minister-in-charge or a member may give notice in writing to the Secretary for reconsideration of the Bill or any provision thereof or any amendments suggested therein on the basis of the message.

(3) The Secretary shall, as soon as may be, include the item of reconsideration or consideration, as the case may be, in the List of Business.

(4) On the day on which such a motion is fixed, the Minister-in-charge or the member concerned shall move that the message may be taken into consideration at once.

(5) When after reconsideration or consideration, as the case may be, the Bill is again passed by the Assembly, it shall be dealt with in accordance with rule 111.”

following manner:

*“(a) Notice is hereby given that the member-in-charge shall move that the message of the Governor in respect of the \_\_\_\_\_ (name of the Bill), as passed by the Assembly on \_\_\_\_\_ (date of passage by the Assembly), be taken into consideration at once.*

*(b) Notice is hereby given that the member-in-charge shall move that the \_\_\_\_\_ (name of the Bill), as originally passed by the Assembly and returned by the Governor under Article 116(2)(b) of the Constitution, be reconsidered by the Assembly in the light of the message of the Governor.*

*(c) Notice is hereby given that the member-in-charge shall move that the \_\_\_\_\_ (name of the Bill), as originally passed by the Assembly, be passed again; (or, the \_\_\_\_\_ (name of the Bill) as amended, be passed).”*

(3) The Secretary shall, as soon as may be, include in the List of Business the motions mentioned in sub-rule (2).

(4) When the motion mentioned in clause (a) of sub-rule (2) is made, the Speaker shall announce:

*“The message of the Governor in respect of the \_\_\_\_\_ (name of the Bill), as received and circulated, is taken into consideration at once. The member-in-charge may move the motion for reconsideration of the Bill”.*

(5) The member-in-charge shall move the motion mentioned in clause (b) of sub-rule (2) and the Speaker shall read out the motion to the Assembly and a Minister or a member may oppose it.

(6) The motion in sub-rule (5) shall be dealt with in the following manner:

- (a) if the motion is not opposed, the Speaker shall, without debate, put the motion to the vote of the Assembly and shall announce the result: “*The motion is carried*” or, as the case may be, “*The motion is not carried*”: provided that if the motion is not carried, no further motion shall be made with reference to the Bill; or
- (b) if the motion is opposed, the Speaker shall give opportunity to the member or the Minister of expressing his views in favour or against the motion, but the discussion shall remain confined to the message of the Governor and thereafter, the Speaker shall put the motion to the vote of the Assembly, and shall announce the result: “*The motion is carried*” or, as the case may be, “*The motion is not carried*”: provided that if the motion is not carried, no further motion shall be made with reference to the Bill.

(7) If the message of the Governor pertains generally to the whole Bill and no specific amendment has been proposed, the following procedure shall be followed:

- (a) after the motion mentioned in clause (b) of sub-rule (2) is carried, the Speaker shall announce:  
*“Since the motion for reconsideration of the Bill has been carried and no specific amendment has been proposed in any clause of the Bill, the member-in-charge may move the motion for passage of the Bill.”; and*
- (b) the Speaker shall put the motion to the vote of the Assembly and thereafter shall announce:



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*“The Bill, after reconsideration by the Assembly, is passed or, as the case may be, not passed”.*

(8) If the Governor or the member-in-charge has proposed any specific amendment in some clause or clauses of the Bill, only those clauses shall be reconsidered by the Assembly and the following procedure shall be followed:

- (a) if the specific amendment has been proposed by the member-in-charge on the basis of the message of the Governor, he shall move the amendment and a Minister or a member may oppose it;
- (b) if the specific amendment has been proposed by the Governor in his message, the member-in-charge shall move such amendment on behalf of the Governor and shall also express his views on the amendment;
- (c) after discussion on the amendment, the Speaker shall put the amendment to the vote of the Assembly and after decision of the Assembly, the Speaker shall put the clause to the vote of the Assembly without any further debate;
- (d) after all such clauses have been passed, the Speaker shall announce: *“The member-in-charge may move the motion for passage of the Bill.”*; and
- (e) the Speaker shall put the motion to the vote of the Assembly and thereafter shall announce: *“The Bill, after reconsideration by the Assembly, is passed or, as the case may be, not passed”.*

(9) When after reconsideration or consideration, the

Bill is again passed by the Assembly, it shall be dealt with in accordance with rule 111.

(10) Only the member-in-charge may propose amendments in any clause of the Bill on the basis of the message of the Governor.]

<sup>1</sup>  
[CHAPTER XII-A  
ZERO HOUR

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**113A. Zero hour.**— (1) The last half an hour of a sitting shall be utilized as “zero hour” to take up matters of urgent public importance relating to the Government and requiring intervention of the Assembly.

(2) A member may give a notice in writing to the Secretary for a matter to be taken up in the zero hour, between one hour before the scheduled commencement of a sitting and after the time for notice of previous zero hour has elapsed but the Secretary shall not entertain more than one such notice of a member for the sitting.

(3) 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.

(4) If the notice under sub-rule (2) does not fulfill the condition mentioned in rule 113B, the Speaker may afford an opportunity of personal hearing to the member before declaring the said notice inadmissible.

(5) The member shall not speak for more than five minutes while raising the matter.

(6) The Minister or the Parliamentary Secretary concerned, if present, may respond to the matter raised under sub-rule (2).

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<sup>1</sup>New Chapter added *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

(7) If the Minister or the Parliamentary Secretary concerned is not present, the Speaker may, if necessary, require the Minister or the Parliamentary Secretary concerned to respond to the point raised by the member on a date to be fixed by the Speaker.

**113B. Conditions of admissibility.**— In order that a notice for zero hour may be admissible, it shall satisfy the following conditions:

- (a) it shall not exceed fifty words;
- (b) it shall not relate to a matter which has been discussed in the same session or which is substantially identical to the matter already raised by a member during the session;
- (c) it shall not raise more than one issue and the issue shall not pertain to trivial matters;
- (d) it shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (e) it shall not relate to any matter which is *sub-judice*;
- (f) it shall relate to a matter of recent occurrence;
- (g) it shall not refer to proceedings of the House or a Committee or working of the Assembly Secretariat; and
- (h) it shall not refer to the conduct or character of a person except in his public capacity.]

## CHAPTER XIII

### RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST

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**114. Right to move resolution.**— Subject to the provisions of these rules, a member or a Minister may move a resolution relating to a matter of general public interest.

**115. Notice of resolution.**— (1) A private member who wishes to move a resolution shall give <sup>1</sup>[fourteen] days' notice and shall submit together with the notice a copy of the resolution which he intends to move.

(2) A Minister who wishes to move a resolution shall give three days' notice and shall submit together with the notice a copy of the resolution which he intends to move.

**116. Form and contents of resolution.**— (1) A resolution may be in the form of a declaration of opinion or a recommendation, or convey a message, or commend, urge or request an action, or call attention to a matter or situation for consideration by the Government, or in such other form as the Speaker may consider appropriate.

(2) Subject to sub-rule (3), a resolution shall relate to a matter which is primarily the concern of the Government or to a matter in which the Government has substantial financial interest.

(3) A resolution seeking to make a recommendation to the Federal Government or to the National Assembly or to communicate the views of the Assembly to that

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<sup>1</sup>Substituted for "seven", *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

Government or Assembly in a matter which is not primarily the concern of the Government shall be admissible.

(4) It shall be clearly and precisely expressed and shall raise substantially one definite issue.

(5) It shall not—

- (a) contain arguments, inferences, ironical expressions or defamatory statements;
- (b) refer to the conduct or character of a person except in his official or public capacity;
- (c) relate to any matter which is pending before any court;
- (d) contain a reflection on the Governor or a Judge of the Supreme Court or of a High Court; or
- (e) raise discussion which is detrimental to the public interest.

**117. Raising discussion on matters before Tribunals, Commissions, etc.**— A resolution which seeks to raise discussion in respect of a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any Commission or Court of inquiry appointed to enquire into or investigate any matter shall not be permitted to be moved.

**118. Speaker to decide admissibility of resolution.**— (1) The Speaker shall decide whether or not a resolution or a part thereof is admissible under these rules and may disallow any resolution or a part thereof when, in his opinion, it is an abuse of the right of moving a resolution or is calculated to obstruct or prejudicially affect the procedure of the Assembly or is in contravention of any of these rules.

(2) The Speaker may admit a resolution after amending it.

**119. Moving and withdrawal of resolution.**— (1) The member or the Minister in whose name a resolution stands in the List of Business shall, when called upon, either—

- (a) move the resolution, in which case he shall commence his speech by formal motion in the terms appearing in the List of Business; or
- (b) decline to move the resolution, in which case he shall confine himself to a mere statement to that effect.

(2) The member may, with the permission of the Speaker, authorise in writing any other member to move it on his behalf and the member so authorised may move the resolution.

**120. Amendment of resolution.**— After a resolution has been moved, a member may, subject to these rules, move an amendment to the resolution.

**121. Notice of amendment.**— (1) If notice of an amendment has not been given two clear days before the day on which it is moved, a member may object to the moving of the amendment and thereupon the objection shall prevail, unless the Speaker, in his discretion, allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause a copy of each amendment to be made available to every member.

**122. Withdrawal of resolution or amendment after having been moved.**— The member or the Minister, who has moved a resolution or an amendment to a resolution, shall not withdraw the resolution or, as the case may be, the amendment except by leave of the Assembly.

**123. Time limit for speeches.**— Save with the permission of the Speaker, a speech on a resolution shall not exceed ten minutes but the mover of a resolution, when moving it, and the Minister concerned may speak for twenty minutes each.

**124. Scope of discussion.**– (1) Subject to sub-rule (2), the discussion on a resolution shall be strictly limited to the subject matter of the resolution.

(2) There shall be no discussion on a resolution which has not been opposed.

**125. Restriction on moving of resolutions.**– When a resolution has been moved and the decision of the Assembly given on it, or when a resolution has been withdrawn, no resolution or amendment raising substantially the same question shall be moved in the same session.

<sup>1</sup>[**126. Voting and transmission of copies.**– (1) Subject to sub-rule (2) of rule 124, on the conclusion of the discussion, the Speaker shall put the resolution or, as the case may be, the resolution as amended, to the vote of the Assembly and 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.

(2) If the resolution relates to a Department of the

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44, for the following:

**“126. Voting and transmission of copies.**– (1) Subject to sub-rule (2) of rule 124, on the conclusion of the discussion, the Speaker shall put the resolution or, as the case may be, the resolution as amended, to the vote of the Assembly and if 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.

(2) The Department concerned shall, within a period of three months from the date of communication of the resolution by the Assembly Secretariat, apprise the Assembly of the action taken on the resolution.”



Government, the Department concerned shall, within a period of ninety days from the date of the communication of the resolution by the Assembly Secretariat, apprise the Assembly of the action taken on the resolution.

(3) The Speaker may, on the receipt of the written request of the Department concerned, extend the period mentioned in sub-rule (2) for another ninety days.

(4) If the Department disagrees to the resolution, it shall submit a detailed report containing reasons to the Assembly and the Assembly may take appropriate action in the matter.]



## CHAPTER XIV

### RESOLUTIONS MENTIONED IN THE CONSTITUTION

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**127.** <sup>1</sup>[Resolutions under the Constitution].– <sup>2</sup>[(1) A member may give notice of a motion for leave to move a resolution under para (a) of clause (2) of Article 128, or under clause (1) of Article 144, or under proviso to Article 147, or under proviso to clause (2) of Article 212, or under first proviso to clause (1) of Article 232 of the Constitution.]

(2) On the first working day after the expiry of seven days from the said notice, the Secretary shall cause the motion to be entered in the List of Business.

(3) As soon as the motion referred to in sub-rule (2) has been moved, the Speaker shall call upon such members as may be in favour of the leave being granted to rise in their seats, and if members less than one-fourth of the total membership of the Assembly rise in their seats, he shall declare that the member has not the leave of the Assembly and if members not less than the said number so rise he shall call upon the member to move the resolution.

(4) After a resolution has been moved, it shall be dealt with, as far as possible, in accordance with the rules contained in Chapter XIII.

(5) If a resolution under sub-clause (a) of clause (2) of Article 128 of the Constitution is passed, the Secretary shall

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<sup>1</sup>Substituted for “Resolutions relating to the disapproval of Ordinances, making of law by Parliament and Administrative Courts”, *vide* Notification No. PAP/Legis-1(27)/08/397 – *see* the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

<sup>2</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – *see* the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

cause it to be published in the Gazette.

(6) If a resolution under clause (1) of Article 144 or under proviso to clause (2) of Article 212 of the Constitution is passed, the Secretary shall communicate the same to the National Assembly and the Senate.

<sup>1</sup>[(7) If a resolution under proviso to Article 147 of the Constitution is passed, the Secretary shall communicate it to the Government.

(8) If a resolution under first proviso to clause (1) of Article 232 of the Constitution is passed, the Secretary shall communicate it to the Federal Government.]

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<sup>1</sup>Added *vide* Notification No.PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

## CHAPTER XV

### REPORTS TO BE LAID BEFORE THE ASSEMBLY

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<sup>1</sup>**128. Recommendations of National Finance Commission.**— (1) A Minister shall lay in the House the recommendations of the National Finance Commission together with an explanatory memorandum as to the action taken on the recommendations.

(2) The Minister for Finance shall, biannually, lay the report in the House regarding implementation of the Award of the National Finance Commission in terms of clause (3B) of Article 160 of the Constitution.]

**129. Report of Auditor-General.**— The annual report of the Auditor-General relating to the accounts of the Province of the Punjab, when received, shall be laid in the House by a Minister.

**130. Report on observance of principles of policy.**— The annual report on the observance and implementation of the principles of policy in relation to the affairs of the Province of the Punjab shall be laid in the House by a Minister.

**131. Report of the Council of Islamic Ideology.**— The report of the Council of Islamic Ideology, whether interim or final, when received, shall be laid in the House by a Minister.

**132. Other Reports.**— Any other report required to be laid

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

in the House under any law for the time being in force shall be so laid by a Minister.

**133. Discussion of Reports.**– (1) After a report referred to in rules 130, 131 or 132 is laid in the House, the Speaker shall fix a day for its discussion.

(2) On the day fixed under sub-rule (1), the Minister concerned may move that the report be discussed by the Assembly and may make a brief statement explaining the salient features of the report.

(3) The Assembly may, by a resolution, express its opinion or make any observation or recommendation on the report.

(4) Once a report has been discussed in the Assembly, no other motion shall lie for its discussion or further discussion.

<sup>1</sup>  
[CHAPTER XV-A

**PRE-BUDGET DISCUSSION**

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**133-A. Pre-budget discussion.**-(1) Notwithstanding anything contained in these rules, 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.

(2) The general discussion on budget proposals shall take place for at least four days during the session.

(3) 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.]

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<sup>1</sup>Added *vide* Notification No. PAP/Legis-1(27)/08/273, dated 13 October 2010 – *see* the Punjab Gazette (Extraordinary), dated 15 October 2010, p.941.





# CHAPTER XVI

## PROCEDURE IN FINANCIAL MATTERS

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**134. Budget.**— (1) The Budget shall be presented to the Assembly on such day and at such time as the Governor may appoint.

(2) No demand for grant shall be made except on the recommendation of the Government.

**135. Demands for grants.**— (1) A separate demand shall be made in respect of the grant proposed for each Department:

Provided that the Government may cause to be included in one demand, grants proposed for two or more Departments or a demand to be made in respect of expenditure which cannot readily be classified under a particular Department.

(2) Each demand shall contain a statement of the total grant proposed and a statement of the detailed estimate under each grant divided into items.

**136. Presentation of the Budget.**— (1) The Budget shall be presented by the Finance Minister or, in his absence, by a Minister acting on his behalf.

(2) The only proceeding on the day on which the Budget is presented shall be the speech of the Finance Minister or a Minister acting on his behalf and the introduction of the Finance Bill, if any.

(3) There shall be no discussion on the Budget on the day on which it is presented to the Assembly.

(4) The Budget shall not be referred to a Standing Committee or to a Select Committee and no other motion shall be made with reference to it except as provided in the rules contained in this Chapter.

**137. Stages of the Budget.**— The Budget shall be dealt with by the Assembly in the following stages –

- (a) general discussion on the Budget as a whole, including discussion on expenditure charged upon the Provincial Consolidated Fund; and
- (b) discussion and voting on demands for grants (in respect of expenditure other than charged expenditure), including voting on motions for reduction, if any.

**138. Allotment of days.**— (1) Subject to the provisions of sub-rules (2) and (3), the Speaker shall allot days for different stages of the Budget referred to in rule 137.

(2) At least two days shall elapse between the day the Budget is presented and the first day allotted by the Speaker for the general discussion of the Budget.

(3) Not less than four days shall be allotted by the Speaker for the general discussion of the Budget.

**139. General discussion.**— (1) On the days allotted for general discussion on the Budget, the Assembly may discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at that stage, nor shall the Budget be submitted to the vote of the Assembly.

(2) The Finance Minister or a Minister acting on his behalf shall have a right of reply at the end of the discussion.

(3) The Speaker may prescribe a time-limit for speeches.

**140. Cut motions.**— A member may move a cut motion to reduce the amount of a demand in any of the following ways—

- (a) “That the amount of the demand be reduced to Re.1.00” representing disapproval of the policy underlying the demand. Such a motion shall be known as “Disapproval of Policy Cut”. A

member giving notice of such a motion shall indicate in precise terms the particulars of the policy which he proposes to discuss. The discussion shall be confined to the specific point or points mentioned in the notice and it shall be open to members to advocate an alternative policy.

- (b) “That the amount of the demand be reduced by a specified amount” representing the economy that can be effected. Such specified amount may be either a lump sum reduction in the demand or omission or reduction of an item in the demand. The motion shall be known as “Economy Cut”. The notice shall indicate briefly and precisely the particular matter on which discussion is sought to be raised and speeches shall be confined to the discussion as to how economy can be effected.
- (c) “That the amount of the demand be reduced by Rs.100.00” in order to ventilate a specific grievance which is within the sphere of the responsibility of the Government. Such a motion shall be known as “Token Cut” and the discussion thereon shall be confined to the particular grievance specified in the motion.

**141. Notice of cut motions.**— If notice of a motion for reduction in any grant has not been given two clear days before the day on which the demand is taken up for consideration, a member may object to the moving of the motion and the objection shall prevail unless the Speaker suspends this rule and allows the motion to be made.

**142. Conditions for admissibility of cut motions.**— In order that a notice of motion for reduction of the amount of

demand may be admissible, it shall satisfy the following conditions; namely–

- (a) it shall relate to one demand only;
- (b) it shall not seek to increase a grant or alter the destination of a grant;
- (c) it shall not relate to expenditure charged on the Provincial Consolidated Fund;
- (d) it shall be clearly expressed and shall not contain arguments, inferences, ironical expressions, imputations, epithets or defamatory statements;
- (e) it shall be confined to one specific matter which shall be stated in precise terms;
- (f) it shall not reflect on the character or conduct of any person whose conduct can only be challenged on a substantive motion;
- (g) it shall not make suggestions for the amendment or repeal of any existing law;
- (h) it shall not refer to a matter which is not primarily the concern of the Government;
- (i) it shall not relate to a matter which is under adjudication by a court of law having jurisdiction in any part of Pakistan;
- (j) it shall not raise a question of privilege;
- (k) it shall not revive discussion on a matter which has been discussed in the same session and on which a decision has been taken;
- (l) it shall not anticipate a matter which has been previously appointed for consideration in the same session; nor shall it relate to a trifling matter; and
- (m) it shall not relate to any matter which is pending before any court or other authority performing judicial or quasi-judicial functions:

Provided that the Speaker may, in his discretion, allow such matter being raised in the Assembly

as is concerned with the procedure or subject or stage of enquiry if he is satisfied that it is not likely to prejudice the consideration of the matter by such court or authority.

**143. Admissibility of cut motions.**— The Speaker shall decide whether a cut motion is admissible under these rules and may disallow any cut motion when, in his opinion, it is an abuse of the right of moving cut motions or is calculated to obstruct or prejudicially affect the procedure of the Assembly or is in contravention of these rules.

**144. Voting on demands for grants.**— (1) Each demand for grant referred to in clause (b) of rule 137 shall be discussed separately.

(2) When notices of several cut-motions relating to the same demand are given, the motions shall be discussed in the order in which the heads to which they relate appear in the Budget.

(3) Subject to sub-rule (4), before a question is put in respect of a demand for grant, all cut-motions in respect of that demand shall be discussed and voted upon.

(4) On the last day of the days allotted under rule 138 for stage (ii) mentioned in rule 137 at the time when the sitting is to terminate, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants.

**145. Cut motions in respect of expenditure.**— If a motion for reduction in respect of any expenditure is adopted by the Assembly, the Secretary shall inform the Government in writing of the fact of the reduction.

**146. Vote on Account.**— (1) A motion for vote on account shall state the total sum required to be voted and the various amounts needed for each Department or item of

expenditure which compose that sum shall be stated in a schedule appended to the motion.

(2) Amendment may be moved for the reduction of the whole demand for grant or for the reduction or omission of the items of which the demand is composed.

(3) Discussion of a general character may be allowed on the motion or any amendments moved thereto but the details of the grant shall not be discussed further than is necessary to develop the general points.

(4) In other respects, a motion for vote on account shall be dealt with in the same way as if it were a demand for grant.

(5) The schedule referred to in sub-rule (1) shall also separately specify the several sums required to meet the expenditure charged on the Provincial Consolidated Fund.

**147. Supplementary Budget.**– (1) The procedure for dealing with supplementary estimates of expenditure and excess demands shall, as far as possible, be the same as prescribed for the budget, except that if, on a demand for a supplementary grant, funds to meet the proposed expenditure on a new purpose are available by re-appropriation, a demand for the grant of a token sum may be submitted to the vote of the Assembly and if the Assembly assents to the demand, funds may be made available.

(2) Not more than two days shall be allotted for general discussion of the Supplementary Budget.

# CHAPTER XVII

## COMMITTEES

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### A – STANDING COMMITTEES

**148. Standing Committees.**– <sup>1</sup>[(1) In addition to the Standing Committees constituted under rules 176, 180, 182, 183 and 185, there shall be elected by the Assembly after a general election the following Standing Committees for the duration of the Assembly for the departments noted against each:

Sr #	Name of the Committee	Department
1.	Standing Committee on Agriculture	Agriculture
2.	Standing Committee on Auqaf and Religious Affairs	Auqaf and Religious Affairs
3.	Standing Committee on Chief Minister's Inspection Team	Chief Minister's Inspection Team
4.	Standing Committee on Colonies	Colonies
5.	Standing Committee on Communications and Works	Communications and Works
6.	Standing Committee on Cooperatives	Cooperatives
7.	Standing Committee on Education	Higher Education & School Education
8.	Standing Committee on Environment Protection	Environment Protection
9.	Standing Committee on Excise and Taxation	Excise and Taxation
10.	Standing Committee on Finance	Finance
11.	Standing Committee on Food	Food
12.	Standing Committee on Forestry, Wildlife and Fisheries	Forestry, Wildlife and Fisheries
13.	Standing Committee on Health	Health

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<sup>1</sup>Sub-rule (1) substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

Sr #	Name of the Committee	Department
14.	Standing Committee on Home Affairs	Home
15.	Standing Committee on Housing, Urban Development and Public Health Engineering	Housing, Urban Development and Public Health Engineering
16.	Standing Committee on Human Rights	Human Rights and Minorities Affairs
17.	Standing Committee on Industries, Commerce and Investment	Industries, Commerce and Investment
18.	Standing Committee on Information and Culture	Information and Culture
19.	Standing Committee on Irrigation and Energy	(i) Irrigation (ii) Energy
20.	Standing Committee on Labour and Human Resource	Labour and Human Resource
21.	Standing Committee on Law	(i) Law and Parliamentary Affairs (ii) Public Prosecution
22.	Standing Committee on Literacy and Non-Formal Basic Education	Literacy and Non-Formal Basic Education
23.	Standing Committee on Livestock and Dairy Development	Livestock and Dairy Development
24.	Standing Committee on Local Government and Community Development	Local Government and Community Development
25.	Standing Committee on Management and Professional Development	Management and Professional Development
26.	Standing Committee on Mines and Minerals	Mines and Minerals
27.	Standing Committee on Planning and Development	Planning and Development
28.	Standing Committee on Population Welfare	Population Welfare
29.	Standing Committee on Revenue, Relief and Consolidation	(i) Revenue (ii) Consolidation and Holdings (iii) Relief and Crisis Management



Sr #	Name of the Committee	Department
30.	Standing Committee on Services and General Administration	Services and General Administration
31.	Standing Committee on Social Welfare and Bait-ul-Maal	Social Welfare and Bait-ul-Maal
32.	Standing Committee on Special Education	Special Education
33.	Standing Committee on Transport	Transport
34.	Standing Committee on Gender Mainstreaming	Women Development
35.	Standing Committee on Youth Affairs, Sports, Archeology and Tourism	Youth Affairs, Sports, Archeology and Tourism
36.	Standing Committee on Zakat and Ushr	Zakar and Ushr]

(2) Except as otherwise provided in these rules, a Committee shall only deal with a matter which may be referred to it by the Assembly.

<sup>1</sup>[(3) The Speaker may, in consultation with Minister for Law and Parliamentary Affairs and Leader of Opposition, change the name of the Committee and the Department assigned to a Committee in order to bring this rule in accord with the Departments reflected in the Punjab Government Rules of Business 2011 by notification in the official Gazette.]

**149. Composition of Standing Committees.**– (1) Each Standing Committee shall consist of ten members to be elected by the Assembly.

(2) The Minister and the Parliamentary Secretary concerned shall be *ex-officio* members of the Committee.

<sup>1</sup>New sub-rule inserted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

(3) The member-in-charge of the Bill, and in the case of any other matter referred by the Assembly to the Standing Committee, the member who has proposed the subject or matter for reference to, or study by, the Committee, may attend the meetings of the Committee but shall not vote unless he is an elected member of the Committee.

(4) The Secretary of the Department concerned and the Secretary of the Law & Parliamentary Affairs Department or an officer designated by each of them in this behalf shall attend the meeting of a Committee as expert advisers.

**150. Method of election.**— (1) Unless otherwise provided in these rules, members of all the Committees shall be elected, as far as possible, in accordance with the agreement of the Leader of the House and the Leader of the Opposition and in the absence of a Leader, his Deputy.

(2) In case there is no agreement mentioned in sub-rule (1), the members of each Committee shall be elected by the Assembly from amongst its members according to the principle of proportional representation by means of a single transferable vote in accordance with the procedure laid down in the Fifth Schedule.

<sup>1</sup>[(3) The Committees shall be elected by the Assembly within ninety days after the election of the Leader of the House following the general election.

(4) After the election of the Committees, if any change in the membership of a Committee is necessitated, the Speaker shall, in consultation with the Minister for Law and Parliamentary Affairs on behalf of the Leader of the

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<sup>1</sup>New sub-rules inserted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

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House and Leader of Opposition, change the membership of any one or more Committees.]

**151. Chairman of a Committee.**— (1) The Chairman of a Committee shall be elected by the Committee from amongst the members of the Committee.

(2) If the Chairman is absent from a sitting, the Committee shall choose one of its members present to act as Chairman for that sitting.

<sup>1</sup>[(3) The election for the Chairman of a Committee shall be held within a period of thirty days from the date of the election of the Committee or from the date of vacancy in the office of the Chairman.]

**152. Resignation.**— (1) A member may resign his membership of the Committee by writing under his hand addressed to the Speaker.

(2) The Chairman of a Committee may resign as such by writing under his hand addressed to the Speaker.

**153. Casual vacancies.**— (1) Casual vacancies in a Committee shall be filled, as soon as possible after such vacancies occur, in the manner provided in rule 150 or, as the case may be, in rule 151.

(2) A member elected under sub-rule (1), shall hold office for the period for which the member in whose place he is elected would have held office.

(3) Subject to the requirement of a quorum, a Committee shall have power to act notwithstanding any vacancy in its membership.

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<sup>1</sup>New sub-rule inserted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

**154. Functions of Committees.**– (1) A Committee shall examine a Bill or other matter referred to it by the Assembly and shall submit its report to the Assembly with such recommendations, including suggestion for legislation, if any, as it may deem necessary.

(2) In the case of a Bill, the Committee shall also examine whether or not the Bill violates, disregards or is otherwise not in accordance with the Constitution.

(3) The Committee may propose such amendments as are within the scope of the Bill, but the Committee shall have no power of preventing the Bill from being considered by the Assembly.

(4) The amendments will be shown in its report along with the original provisions of the Bill.

(5) 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.

(6) If a Committee does not present its report within the specified period, or within the extended period, if any, the Bill or the matter referred to it may, on a motion by a member, or a Minister, be considered by the Assembly without waiting for the report.

**155. Reference to Committees.**– The Assembly may, on a motion made by a member, remit to the Committee concerned any subject or matter which may be studied by that Committee.

**156. Sittings of Committees.**– (1) Subject to sub-rule (2), a sitting of a Committee shall be held on such day and at such hour as the Chairman of the Committee, in consultation with the Secretary, may determine.

(2) If the Chairman of a Committee is not readily available, the Secretary may fix the date and time of a sitting:

Provided that the sitting of a Committee for election of its Chairman shall be fixed by the Secretary in consultation with the Speaker.

(3) Subject to sub-rules (4) and (5), the sittings of a Committee shall, so far as possible, continue from day to day till the completion of the business assigned to it.

(4) A Committee shall not sit for more than two times in a month except with the prior written approval of the Speaker.

(5) Unless otherwise permitted by the Speaker, the sittings of the House Committee and the Library Committee shall be held during a session.

(6) The sittings of the Committees shall be held at Lahore.

(7) On a requisition made by three members of the Committee, the Chairman shall call a sitting of the Committee within twenty-one days from the date of the receipt of the requisition if some Bill or matter referred to it is pending.<sup>1</sup>

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<sup>1</sup>In exercise of the powers conferred on him under rule 235 of the Rules of Procedure of Provincial Assembly of the Punjab, read with rule 156 and rule 188 of the said Rules, and all other powers enabling him in this behalf, the Acting Speaker directed as under:

*“If the Chairman does not call a sitting of the Committee in terms of sub-rule (7) of rule 156 of the Rules of Procedure of Provincial Assembly of the Punjab 1997, within the stipulated period, the Secretary may fix the date and time of a sitting.”*

The above order shall remain in force until a provision to this effect is made in the Rules of Procedure of Provincial Assembly of the Punjab 1997; see Notification No. PAP/Legis-1(15)/2013/1206, dated 20 March 2015; see the Punjab Gazette (Weekly; Pt V), dated 12 August 2015, p.4.

**157. Sittings of Committees while the Assembly is sitting.**— (1) A Committee may not meet while the Assembly is sitting except with the approval of the Speaker.

(2) If a Committee is sitting while the Assembly is also sitting, the Chairman of the Committee shall, if a Division is being called in the Assembly, suspend the proceedings of the Committee for such time as will, in his opinion, enable the members to vote in the Division.

**158. Sittings in camera.**— The sittings of a Committee shall be held in private unless the Committee, by a majority, decides otherwise.

**159. Quorum.**— (1) The quorum for the election of the Chairman of a Committee shall be the majority of the elected members thereof.

(2) Subject to sub-rule (1), the quorum for a sitting of a Committee shall be three elected members:

<sup>1</sup>[Provided that the quorum for a sitting of a Public Accounts Committee or Committee on Privileges shall be four elected members.]

**160. Voting.**— (1) Subject to rule 159, all questions at a sitting of a Committee shall be determined by the majority of its elected members present and voting.

(2) The Chairman or the member presiding in his absence shall not vote except in the event of equality of votes.

**161. Power of Committees to examine Government officials and record.**— (1) A Committee shall have power

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<sup>1</sup>Added *vide* Notification No.PAP/Legis-1(94)/96/532, dated 22 October 2003 – see the Punjab Gazette (Extraordinary), dated 23 October 2003, p.2331.

to summon and examine any person and the records of the Government and of statutory bodies, autonomous or semi-autonomous, under the Government:

Provided that a Committee shall have no power to send for any paper or record relating to a proposed taxation.

(2) When a Department is of the opinion that in the interest of security of State or the maintenance of public order or generally in the public interest or on account of any other sufficient reason, any particular record summoned from any office of or authority under the Government or set up or established by the Government should not be furnished to any Committee or a person in the service of the State should not be summoned or compelled to give evidence, the Department may claim privilege for that record or exemption for the public servant, as the case may be:

Provided that in such case the Committee may, through the Speaker, obtain orders of the Governor whether the privilege or exemption, as the case may be, has been properly claimed and the orders of the Governor in this behalf shall be final.

**162. Evidence, report and proceedings treated confidential.**— (1) A Committee may direct that the whole or a part of the evidence or a summary thereof may be laid on the Table. If the Committee so decides, the Speaker may direct that such evidence be confidentially made available to members before it is formally laid on the Table.

(2) The part of the evidence, oral or written, report or proceedings of the Committee, which has not been laid on the Table, shall not be open to inspection by any one except under the authority of the Speaker.

(3) The evidence given before a Committee shall not be published by any member of the Committee or by any other person until it has been laid on the Table.

**163. Views of the Departments on private member's Bills.**— In case of a private member's Bill referred to a Committee, the Secretary shall transmit a copy of the Bill to the Department concerned with a request for an expression of the views of the Department.

**164. Record of the proceedings of Committees.**— (1) A summary of the record of the proceedings of each Committee shall be maintained.

(2) The summary of evidence tendered before a Committee shall be made available to a member of the Committee concerned if so requested by him.

**165. Special reports.**— A Committee may, if it thinks fit, make a special report on any matter that arises or comes to light in the course of its work which it may consider necessary to bring to the notice of the Speaker or the Assembly.

**166. Reports of Committees.**— (1) The report of a Committee shall be presented within the limit fixed by the Speaker under rule 94 or within thirty days from the date on which reference was made to it by the Assembly unless the Assembly, on a motion being made, directs that the time for presentation of the report be extended to a date specified in the motion.

(2) The report shall—

- (a) incorporate the views of the Minister or the Parliamentary Secretary concerned, if furnished;
- (b) set forth the recommendations of the Committee together with the views of the minority, if any; and
- (c) be signed by the Chairman on behalf of the Committee or, if the Chairman is absent or



is not readily available, by any other member of the Committee.

<sup>1</sup>[(3) If the Assembly is not in session and the period of presentation of the report under sub-rule (1) has expired or is about to expire and the Committee is yet to finish its work, the Speaker may grant a special permission to the Committee to hold not more than one meeting beyond the period specified in sub-rule (1).

**167. Presentation of report.**— (1) The report of a Committee shall be presented to the Assembly by the Chairman or, in his absence, by any other member of the Committee or by the member-in-charge.

(2) The Secretary shall cause every report of the Committee together with the views of the minority, if any, to be printed and a copy thereof made available to members.

**168. Agenda and notices of the meetings.**— (1) The arrangement of business of a Committee and the agenda for a meeting of the Committee shall be determined by the Secretary in consultation with the Chairman of the Committee, if readily available.

(2) Notices of all meetings of a Committee shall be sent to the members of the Committee and to the Advocate-General if he is named as a member of the Committee or if his presence is required by the Committee.

**169. Decision of Speaker on procedure.**— If any doubt arises on any point of procedure or interpretation of the rules, the Chairman may, if he thinks fit, refer the point to the Speaker whose decision shall be final.

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<sup>1</sup>New sub-rule inserted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

**170. Business before Committees not to lapse on prorogation of Assembly.**— Any business pending before a Committee shall not lapse by reason only of the prorogation of the Assembly and the Committee shall continue to function notwithstanding such prorogation.

**171. Unfinished work of Committees.**— (1) A Committee, which is unable to complete its work before the expiration of its term or before the expiration of the term of the Assembly, may report to the Assembly that the Committee has not been able to complete its work. Any report, memorandum or note that the Committee may have prepared, or any evidence that the Committee may have taken, shall be transmitted to the Secretary, who shall make it available to the Committee that succeeds it.

(2) Notwithstanding anything contained in these rules, a Public Accounts Committee may proceed from the stage where the previous Committee left the proceedings before the dissolution of the Assembly.

(3) A report or a part of the report of a Public Accounts Committee may be presented before a successor Assembly in accordance with rule 167 even if the time for presentation of the report has expired.

## **B – SELECT COMMITTEE**

**172. Composition and functions.**— (1) The Minister incharge of the Department to which the Bill relates, the Chairman 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 and it shall not be necessary to include their names in any motion for election of such a Committee.

(2) 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.

(3) The Chairman of the Committee concerned with the Bill shall be the Chairman of the Select Committee.

(4) If the Chairman is not present at any sitting, the members of the Committee present shall elect one of its members to act as Chairman for that sitting.

(5) The Chairman, or the member presiding in his absence, shall not vote except in the event of equality of votes.

(6) A Select Committee may hear expert evidence and representatives of special interests affected by the Bill.

**173. Quorum.**— (1) The quorum for a sitting of a Select Committee shall be one-third of the total number of members of the Committee.

(2) If at the time fixed for a sitting of the Select Committee, or at any time during any such sitting, there is no quorum, the Chairman shall either suspend the sitting until a quorum is present or adjourn the sitting to some future day.

(3) If, for want of quorum, the sitting of a Select Committee is adjourned on two successive dates, the next sitting may be held even if the Committee is not in quorum.

**174. Amendments proposed by Select Committee.**— A Select Committee shall have power to propose such amendments in the Bill as are not beyond the scope of the Bill.

**175. Report.**— (1) A Select Committee shall make a report on the Bill within the period specified by the Assembly.

(2) The report of the Select Committee on a Bill shall be presented to the Assembly by the Chairman or, in his absence, by any other member of the Committee or by the member-in-charge, and there shall be no debate on it at that stage.

(3) The report of a Select Committee along with the minority view, if any, shall be printed and a copy thereof shall be made available to the members.

### C – PUBLIC ACCOUNTS COMMITTEES

**176. Composition.**– (1) There shall be constituted, after a general election, two Public Accounts Committees for the duration of the Assembly.

(2) Each Committee shall consist of <sup>1</sup>[thirteen] members to be elected by the Assembly and the Finance Minister shall be its *ex-officio* member.

**177. Functions.**– (1) The Committees shall deal with the Appropriation Accounts of the Government and the report of the Auditor-General thereon and such other matters as the Assembly or the Speaker or the Finance Minister may refer to the Committees.

(2) Subject to sub-rule (1), the Committees shall deal with the business assigned to them by the Speaker out of the business referred to the Committees under the said sub-rule.

(3) In scrutinizing the Appropriation Accounts of the Government and the report of the Auditor-General thereon, it shall be the duty of the Committees to satisfy themselves that–

- (a) the moneys shown in the accounts as having been disbursed were legally available for, and applicable to, the service or purpose to which they have been applied or charged;
- (b) the expenditure conforms to the authority which governs it; and

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<sup>1</sup>Substituted for the word “ten”, *vide* Notification No.PAP/Legis-1(94)/96/487, dated 31 July 2003 – *see* the Punjab Gazette (Extraordinary), dated 2 August 2003, pp.1493-94.

- (c) every re-appropriation had been made in accordance with such rules as may be prescribed by the Government.
- (4) It shall also be the duty of the Committees to—
  - (a) examine the statement of accounts showing the income and expenditure of state corporations, trading and manufacturing schemes, concerns and projects together with the balance sheets and statements of profit and loss accounts which the Governor may have required to be prepared or are prepared under the provisions of the statutory rules regulating the financing of a particular corporation, a trading concern or project, and the report of the Auditor-General thereon;
  - (b) examine the statements of Accounts showing the income and expenditure of autonomous and semi-autonomous bodies the audit of which may be conducted by the Auditor-General under the directions of the Governor or under any law; and
  - (c) consider the report of the Auditor-General in case where the Governor may have required him to conduct the audit of any receipts or to examine the accounts of stores and stocks.
- (5) 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 shall examine with reference to the facts of each case the circumstances leading to such an excess and make such recommendations as it may deem fit.

**178. Reports.**— (1) The report of each Committee shall be presented within a period of one year from the date on which reference is made to it by the Assembly unless the Assembly, on a motion being made, directs that the time for

the presentation of the report be extended to a date specified in the motion.

(2) A Committee may present an interim report or a report in parts.

**179. Sittings.**– (1) The sittings of the Committees shall ordinarily be held at Lahore.

(2) If necessary in the public interest, a sitting may be held outside Lahore, with the prior permission of the Speaker and the Finance Minister.

(3) Unless otherwise permitted by the Speaker, one of the Public Accounts Committees shall meet during the first fortnight of a month and the other, during the second fortnight of a month to dispose of the pending business:

Provided that a Committee shall not meet for more than three days in a week without approval of the Speaker.

#### **D – COMMITTEE ON PRIVILEGES**

**180. Composition.**– (1) There shall be a Committee on Privileges for the duration of the Assembly.

(2) The Committee shall consist of <sup>1</sup>[thirteen] members to be elected by the Assembly and the Minister for Law and Parliamentary Affairs shall be its *ex-officio* member.

**181. Functions.**– The Committee shall examine every question referred to it and determine 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.

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<sup>1</sup>Substituted for the word “ten”, *vide* Notification No.PAP/Legis-1(94)/96/487, dated 31 July 2003 – *see* the Punjab Gazette (Extraordinary), dated 2 August 2003, pp.1493-94.

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**E – COMMITTEE ON GOVERNMENT ASSURANCES**

**182. Composition and functions.**– (1) There shall be a Committee on Government Assurances to scrutinize the assurances, promises and undertakings given, on the floor of the Assembly, by a Minister or a Parliamentary Secretary and to report on all questions relating thereto which are referred to it under sub-rule (3).

(2) The Committee shall consist of ten members to be elected by the Assembly for its duration.

(3) A member who feels that an assurance or a promise given to him or an undertaking made by a Minister or a Parliamentary Secretary has not been implemented within a reasonable time, he may in writing, propose that the matter may be referred to the Committee. If the Speaker is satisfied that a reasonable time has elapsed and that the matter should be enquired into by the Committee, he may refer the matter to the Committee.

(4) The Committee shall scrutinize such assurances, promises and undertakings as are given during the term of the Assembly.

(5) The Committee shall submit its report within such time as may be fixed by the Speaker or as may be extended by him.

**F – LIBRARY COMMITTEE**

**183. Composition and functions.**– (1) There shall be a Library Committee consisting of the Deputy Speaker and nine other members to be appointed by the Speaker for the duration of the Assembly.

(2) The Deputy Speaker shall be the *ex-officio* Chairman of the Committee.

(3) Casual vacancies in the Committee shall be filled by nomination by the Speaker.

(4) The Committee shall consider and advise on such matters concerning the Library of the Assembly as may, from time to time, be referred to it by the Speaker.

### **G – HOUSE COMMITTEE**

**184. Composition and functions.**– (1) There shall be a House Committee consisting of not more than ten members, including the Chairman.

(2) The Committee, including its Chairman, shall be nominated by the Speaker and shall hold office for a term not exceeding one year.

(3) A member may be re-nominated by the Speaker to the new House Committee.

(4) The House Committee shall deal with such questions relating to residential accommodation for members as may, from time to time, be referred to it by the Speaker.

### **H – FINANCE COMMITTEE**

**185. Composition and functions.**– (1) There shall be a Finance Committee for the duration of the Assembly, consisting of the Speaker, the Finance Minister and seven other members to be elected by the Assembly in the manner prescribed in rule 150.

(2) The Speaker shall be the Chairman and the Secretary shall be the Secretary of the Committee.

(3) The Committee shall approve the Annual and Supplementary Budget Estimates of the Assembly and its Secretariat, which shall respectively be included in the Annual Budget Statement and the Supplementary Budget Statement by the Government:

Provided that if at the relevant time, the Assembly stands dissolved or there is no Finance Committee, such approval may be given by the Speaker in anticipation of the approval of the Finance Committee.



(4) The Committee may, from time to time, approve incurring of additional or new expenditure in anticipation of provision of funds, for the Assembly or its Secretariat and the amount or amounts so approved shall be included in the Supplementary Budget.

(5) 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.

(6) Notwithstanding anything contained in these rules, the procedure of the Committee shall be regulated by the rules made by the Committee and until such rules are made, the business of the Committee shall be conducted in such manner as the Speaker may direct.

### **I – BUSINESS ADVISORY COMMITTEE**

**186. Composition and functions.**– (1) At the commencement of the Assembly or from time to time, as the case may be, the Speaker may, in consultation with the Leader of the House and the Leader of the Opposition, nominate a Business Advisory Committee consisting of not more than twelve members including the Speaker who shall be the Chairman of the Committee.

(2) It shall be the function of the Committee to 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 direct for being referred to the Committee.

(3) The Committee shall have the power to indicate in the proposed time table, the different hours at which the various stages of the Bill or other business shall be completed.

(4) The Committee shall have such other functions as may, from time to time, be assigned to it by the Speaker.

**J – SPECIAL COMMITTEE**

**187. Composition and functions.**– (1) The Assembly may, by motion, appoint a Special Committee which shall have such composition and functions as may be specified in the motion.

(2) 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 motion.

**K – GENERAL**

**188. Supplementary provisions.**– (1) The rules pertaining to Standing Committees shall apply to any other Committee, if not inconsistent with the rules particularly applicable to that Committee:

Provided that the provisions of sub-rule (2) of rule 149 shall not apply to the Library Committee, the House Committee and the Finance Committee.

(2) Where rules contained in this Chapter are silent on a point, a Committee may refer the matter to the Speaker for his directions for the proper conduct of its proceedings and the directions given by the Speaker shall be followed.

# CHAPTER XVIII

## GENERAL RULES

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### A – NOTICE

**189. Notice by members.**– (1) Save as otherwise provided in these rules, every notice required by the rules shall be given in writing addressed to the Secretary and signed by the member giving notice and shall be delivered at the Notice Office of the Assembly Secretariat which shall be kept open on every working day, between such hours as may be notified from time to time.

(2) A notice delivered when the Notice Office is closed shall be treated as given on the next working day.

**190. Circulation of notices.**– (1) The Secretary shall circulate to each member and any other person entitled, under the Constitution, to take part in the proceedings of the Assembly, a copy of every notice or any other paper which is required by these rules to be made available for their use.

(2) A notice or any other paper shall be deemed to have been thus made available–

- (a) if it is delivered by hand at the local address given by the member when the Assembly is in session and for two days before the commencement of the session, unless otherwise requested by the member, or if it is placed in the seat allotted to the member in the Assembly Chamber when the Assembly is in session; or
- (b) if it is sent by post to the members' permanent address as registered in the Assembly Secretariat, at other times.

**B – MOTIONS**

<sup>1</sup>[**191. Decision on a motion.**– (1) Subject to sub-rule (2), a matter requiring the decision of the Assembly shall be brought forward by means of a question put by the Speaker on a motion moved by a member.

(2) Before a motion is put for decision of the Assembly, the Minister or the Parliamentary Secretary concerned shall have a right to reply the motion.

(3) The Speaker shall read a motion once and even if it is opposed, there shall be no need to repeat the motion at the time of putting the question for decision of the Assembly.]

**192. Notice of motion or amendment.**– Save as otherwise provided in these rules or the Constitution, a member who wishes to move a motion shall give, to the Secretary, in the case of a substantive motion, at least seven clear days’ and in the case of an amendment at least two clear days’ notice in writing:

Provided that the Speaker may allow a motion or an amendment to be moved at a shorter notice.

**Explanation.**– A substantive motion is a self-contained proposal submitted for the approval of the Assembly and drafted in such a way as to be capable of expressing a decision of the Assembly.

**193. Moving of motions.**– (1) Except as otherwise provided

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44, for the following:

“**191. Decisions by motions.**– A matter requiring the decision of the Assembly shall be brought forward by means of a question put by the Speaker on a motion moved by a member.”

in these rules, a motion or an amendment which requires notice may be moved only by the member giving notice.

(2) A motion or an amendment may not be moved in a form different from that in which it appears on the notice, unless the Speaker permits it to be moved in an altered form.

(3) If a motion or an amendment is not moved, it shall be deemed to have been withdrawn.

**194. Repetition of motion.**— (1) Except as otherwise provided by these rules, a motion shall not raise a question substantially identical with one on which the Assembly has given a decision in the same session.

(2) The provisions of sub-rule (1) shall not be deemed to prevent the making of any of the following motions; namely—

- (a) a motion for taking into consideration, or reference to a Select Committee of a Bill where an amendment has been carried on a previous motion of the same kind to the effect that the Bill be circulated or recirculated for the purpose of eliciting opinion thereon; or
- (b) a motion for the amendment of a Bill which has been recommitted to a Select Committee or recirculated for the purpose of eliciting opinion thereon; or
- (c) a motion for the amendment of a Bill which is consequential or is designed merely to alter the drafting of another amendment which has been carried; or
- (d) a motion which has to be or may be made within a period determined by or under these rules.

**195. Anticipation of any matter.**— (1) A motion or an amendment will not anticipate a matter already appointed for consideration of the Assembly.

(2) In determining whether a motion or an amendment is

out of order on the ground of anticipation, the Speaker shall have regard to the probability of the matter anticipated being brought before the Assembly within a reasonable time.

**196. Proposing of question.**— When a motion has been moved, the Speaker may propose the question for the consideration of the Assembly, and if a motion embodies two or more separate propositions, each of the proposition may be proposed as a separate question.

**197. Withdrawal of motion.**— At any time after the question on a motion has been proposed and before the voting has taken place, the member, who has made a motion, may withdraw the same by leave of the Assembly:

Provided that—

- (a) if an amendment has been proposed to a motion, the original motion shall not be withdrawn until the amendment has been disposed of; and
- (b) there shall be no discussion on a request for leave to withdraw a motion, except with the consent of the Speaker.

### C – AMENDMENT

**198. Amendments.**— (1) An amendment shall be within the scope of, and relevant to, the subject matter of the motion to which it is proposed.

(2) An amendment shall not raise a question which, by these rules, can only be raised by a substantive motion after notice.

(3) An amendment shall not be moved which has merely the effect of a negative vote.

(4) An amendment on a question shall not be inconsistent with the previous decision on the same question at the same stage of a Bill or a matter.

(5) An amendment may be moved to an amendment

which has been moved in the Assembly.

(6) In respect of a motion or in respect of a Bill under consideration in the Assembly, the Speaker shall have the power to select one or several identical or substantially identical amendments to be proposed.

**199. Putting of amendments.**— (1) Subject to sub-rule (2), the Speaker may put amendments in such order as he thinks fit.

(2) The Speaker may refuse to put an amendment which, in his opinion, is frivolous, inconsistent or meaningless or which has become infructuous.

**200. Correction of patent errors.**— Where a Bill is passed by the Assembly, the Speaker shall have power to correct patent errors and make such other changes in the Bill as are incidental or consequential upon the amendments accepted by the Assembly.

#### **D – DEBATE**

**201. Mode of address.**— A member desiring to speak on any matter before the Assembly or to raise a point of order or a point of privilege shall speak only when called upon by the Speaker to do so, shall speak from his place, shall rise when he speaks and shall address the Speaker:

Provided that a member disabled by sickness or infirmity may be permitted to speak while sitting:

Provided further that the speech of a member who speaks without the permission of the Speaker shall not be recorded and it shall not form part of the proceedings of the Assembly.

**202. Rules to be observed while speaking.**— (1) The subject matter of every speech shall be relevant to the matter before the Assembly.

(2) Except with the permission of the Speaker, a member may not read his speech but may refresh his memory by reference to his notes.

(3) A member while speaking shall not –

(a) discuss any matter which is *sub-judice*;

(b) reflect upon the Governor in his personal capacity:

Provided that nothing in this clause shall preclude any reference, subject to the provisions of the Constitution, to the President or the Governor in relation to any act done by him in his official capacity;

(c) discuss the conduct of any judge of the Supreme Court or of a High Court in the discharge of his duties;

(d) make a personal charge against a member, a 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;

(e) use his right of speech for the purpose of wilfully and persistently obstructing the business of the Assembly;

(f) use offensive expressions about the conduct of proceedings in the National Assembly, the Senate or the Provincial Assemblies;

(g) reflect on any determination of the Assembly except on a motion for rescinding it;

(h) use the name of the President or the Governor for the purpose of influencing the debate;

(i) utter treasonable, seditious or defamatory words or make use of offensive or unparliamentary expression;

**Explanation.**– In this clause, ‘unparliamentary expression’ means any expression which imputes false motives to a member or charges him with falsehood or is couched in abusive or indecent or



- undignified language; and
- (j) criticise the working of the Assembly Secretariat.

**203. Irrelevance or repetition.**— The Speaker, after having called the attention of the member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

**204. Personal explanation.**— A member may, with the permission of the Speaker, make a personal explanation although there is no question before the Assembly, but no debate shall be allowed on it.

**205. Order of speeches and right of reply.**— (1) After the member who makes a motion has spoken, other members may speak on the motion in the order in which the Speaker may call upon them and if any member, who is so called upon, does not speak, he shall not be entitled, except with the permission of the Speaker, to speak on the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by these rules, a member shall not speak more than once on any motion, save with the permission of the Speaker, for the purpose of making a personal explanation but in that case no debatable matter may be brought forward.

(3) A member who has made a motion may speak by way of reply, and if the motion has been made by a private member, the Minister or the Parliamentary Secretary concerned may speak after the mover has replied.

(4) The provision of sub-rule (3) shall not be deemed to give any right of reply to the mover of a cut motion or to the mover of an amendment to a Bill, a resolution or a motion, save with the permission of the Speaker.

## E – LIMITATION ON DEBATE AND CLOSURE

**206. Limitation on Debate.**– (1) 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.

(2) At the appointed hour, in accordance with the time limit fixed for the completion of a particular stage of a Bill or a motion, the Speaker shall, unless the debate is sooner concluded, forthwith put every question necessary to dispose of all the outstanding matters in connection with that stage of the Bill or the motion.

(3) The Speaker may fix time limit for a speech on a Bill or a motion.

**207. Closure.**– (1) At any time after a motion has been made, or is deemed to have been made under these rules, a member may move “That the question be now put” and, unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate, the Speaker shall put the motion “That the question be now put”.

(2) Where a motion under sub-rule (1) is carried, the question shall be put without amendment or debate, unless the Speaker allows a member such right of reply as he may have under these rules.

## F – VOTING

**208. Procedure for voting.**– (1) Save as otherwise provided, the votes of members on any question put by the Speaker may be taken by voice by inviting those in favour of the motion to say “Aye” and those against it, “No” and the Speaker will say “I think the ‘Ayes’ (or the ‘Noes’) have it”.

If this opinion of the Speaker goes unchallenged, he will then say “The ‘Ayes’ (or the Noes) have it”, and the question before the Assembly shall stand decided accordingly.

(2) If the opinion of the Speaker as to the decision of the question is challenged and Division is demanded, he may direct that the votes be taken by Division in the manner set out in the Sixth Schedule or the Speaker may ask the members who are for “Ayes” and those for “Noes”, respectively, to rise in their places and on a count being taken he shall declare the decision of the Assembly in which case, names of the voters shall not be recorded.

(3) The result of voting by a Division shall be announced by the Speaker and shall not be challenged.

(4) A member, who is unable to go to the Division lobby may, with the permission of the Speaker, have his vote recorded either in his seat in the Assembly Chamber or in the Lobby.

### **G – POINTS OF ORDER**

**209. Decision on points of order.**– (1) A point of order shall relate to the interpretation or enforcement of these 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.

(2) A point of order may be raised in relation to the business before the Assembly at the moment:

Provided that the Speaker may permit a member to raise a point of order during the interval between the termination of one item of business and the commencement of another if it relates to maintenance of order in, or arrangement of business before, the Assembly.

(3) A point of order may not be raised before the Speaker has disposed of the earlier point of order.

(4) Subject to the provisions of sub-rules (1), (2) and (3), a member may formulate a point of order and the

Speaker shall decide whether the point raised is a point of order and, if so, give his decision thereon, and his decision shall be final.

(5) No debate shall be allowed on a point of order, but the Speaker may, if he thinks fit, hear the members before giving his decision.

(6) A point of order is not a point of privilege.

(7) A member shall not raise a point of order –

(a) to ask for information; or

(b) to explain his position; or

(c) when a question on any motion is being put to the Assembly; or

(d) which may be hypothetical; or

(e) that Division Bells did not ring or were not heard.

(8) There shall be no discussion on a decision on a point of order.

**<sup>1</sup>[209A. Decision and ruling of the Speaker.–** (1) Subject to sub-rule (3), if the Speaker gives ruling on any matter on the floor of the House or in his office on a file, the decision or the ruling shall not be called in question and shall be final.

(2) If the Speaker gives ruling in his office on a file, the Secretary shall circulate the ruling for information of the members.

(3) The Speaker may, for reasons to be recorded in writing, review a decision made or ruling given under sub-rule (1).]

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<sup>1</sup>New rule inserted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

## H – MAINTENANCE OF ORDER

**210. Power to order withdrawal of members or suspend sitting.**– (1) The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his orders.

(2) The Speaker may direct any member whose conduct is, in his opinion, grossly disorderly, to withdraw immediately from the Assembly, and any member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the sitting.

(3) If any member is ordered to withdraw a second or subsequent time in the same session, the Speaker may direct the member to absent himself from the sittings of the Assembly for any period not exceeding fifteen days and the member so directed shall absent himself accordingly.

(4) The Speaker may, in the case of grave disorder in the Assembly, suspend a sitting for a time to be named by him or adjourn the Assembly.

(5) The Speaker or, before his election, the outgoing Speaker or, in his absence, the Secretary may appoint a Sergeant-at-Arms and such other officers as he may consider necessary to assist the Sergeant-at-Arms in carrying out the orders of the Speaker.

(6) If a member who has been ordered by the Speaker to withdraw from the Assembly refuses to do so, the Sergeant-at-Arms shall himself or with the assistance of such other officers as are appointed under sub-rule (5) carry out such orders as he may receive from the Speaker.

**211. Galleries.**– (1) The admission to the Galleries of the Assembly during its sittings shall be regulated in accordance with the directions given by the Speaker.

(2) The Speaker may, whenever he thinks fit, order the Galleries to be cleared or any stranger to be removed.

**212. Removal of strangers.**— An officer authorised in this behalf by the Speaker shall remove from the precincts of the Assembly any stranger whom he may see, or who may be reported to him to be in any portion of the precincts of the Assembly reserved for the exclusive use of members, or who having been admitted into any portion of the precincts of the Assembly, misconducts himself or willfully infringes the directions given by the Speaker under sub-rule (1) of rule 211 or does not withdraw when directed under sub-rule (2) of rule 211 and may also remove a stranger who had previously misbehaved and apprehension of his doing so again exists.

### **I – SECRET SITTINGS**

**213. Secret sitting.**— (1) On a request made by the Leader of the House or a Minister acting on his behalf, the Speaker may, in his discretion, fix a day or part thereof for sitting of the Assembly in secret.

(2) When the Assembly sits in secret, no stranger shall be permitted to be present in the Chamber, Lobby or Galleries, except the Secretary and such other officers of the Assembly or other persons as the Speaker may direct.

**214. Report of the proceedings.**— The Speaker may cause a report of the proceedings of a secret sitting to be kept in such manner as he thinks fit, but no other person shall keep a note or record of any proceedings or decisions of a secret sitting, whether in part or full, or issue any report of, or divulge or describe, such proceedings.

**215. Procedure in other respects.**— Subject to these rules, the procedure in all other respects in connection with a secret sitting shall be in accordance with such directions as the Speaker may give.

**216. Lifting ban of secrecy.**— (1) When it is considered that the necessity for maintaining secrecy in regard to the proceedings of a sitting has ceased to exist, a motion may, subject to the consent of the Speaker, be moved by the Leader of the House or any member authorised by him in this behalf that the proceedings be no longer treated as secret.

(2) On adoption of a motion under sub-rule (1), the Secretary shall cause to be prepared a report of the proceedings of the secret sitting, and shall, as soon as practicable, publish it in such form and manner as the Speaker may direct.

**217. Disclosure of proceedings or decisions.**— Save as provided in rule 216, the disclosure of the proceedings or decisions of a secret sitting by any person in any manner shall be treated as a gross breach of privilege of the Assembly.

### **J – REPORT AND RECORDS**

**218. Language of the Assembly.**— The members shall ordinarily address the Assembly in Urdu, but the member who cannot adequately express himself in Urdu, may, with the permission of the Speaker, address the Assembly in English or other recognised language of the Province.

**219. Report of proceedings.**— (1) The Secretary shall cause to be prepared a report of the proceedings of the Assembly at each of its sittings, and shall, as soon as practicable, publish it in such form and manner as the Speaker may, from time to time, direct.

(2) The report so published shall be the authentic record of the proceedings of the Assembly and shall not be questioned or challenged on any ground whatsoever.

**220. Custody of documents and records.**— The Secretary shall have the custody of all records, documents including

the original documents notified in the Gazette, and papers belonging to the Assembly or any of its Committees or the Secretariat of the Assembly and he shall not permit any such records, documents or papers to be taken out of the Secretariat without the permission in writing of the Speaker.

<sup>1</sup>[**221. Expunction.**– (1) If the Speaker is of the opinion that words have been used in 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.

(2) The broadcasting of audio or video proceedings of the House on air or through internet shall be for information only and the printed version of the debates shall be the official and authentic version of the proceedings.]

**222. Indication in printed debates of expunged proceedings.**– The portion of the proceedings of the Assembly so expunged shall be marked by asterisk and an explanatory footnote shall be inserted in the proceedings as “Expunged as ordered by the Speaker”.

### **K – RULES TO BE OBSERVED BY MEMBERS**

**223. Rules to be observed by members while present in Assembly.**– While the Assembly is sitting, a member –

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44, for the following:

**“221. Expunction of words.**– If the Speaker is of the opinion that words have been used in 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.”



- (a) shall not read any book, newspaper or letter except in connection with business of the Assembly;
- (b) shall not pass between the Chair and any member who is speaking;
- (c) shall not interrupt any member while speaking by disorderly expression or noises or in any other disorderly manner;
- (d) shall always address the Chair;
- (e) shall keep to his usual seat while addressing the Assembly;
- (f) shall maintain silence when not speaking in the Assembly;
- (g) shall not obstruct proceedings and shall avoid making running commentaries when speeches are being made in the Assembly;
- (h) shall not applaud when a stranger enters any of the Galleries except when a foreign delegation or a foreign dignitary is specially invited to the sitting;
- (i) shall not, while speaking, make any reference to a stranger in any of the galleries except when a foreign delegation or a foreign dignitary is specially invited to the sitting;
- (j) shall not occupy a seat in the Galleries nor, while in the Chamber, engage himself in conversation with any visitor in a Gallery; and
- (k) shall not use a mobile telephone.

**224. Procedure when Speaker addresses.**— (1) Whenever the Speaker addresses the Assembly, he shall be heard in silence and any member who is then speaking or offering to speak shall immediately resume his seat.

(2) No member shall leave his seat while the Speaker is addressing the Assembly.

**L – LAPSE OF BUSINESS**

**225. Lapse of pending notices on prorogation.**– (1) On the prorogation of the Assembly, all pending notices, other than notices of Questions and notices relating to Bills, shall lapse and fresh notices therefor shall be given for the next session.

(2) The Bills which have been introduced shall be carried over to the pending List of Business of the next session. If the member-in-charge makes no motion in regard to the Bill during two consecutive sessions, the Bill shall lapse, unless the Assembly, on a motion by the member-in-charge in the next session, makes a special order for the continuance of the Bill.

**226. Motion, resolution or amendment moved not to lapse.**– The motion, the resolution or the amendment which has been moved and is pending in the Assembly, shall not lapse by reason only of the prorogation of the Assembly.

**227. Effect of dissolution of Assembly.**– Subject to rule 171, on the dissolution of the Assembly, all pending business shall lapse.

**M – MISCELLANEOUS**

**228. Secretary to be *ex-officio* Secretary of Committees.**– The Secretary shall be *ex-officio* Secretary of all the Committees of the Assembly.

**229. Secretary may authorize any officer.**– The Secretary may authorize any officer of the Assembly Secretariat to perform such duties as he may direct.

**230. Speaker to amend notices and motions.**– If in the opinion of the Speaker, any notice or motion contains words, phrases or expressions which are argumentative,

unparliamentary, ironical, irrelevant, verbose or otherwise inappropriate, he may, in his discretion, amend such notice or motion before it is circulated.

<sup>1</sup>[**230A. Procedure in case of joint notice.**– (1) In case a joint notice of an amendment, a motion or resolution is given by two or more members, the Speaker may, in order to avoid repetition and to save the time of the House, call the name of the primary mover of the amendment, motion or resolution.

(2) The names of all the signatory members of an amendment, a motion or resolution shall be printed on the documents relating to the proceedings of the House.]

**231. No speech after question is put.**– A member shall not speak on a question after the Speaker has put the question to the Assembly.

**232. Casting vote.**– The Speaker shall not vote except in the event of an equality of votes.

**233. Validity of proceedings.**– (1) The validity of the proceedings of the Assembly shall not be called in question on the ground of any irregularity of procedure.

(2) The Assembly shall have power to act notwithstanding any vacancy in the membership thereof and no proceedings in the Assembly shall be 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.

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<sup>1</sup>New rule inserted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44.

**234. Suspension of rules.**— Whenever any inconsistency or difficulty arises in the application of these rules, a member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the Assembly, and if the motion is carried, the rule in question shall stand so suspended.

**235. Residuary powers of the Speaker.**— All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct.

**236. Papers to be laid on the Table.**— If a Minister or a Parliamentary Secretary quotes in the House a dispatch or other State paper which has not been presented to the House, he shall lay the relevant paper on the Table:

Provided that this rule shall not apply to any documents which are stated by a Minister or a Parliamentary Secretary to be of such nature that their production would be against the public interest:

Provided further that where a Minister or a Parliamentary Secretary gives in his own words a summary or gist of such dispatch or State paper, it shall not be necessary to lay the relevant paper on the Table.

**237. Treatment of papers laid on the Table.**— (1) A paper or document to be laid on the Table shall be duly authenticated by the member or the Minister or the Parliamentary Secretary by whom it is so laid.

(2) All papers and documents laid on the Table shall be considered public.

**238. Procedure when a Minister discloses source of advice or opinion given to him.**— If, in answer to a question or during debate, a Minister or a Parliamentary Secretary discloses the advice or opinion given to him by any officer of the Government or by any other person or authority, he shall ordinarily lay the relevant document or parts of documents containing that opinion or advice or a summary thereof on the Table.

**239. Statements on matters of public importance.**— A Minister may, with the consent of the Speaker, make a statement on a matter of public importance but no question shall be asked nor discussion take place thereon at the time the statement is made.

<sup>1</sup>[**240. Use of Assembly Chamber.**— Except with the permission of the Speaker or of the House, the Chamber shall not be used for any purpose other than the sittings of the Assembly.]

**241. Transitional provisions.**— If there be no Speaker at the time of the dissolution of the Assembly or if the Speaker continuing after the dissolution of the Assembly under clause (8) of Article 53 read with Article 127 of the Constitution resigns or dies or is otherwise absent, the Secretary shall take such actions, till the election of Speaker, as are necessary for the running of the day to day affairs of the Assembly, the convening of the first sitting of the Assembly after general elections and for the conduct of

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<sup>1</sup>Substituted *vide* Notification No. PAP/Legis-1(15)/2013/1380; published in the Punjab Gazette (Extraordinary), dated 22 February 2016, pp 3937-44, for the following:

“**240. Restriction on the use of Chamber.**— Unless otherwise decided by the House, the Chamber shall not be used for any purpose other than the sittings of the Assembly.”

business by the Assembly.

**242. Council of Chairmen.**– There shall be a Council of Chairmen consisting of the Chairmen of the Standing Committees headed by the Speaker to consider and coordinate in the matters relating to the Standing Committees.

**243. General discussion.**– (1) A Minister or a member may give notice of a motion that any policy or situation may be discussed by the Assembly.

(2) 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.

(3) Except as otherwise provided in this rule, the provisions contained in rules 115 to 126 shall apply *mutatis mutandis* to a motion for consideration moved under sub-rule (1), hereinafter in this rule referred to as the original motion, and to a substantive motion moved in substitution of the original motion, hereinafter in this rule referred to as the substitute motion, as if such original motion were a resolution and the substitute motion were an amendment to the resolution.

(4) If one or more substitute motions have been moved, the Speaker may in his discretion, put them to the vote of the Assembly so, however, that the motions expressing disapproval of the matter referred to in the original motion are voted upon before the motions expressing approval thereof.

(5) When a substitute motion is carried, all such other motions not put to the Assembly shall lapse.

(6) The relative precedence of motions under this rule,

shall be determined in accordance with the procedure laid down in rule 30, with the variations that reference in that rule to resolutions shall be deemed in reference to motions under rule 243.

**244. Questions to be asked through the Speaker.**— When, for the purpose of explanation during discussion or for any other sufficient reason, a member has occasion to ask a question of another member on the matter then under consideration of the Assembly, he shall ask the question through the Speaker.





<sup>1</sup>  
[CHAPTER XIX

**AMENDMENTS OF RULES**

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**244A. Procedure for amendment.**— (1) Unless the Speaker otherwise directs, not less than fifteen clear days' notice of a motion for leave to amend these rules shall be given to the Secretary along with the proposed amendment.

(2) The Secretary shall, as soon as may be, circulate the notice to the members.

(3) The motion shall be included in the List of Business, if the Assembly is in session, within seven days of the expiry of the period of notice given under sub-rule (1) or if the Assembly is not in session, within seven days of the commencement of the next session.

(4) When the motion is reached, the Speaker shall read out the proposed amendment to the Assembly and ask whether the member has the leave of the Assembly. If objection is taken, the Speaker shall call such of the members as may be in favour of leave being granted to rise in their seats, and, if the majority of the members present does not so rise, he shall declare that the member has not the leave of the Assembly, or if no objection is taken or such membership so rises, the Speaker shall declare that the member has the leave of the Assembly.

(5) When a member has the leave of the Assembly under sub-rule (4), he may move that the proposed amendment be taken into consideration and to such a motion any other member may move an amendment that the proposed amendment be referred to the Standing Committee on Law and Parliamentary Affairs.

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<sup>1</sup>Added vide Notification No.PAP-Legis-1(94)/96/83, dated 25 June 1997 – see the Punjab Gazette (Extraordinary), dated 27 June 1997, pp.949-950.

(6) If the motion for consideration is carried, the proposed amendment will be put to the Assembly immediately for decision. If the amendment to refer the proposed amendment to the Committee is carried, the matter shall be referred to the Committee.

(7) After the proposed amendment has been referred to the Committee, the procedure in regard to a Bill similarly committed shall be, as far as may be, followed with such variations as the Speaker may consider necessary.

(8) Unless otherwise decided by the Assembly, the rule or the amendment of a rule that has been passed by the Assembly, shall come into force on the day the same is notified in the Official Gazette.]

**245. Repeal.**– The Rules of Procedure of the Provincial Assembly of the Punjab, 1973 are hereby repealed.

# **SCHEDULES**



**<sup>1</sup>[FIRST SCHEDULE**  
(see rule 17)

**NOMINATION PAPER FOR ELECTION OF CHIEF  
MINISTER  
PART – A**

(To be filled by the Proposer)

I, \_\_\_\_\_  
(Name of the Proposer)

member of the Provincial Assembly of the Punjab elected from constituency No. \_\_\_\_\_ do hereby propose the name of \_\_\_\_\_ a member of the Assembly elected from constituency No. \_\_\_\_\_, for the election as Chief Minister under Article 130 of the Constitution.

I hereby declare that I have not subscribed to any other nomination paper for this election as Proposer or Secunder.

Dated \_\_\_\_\_ Signature of Proposer

**PART – B**

(To be filled by the Secunder)

I, \_\_\_\_\_  
(Name of the Secunder)

member of the Provincial Assembly of the Punjab elected from constituency No. \_\_\_\_\_, do hereby second the above proposal.

I hereby certify that I have not subscribed to any other nomination paper for this election as Proposer or Secunder.

Dated \_\_\_\_\_ Signature of Secunder

**PART – C**

\_\_\_\_\_  
<sup>1</sup>Substituted *vide* Notification No.PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

(To be filled by the Candidate)

I, \_\_\_\_\_

(Name of the Candidate)

member of the Provincial Assembly of the Punjab elected from constituency No. \_\_\_\_\_, do hereby declare that I have consented to the above proposal and that I am qualified to be elected as Chief Minister.

Dated \_\_\_\_\_

Signature of Candidate

✂-----✂-----✂

#### ACKNOWLEDGEMENT

Mr/Ms \_\_\_\_\_ member of the Provincial Assembly of the Punjab elected from constituency No. \_\_\_\_\_ has delivered the nomination paper of Mr/Ms \_\_\_\_\_ member of the Assembly elected from constituency No. \_\_\_\_\_ for election as Chief Minister on \_\_\_\_\_ at \_\_\_\_\_ am/pm. The nomination paper has been entered in the relevant Register at serial No. \_\_\_\_\_.

SECRETARY  
PROVINCIAL ASSEMBLY OF THE PUNJAB]

<sup>1</sup>**SECOND SCHEDULE**  
(see rules 20, 22 and 23)  
**PROCEDURE FOR RECORDING OF VOTES**  
**IN THE CASE OF CHIEF MINISTER**

1. Before voting commences, the Speaker shall direct that the bells be rung for five minutes to enable members not present in the Chamber to be present. Immediately after the bells stop ringing, all the entrances to the Lobby shall be locked and the Assembly staff posted at each entrance shall not allow any entry or exit through those entrances until the voting has concluded.

2. The Speaker shall then read out the names of the candidates in case of election of the Chief Minister under rule 20 or as the case may be, the resolution under rule 22 or rule 23 before the Assembly and ask the members who wish to vote in favour of a candidate/resolution to pass in single file through the entrance where tellers shall be posted to record the votes. On reaching the desk of the tellers, each member shall, in turn, call out the division number allotted to him under these rules. The tellers shall then mark off his number on the division list simultaneously calling out the name of the member. In order to ensure that his vote has been properly recorded, the member shall not move off until he has clearly heard the teller call out his name. After a member has recorded his vote, he shall not return to the Chamber until bells are rung under para 3.

3. When the Speaker finds that all the members who wished to vote have recorded their votes, he shall announce that the voting has concluded. Thereupon the Secretary shall cause

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<sup>1</sup>Substituted *vide* Notification No.PAP/Legis-1(27)/08/397 – see the Punjab Gazette (Extraordinary), dated 12 May 2011, pp.38765-69.

the division list to be collected, count the recorded votes and present the result of the count to the Speaker. The Speaker shall then direct that the bells be rung for two minutes to enable the members to return to the Chamber. After the bells stop ringing, the Speaker shall announce the result of the poll to the Assembly.]



## **THIRD SCHEDULE**

*(see rules 29 and 30)*

### **BALLOT PROCEDURE FOR DETERMINING THE RELATIVE PRECEDENCE OF PRIVATE MEMBERS' BILLS AND RESOLUTIONS**

1. Not less than seven days before each day allotted for the disposal of private members' business, the Secretary will cause to be placed in the Notice Office a numbered list. This list will be kept open for two days, and during these days and at hours when the office is open, any member who wishes to give or has given notice of a resolution or has given notice of a Bill, as the case may be, may have his name entered in the case of a ballot for resolutions, against one number only, or in the case of a ballot for Bills against one number for each Bill of which he has given notice up to the number of three.
2. The ballot will be held before the Secretary and any member who wishes to attend, may do so.
3. Paper with numbers corresponding to those against which entries have been made on the numbered list will be separately placed in a box.
4. A clerk will take out at hazard from the box one of the papers and the Secretary will call out from the list the corresponding name, which will then be entered in a priority list. This procedure will be carried out till fifteen numbers in the case of Bills and five numbers in the case of resolutions have been drawn.
5. Priority on the list will entitle the member to have set down, in the order of his priority for the day with reference to which the ballot is held, any Bill or any resolution, as the case may be, of which he has given the notice required by the rules:

Provided that he shall then and there specify such Bill or Bills or such resolution



**FOURTH SCHEDULE**

**FORM OF COMMUNICATION REGARDING ARREST,  
DETENTION, CONVICTION OR RELEASE, AS THE  
CASE MAY BE, OF A MEMBER**

*(see rules 77 and 78)*

Place \_\_\_\_\_

Date \_\_\_\_\_

To

The Speaker  
Provincial Assembly of the Punjab

Sir,

**(A)**

I have the honour to inform you that I have found it my duty, in the exercise of my powers under section \_\_\_\_\_ of the \_\_\_\_\_ (Act) to direct that Mr. \_\_\_\_\_ Member of the Provincial Assembly of the Punjab, be arrested/detained for \_\_\_\_\_ (reason for the arrest or detention as the case may be).

Mr. \_\_\_\_\_ Member of the Provincial Assembly of the Punjab was accordingly arrested/taken into custody at \_\_\_\_\_ (time) on \_\_\_\_\_ (date) and is at present lodged in the \_\_\_\_\_ (place) Jail.

**(B)**

I have the honour to inform you that Mr. \_\_\_\_\_ Member of the Provincial Assembly of the Punjab, was tried at the \_\_\_\_\_ Court before me on a charge (or charges) of \_\_\_\_\_ (nature of offence charged).

On \_\_\_\_\_ (date) after trial lasting for

\_\_\_\_\_ days, I found him guilty of \_\_\_\_\_ and sentenced him to imprisonment for \_\_\_\_\_ (period).

(His application for leave to appeal to \_\_\_\_\_ is pending consideration).

**(C)**

I have the honour to inform you that Mr. \_\_\_\_\_ Member of the Provincial Assembly of the Punjab, who was convicted on \_\_\_\_\_, (date) and imprisoned for \_\_\_\_\_ (nature of offence for which convicted) was released on bail pending appeal (or, as the case may be) released on the sentence being set aside on an appeal on the \_\_\_\_\_ (date).

**(D)**

I have the honour to inform you that Mr. \_\_\_\_\_ Member of the Provincial Assembly of the Punjab, who was arrested/taken into custody on \_\_\_\_\_, (date) under section \_\_\_\_\_ (Name of the Law) of \_\_\_\_\_ was released on bail by me \_\_\_\_\_ (Name/designation) on \_\_\_\_\_ (date)

**Yours faithfully,**

**(Judge, Magistrate or  
Executive Authority)**

## FIFTH SCHEDULE

(see rule 150)

### PROCEDURE FOR THE HOLDING OF ELECTIONS BY MEANS OF A SINGLE TRANSFERABLE VOTE

I. In this Schedule –

- (1) “continuing candidate” means candidate not elected or not excluded from the poll at any given time;
- (2) “exhausted papers” means ballot papers on which no further preference is recorded for a continuing candidate; provided that a paper shall also be deemed to be exhausted in any case in which –
  - (a) the names of two or more candidates, whether continuing or not, are marked with the same figure and are next in the order of preference; or
  - (b) the name of candidate next in order of preference, whether continuing or not, is marked –
    - (i) by a figure not following consecutively after some other figure on the ballot paper; or
    - (ii) by two or more figures;\*

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\*The fact that a voter has not marked every preference correctly does not invalidate the whole of his preference. His paper is only treated as exhausted when the wrongly marked preference is reached. The following are examples:-

	A1		A1
	B2		B2
(1)	C2	(2)	C2
	D3		D5
	E4		E6
			F

In case (1) the preference for A and B would be valid. If the third preference were reached, the paper would be treated as exhausted, as it would be impossible to say for which candidate the voter really intended

- (3) “first preference” means the figure “1” used opposite the name of any candidate, “second preference” similarly means the figure “2”, “third preference”, the figure “3”, and so on;
- (4) “original votes” in regard to any candidate means the votes derived from ballot-papers on which a first preference is recorded for such candidate;
- (5) “paragraph” means a paragraph of this Schedule;
- (6) “surplus” means the number by which the value of the votes of any candidate, original and transferred, exceeds the quota as defined in paragraph XI;
- (7) “transferred votes” in regard to any candidate means votes, the value or part of the value of which is credited to such candidate and which are derived from ballot-papers on which a second or subsequent preference is recorded for such candidate; and
- (8) “unexhausted papers” means ballot-papers on which a further preference is recorded for a continuing candidate.

### **PROPOSAL OF CANDIDATES**

**II.** (1) When it is proposed to hold any election under the rules, the Speaker will appoint a period within which notice may be given by any member desirous of proposing a member or members for election to the Committee.

(2) The notice shall be signed by the member giving notice who must satisfy himself that the members he suggests are willing to serve, if elected.

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to give his third preference. In case (2) the preference for A, B and C would be valid, but not the latter ones whether D had been elected or excluded or was still a continuing candidate. It is possible that the voter meant to give a fourth preference for other candidate, e.g. F, but omitted to do so. It would not be possible to treat 5 as being meant to be 4.

(3) If, on the expiration of the period appointed under clause (1), the number of candidates is less than the number of vacancies to be filled, the Speaker will appoint a further period within which the notice aforesaid may be given, and may thereafter appoint additional further periods until the number of candidates is not less than the number of vacancies to be filled.

(4) If, on the expiration of the period appointed under clause (1) or of any further period appointed under clause (3), the number of candidates is equal to the number of vacancies to be filled, the Speaker shall declare all the candidates to be duly elected.

(5) If, on the expiration of any such period, the number of candidates exceeds the number of vacancies, the Speaker will appoint a date for the holding of an election in the manner hereinafter prescribed, and shall cause notice to be given of the date so appointed and of the names of the candidates.

### VOTING

**III.** (1) All members shall be entitled to vote.

(2) No vote shall be given by proxy.

**IV.** The Secretary shall act as Returning Officer, and shall, subject to the provisions of this Schedule, do all things necessary for the conduct of the election.

**V.** (1) The voting shall be by ballot. The Returning Officer shall ensure that the person desiring to vote is a member who has not already voted, and shall enter his name upon the counterfoil of a ballot-paper in a ballot-paper book which shall be provided for the purpose of the election, and shall then tear out the ballot-paper corresponding to that counterfoil, and having initialed the ballot with his initials on the back thereof, shall hand it to the member. Every ballot-paper shall contain the names of all the candidates for

election in the Form annexed to this Schedule.

(2) When a member has received a ballot-paper, he shall take the paper to a desk provided for the purpose and signify in the manner hereinafter provided for whom he desires to vote. The member shall then fold the ballot-paper so that the Returning Officer's initials thereon may be visible, and having held up the ballot-paper in such manner as to enable the Returning Officer to see the initials, shall drop the ballot-paper in a ballot-box to be placed in front of the Returning Officer.

(3) If a member inadvertently spoils a ballot-paper, he may return it to the Returning Officer, who shall, if satisfied of such inadvertence, give him another paper and retain the spoiled paper, and this spoiled paper shall be immediately cancelled and the fact of such cancellation shall be noted upon the counterfoil.

**VI.** Each member shall have one vote only. A member in giving his vote –

- (a) must place on his ballot-paper the figure “1” in the square opposite the name of the candidate for whom he votes;
- (b) may, in addition, place on his ballot-paper the figure “2” or the figure “2” and “3”, or “2”, “3” and “4” and so on, in the square opposite the names of other candidates in the order of his preference.

**VII.** A. ballot-paper shall be invalid –

- (a) upon which a member signs his name or writes any word or makes any mark by which it becomes recognizable; or
- (b) which does not bear the Returning Officer's initials; or
- (c) on which the figure “1” is not marked; or
- (d) on which the figure “1” is set opposite the name of more than one candidate; or
- (e) on which the figure “1” and some other figure is set opposite the name of the same candidate; or



- (f) which is unmarked or is void for uncertainty.

### **THE COUNTING OF VOTES**

**VIII.** The ballot-papers shall be examined and the Returning Officer, after rejecting any invalid ballot-paper shall divide the remaining papers into parcels according to the first preferences recorded for each candidate. He shall then count the number of papers in each parcel.

**IX.** In carrying out the provisions of the paragraphs hereinafter contained, the Returning Officer shall –

- (a) disregard all fractions;
- (b) ignore all preferences recorded for candidates already elected or excluded from the poll.

**X.** For the purpose of facilitating the processes prescribed in the paragraphs hereinafter contained, each valid ballot-paper shall be deemed to be of the value of one hundred.

**XI.** The Returning Officer shall add together the values of the papers in all the parcels and divide the total by a number exceeding by one the number of vacancies to be filled and the result increased by one shall be the number sufficient to secure the return of a candidate (hereinafter called the quota).

**XII.** If at any time a number of candidates equal to the number of persons to be elected has obtained the quota, such candidates shall be treated as elected, and no further steps shall be taken.

**XIII.** (1) Any candidate the value of whose parcel, on the first preference being counted, is equal to or greater than the quota, shall be declared elected.

(2) If the value of the papers in any such parcel is equal to the quota, the papers shall be set aside as finally dealt with.

(3) If the value of the papers in any such parcel is greater than the quota, the surplus shall be transferred to the continuing candidates indicated on the ballot-papers as next in the order of the voter's preference, in the manner

prescribed in the following paragraphs.

**XIV.** (1) If and whenever as the result of any operation prescribed by these paragraphs, a candidate has a surplus, that surplus shall be transferred in accordance with the provisions of this paragraph.

(2) If more than one candidate has a surplus, the largest surplus shall be dealt with first and the others in order of magnitude:

Provided that every surplus arising on the first count of votes shall be dealt with before the surplus arising on the second count, and so on.

(3) Where two or more surpluses are equal, the Returning Officer shall decide, as hereinafter provided in paragraph XIX, which shall first be dealt with.

(4) (a) If the surplus of any candidate to be transferred arises from original votes only, the Returning Officer shall examine all the papers in the parcel belonging to the candidate whose surplus is to be transferred, and divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon. He shall also make a separate sub-paragraph of the exhausted papers.

(b) He shall ascertain the value of the papers in each sub-paragraph and of all the unexhausted papers.

(c) If the value of the unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidate whose surplus is being transferred.

(d) If the value of the unexhausted papers is greater than the surplus, he shall transfer the sub-parcels of unexhausted papers, and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(5) If the surplus of any candidate to be transferred arises

from transferred as well as original votes, the Returning Officer shall re-examine all the papers in the sub-parcel last transferred to the candidate, and divide the unexhausted papers into sub-parcels according to the next preferences recorded thereon. He shall thereupon deal with the sub-parcels in the same manner as is provided in the case of sub-parcels referred to in clause (4).

(6) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate.

(7) All papers in the parcel or sub-parcels of an elected candidate not transferred under this paragraph shall be set aside as finally dealt with.

**XV.** (1) If after all surpluses have been transferred, as hereinbefore directed, less than the number of candidates required has been elected, the Returning Officer shall exclude from the pool the candidate lowest on the pool and shall distribute his unexhausted papers among the continuing candidates according to the next preferences recorded thereon. Any exhausted papers shall be set aside as finally dealt with.

(2) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of each paper being one hundred.

(3) The papers containing transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which and at the value of which he obtained them.

(4) Each of such transfer shall be deemed to be a separate transfer.

(5) The process directed by this paragraph shall be repeated on the successive exclusions one after another of the candidate lowest on the pool until the last vacancy is filled either by the election of a candidate with the quota or as

hereinafter provided.

**XVI.** If as the result of a transfer of papers under the provisions of this Schedule, the value of the votes obtained by a candidate is equal to or greater than the quota, the transfer then proceeding shall be completed, but no further papers shall be transferred to him.

**XVII.** (1) If after the completion of any transfer under these paragraphs the value of the votes of any candidate shall be equal to or greater than the quota, he shall be declared elected.

(2) If the value of the votes of any such candidate shall be equal to the quota, the whole of the papers on which such votes are recorded shall be set aside as finally dealt with.

(3) If the value of the votes of any such candidate shall be greater than the quota, his surplus shall thereupon be distributed in the manner hereinbefore provided, before the exclusion of any other candidate.

**XVIII.** (1) When the number of continuing candidates is reduced to the number of vacancies remaining unfilled, the continuing candidate shall be declared elected.

(2) When only one vacancy remains unfilled and the value of the votes of some one continuing candidate exceeds the total value of the votes of the other continuing candidates, together with any surplus not transferred, that candidate shall be declared elected.

(3) When only one vacancy remains unfilled and there are only two continuing candidates and those two candidates have each the same value of votes and no surplus remains capable of transfer, one candidate shall be declared excluded under the next succeeding paragraph and the other declared elected.

**XIX.** If, when there is more than one surplus to distribute, two or more surpluses are equal, or if at any time it

becomes necessary to exclude a candidate and two or more candidates have the same value of votes and are lowest on the pool, regard shall be had to the original votes of each candidate, and the candidate for whom lowest original votes are recorded shall have his surplus first distributed, or shall first be excluded, as the case may be. If the values of their original votes are equal, the Returning Officer shall decide by lot which candidate shall have his surplus distributed or be excluded.

**FORM OF BALLOT PAPER***(Form of front of Ballot Paper)*

Counterfoil No.	Order of preference	Names of Candidates
		Muhammad Yasin Viqar Hussain Amir Ali Muhammad Hussain Mahmood Raza Muhammad Tahir

Note: The counterfoil must show the number corresponding to this on the back of the ballot paper.

**INSTRUCTIONS TO MEMBERS***(Form of back of Ballot Paper)*

- A. Each member has one vote and one vote only.
- B. The member votes—
- by placing the figure “1” opposite the name of his first choice. He is also invited to place—
- (i) the figure “2” opposite the name of his second choice;
  - (ii) the figure “3” opposite the name of his third choice, and so on, numbering as many candidates as he pleases in order of his preference. The number of preferences is not necessarily restricted to the number of vacancies.

Note: The vote will be spoilt if the figure “1” is placed opposite the name of more than one candidate.

No. \_\_\_\_\_  
\_\_\_\_\_

Note: The number on the back of the ballot-paper is to correspond with that on the counterfoil.

**APPENDIX**  
**ILLUSTRATIVE ELECTION**  
**EXAMPLE OF AN ELECTION CONDUCTED ON THE**  
**SYSTEM OF A SINGLE TRANSFERABLE VOTE IN**  
**ACCORDANCE WITH THE PRECEDING PARAGRAPHS**

Assuming that there are seven members to be elected, sixteen candidates, and one hundred and forty electors.<sup>1</sup>

The valid ballot papers are arranged in separate parcels according to the first preference recorded for each candidates, and the papers in each parcel counted.

Let it be assumed that the result is as follows:-

A	..	..	..	12
B	..	..	..	8
C	..	..	..	6
D	..	..	..	9
E	..	..	..	10
F	..	..	..	7
G	..	..	..	4
H	..	..	..	19
I	..	..	..	13
J		..	..	5
K	..	..	..	14
L	..	..	..	8
M	..	..	..	10
N	..	..	..	6
O	..	..	..	4
P	..	..	..	5
<b>Total</b>				<b>140</b>
				-----

Each valid ballot paper is deemed to be of the value of one hundred and the values of the votes obtained by the respective candidates are as shown in the first column of the result sheet.<sup>2</sup>

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<sup>1</sup>Paragraph VIII

<sup>2</sup>Paragraph X

The values of all the papers are added together and the total 14,000 is divided by eight (if the number which exceeds by one the number of vacancies to be filled) and 1,751 (of the quotient, 1,750, increased by one) is the number sufficient to secure the return of a number and is called the quota.<sup>1</sup> The operation may be shown thus –

$$\text{Quota} = \frac{14,000}{8} + 1 = 1,750 + 1 = 1,751$$

The candidate H, the value of whose votes, exceeds quota, is declared elected.<sup>2</sup>

As the value of the papers in H's parcel exceeds the quota, this surplus must be transferred. His surplus is 149 (if 1,900 less 1,751).<sup>3</sup>

The surplus arises from original votes, and, therefore, the whole of H's papers are divided into sub-parcels according to the next preferences recorded thereon, a separate parcel of the exhausted papers being also made.<sup>4</sup>

Let it be assumed that the result is as follows –

	<b>Papers</b>
(B) is marked as next available preference on	7
(D) is marked as next available preference on	4
(E) is marked as next available preference on	4
(F) is marked as next available preference on	3
Total of unexhausted papers	18
Number of exhausted papers	1
Total of papers	19

<sup>1</sup>Paragraph XI

<sup>2</sup>Paragraph XII(1)

<sup>3</sup>Paragraph XIII (3) Surplus

<sup>4</sup>Paragraph XIV(4) (a)



The values of the papers in the sub-parcels are as follows<sup>1</sup>:-

(B)	..	..	..	700
(D)	..	..	..	400
(E)	..	..	..	400
(F)	..	..	..	300
Total value of unexhausted papers				1,800
Value of exhausted papers				100
Total value of papers				1,900

The value of the unexhausted papers is 1,800 and is greater than the surplus. This surplus is, therefore, transferred as follows<sup>2</sup>:-

All the papers are transferred, but at a reduced value, which is ascertained by dividing the surplus by number of unexhausted papers.

The reduced value of all the papers, when added together, with the addition of any value lost as the result of the neglect of fractions, equals the surplus. In this case the new value of each paper transferred is –

149 (the surplus)

$\frac{149}{18 \text{ (the number of unexhausted papers)}} = 8, \text{ the residue of}$

the value, 92, being required by H for the purpose of constituting his quota, if one exhausted paper (value 100) *plus* the value (1,656) of 18 unexhausted papers.

The values of the sub-parcels transferred are –

B=56 (*i.e.* seven papers at the value of 8)

D=32 (*i.e.* four papers at the value of 8).

E=32 (*i.e.* four papers at the value of 8).

F=24 (*i.e.* three papers at the value of 8).

These operations can be shown on a transfer sheet as follows:-

**Transfer Sheet –**

Value of surplus H's to be transferred	149
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<sup>1</sup>Paragraph XIV(4) (b)

<sup>2</sup>Paragraph XIV(4) (c)

Number of papers in H's parcel	19
Value of each paper in parcel	100
Number of unexhausted papers	18
Value of unexhausted papers	1800

$$\text{New value of each paper transferred} = \frac{\text{Surplus } 149}{\text{Number of unexhausted papers } 18} = 8$$

Name of candidates marked as the next available preference	Number of papers to be transferred	value of sub-parcel to be transferred
B	7	56
D	4	32
E	4	32
F	3	24
<b>Total</b>	<b>18</b>	<b>144</b>
Number of exhausted papers	1	...
Loss of value owing to neglect of fractions		5
<b>Total</b>	<b>19</b>	<b>149</b>

The values of the sub-parcels are added to the values of the votes already credited to the candidates, B, D, E and F. This operation is shown on the result sheet.<sup>1</sup>

There being no further surplus the candidates lowest on the poll has now to be excluded. G and O both have 400.

The Returning Officer casts lots and G is chosen to be excluded.<sup>2</sup>

Being original votes, G's papers are transferred at the value of 100 each. A who was marked as next preference on two papers receives 200, while D and E were each next preference on one paper and received 100 each. O now being lowest is next excluded and his 400 is similarly transferred to I, B and K, I receiving 200 and B and K 100 each.<sup>3</sup>

This leaves J and P lowest with 500 each and J is chosen by lot for exclusion first. His papers are transferred at the value of 100 each to A, B, D and I, the first three names receiving 100 each, and I who had the next

<sup>1</sup>Paragraph XV (1)

<sup>2</sup>Paragraph XIX

<sup>3</sup>Paragraph XV (2)

preference on two papers receiving 200. P is then excluded and his papers are transferred to E, L and K, the first two names receiving 100 each, and K, who had the next preference on three papers, receiving 300.<sup>1</sup>

K now exceeds the quota and is declared elected.<sup>2</sup>

Prior to further exclusions, K's surplus of 49 has to be distributed.<sup>3</sup>

The sub-parcel last transferred to K consisted of 3 votes transferred at the value of 100 each. This sub-parcel is examined; there are no exhausted papers and B, F and I are each next preference on one paper; and one paper is transferred to each of them at a reduced value determined by dividing the surplus (49) by the number of exhausted paper (3) B, F and I accordingly receive 16 each.<sup>4</sup>

The process of exclusion is now proceeded with. C and N have 600 each, and C is chosen by lot for exclusion first. He has 6 original votes; B, D and E are each next preference on two papers, and each receives 200. E is then excluded. A is next preference on 3 of his papers, and receives 300; F, I and L are each next preference on one paper and receive 100 each.<sup>5</sup>

This brings A and I above the quota and they are declared elected. Their surpluses have now to be distributed and I's surplus which is the larger, 65, is dealt with first.<sup>6</sup>

The last sub-parcel transferred to I consisted one paper transferred at the value of 100; D is next preference on this paper, and receives the whole surplus of 65.<sup>7</sup>

A's surplus of 49 is then dealt with. The last sub-parcel transferred to him consisted of 3 papers transferred at the value of 100 each. B was next preference on two of these papers and E on one, and the papers are transferred accordingly. The value to be transferred is 16 per paper, if the surplus divided by the number of the unexhausted papers (3), B accordingly receives 32 and E 16.<sup>8</sup>

No other candidate having reached the quota, the process of

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<sup>1</sup>Paragraph XIX

<sup>2</sup>Paragraph XVII (1)

<sup>3</sup>Paragraph XVII (3)

<sup>4</sup>Paragraph XIV (3)

<sup>5</sup>Paragraph XIX

<sup>6</sup>Paragraph XVII (1)

<sup>7</sup>Paragraph XIV (5)

<sup>8</sup>Paragraph XIV (4) (d) and (5)

exclusion is proceeded with and F, who is now lowest with 840, is excluded.<sup>1</sup>

H's seven original votes are transferred first, B, D and E are next preference on three, two and two papers, respectively, and receive respectively 300, 200 and 200.

The transferred votes are next transferred in the order of their transfers to F. The 3 votes received at the value of eight each at the distribution of H's surplus are transferred at the same value to L who was next preference on all 3 papers. The two votes, received at the value of eight each at the distribution of K's surplus, go at the same value to M, who was next preference on each paper. The vote transferred at the value of 100 on the exclusion of N is then transferred at the same value to D, who thus receives a total of 300.<sup>2</sup>

No continuing candidate having yet reached the surplus, M, who is now lowest with 1,016 is excluded.<sup>3</sup>

H's ten original votes are transferred first, B and D are, first preference on three papers each, and E and L on two each, B and D accordingly receive 300 each and E and L 200 each.<sup>4</sup>

This brings B, D and E above the quota and they are declared elected. The requisite number of candidates having now been elected, the election is at an end, and it is unnecessary to proceed to the transfer of M's transferred votes.<sup>5</sup>

Full details are shown in the result sheet.

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<sup>1</sup>Paragraph XV (1)

<sup>2</sup>Paragraph XV (2)

<sup>3</sup>Paragraph XV (3)

<sup>4</sup>Paragraph XV (2)

<sup>5</sup>Paragraph XV (4) and (5) and XVI











**SIXTH SCHEDULE**  
**PROCEDURE REGARDING DIVISIONS**

*(see rule 208)*

1. The Speaker will order a Division to be held by uttering the word “Division” and shall direct that the Division bells be rung for five minutes to enable members not present in the chamber to return to their places. Immediately after the bells stop ringing, all the entrances to the members lobby will be locked and the staff posted at each gate will not allow any entry or exit through these gates until the Division has concluded. The Speaker will then read the terms of the motion before the Assembly and put the question for second time. If the Division is still demanded, he will say “Ayes to the right, Noes to the left, divide.”
2. According as they wish to vote, members will then proceed to the Ayes, or the Noes lobby and there pass in single file before the tellers. On reaching the desk of the tellers, each member will, in turn, call out the division number which has been allotted to him for this purpose. The tellers will then mark off this number on the Division list simultaneously calling out the name of the member. In order to ensure that his vote has been properly recorded the member should not move off until he has clearly heard the teller thus call out his name. The division number allotted to each member will be communicated separately. The numbers will be marked on the seat-card of each member.
3. When the voting process as described above is completed in the Division’s lobbies, the tellers will present their Division lists to the Secretary who will count the votes recorded thereon and then present the total of the “Ayes” and the “Noes” to the Speaker who will then announce the result to the Assembly. The Division will not be at an end until the result is so announced. if the number of “Ayes” and “Noes” are equal, the question will be decided by the casting vote of

the Speaker.

4. In case a member's vote has been recorded both in Ayes and Noes, the Speaker shall ask him which side he intended to vote and a correction shall be made accordingly.

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**RAI MUMTAZ HUSSAIN BABAR**  
**Senior Secretary**  
**Provincial Assembly of the Punjab**