

PROVINCIAL ASSEMBLY OF BALOCHISTAN,

RULES OF PROCEDURE AND CONDUCT
OF BUSINESS, 1974.



(As modified upto 5th April, 2018)



PREFACE.

The Provincial Assembly of Balochistan, Rules of Procedure and Conduct of Business were framed under clause (1) of Article 67 read with Article 127 of the Constitution of the Islamic Republic of Pakistan in 1974. Since then, a number of amendments have been made therein specially after 18th amendment in the Constitution.

I appreciate efforts made by M/S. Tahir Shah Kakar, Additional Secretary, Mir Baz Khan Kakar, Senior Research Officer, Malik Muhammad Din Shahwani, Senior Computer Programmer and Abdul Hanan, Assistant Private Secretary for extending their excellent contribution and assistance in compiling and getting these rules printed.

Every possible effort has been made to make the text of the Rules of Procedure and Conduct of Business free from errors. However, intimation of any error and omission found therein will be highly appreciated and properly attended for its rectification.

SHAMS-UD-DIN

Secretary,
Provincial Assembly of Balochistan.

QUETTA:
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I

TABLE OF CONTENTS

CHAPTER I. SHORT TITLE, COMMENCEMENT AND DEFINITIONS.

Rule #	Contents	Page #
1.	Short Title and Commencement.	1
2.	Definitions.	1

CHAPTER II. SUMMONING AND PROROGATION OF THE ASSEMBLY AND SEATING, OATH AND ROLL OF MEMBERS.

3.	Summoning of the Assembly.	5
4.	Prorogation of the Assembly.	5
5.	Oath of Members.	6
6.	Roll of Members.	6
7.	Seating of Members.	6

CHAPTER III. THE SPEAKER, DEPUTY SPEAKER AND PANEL OF CHAIRMEN.

8.	Election of Speaker.	6
9.	Election of Deputy Speaker.	8
10.	Vacancies in Office of Speaker or Deputy Speaker.	8
11.	Removal of Speaker, or Deputy Speaker.	8
12.	Powers and functions of the Speaker.	9
13.	Panel of Chairmen.	10
14.	Powers of Presiding Officer.	10

CHAPTER IV. CHIEF MINISTER.

15.	Election of Chief Minister.	10
16.	Scrutiny.	11
17.	Withdrawal.	12
18.	Election.	12
19.	Governor to be informed.	13
19-A	Vote of confidence in Chief Minister.	13

II

19-B	Resolution for vote of no confidence against Chief Minister.	14
19-C	Declaration of Leader of the Opposition.	15
19-D	Removal of Leader of the Opposition.	16
19-E	Vacancy in the office of Leader of the Opposition.	16

CHAPTER V. SITTING OF THE ASSEMBLY AND CLASSIFICATION AND ARRANGMENT OF BUSINESS.

20.	Recitation from Holy Quran.	16
21.	Calendar of sessions for the year.	16
21-A.	Sitting of the Assembly.	17
22.	Adjournment of sittings.	18
23.	Class of Business.	18
24.	Allotment of time for transaction of Business.	18
25.	Arrangement of Business.	18
26.	Relative precedence of private Members' Bills.	19
27.	Precedence of resolutions.	20
28.	Orders of the Day.	20
29.	Business outstanding at the end of day.	20

CHAPTER VI. GOVERNOR'S ADDRESS AND MESSAGE TO AND FROM THE ASSEMBLY.

30.	Governor's Address.	21
31.	Communications from the Governor.	21
32.	Communications to the Governor.	21

CHAPTER VII. QUESTIONS.

33.	Time of questions.	22
34.	Notice of questions.	23
35.	Short notice questions.	23
36.	Form of notice of questions.	23
37.	Notice of admission of questions.	23
38.	Number of questions to be put on any one day.	23
39.	Allotment of days for questions.	24
40.	Written Answers to questions not replied	24
41.	Subject matter of questions.	24
42.	Matter to which questions shall relate.	24
43.	Admissibility of questions.	24

III

44.	Questions relating to the Secretariat of the Assembly.	26
45.	Speaker to decide admissibility of question.	26
46.	List of Questions.	26
47.	Mode of asking questions and answering.	26
48.	Supplementary questions.	27
49.	Prohibition of discussion on question or answer.	27
50.	Discussion on a matter of public importance arising out of answer to a question.	27

CHAPTER VII-A. CALL ATTENTION NOTICE.

50-A	Procedure regarding calling attention.	28
50-B	Admissibility.	28
50-C	Time of calling attention.	28
50-D	Mode of raising the question.	29
50-E	Restriction on debates.	29
50-F	Notices to lapse.	29

CHAPTER VIII. LEAVE OF ABSENCE FROM SITTINGS OF THE ASSEMBLY.

51.	Leave of absence from sittings of the Assembly.	29
52.	Seat becoming vacant.	30
53.	Attendance Register.	30

CHAPTER IX. RESIGNATION OF SEATS.

54.	Resignation of seat.	30
-----	----------------------	----

CHAPTER X. PRIVILEGE.

55.	Question of privilege.	31
56.	Notice of question of privilege.	32
57.	Conditions of admissibility of question of privilege.	32
58.	Mode of raising a question of privilege.	32
59.	Time for question of privilege.	33
60.	Consideration by the Assembly or reference to the Committee.	33

IV

60-A	Reference of question of privilege by the Speaker to Committee.	33
61.	Examination of the question by the Committee.	33
62.	Sitting of the Committee.	33
63.	Report of the Committee.	33
64.	Consideration of the Report.	34
65.	Priority for consideration of report of the Committee.	34
66.	Intimation to Speaker by Magistrate etc. of arrest, detention etc. of a Member.	34
67.	Intimation to Speaker on release of a Member.	34
68.	Treatment of communications received from Magistrate etc.	34
69.	Arrest within the precincts of Assembly.	34
69-A	Production of a Member.	35

CHAPTER XI. ADJOURNMENT MOTIONS.

70.	Adjournment motions.	35
71.	Method of giving notice.	35
72.	Restrictions on right to make adjournment motion.	35
73.	Motion for discussion on matters before tribunal, commission etc.	37
74.	Time for asking leave for motion for adjournment.	37
75.	Procedure to be followed.	37
76.	Limitation of time of discussion.	37
77.	Time limit for speeches.	38

CHAPTER XII. PART- I INTRODUCTION OF BILLS. SECTION (A) PRIVATE MEMBERS' BILLS.

78.	Notice of Private Members' Bills.	38
79.	Introduction of private Members' Bills.	38

SECTION (B) GOVERNMENT BILLS.

80.	Notice of Government Bills.	39
80-A	Bills passed by the Parliament.	39

V

PART-II PUBLICATION OF BILLS.

81. Publication of Bills. 40

PART-III CONSIDERATION OF BILLS.

SECTION (A) FINANCE BILL.

82. Finance Bill. 40
83. Allotment of days for stages of the Finance Bill. 40

SECTION (B) OTHER BILLS.

84. Reference of Bills to Standing Committees. 41
85. Time for consideration of Bills. 41
86. Motion to be made by Member-In-Charge. 42
87. Persons by whom motion in respect of Bills may be made. 42
88. Bills repugnant to the injunctions of Islam. 42
89. Discussion on principles of Bill. 43
90. Procedure after presentation of report. 43
91. Amendments. 44
92. Rules as to amendments. 45
93. Notice of amendments. 45
94. Submission of Bill clause by clause. 45
95. Order of amendments. 45
96. Procedure of new clauses. 46

PART-IV PASSING OF BILLS ETC.

97. Passing of Bills. 46
98. Withdrawal and rejection of Bills. 47
99. Submission of Bills to the Governor. 47
100. Bill assented to by the Governor. 47

PART-V. RESOLUTIONS MENTIONED IN THE CONSTITUTION.

101. Resolutions under the Constitution. 48

VI

CHAPTER XII-A. ZERO HOUR.

101-A	Zero Hour.	49
101-B	Conditions of Admissibility.	50

CHAPTER XIII. RESOLUTIONS.

PART. A. RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

102.	Right to move resolution.	50
103.	Notice of resolution.	50
104.	Form and contents of resolution.	51
105.	Raising discussion on matters before Tribunals, Commissions etc.	51
106.	Admissibility of resolution.	51
107.	Moving and withdrawal of resolution.	52
108.	Amendment of a resolution.	52
109.	Notice of amendment.	52
110.	Withdrawal of resolution or amendment after being moved.	52
111.	Repetition of resolutions.	52
112.	Time limit for speeches.	52
113.	Scope of discussion.	53
114.	Implementation of Resolutions.	53

PART -B- CERTAIN STATUTORY RESOLUTIONS.

115.	Certain Statutory resolutions.	53
------	--------------------------------	----

CHAPTER XIII (A). PRE-BUDGET AND POST BUDGET DISCUSSION.

115-A	Pre-Budget discussion.	54
115-B	Post Budget discussion.	54

VII

CHAPTER XIV. THE BUDGET.

116.	Budget.	54
117.	Stages of Budget.	55
118.	Allotment of days for different stages.	55
119.	General discussion on the budget.	55
120.	Demands for grants.	56
121.	Cut-Motion.	56
122.	Admissibility and discussion on cut-motions.	57
123.	Limits of discussions.	57
124.	Procedure for dealing with supplementary and excess demands.	58
125.	Question of Legislation not to be raised.	58
126.	Laying of Schedule of authorised expenditure.	58
127.	Votes on Accounts.	58

CHAPTER XV. COMMITTEES. A-STANDING COMMITTEES.

128.	Standing Committees.	59
129.	Composition of Standing Committees.	60
130.	Restriction on Membership.	61
131.	Method of Election.	61
132.	Election, Removal and Resignation of Chairman.	61
133.	Resignation and Discharge of Members from the Committee.	62
134.	Filling of casual vacancies.	62
135.	Functions of Standing Committees.	62
135-A	Briefings to the Committees by concerned Departments.	62
135-B	Power to appoint Sub-Committee.	63
136.	Reference to Standing Committees.	63
137.	Meetings of committees.	63
138.	Meeting of the Committee while the Assembly is sitting.	63
139.	Sitting of a Committee to be private.	64
140.	Quorum of a meeting.	64
141.	Voting in Committees.	64
142.	Casting Vote of Chairman.	64
143.	Power of Committee to examine Government officials and records.	64
144.	Evidence, report and proceeding treated confidential.	65

VIII

145.	Copies of private Member's Bill to be supplied to Department concerned.	65
146.	Record of the proceedings of Committees.	65
147.	Special Reports.	65
148.	Reports of Committee.	65
149.	Presentation of Report and discussion thereon.	66
150.	Agenda and notice of the meetings of Committees.	66
151.	Decision of Speaker on procedure.	66
152.	Business before Committee not to lapse on prorogation of Assembly.	66
153.	Un-finished work of a Committee.	67

(B) SELECT COMMITTEE.

154.	Composition of Select Committee on Bills.	67
155.	Quorum of Select Committee.	67
156.	Amendment in Select Committee.	68
157.	Report by Select Committee.	68
158.	Presentation of report.	68
159.	Printing and publication of report.	68

(C) PUBLIC ACCOUNTS COMMITTEE.

160.	Constitution of Public Accounts Committee.	68
161.	Functions of the Committee.	69
162.	Report of the Committee.	69

(D) COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES.

163.	Constitution of Committee on Rules of Procedure and Privileges.	70
164.	Functions of the Committee.	70

(E) FINANCE COMMITTEE.

165.	Constitution of Finance Committee.	70
166.	Functions and powers of the Finance Committee.	70

IX

(F) COMMITTEE ON GOVERNMENT ASSURANCES.

167. Committee on Government Assurances. 71

(G) HOUSE AND LIBRARY COMMITTEE.

168. House and Library Committee. 72
169. Functions of the Committee. 72

(H) SPECIAL COMMITTEES.

170. Special committees. 73

(H-1) COUNCIL OF CHAIRMEN.

- 170-A Council of Chairmen. 73

BUSINESS ADVISORY COMMITTEE.

- 170-B Composition. 73
170-C Functions. 73
170-D Constitution. 74
170-E Proceedings. 74

(I) GENERAL.

171. Supplementary rules of Committees and applicability of general rules. 75

CHAPTER XVI. STATUTORY REPORTS.

172. Report on the implementation of Principles of Policy. 75
173. Recommendations of the National Finance Commission. 75
174. Reports of the Auditor General. 76
175. Recommendations and Reports of Council of Islamic Ideology. 76

X

CHAPTER XVII. STATEMENT AND PERSONAL EXPLANATIONS.

176.	Statement by a Member resigning the Ministry.	76
177.	Personal explanation.	76

CHAPTER XVIII. GENERAL RULES OF PROCEDURE.

(A) NOTICE.

178.	Notice by Member.	77
179.	Circulation of notice to Members.	77

(B) MOTIONS.

180.	Decision by motions.	77
181.	Notice of motion or amendment.	78
182.	Who may move motion.	78
183.	Motion to be moved as appearing on the notice paper.	78
184.	Repetition of motion.	78
185.	Anticipation of a matter before the Assembly.	79
186.	Proposal of question.	79
187.	Withdrawal of motion.	79

(C) AMENDMENTS.

188.	Rules as to amendments.	79
189.	Putting of amendments.	80

(D) DEBATE.

190.	Mode of Address.	80
191.	Rules against reading.	80
192.	Limitation of debates.	81
193.	Irrelevance or repetition.	81
194.	Order of speech and right of reply.	81

XI

(E) QUORUM, CLOSURE AND VOTING.

195.	Want of Quorum.	82
196.	Closure.	82
197.	Voting.	82
198.	No Speech after question is put.	84
199.	Casting Vote.	84
200.	Validity of proceeding etc.	84

(F) POINTS OF ORDER.

201.	Decision on point of order.	84
201-A	Allocation of time for point of public importance.	85
201-B	Restriction on Debates.	85
201-C	Decision and Ruling of the Speaker.	86

(G) MAINTENANCE OF ORDER.

202.	Speaker to preserve order and enforce decisions.	86
203.	Withdrawal of Member.	86
204.	Suspension of Member.	86

(H) SUSPENSION OF SITTING.

205.	Power of Speaker to suspend sitting or adjourn the Assembly.	87
------	--	----

(I) ADMISSION, WITHDRAWAL AND REMOVAL OF STRANGERS.

206.	Admission of strangers.	87
207.	Withdrawal of strangers.	87
208.	Sergeant-at-Arms.	87
209.	Removal of strangers.	87

(J) SECRETSITTING OF THE ASSEMBLY.

210.	Secret sitting.	87
211.	Report of proceedings.	88
212.	Procedure in other respects.	88
213.	Lifting ban on Secrecy.	88
214.	Disclosure of proceedings or decisions.	88

(K) LANGUAGE, RECORD AND REPORTS.

215.	Language of the Assembly.	88
------	---------------------------	----

XII

216.	Report of proceedings.	89
217.	Custody of Documents and records.	89
218.	Expunction of words from debates.	89
219.	Indication in printed debates of expunged proceedings.	90

(L) RULES TO BE OBSERVED BY MEMBERS.

220.	Rules to be observed by Members while present in House.	90
------	---	----

(M) LAPSE OF BUSINESS.

221.	Lapse of pending notices on prorogation of session.	91
222.	Effect of dissolution of Assembly.	91

(N) MISCELLANEOUS.

223.	Secretary to be ex-officio Secretary of Committees.	91
224.	Secretary may authorise any officer.	91
225.	Suspension of Rules.	91
226.	Residuary powers of the Speaker.	91
227.	Papers quoted to be laid on the Table.	91
228.	Treatment of paper laid on the Table.	92
229.	Procedure when a Minister discloses source of advice or opinion given to him.	92
230.	Statements on matters of public importance.	92
231.	Use of Assembly Chamber.	92
232.	Transitional provisions.	92
232-A	Gender and number on the Rules.	93

CHAPTER XIX. PRECEDURE FOR AMENDMENT OF RULES.

233.	Amendment of Rules.	93
------	---------------------	----

SCHEDULE I.

	Ballot procedure for determining the relative precedence of Private Members' Bills and resolutions.	95
--	---	----

XIII

SCHEDULE II.

Form of communication regarding arrest, detention conviction or release, as the case may be, of a Member. 96

SCHEDULE III.

Procedure for the holding of elections by means of a single transferable vote. 98

SCHEDULE IV.

Procedure Regarding Divisions. 117

SCHEDULE V.

Nomination paper for election of the Chief Minister. 118

SCHEDULE VI.

Procedure for recording of votes in the case of Chief Minister. 121

Provincial Assembly of Balochistan,

Rules of Procedure and Conduct of Business, 1974.

CHAPTER I.

SHORT TITLE, COMMENCEMENT AND DEFINITIONS.

Short title and commencement.

1. (1) These Rules may be called the Provincial Assembly of Balochistan, Rules of Procedure and Conduct of Business, 1974.

(2) They shall come into force at once.

Definitions.

2. (1) In these Rules unless the context otherwise requires.-

- (a) "**Act**" means a Bill passed by the Assembly and assented to by the Governor;
- (b) "**Advocate General**" means the Advocate General appointed under Article 140 of the Constitution;
- (c) "**Amendment**" means a motion to amend an earlier motion before that earlier motion is put to the Assembly for its decision;
- (d) "**Assembly**" means the Provincial Assembly of Balochistan;
- (e) "**Auditor-General**" means the Auditor General of Pakistan appointed under Article 168 of the Constitution;
- (f) "**Bill**" means a motion for making a law;
- (g) "**Budget**" means a statement of the estimated receipts and expenditure of the Provincial Government in respect of a financial year;
- (h) "**Chamber**" means the place where the Assembly meets to transact its business;
- (i) "**Chief Minister**" means the Chief Minister elected under Article 130 of the Constitution;

- (j) "**Committee**" means a Committee constituted under these rules;
- (k) "**Constitution**" means the Constitution of the Islamic Republic of Pakistan;
- (l) "**Finance Minister**" means a Provincial Minister to whom the business of finance has been allotted or if owing to absence or any other reason such Minister is unable to act, then any other Provincial Minister authorized by the Chief Minister to perform the duties of the Finance Minister;
- (m) "**Gazette**" means the Balochistan Gazette;
- (n) "**Government**" means the Government of Balochistan;
- (o) "**Governor**" means the Governor of Balochistan;
- (p) "**House**" means the Assembly;
- (q) "**Law Minister**" means a Provincial Minister to whom the business of Law and Parliamentary affairs has been allotted;
- (r) "**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;
- (s) "**Leader of the Opposition**" means a member declared as Leader of the Opposition under Rule 19-C;
- (t) "**Lobby**" means the rooms and covered corridors immediately adjoining the Chamber and designated as Division Lobbies;
- (u) "**Media**" means print, electronic and social media;
- (v) "**Member**" means a Member of the Assembly;

- (w) "**Member-elect**" means a person elected as Member and notified as such by the Election Commission of Pakistan, but has not as yet made oath as stipulated in Rule 5;
- (x) "**Member-in-charge**" means, in the case of a Government Bill, any Minister acting on behalf of the Provincial Government, and in the case of a private Member's Bill, the Member who has introduced it or any other Member authorized by him, in writing, to assume the charge of the Bill in his absence;
- (y) "**Minister**" means a Provincial Minister appointed under Article 132 of the Constitution;
- (z) "**Motion**" means a proposal made by a Member relating to any matter which may be discussed by the Assembly;
- (aa) "**Mover**" means a Member who moves a Bill, a Resolution and Motion or amendments therein;
- (bb) "**Opposition**" means a member or a group of members, opposing the Government;
- (cc) "**Orders of the Day**" means the list of business to be brought before the Assembly for consideration and decision at its sitting on any day;
- (dd) "**Parliamentary Secretary**" means a Member appointed as such by the Chief Minister;
- (ee) "**Parliamentary Year**" means a year starting from the date when first sitting of Assembly is held after a General Election;
- (ff) "**Precincts of the Assembly**" Includes the Chamber, the Lobbies, the galleries and such other places as the Speaker may, from time to time, specify;

- (gg) "**Presiding Officer**" means in relation to a sitting, any person who is presiding over that sitting;
- (hh) "**Private Member**" means a Member who is not a Minister or a Parliamentary Secretary;
- (ii) "**Private Member's Bill**" means a Bill of a Member who is not a Minister or a Parliamentary Secretary;
- (ij) "**Resolution**" means a motion for the purpose of discussing and expressing an opinion on a matter of general public interest and includes a resolution specified in the Constitution;
- (kk) "**Rules**" means the Provincial Assembly of Balochistan, Rules of Procedure and Conduct of Business, 1974;
- (ll) "**Schedule**" means a Schedule appended to these rules;
- (mm) "**Secretary**" means the Secretary of the Assembly and includes any person for the time being performing the duties of the Secretary;
- (nn) "**Select Committee**" means a Committee of a legislative body that is formed to examine and report on specific bill;
- (oo) "**Session**" means the period commencing on the day of the first meeting of the Assembly after having been summoned and ending on the day the Assembly is prorogued or dissolved;
- (pp) "**Sitting**" means the meeting of the Assembly or any of its Committees from the commencement of its business to the termination of the business for the day;
- (qq) "**Speaker**" means the Speaker of the Assembly and includes any person for the time being acting as Speaker under the Constitution;

- (rr) "**Special Committee**" means a committee formed with such composition and functions to examine and report on any issue as may be specified by a motion;
- (ss) "**Standing Committee**" means a committee elected by the House to deal with legislation and issues relating to departments (s) assigned to it;
- (tt) "**Starred question**" means a question for an oral answer;
- (uu) "**un-starred question**" means a question for written answer;
- (vv) "**Supplementary Budget**" means a consolidated statement, to be known as the Supplementary Budget Statement, laid before the Assembly under Article 124 of the Constitution; and
- (ww) "**Table**" means the table of the House.

(2) Words and expressions used but not defined in these rules and defined in the Constitution shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution.

CHAPTER II.

SUMMONING AND PROROGATION OF THE ASSEMBLY AND SEATING, OATH AND ROLL OF MEMBERS.

Summoning of the Assembly.

3. When the Assembly is summoned, the Secretary shall intimate to each Member the date, time and place of the meeting and shall cause a notification to this effect to be published in the Gazette.

Prorogation of the Assembly.

4. (1) When the Assembly is prorogued, the Secretary shall cause a notification to that effect to be published in the Gazette.

(2) A session of the Assembly is terminated by prorogation.

Oath of Members.

5. (1) At the first meeting of the Assembly after a general election, persons elected to the Assembly who are present make before the Assembly the oath set out in the Third Schedule to the Constitution for a Member of an Assembly.

(2) Any person elected to the Assembly who has not already taken the prescribed oath under the provisions of sub-rule (1), may do afterwards.

Roll of Members.

6. There shall be a Roll of Members which shall be signed in the presence of the Secretary by every Member after making the oath.

Seating of Members.

7. The Member shall sit in such order as the Speaker or, before the Speaker is elected, the Presiding Officer may determine.

CHAPTER III.

THE SPEAKER, DEPUTY SPEAKER AND PANEL OF CHAIRMEN.

Election of Speaker.

8. (1) At the first meeting of the Assembly after a general election and after the persons elected as Members who are present have made oath, the Assembly shall proceed to elect the Speaker in accordance with this rule.

(2) The meeting of the Assembly for election of Speaker shall be presided over by the outgoing Speaker. If the office of the Speaker is vacant or the outgoing Speaker is absent or is unable to perform the functions of his office due to illness or any other cause, the meeting shall be presided over by such Member as may be nominated by the Governor for the purpose.

(3) At any time before noon on the day appointed for the election, any Member may propose another Member for election as Speaker, by delivery 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.

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

(5) 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, together with the names of their proposers and if there is only one duly nominated candidate, shall declare such candidate to have been elected.

(6) Where, after withdrawals, if any, there remains more than one such candidate, the Assembly shall proceed to elect the Speaker by secret ballot which shall be held in such manner as the Presiding Officer may direct.

(7) Where there are only two such candidates, the candidate obtaining the larger number of votes at the ballot shall be declared to have been elected. In the event of equality of votes, the Presiding Officer shall exercise his casting vote if he is a Member, otherwise a second ballot shall be held. In the event of equality of votes in the second ballot also, the matter will be decided by drawing of lots.

(8) Where there are more than two such candidates, the candidate obtaining at ballot more votes than the aggregate of votes secured by the other candidates shall be declared by the Presiding Officer to have been elected. If no candidate secures such number of votes, there shall be a second ballot, or, if necessary, subsequent ballots, and at each such ballot, the candidate securing 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 candidate 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 of 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 determination of the question as to which of the candidates is to be excluded, shall be decided by the casting vote of the Presiding Officer, if he is a Member, otherwise by drawing of lots.

(10) The Member so elected shall make oath before

the Assembly in the form set out in the Third Schedule to the Constitution for the oath of the Speaker of the Provincial Assembly and occupy the Chair as Presiding Officer.

**Election of
Deputy Speaker.**

9. (1) After the election of the Speaker, the election of the Deputy Speaker shall be held at the same meeting, and the procedure prescribed in Rule 8 for the election of Speaker shall apply mutatis mutandis.

(2) A Member elected as the Deputy Speaker shall, before he enters upon his office, make an oath before the Assembly in the form set out in the Third Schedule to the Constitution as applicable to the Deputy Speaker.

**Vacancies in
office of Speaker
or Deputy
Speaker.**

10. (1) Whenever the office of the Speaker or Deputy Speaker becomes vacant, an election to fill that office shall be held—

(a) if the Assembly is in session, as soon as possible during the session; and

(b) if the Assembly is not in session, at the first meeting of the next session.

(2) The date for the election of Speaker and Deputy Speaker under clause (a) of sub-rule (1) shall be appointed by the Governor and Speaker respectively.

**Removal of
Speaker or
Deputy Speaker.**

11. (1) A Member may give notice to the Secretary, in writing, of a motion for leave to move resolution under paragraph (c) of clause (7) of Article 53 read with Article 127 of the Constitution for the removal of the Speaker or the Deputy Speaker and the Secretary shall, as soon as may be, 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 Orders of the Day for the first working day after the expiry of seven clear days from the date of the receipt of the notice under sub- rule (1).

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

(4) The Speaker or, as the case may be, the Deputy Speaker shall not preside over a sitting of the Assembly when a resolution for his own 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 the total membership of the Assembly does not so rise, he shall declare that the Member has not leave of the Assembly, or if such membership so rises, call upon the Member concerned to move the resolution.

(6) Except with the permission of the Presiding Officer, a speech on the resolution shall not exceed fifteen minutes in duration:

Provided that the Speaker, or, as the case may be, the Deputy Speaker, against whom the motion has been moved and the mover of the resolution may speak for thirty minutes or such longer time as the Presiding Officer may allow.

(7) After a motion referred to in sub-rule (2) has been moved, 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) Voting on the resolution shall be by secret ballot which 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 convened 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 is disposed of, or if leave is granted, the resolution has been voted upon.

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

Powers and functions of the Speaker.

12. (1) In addition to the specific functions and powers provided by these rules and subject to sub-rule (4) of Rule 11, 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 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, and in the 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 11, in the absence of the Speaker, the Deputy Speaker shall take the Chair at a sitting.

(6) The Speaker may, by order in writing, delegate to the Deputy Speaker all or any of his powers under these rules.

Panel of Chairmen.

13. (1) At the commencement of each session, the Speaker shall nominate from amongst the Members a panel of not more than four chairmen and arrange their names in order of precedence and, in the absence of the Speaker and the Deputy Speaker, the person whose name is the highest on the panel from 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.

Powers of Presiding Officer.

14. The Presiding Officer shall have the same powers as the Speaker when presiding over 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.

Election of Chief Minister.

15. (1) After the election of the Speaker and the Deputy Speaker following a general election, or wherever the office of the Chief Minister falls vacant for any reason, the Assembly 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 Schedule V 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 Schedule V.

(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.

Scrutiny.

16. (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 15, in the presence of such candidates, their proposers or seconders as may wish to be present.

EXPLANATION.— Where he 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; or

(b) any provision of Rule 15 has not been complied with; or

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

(3) Notwithstanding anything in 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 remedied at the time of scrutiny.

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

Withdrawal.

17. 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.

Election.

18. (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 Schedule VI.

(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.

Governor to be informed.

19. The Speaker shall, as soon as may be, inform the Governor the name of the Chief Minister elected under these rules.

Vote of confidence in Chief Minister.

19-A. (1) Whenever the Governor requires the Chief Minister to obtain a vote of confidence from the Assembly in a session summoned for the purpose under clause (7) of Article 130 of the Constitution, voting shall be recorded under Schedule VI.

(2) A Member, nominated by the Chief Minister, may give notice in writing to the Secretary for moving a resolution of seeking a vote of confidence in the Chief Minister under sub-rule (1) and the Secretary shall, as soon as possible, circulate the notice to the Members.

(3) The notice for moving the resolution under sub-rule (2). -

- (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 sufficient circulation for purposes of sub-rule (2); and
- (c) shall be entered in the name of the Member concerned by the Secretary in the Orders of the Day.

EXPLANATION.— In this sub-rule, “short notice” includes a notice given on the day on which consideration of resolution is contemplated.

(4) The Speaker shall take up the resolution under sub-rule (2) or matter on the day fixed by the Governor to take up the matter of vote of confidence under sub-rule (1).

(5) After the resolution is moved, the Speaker shall not adjourn the sitting of the Assembly on that day until the resolution is voted upon.

(6) The Speaker shall not allow any debate on the resolution under this rule and shall hold voting under Schedule VI.

(7) In a sitting fixed for moving of a resolution under sub-rule (2) or taking up the matter under sub-rule (1), there shall be no business or proceedings other than those relating or consequential to the resolution or the matter.

(8) If, on the day fixed by the Governor for obtaining a vote of confidence from the Assembly under sub-rule (1), the Chief Minister refrains from obtaining the vote of confidence, the Speaker shall declare that the Chief Minister does not command the confidence of the majority of the Members.

(9) The Speaker shall, as soon as possible, inform the Governor the result of the proceedings under this rule.

**Resolution for
vote of no
confidence
against Chief
Minister.**

19-B. (1) A notice of a resolution under clause (1) of Article 136 of the Constitution 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 the first working day after the expiry of seven clear days of the receipt of the notice.

(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:

Provided that the Speaker shall call such Members as may be in favour of the leave being granted to rise in their seats, and if less than twenty per centum 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 when the requisite number so rise he shall call upon the Member to move the resolution.

(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 Schedule VI 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.

LEADER OF THE OPPOSITION.

Declaration of Leader of the Opposition.

19-C. (1) Subject to this rule, the Speaker shall declare the Leader of the Opposition.

(2) After the election of the Chief Minister consequent to the general elections, or the vacation of office of the Leader of the 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 the 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 the 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 the Opposition under this rule.

**Removal of
Leader of the
Opposition.**

19-D. (1) A notice signed by a majority of the members of the Opposition may be given to the Secretary showing that the Leader of the Opposition has lost the support of the majority of the members of the Opposition.

(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 the Opposition does not command the majority of the members of Opposition, he shall declare that the Leader of the 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 the Opposition.

(5) The Speaker shall follow the procedure contained in rule 19-C for ascertainment of the majority under this rule.

**Vacancy in the
office of Leader
of the
Opposition.**

19-E. Whenever the office of the Leader of the Opposition becomes vacant, it shall be filled in the manner provided in rule 19-C.

CHAPTER V.

**SITTING OF THE ASSEMBLY AND CLASSIFICATION
AND ARRANGMENT OF BUSINESS.**

**Recitation from
the Holy Quran.**

20. Every sitting of the Assembly shall commence with a recitation from the Holy Quran followed by its Urdu translation.

**Calendar of
sessions for the
year.**

21. (1) At the commencement of the first session of each year, the Speaker in consultation with the Government shall provide a provisional calendar of sessions for the parliamentary year:

Provided that 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

1. Rule 19-D & 19-E added vide Notification No.PAB/Legis:I(3)/2013 dated, 5th April, 2018.

2. Rule-21 substituted vide Notification No.PAB/Legis:I(3)/2013 Dated 5th March, 2018.

sitting of the Assembly in one session and the date appointed for its first sitting in the next session:

Provided further that the Assembly shall meet for not less than one hundred days in each Parliamentary year.

(2) The Secretary shall circulate the provisional calendar to the members, and publish it in the official Gazette and on the website of the Assembly.

Sitting of the Assembly.

21-A. (1) The Assembly shall meet, while in session, on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday:

Provided that there shall be no sitting on the day declared as holiday by the Government of Balochistan.

(2) The Assembly shall meet at such time and place as the Governor may think fit:

Provided that on a requisition signed by not less than one-fourth of the total membership of the Assembly, the Speaker shall summon the Assembly to meet, at such time and place as he thinks fit, within fourteen days of the receipt of the requisition; and when the Speaker has summoned the Assembly only he may prorogue it.

(3) After the summoning of the Assembly session, the Speaker may make schedule for timing and sitting of the Assembly and may also review such schedule as he may deem necessary.

(4) The duration of Assembly proceedings shall not ordinarily exceed three hours.

(5) If the business set down in the Orders of the day for the day is completed earlier or if it is not completed during three hours, the Speaker shall adjourn the Assembly without question put, and the proceedings on any business then under consideration shall be interrupted:

Provided that if at the time of interruption, the closure is moved or proceedings under the closure are in progress, the proceedings under the closure, and any further motion as is specified in the rule as to closure, shall be completed before the Assembly is adjourned.

Adjournment of sittings.

22. Subject to other provisions of these rules the Speaker may-

- (a) adjourn a sitting of the Assembly; and
- (b) if he so thinks fit, call a sitting of the Assembly, at a time and date different from that to which it was earlier adjourned.

Class of Business.

23. Business of the Assembly shall be classified as-

- (i) Government business; or
- (ii) Private Members' business.

Allotment of time for transaction of business.

24. On Thursday no other 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, the Law Minister:

Provided that if any Thursday is a holiday, Private Members' business shall have precedence on the next working day:

Provided further that if any Thursday is appointed for the presentation of the Budget, or is allotted for any stage of the Budget a day in lieu of such Thursday shall be set apart by the Speaker for Private Members' business.

Arrangement of Business.

25. (1) The Secretary shall arrange Government business in such order as the Leader of the House or in his absence the Law Minister and in the absence of both of them, any other Minister on Government behalf may intimate.

(2) On days 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; and

(c) Bills which have been introduced:

Provided that the Speaker may direct that Bills and resolutions may be taken up on separate days and on the day when Bills are to be taken up not more than 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.

**Relative
Precedence of
Private Members'
Bills.**

26. (1) The relative precedence of Private Members' Bills to be introduced shall be determined by ballot.

(2) The ballot shall be held in accordance with the procedure set out in Schedule 1, on such day, not being less than five days before the day with reference to which the ballot is held, subject to the authority of the Speaker to make minor variations in the procedure from time to time.

(3) Bills introduced shall be arranged in such order as to give priority to Bills most advanced in the following order:-

- (i) Bills in respect of which the next stage is that the Bill be passed;
- (ii) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (iii) Bills in respect of which the report of the Select Committee has been presented;
- (iv) Bills in respect of which the report of the Standing Committee has been presented;
- (v) Bills in respect of which the next stage is the presentation of the report of the Select Committee/ Standing Committee;
- (vi) Bills which have been circulated for eliciting opinion; and
- (vii) Other Bills:

Provided that the relative precedence of bills falling within the same category shall be determined according to the priority of their introduction in the Assembly.

Precedence of resolutions.

27. (1) The relative precedence of notices of resolutions on matters of general public interest given by private Members under Rule 103 which have been admitted, shall be determined by ballot to be held in accordance with the procedure set out in schedule 1, on such day not being less than five days before the day with reference to which the ballot is held subject to the authority of the Speaker to make minor variations in the procedure from time to time.

(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 of the Assembly.

Orders of the Day.

28. (1) Orders of the Day for each day shall be prepared by the Secretary and a copy thereof shall be made available for use of every Member and any other person entitled under the Constitution to take part in the proceedings of the Assembly.

(2) Save as otherwise provided in these rules-

(a) the business for the day shall be transacted in the order in which it appears in the Orders of the Day;

(b) no business not included in the Orders of the Day shall be transacted at any sitting except business of a formal or ceremonial nature which may be permitted by 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 necessary notice in respect of such business expires.

(3) Unless the Speaker otherwise directs, not more than five resolutions (excluding any resolution commenced on, and outstanding from, a previous day) shall be set down in the Orders of the Day for any day allotted for the disposal of Private Members' resolutions.

Business outstanding at the end of day.

29. Subject to these rules all business fixed for any day not disposed of before the termination the sitting 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 the 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.

CHAPTER VI.

GOVERNOR'S ADDRESS AND MESSAGE TO AND FROM THE ASSEMBLY.

Governor's Address.

30. (1) On receipt of an intimation from the Governor of his intention to address the Assembly, the Secretary shall include the item "Address by the Governor" in the Orders of the Day for a date and time appointed by the Governor.

(2) On conclusion of the Governor's address or on such day as the Speaker may appoint in this behalf, a Member may move a Motion of Thanks and such Motion may be discussed in the Assembly.

(3) Amendments may be moved to such Motion of Thanks, but every such amendment shall be relevant to, and deal precisely with, the matters referred to in the Governor's address, and shall be in such form as may be considered appropriate by the Speaker.

(4) The provisions of these rules relating to amendments to motions shall apply to amendments to a Motion of Thanks.

(5) A Minister, whether he has previously taken part in the discussion or not, shall, on behalf of the Government have a general right of explaining the position of the Government at the end of the discussion.

(6) If the Motion of Thanks is accepted by the Assembly, it shall be communicated to the Governor by the Speaker with such amendments, if any, as the Assembly may have made therein.

Communication from the Governor.

31. When a communication from the Governor to the Assembly is received by the Speaker by written message, the Speaker shall read it out to the Assembly at the earliest opportunity and the Assembly shall with all convenient dispatch consider any matter which it is required by the message to take into consideration.

Communications to the Governor.

32. Communications from the Assembly to the Governor shall be made through the Speaker by the formal address after the motion has been made and carried in the Assembly.

**CHAPTER VII.
QUESTIONS.**

**Time of
Questions.**

33. (1) Except as provided in these rules, the hour of a sitting, after the recitation from the Holy Quran 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) 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; and
- (c) a day fixed for-
 - (i) the election of the Speaker and the Deputy Speaker;
 - (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;
 - (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.

Notice of questions.

34. 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.

Short notice questions.

35. Questions at short notice shall ordinarily be answered at the termination of the question hour:

Provided that-

- (i) a Member may not ask more than one short notice question on any one day; and
- (ii) a short notice question may not be asked to anticipate a question of which notice has already been given.

Form of notice of questions.

36. (1) Notice of a question shall be given in writing to the Secretary and shall specify the official designation of the Minister to whom it is addressed.

(2) A Member, who desires an oral answer to his question, shall distinguish it with an asterisk:

Provided that if, in the opinion of Speaker, any question put down for oral answer is of such nature that a written reply would be more appropriate, he may direct that such question be placed on the list of questions for written answers.

Notice of admission of questions.

37. A question shall not be placed on the list of questions for answer until ten clear days have expired from the day when notice of the admission of the question by the Speaker has been given by the Secretary to the Minister to whom it is addressed.

Number of questions to be put on any one day.

38. (1) Not more than five starred questions and five unstarred questions from the same Member shall be placed on the list of questions for any one day.

(2) The questions shall be put 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 meeting for which question has been placed on the list, withdraw his question.

Allotment of days for questions.

39. 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, shall be placed on the list of questions for answers.

Written Answers to questions not replied.

40. If any 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 shall be laid on the Table by the Minister ¹[or Parliamentary Secretary] concerned and no oral answer shall be required for such a question nor shall any supplementary question be asked in respect thereof:

Provided that if Minister concerned is not ready with the answer to that question, the question shall be put for answer on the next day allotted for that Department.

Subject matter of questions.

41. 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.

Matter to which questions shall relate.

42. A question addressed to a Minister must relate to the public affairs with which he is officially connected or a matter of administration for which he is responsible.

Admissibility of questions.

43. In order that a question may be admissible, it shall 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 statement;

1. Inserted vide Notification No. Legis: I (15)/85 dated 15th August, 1985.

- (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 not 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 Provincial Government;
- (h) It shall not ask for information on any matter under the control of bodies or persons not primarily responsible to the Provincial Government, except where the Provincial Government has financial interests in such bodies or persons;
- (i) It shall not ask for information on matter under the consideration of a Committee of the Assembly; nor shall it ask about the proceedings of any such 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 with within the limits of an answer to 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; and

(p) It shall not-

- (i) contain any reflection on the conduct of Governor or any Judge of the High Court in the discharge of his duties; or
- (ii) contain any criticism of the decisions of the Assembly; or
- (iii) seek information about matters which are in their nature secret; or
- (iv) 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; or
- (v) refer discourteously to a foreign country.

Questions relating to the Secretariat of the Assembly.

44. 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.

Speaker to decide admissibility of question.

45. Within five days from the date of receipt of the notice, the Speaker shall decide on the admissibility of a question and shall disallow any question which, in his opinion is in contravention of these rules, or he may in his discretion, amend it in form.

List of questions.

46. Questions which have not been disallowed shall be entered in the list of questions for the day along with the answers thereto which are received in the Secretariat of the Assembly at least three clear days before that day and shall be called in the order in which they stand in the list, unless the Speaker changes that order with the leave of the Assembly.

Mode of asking questions [and answering].

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

(4) The question shall be answered by the Minister ¹[or Parliamentary Secretary] concerned.

Supplementary questions.

48. 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:

Provided that not more than three supplementary questions shall be asked in respect of any question:

Provided further that the member who has given notice for asking the question shall have the right to ask the first supplementary question:

Provided also that a supplementary question shall be short and precise and shall not be in the form of a speech.

Prohibition of discussion on question or answer.

49. There shall be no discussion on any question or answer, except as provided by Rule 50.

Discussion on a matter of public importance arising out of answer to a question.

50. (1) On every Tuesday, the Speaker may on two clear days' notice being given by a Member, allot one hour for discussion on a matter of public importance which has recently been the subject of a question, starred or unstarred.

1. Inserted vide Notification No. Legis:I(15)/85 Dt:15th August, 1985.

2. All the three (3) Proviso to Rule 48 added Vide Notification No.PAB/Legis: I (3)/2013 dated 5th April, 2018.

(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 review 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.

CHAPTER VII-A.

CALL ATTENTION NOTICE.

Procedure regarding calling attention.

50-A. (1) A Member may, with the consent of Speaker, call the attention of the Minister concerned to any matter of public importance in the Province, through a "Call Attention Notice".

EXPLANATION.— "Call Attention Notice" means a notice by which a special question of public importance may be raised.

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

Admissibility.

50-B. (1) A question under rule 50-A 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 43.

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

Time of calling attention.

50-C. (1) The notice shall be included in the list of Business on 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 33.

Mode of raising the question.

50-D. Upon being asked by the Speaker, the member concerned may raise the question and the Minister concerned may answer the question on the same day or on any other day fixed by the Speaker.

Restriction on debate.

50-E. (1) There shall be no debate on such questions or answers.

(2) The member moving the call attention shall not have a right of reply and no other member except the member moving the call attention shall be allowed to speak on a call attention.

Notices to lapse.

50-F. All notices of call attention 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 off because of expiry of time fixed for the purpose shall also lapse:

Provided that the call attention brought on the List of Business for which the Speaker fixes another day, either himself or on the request of the Minister concerned shall not lapse.

CHAPTER VIII.

LEAVE OF ABSENCE FROM SITTINGS OF THE ASSEMBLY.

Leave of absence from sitting of the Assembly.

51. (1) A Member desirous of obtaining the leave of the Assembly for his absence from any sitting of the Assembly may make an application in writing Addressed to the Speaker, stating reasons for his absence.

(2) After the question hour but before the Orders of the Day 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, being 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.

Seat becoming vacant.

52. If a Member remains absent, without leave of the Assembly, for forty consecutive days of its sittings, the Speaker shall bring this 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. If the seat of the Member is declared vacant, the Secretary shall communicate the fact to the Chief Election Commissioner and to the Member concerned.

Attendance Register.

53. The Secretary shall cause a register to be kept showing the attendance of each Member at each sitting and shall make the register available for inspection of the Members.

CHAPTER IX.

RESIGNATION OF SEATS.

Resignation of Seat.

54. (1) When a Member resigns his seat under clause (1) of Article 64 read with Article 127 of the Constitution, the Speaker shall, as soon as may be, after he has received an intimation in writing from a Member under his hand resigning his seat in the Assembly, inform the Assembly of the resignation by such Member:

Provided that when the Assembly is not in session, the Speaker shall inform the Assembly immediately after it re-assembles that such Member has resigned his seat in the Assembly.

(2) The Secretary shall, as soon as may be, after the Speaker has received such intimation from a Member resigning his seat in the Assembly, cause information to be published in the Gazette and forward a copy of the notification to the Chief Election Commissioner for taking steps to fill the vacancy thus caused.

**CHAPTER X.
PRIVILEGE.****Question of
Privilege.**

55. 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 thereof, if based on-

- (i) misconduct in the presence of House or the Committees thereof;
- (ii) disobedience of order of the House or its Committees;
- (iii) presenting false, forged or fabricated documents to the House or its Committees;
- (iv) tampering with documents presented to the House or its Committees;
- (v) speeches or writings reflecting on the House, its Committees or members;
- (vi) publication of false or distorted reports of debates;
- (vii) publication of Expunged Proceedings;
- (viii) publication of proceedings of secret sittings of Assembly or a Committee thereof;
- (ix) premature publication of proceedings, evidence or report of a Committee;
- (x) derogatory reflection on the report of a Committee;
- (xi) premature publication of various other matters connected with the business of the House or Committees thereof;
- (xii) obstructing members in the discharge of their duties;
- (xiii) attempts by improper means to influence members in their duties and conduct;
- (xiv) intimidation of members; obstructing officers of the House;
- (xv) refusal of Government functionaries to assist officers of the House when called upon to do so in pursuance of the orders of the House or a Committee thereof, as the case may be;

- (xvi) obstructing of witnesses;
- (xvii) failure of the Government to lay before the House any report or a document required to be laid before the House in pursuance of the provisions of the Constitution or the law; and
- (xviii) failure to provide information required by the House or its Committees.

Notice of question of privilege.

56. A Member wishing to raise a question of privilege shall give notice in writing to the Secretary before the commencement of the sitting on the day the question is proposed to be raised. If the question raised is based on a document, the notice shall be accompanied by the document, unless the Member satisfies the Speaker that the document is not readily available:

Provided that the Speaker may, if he is satisfied about the urgency of the matter, dispense with the requirement of the notice and allow a question of Privilege to be raised at any time during the course of a sitting after the disposal of questions.

Conditions of admissibility of question of privilege.

57. The right to raise a question of Privilege shall be governed by the following conditions: -

- (i) not more than one question shall be raised by same Member at the same sitting;
- (ii) the question shall relate to a specific matter of recent occurrence;
- (iii) the matter shall be such as requires the intervention of the Assembly; and
- (iv) the question shall not reflect on the personal conduct of the Governor.

Mode of raising a question of privilege.

58. The Speaker shall, after disposal of questions and before other business on the Orders of the Day is entered upon, call upon the Member who gave notice and thereupon the Member shall raise the question of privilege and make a short statement relevant thereto:

Provided that where a Member is allowed to raise a question of privilege during the course of sitting under the proviso to Rule 56 he shall raise question immediately after his being allowed to do so, or at such other time as the Speaker directs.

Time for question of privilege.

59. A question of privilege shall have precedence over adjournment motions.

Consideration by the Assembly or reference to the Committee.

60. If the Speaker holds the question of privilege to be in order, it shall stand referred to the Committee on Rules of Procedure and Privileges, unless the Assembly decides to consider the question itself.

Reference of question of privilege by the Speaker to Committee.

60-A. Notwithstanding anything contained in these rules, if the Assembly is not in session, the Speaker in his Office/Chamber, may refer any question of privilege to the Committee on Rules of Procedure and Privileges for examination, investigation and report.

Examination of the question by the Committee.

61. (1) 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.

(2) The report of the Committee may also state the procedure to be followed by the Assembly in giving effect to the recommendations of the Committee.

Sitting of the Committee.

62. The Committee shall meet as soon as may be after a question of privilege has been referred to it, and from time to time thereafter until a report is made within the time fixed by the Assembly.

Report of the Committee.

63. (1) Where the Assembly has not fixed any time for presentation of the report, the report shall, if the Assembly is in session, be presented to the Assembly within one month of the date on which reference to the Committee was made, or if the Assembly is not in session, at the commencement of its next session.

(2) The Assembly may, at any time, on a motion being made, direct that the time for the presentation of the report by the Committee be extended to a date specified in the motion.

Consideration of the Report.

64. (1) After the report has been presented, any Member may move that the report be taken into consideration whereupon the Speaker may put the question to the Assembly:

Provided that any Member may move as an amendment that the matter be re-committed to the Committee with reference to the examination of a point or points which may have been left out of consideration by the Committee.

(2) After the motion made under sub-rule (1) is agreed to, any Member may, after giving one day's notice, move that the Assembly agrees or disagrees or agrees with amendments with the recommendations contained in the report.

Priority for consideration of report of the Committee.

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

Intimation to Speaker by Magistrate etc. of arrest, detention etc. of a Member.

66. 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 any executive order, the Court or the executive authority, as the case may be, shall immediately intimate such fact to the Speaker indicating the reasons for the arrest, the detention or imprisonment of the Member in the appropriate form set out in Schedule II.

Intimation to Speaker on release of a Member.

67. When a Member is arrested and after conviction released on bail pending an appeal or otherwise released such fact shall also be intimated to the Speaker by the authority concerned in appropriate form set in Schedule II.

Treatment of communications received from Magistrate etc.

68. As soon as may be, the Speaker shall, after he has received a communication referred to in Rule 66 or Rule 67, read it out in the Assembly if in session or, if the Assembly is not in session, direct that it may be circulated for the information of the Members.

Arrest within the precincts of Assembly.

69. No Member shall be arrested within the precincts of the Assembly without the permission of the Speaker.

PRODUCTION OF A MEMBER.**Production of a Member.**

69-A. (1) The Speaker, on the written request of the Member in custody or on his behalf by the respective Parliamentary Party Leader, may summon a member to attend a sitting or sittings of the Assembly or meeting of a Committee of which he is a member.

(2) On a Production Order, signed by the Secretary or by any other officer authorized in this behalf, addressed to the Government of the Province where the member is held in custody, or to the authority concerned, the Provincial Government or such authority shall cause the member in custody to be produced before the Sergeant-at-Arms, who shall, after the conclusion of the sitting or the meeting, deliver the member into the custody of the Provincial Government or other authority concerned.

CHAPTER XI.**ADJOURNMENT MOTIONS.****Adjournment motions.**

70. A motion for an adjournment of the business of the Assembly for the purpose of discussing a definite matter of recent and urgent public importance may be made with the consent of the Speaker.

Method of giving notice.

71. Notice of motion under Rule 70 shall be given in writing in triplicate to the Secretary not less than one hour before the commencement of the sitting in which it is proposed to be moved, and the Secretary shall thereupon bring the notice to the knowledge of the Speaker and the Minister concerned.

Restrictions on right to make adjournment motion.

72. The right to move for an adjournment of the Assembly for the purpose of discussing a definite matter of recent and urgent public importance shall be subject to the following restrictions, namely: -

- (a) 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;

- (b) The motion shall relate to a single specific matter of recent occurrence;
- (c) The motion shall not revive discussion on a matter which has been discussed in the session;
- (d) The motion shall not anticipate a matter for the consideration of which a date has been previously appointed. In determining whether a motion shall be disallowed on the ground of anticipation, due regard shall be had to the probability of the matter anticipated being brought before the Assembly within a reasonable length of time;
- (e) The motion shall not deal with a matter on which a resolution could not be moved;
- (f) The motion shall not relate to a matter of privilege;
- (g) The motion must not deal with a hypothetical case;
- (h) The motion must not relate to matters which can only be remedied by legislation;
- (i) No adjournment motion shall be moved on any day fixed for the general discussion of the Budget; and
- (j) 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 Deputy Speaker;
 - (v) fixed for moving of a resolution for Vote of Confidence in the Chief Minister;
 - (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, Deputy Speaker and the Chief Minister; and

(viii) fixed for address by the Governor.

Motion for discussion on matters before tribunal, commission, etc.

73. No motion which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to inquire into, or investigate, any matter shall ordinarily be permitted to be moved:

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 inquiry if the Speaker is satisfied that it is not likely to prejudice the consideration of such matter by the statutory tribunal, statutory authority, commission or court of inquiry.

Time for asking leave for motion for adjournment.

74. Leave to make a motion for adjournment shall be asked for after questions and before other business entered in the Orders of the Day is taken up.

Procedure to be followed.

75. (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 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 less than one-sixth of the total membership of the Assembly rises, the Speaker shall inform the Member that he has not the leave of the Assembly, but if such membership rises, the Speaker shall announce that leave is granted and the motion will be taken up as the last item for discussion 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.

Limitation of time of discussion.

76. 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.

Time-limit for speeches.

77. A speech during the debate on a motion for adjournment shall not exceed fifteen minutes in duration:

Provided that the mover or the Minister ¹[or Parliamentary Secretary] concerned may speak for thirty minutes.

**CHAPTER XII.
PART-I INTRODUCTION OF BILLS.
SECTION (A) PRIVATE MEMBERS' BILLS.**

Notice of Private Members' Bills.

78. (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.

(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.

(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.

(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.

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

Introduction of Private Members' Bills.

79. (1) Motion for leave to introduce private Member's Bills shall be set down in Orders of the Day for a day meant for private Members' business.

(2) If a motion for leave to introduce a 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.

1. Inserted vide Notification No. Legis: I(15)/85 dated 15th August, 1985.

2. Rule 78 substituted vide Notification No.PAB/ Legis: I (03)/2013 dated 5th September, 2013.

(3) If leave is granted, the Member-in-Charge shall introduce the Bill.

SECTION (B) – GOVERNMENT BILLS.

Notice of Government Bills.

80. (1) A Minister may introduce a Bill after giving to the Secretary a written notice of his intention to do so.

(2) The notice shall be accompanied by a copy of the Bill together with a statement of objects and reasons, signed by the Minister.

(3) x x x x x x x x x x x x x x

(4) The introduction of the Bill shall be included in the Orders of the Day for a day meant for Government business.

(5) When the item is called, the Member-in-Charge shall introduce the Bill.

(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.

Bills passed by the Parliament.

80-A. (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 Minister-in-Charge of the Bill.

(2) A Minister or Parliamentary Secretary may give notice to the Secretary for including such a Bill in the Orders of the Day and the Secretary shall do so as soon as may be.

(3) On the day fixed for the consideration for the Bill the Minister-in-charge or Parliamentary Secretary shall move that the Bill may be taken into consideration at once.

(4) After the 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 decision of the Assembly shall be intimated by the Secretary to the National Assembly and the Senate.

1- Rule 80(2) &80(6) substituted & Rule 80(3) omitted vide Notification No. PAB/ Legis: I(03)/2013 dated 5th September, 2003.
2- Rule 80-A added vide Notification No. Legis: I(15)/85 dated 15th August, 1985.
3. Rule 80-A (2) &(3) substituted vide Notification No. Legis: I(15)/85 dated 3rd October, 1995.

PART II - PUBLICATION OF BILLS.

Publication of Bills.

81. (1) The Secretary shall cause every Bill that has been introduced including an Ordinance laid before the Assembly as adopted, together with its Statement of Objects and Reasons, to be published in the Gazette as early as possible.

(2) The Governor may order the publication 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 again after its introduction.

PART III - CONSIDERATION OF BILLS

SECTION (A) – FINANCE BILL.

Finance Bill.

82. In this section 'Finance Bill' means the Bill introduced in each year to give effect to the financial proposals of the Provincial Government for the next financial year, and includes a Bill to give effect to supplementary financial proposals for any period.

Allotment of days for stages of the Finance Bill.

83. (1) At any time after the introduction of the Finance Bill but not before the expiry of three clear days from the supply of its copies to Members, the Speaker may allot a day or days, jointly or severally, for the completion of all or any of the stages involved in the passage of the Bill by the Assembly.

(2) On the allotted day, or, as the case may be, the last of allotted days, at the time when the meeting is to terminate, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted:

Provided that if the Minister having a right of reply the debate has not commenced his reply on the motion at an hour half-an-hour before the said time, the Speaker shall inquire how much time not exceeding half-an-hour he requires for his reply and shall call upon any Member for the time being addressing the Assembly to resume his seat at such time as to make available that much time to the Minister for his reply.

(3) Where the question or one of the questions required by sub-rule (2), to be put at the time when the meeting is to terminate is that the Bill be passed sub-rule (2) shall have effect notwithstanding that amendments to the Bill have been made.

(4) Subject to the proviso to sub-rule (2), the Speaker may, if he thinks fit, prescribe a time limit for speeches at all or any of the stages for which a day or days have been allotted under that sub-rule.

(5) On a motion that the Finance Bill be taken into consideration, the Assembly may discuss matters relating to the general administration, local grievances within the sphere of the responsibility of the Provincial Government or financial policy of the Government.

(6) In other respects the rules applicable to Bills in Section (B) shall apply.

(7) Notwithstanding anything contained in these rules on the day or days allotted for the consideration and passage of the Finance Bill, no other business shall be taken up except with the consent of the Speaker:

Provided that nothing in this rule shall be deemed to prohibit the asking and answering of questions during the time allowed under these rules.

SECTION (B) –OTHER BILLS.

Reference of Bills to Standing Committees.

84. Upon introduction, a Bill (including an Ordinance laid before the Assembly) shall be referred by the Speaker to the appropriate Standing Committee with direction 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 85 shall apply as if the report of the Standing Committee on the Bill were presented on the day on which the motion is carried.

Time for consideration of Bills.

85. (1) When a Bill has been received back from a Standing Committee, or when the time fixed for the Standing Committee to send it back has expired, the Secretary shall cause copies of the Bill as introduced, together with modifications, if any, to each Member not later than seven days after the receipt back or expiry of time, as the case may be, and shall, subject to Rules 25 and 26 of these rules, set down the Bill on the Orders of the Day, if the notice of a motion under Rule 86 has been received.

(2) The day on which a motion under rule 86 may be moved shall be such that at least three clear days shall

intervene between the issue of copies of the Bill to the Members and the consideration of the motion.

Motion to be made by Member-in-Charge.

86. On the day appointed under Rule 85, or on any subsequent day to which the matter might have been adjourned, the Member-in-Charge may make any one of the following motions in regard to his Bill, namely-

- (a) that it be taken into consideration by the Assembly at once; or
- (b) that it be taken into consideration by the Assembly 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 public opinion thereon by a date to be specified in the motion.

Persons by whom motion in respect of Bills may be made.

87. No motion that a Bill be taken into consideration shall be made by any Member other than the Member-in-Charge of the Bill, and no motion that a Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon shall 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.

Bills repugnant to the injunctions of Islam.

88. (1) If a Member raises the objection that a Bill as a whole, or any part of the Bill, is repugnant to the Injunctions of Islam, the Assembly may, by a motion passed by not less than two-fifth of its total membership, refer the question to the Council of Islamic Ideology for advice whether the Bill or any part thereof is or is not repugnant to the Injunctions of Islam. On receipt of the advice of the Council of Islamic Ideology, the Secretary shall supply a copy of the advice to every Member and thereafter the Member-in-Charge may, after giving seven clear days' notice, make one of the motions referred to in Rule 86.

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

Provided that if the advice of the Council of Islamic Ideology is to the effect that the law is repugnant to the Injunction of Islam, the Minister concerned shall, if the Assembly is in session, within seven days of the receipt of advice and if the Assembly be not in session, at the first

opportunity in the next session, move that the law be reconsidered and further action thereon shall be taken in accordance with the provisions of this chapter as if the law were a Bill referred to the Standing Committee under Rule 84.

Discussion on principles of Bill.

89. (1) On the day on which any of the motion referred to in Rule 86 is made, or on any subsequent day to which the discussion thereof is postponed, the principles of the Bill and its general provisions may be discussed but details of the Bill must not be discussed further than is necessary to explain its principles.

(2) At this stage no amendments to the Bill may be moved but-

- (a) If the Member-in-Charge moves that the Bill be taken into consideration, any Member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting public opinion thereon by a day 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 as an amendment that the Bill be circulated for the purpose of eliciting public 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 public opinion thereon is carried, and the Bill is circulated in accordance with that direction and opinions are received thereon, the Member-in-Charge, if he wishes to proceed with his Bill thereafter, may move that the Bill be referred to a Select Committee or that the Bill be taken into consideration.

Procedure after presentation of report.

90. (1) After the presentation of the final report of a Select Committee on a Bill, the Member-in-Charge may move-

- (a) that the Bill as reported by the Select Committee be taken into consideration:

Provided that any Member may object to its being so taken into consideration if a copy of the report has not been made available for the use of Members for three days before the motion is made, and such objection shall prevail unless

the Speaker allows the Bill to be taken into consideration; or

- (b) that the Bill as reported by the Select Committee be re-committed to the same Select Committee either-
 - (i) with respect to particular clauses or amendment only; or
 - (ii) with instructions to the Select Committee to make some particular or additional provision in the Bill; or
- (c) that the Bill as reported by the Select Committee be circulated for the purpose of obtaining public opinion thereon.

(2) If the Member-in-Charge moves that the Bill be taken into consideration, any Member may move as an amendment that the Bill be re-committed or circulated for the purpose of obtaining public opinion thereon.

Amendments. **91.** (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.

(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.

(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.

Rules as to amendments.

92. (1) An amendment must be relevant to the subject matter of the Bill and to the subject matter of the clause to which it relates.

(2) An amendment must not be worded in such a way as to make the clause which it proposes to amend un-intelligible or un-grammatical.

(3) If the amendment is one which cannot be moved except by or with the consent of the Provincial Government, the notice of such amendment shall be accompanied by such consent. If the question arises whether an amendment does or does not require the consent of the Provincial Government, the question shall be decided by the Speaker whose decision shall be final.

Notice of amendments.

93. (1) If notice of a new clause or a proposed amendment has not been given two clear days before the day on which the new clause is moved or consideration of the clause to which the amendment is proposed, is commenced, any Member may object to the moving of the new clause or the amendment, and such objection shall prevail unless the Speaker allows the new clause or amendment to be moved.

(2) The Secretary shall, if time permits, cause every such notice to be printed, and a copy thereof to be made available for the use of every Member.

Submission of Bill clause by clause.

94. Notwithstanding anything contained in these rules it shall be in the discretion of the Speaker, when a motion that a Bill be taken into consideration has been carried, to submit the Bill or any part of the Bill, to the Assembly clause by clause. When this procedure is adopted, the Speaker shall call each clause separately, and when the amendments relating to it have been dealt with, shall put the question "That this clause (or as the case may be, that this clause as amended) stand part of the Bill".

Order of amendments.

95. Amendments shall ordinarily be considered in the following order, namely:-

- (i) new clauses are offered first priority being given to clauses moved by the Member-in-Charge of the Bill;
- (ii) amendments to clauses in the order in which if agreed to, they will stand in the amended Bill:

Provided that if a proposed amendment be withdrawn a prior amendment may be moved:

Provided further that it shall be in the discretion of the Speaker to allow an amendment to a clause although the Assembly has passed to the subsequent clauses of the Bill;

- (iii) new schedule, if any;
- (iv) original schedule;
- (v) amendments to the preamble, if any; and
- (vi) amendments to the title, if necessary.

Procedure of new clauses.

96. A Member proposing a new clause on the consideration of Bill, shall in the first instance, ask for leave to move clause, and if leave is given may move it. The question shall then be proposed from the chair "That the clause be considered". Members may speak in support of or opposing the clause. If the question be affirmed, amendments may be proposed to the clause. After the amendments have been disposed of, the Speaker shall put the question "That the clause (or the clause as amended, as the case may be,) be added to the Bill".

PART IV-PASSING OF BILLS ETC.

Passing of Bills.

97. (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 any Member may, direct that the Bill be examined by a Committee consisting of the Minister to whose Department the Bill relates, the Member who introduced the Bill, the Advocate General and the Deputy Speaker or a Member of the panel of chairmen nominated by the Speaker, with a view to report what amendment of a formal or consequential character should be made in the Bill as a matter

of drafting. The report shall be presented within such period not exceeding seven days as the Speaker may direct.

(3) When the report has been presented and the decision of the Assembly on the amendments proposed has been made, 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.

Withdrawal and rejection of Bills.

98. (1) The Member who has introduced a Bill may, at any stage of the Bill, move for leave to withdraw the Bill, and if such leave is granted, no further motion may be made with reference to the Bill.

(2) At any stage of a Bill if a motion is made and rejected by the Assembly, the Bill shall be deemed to have been rejected and it shall not be re-introduced within a period of six months from such date.

Submission of Bills to the Governor.

99. When a Bill is passed by the Assembly, an authenticated copy thereof signed by the Speaker shall be transmitted to the Governor by the Secretary, for assent under Article 116 of the Constitution.

Bill assented to by the Governor.

100. (1) When a Bill is 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.

(2) 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 and that any amendment specified in the message, the Secretary shall circulate the message to the Members and shall also send an intimation to that effect to the Minister for Law and to the Minister in-charge.

(3) 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.

(4) The Secretary shall, as soon as may be, include the item of reconsideration or consideration, as the case may be, in the Orders of Day.

(5) The Minister-in-Charge or the Member concerned shall, on the day for which such motion is fixed, shall move that the message shall be taken into consideration by the Assembly at once.

(6) 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 99.

**PART V.
RESOLUTIONS MENTIONED IN THE CONSTITUTION.**

**Resolutions
under the
Constitution.**

101. (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 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 cause it to be published in the Gazette.

(6) If a resolution under clause (2) 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.

(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.

CHAPTER XII-A.

ZERO HOUR.

Zero hour.

101-A. (1) The last half an hour of a sitting shall be utilized as “zero hour” other than the days fixed for call attention notices 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, before commencement of a sitting and after the time for notice of previous zero hour elapsed but the Secretary shall not entertain more than one such notice of a member for the sitting:

Provided that the Speaker if satisfied about the urgency of the matter dispense with the requirement of the notice and allow it to be raised at any time during the course of a sitting after the disposal of questions.

(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 101-B, 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).

(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.

**Conditions
of Admissibility.**

101-B. 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, inference, ironical expressions, imputations, epithets or defamatory statement;
- (e) it shall not relate to any matter which is sub-Judice;
- (f) it shall relate to 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 capacity.

**CHAPTER XIII.
RESOLUTIONS.**

**PART-A - RESOLUTIONS ON MATTERS OF GENERAL
PUBLIC INTEREST.**

**Right to move
resolution.**

102. Subject to provisions of these rules, any Member may move a resolution relating to a matter of general public interest.

**Notice of
resolution.**

103. (1) A private Member who wishes to move a resolution shall give seven clear days' notice of his intention to do so 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 clear days' notice of his intention to do so and shall submit, together with the notice, a copy of the resolution which he intends to move.

Form and contents of resolution.

104. (1) Every resolution shall be in the form of a specific recommendation addressed to the Provincial Government.

(2) It shall relate to a matter which is primarily concern of the Provincial Government or to a matter in which the Provincial Government have substantial financial interest:

Provided that a resolution seeking to recommend to the Provincial Government to approach the Federal Government or communicate the views of the Assembly to that Government in a matter which is not primarily concern of the Provincial Government shall be admissible.

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

(4) It shall not contain arguments, inferences, ironical expressions or defamatory statements, nor shall it refer to the conduct or character of a person except in his official or public capacity.

(5) It shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of Pakistan.

(6) It shall not contain a reflection on the conduct of the President, Governor or a Judge of the Supreme Court or a High Court in the discharge of his duties.

Raising discussion on matters before Tribunals, Commissions etc.

105. No resolution which seeks to raise discussion on a matter pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into or investigate any matter or a matter in respect of which any Minister raises any objection on the ground that it is detrimental to the public interest shall be permitted to be moved.

Admissibility of resolution.

106. The Speaker may disallow any resolution or a part thereof, if in his opinion, it does not comply with these rules, or its discussion is detrimental to the public interest, and the resolution or any part thereof so disallowed shall not be placed on the Orders of the Day.

Moving and withdrawal of resolution.

107. A Member in whose name a resolution stands in the Orders of the Day shall, when called upon, either-

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

Provided that 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.

Amendment of a resolution.

108. After a resolution has been moved, any Member may, subject to these rules, move an amendment to the resolution.

Notice of amendment.

109. (1) If notice of an amendment has not been given two clear days before the day on which it is moved, any Member may object to the moving of the amendment and thereupon the objection shall prevail, unless the Speaker allows the amendment to be moved.

(2) The Secretary shall, if time permits, cause every amendment to be printed and a copy thereof to be made available for the use of every Member.

Withdrawal of resolution or amendment after being moved.

110. A Member who has moved a resolution or an amendment to a resolution shall not withdraw the resolution or amendment except by leave of the Assembly.

Repetition of Resolution.

111. (1) When a resolution has been moved and the decision of the Assembly given on it, no resolution or amendment raising substantially the same question shall be moved within six months from the date of the moving of the earlier resolution.

(2) When a resolution has been withdrawn with the leave of the Assembly, no resolution raising substantially the same question shall be moved during the same session.

Time limit for speeches.

112. Save with the permission of the Speaker, a speech on a resolution shall not exceed ten minutes, except that the mover of a resolution, when moving it, and the Minister concerned may speak for thirty minutes each.

Scope of discussion.

113. The discussion on a resolution shall be strictly limited to the subject matter of the resolution.

Implementation of Resolutions.

114. (1) A copy of every resolution which has been passed by the Assembly shall be forwarded by the Secretary to the Department concerned.

(2) The Department concerned shall apprise the Assembly of the action taken on the Resolution in shape of a compliance report within a period of sixty days from the date of its communication by the Assembly Secretariat.

(3) On submission of the said report or on the expiry of period, it shall be laid before the House.

(4) The Assembly may discuss the report and take such action as may be considered appropriate.

PART-B CERTAIN STATUTORY RESOLUTIONS.**Certain Statutory Resolutions.**

115. (1) A Member may give notice of a motion for leave to move a resolution under sub clause (a) of clause (2) of Article 128 or under clause (1) of Article 144 or under proviso to clause (2) of Article 212 of the Constitution.

(2) After the expiry of seven days from the said notice, the Secretary shall cause the said motion to be entered in the Orders of the Day.

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

(4) If a resolution under proviso to clause (4) of Article 8 of the Constitution is passed, the Secretary shall cause it to be published in the Gazette.

(5) If a resolution under clause (1) of Article 144 or under proviso to clause (2) of Article 212 ¹[x x x x] of the Constitution is passed, the Secretary shall convey the same to the Secretaries of the National Assembly and the Senate.

CHAPTER XIII (A).

PRE-BUDGET AND POST BUDGET DISCUSSION.

Pre-Budget Discussion.

115-A. (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 to be held during the months of February to April each year.

(2) The general discussion on budget proposals shall take place for three days during the session or as the Speaker may determine.

(3) The Assembly may recommend the proposals to the Government for the next budget on conclusion of the discussion.

Post Budget Discussion.

115-B. (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 on releases and utilization of development budget, on quarterly basis.

(2) The Government shall lay a report of quarterly releases and utilization of development budget in the first session of the Assembly in the next quarter.

(3) The Assembly may discuss the Report and take such action as may be considered necessary.

CHAPTER XIV. THE BUDGET.

Budget.

116. (1) The Budget shall be presented to the Assembly on such day at such time as the Provincial Government may appoint. The only proceeding with reference to the Budget on the day on which the Budget is presented shall be the speech of the Finance Minister when presenting it.

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

1. Deleted vide Notification No. Legis: I (15)/85 dated 15th August, 1985.

2. Chapter XIII (A) inserted vide Notification No.PAB/Legis:I(3)/2013 Dated 5th March, 2018.

(3) A separate demand shall be made in respect of the grant proposed for each Department of the Provincial Government:

Provided that the Provincial Government may cause to be introduced 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.

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

Stages of Budget.

117. The Budget shall be dealt with by the Assembly in three stages, namely -

- (i) discussion relevant to the Budget as a whole;
- (ii) discussion on expenditure charged upon the Provincial Consolidated Fund; and
- (iii) discussion and voting of demands for grants.

Allotment of days for different stages.

118. (1) Subject to sub-rules (2) and (3), the Speaker shall allot, for different stages of the Budget referred to in Rule 117 as many days as may be compatible with the public interest.

(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 three days shall be allotted for the discussion relevant to the Budget as a whole.

General discussion on the Budget.

119. (1) On the days to be appointed by the Speaker subsequent to the day on which the Budget is presented, the Assembly may discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved at this stage nor shall the Budget be submitted to the vote of the Assembly.

(2) The Finance Minister shall have a general right of reply at the end of the discussion.

(3) The Speaker may, if he thinks fit, prescribe time-limit for speeches.

Demands for grants.

120. (1) The Demands for grants shall be arranged in such order as the Leader of the House may intimate.

(2) On the last of the days allotted for the discussion and voting of demands for grants, at the time when the meeting is to terminate, the Speaker shall forthwith put every question necessary to dispose of all outstanding demands for grants.

(3) On the last day fixed for the voting of demands for grants the consideration thereof shall not be anticipated by a motion of adjournment or be interrupted in any other manner whatever, nor shall any dilatory motion be moved in regard thereto.

Cut-Motion.

121. (1) Motions may be moved to omit or reduce any item or reduce any demand for grant but not to increase or alter the distribution of a demand for grant.

(2) Notice of such motions shall be given two clear days before the day on which such demand for grant comes up for discussion.

(3) A motion may be moved to reduce the amount of a demand in any of the following ways:-

- (a) “that the amount of the demand be reduced to Rs.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 specific 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; and

- (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 Provincial 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.

(4) Motions may be arranged in such order as the Speaker may, subject to the provisions contained in these rules, from time to time, direct:

Provided that where several motions are moved to the same figures priority shall be given to the motion proposing the greatest reduction and the other motions shall be arranged in the descending order of the amounts of reduction proposed.

**Admissibility
and discussion
on cut-motions.**

122. The Speaker shall decide whether a cut motion is or is not admissible under these rules and may disallow any cut-motion when, in his opinion, it is an abuse of the right of moving cut-motion or is calculated to obstruct or prejudicially affect the procedure of the House or is in contravention of these rules.

**Limits of
discussions.**

123. (1) When a motion is made to omit or reduce any item of a demand and question is proposed from the Chair for omitting or reducing that item Members must speak to that question only, until it has been disposed of.

(2) After a question has been proposed from the Chair for omitting or reducing any item, no motion may be made or debate allowed upon any preceding item.

(3) When motions to omit or reduce any item in a demand are disposed of, the question shall be put upon the original demand or upon the reduced demand, as the case may be.

(4) After a question has been proposed from the Chair for a vote of the original demand or reduced demand, no motion may be made for omitting any item in it.

Procedure for dealing with supplementary and excess demands.

124. The procedure for dealing with supplementary estimates of expenditure and excess demands shall, as far as may be, be the same as prescribed for the Budget.

Question of legislation not to be raised.

125. (1) Debate on cut-motion must be confined to the administrative matters for which the Government is responsible and not deal with matters requiring legislation.

(2) The Speaker may, if he thinks fit prescribe time-limit for speeches during the debate on motions to omit or reduce demands for grants, or supplementary demands for grants, as the case may be.

Laying of schedule of authorized expenditure.

126. The schedule of authorised expenditure authenticated under Article 123 of the Constitution shall be laid before the Assembly by the Finance Minister.

Votes on accounts.

127. (1) The Finance Minister may, after five clear days' notice, make a motion for votes on account referred to in Article 125 of the Constitution.

(2) The Speaker shall allot a day for consideration of such motion.

(3) The motion for vote on account shall state the total sum required and the various amounts needed for each Department or items of expenditure which compose that sum shall be stated in a schedule appended to the motion.

(4) Amendments may be moved for the reduction or omission of the items whereof the grant is composed.

(5) In other respects, the motion for vote on account shall be dealt within the same way as if it were demands for grant.

**CHAPTER XV.
COMMITTEES.
(A) STANDING COMMITTEES.**

**Standing
Committees.**

128. There shall be elected by the Assembly within ninety days after the election of Leader of the House, the following Standing Committees, for duration of the Assembly, which shall deal with legislation relating to the Department or Departments of the Provincial Government mentioned against each:-

S #	Name of Standing Committee	Name of Department / Departments
1	Standing Committee on	Planning & Development.
2	Standing Committee on	Housing & Physical Planning Roads, Building.
3	Standing Committee on	Information, Sports, Culture, Tourism and Archives, Museums & Libraries.
4	Standing Committee on	Social Welfare, Women Development, Zakat, Usher, Hajj, Minorities Affairs & Youth Affairs.
5	Standing Committee on	Home & Tribal Affairs, Prisons & Provincial Disaster Management Authority (PDMA).
6	Standing Committee on	Health & Population Welfare.
7	Standing Committee on	Education, Literacy & Non Formal Education, Higher Education, President Programme CDWA in Quality Education, Science & and Information Technology.
8	Standing Committee on	Local Government, Balochistan Development Authority (BDA), Gwadar Development Authority (GDA), BCDA and Urban Planning, & Development.

- | | | |
|----|-----------------------|---|
| 9 | Standing Committee on | Public Health Engineering, B-WASA including Quetta Greater Water Supply Project. |
| 10 | Standing Committee on | Irrigation & Energy, Environment and Forests & Wildlife. |
| 11 | Standing Committee on | Agriculture & Cooperative Society, Livestock, Dairy Development, Fisheries & Food. |
| 12 | Standing Committee on | Finance, Excise & Taxation, Board of Revenue & Transport. |
| 13 | Standing Committee on | Industry, Mines & Mineral Development, Labour and Manpower. |
| 14 | Standing Committee on | S&GAD, Inter-Provincial Coordination, Law & Parliamentary Affairs, Prosecution, Human Rights or any other department not mentioned hereinabove. |

Composition of Standing Committees.

129. (1) Each Standing Committee shall consist of ¹[seven] Members to be elected by the Assembly and the Minister ²[and Parliamentary Secretary] concerned as Member ex-officio but the Minister shall have no right of vote unless he is an elected member of the Committee:

Provided that in case of a Department, which is in the charge of the Chief Minister or for which no Minister or Parliamentary Secretary has been appointed, the Minister for Law and Parliamentary Affairs shall act as ex-officio Member of the Committee.

(2) The Member-in-Charge of the Bill and in the case of any other matter referred to the Standing Committee, the Member who has proposed the subject or matter for reference to or study by the Committee, may attend the meeting of the Committee but shall have a right to vote only if he is an elected member of the Committee.

(3) The Secretary of the Department concerned or an officer (not below the rank of Deputy Secretary) designated by

1. Substituted vide Notification No.PAB/Legis: I (3)/2013 dated 18th January, 2014.

2. Inserted vide Notification No. Legis: I (15)/85 dated 15th August, 1985.

3. Proviso to Sub-Rule (1) of Rule 129 added vide Notification No.PAB/ Legis I (3) / 2013, Dated 5th April, 2018.

him in this behalf and the Law Secretary or his nominee competent to advise the Committee on legal matters including drafting shall attend the meetings of the Committee as expert advisers.

130. x x x x x x x x x x x x x x x x x x

Restriction on Membership.

Method of election.

131. (1) The Members of each Committee shall be elected by the Assembly from amongst its Members 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 such agreement as is 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 the single transferable vote in accordance with the procedure laid down in Schedule-III.

Election, Removal and Resignation of Chairman.

132. (1) The Chairman of each Committee shall be elected within sixty days of its constitution by majority of votes from amongst its members and may also be removed when he loses confidence of majority of its members:

Provided that a Minister shall not be elected as its Chairman:

Provided further that as and when the Chairman is appointed as Minister or Parliamentary Secretary, he shall cease to be the chairman and an election of new chairman of committee concerned may be made as per procedure under sub-rule (1) of rule 131.

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

(3) A Chairman may resign from the Committee by writing under his hand addressed to the Speaker and thereupon another Chairman shall be elected to fill that vacancy under sub-rule (1).

1. Rule 130 omitted vide Notification No.PAB/Legis: I (3)/2013 dated 18th January, 2014.
2. Rule 132 substituted vide Notification No.PAB/Legis: I (3)/ 2013, dated, 5th March, 2018.
3. Proviso to Sub Rule (1) of Rule 132 added vide Notification No. PAB/ Legis:I(3)/2013, dated 5th April, 2018.

Resignation and Discharge of Members from the Committee.

133. (1) A Member may resign his membership of the Committee by writing under his hand addressed to the Speaker and thereupon another Member shall be elected to fill that vacancy.

(2) If a Member is absent from four consecutive meetings of a Committee without permission of its Chairman, the matter will be referred to the Speaker for the discharge of such Member from the Committee. If in the opinion of Speaker, the reference made by the Chairman is valid, such Member shall cease to be member of the committee.

Filling of casual vacancies.

134. Casual vacancies in a Committee shall be filled, as soon as possible after they occur, by election as provided by Rule 131 and any person so elected shall hold office for the period for which the person in whose place he is elected would have held office.

Functions of Standing Committees.

135. (1) A Committee shall examine a Bill or other matter referred to it by the Speaker or by the Assembly, as the case may be, and shall submit its report to the Assembly with such recommendations, including suggestions for legislation, if any, as it may deem necessary. In the case of a Bill, the Committee shall also examine whether the Bill violates, disregards or is otherwise not in accordance with the Constitution, Fundamental Rights and Principles of Policy.

(2) The Committee may propose amendments which will be shown in its report alongside the original provisions of the Bill, but the Committee shall have no power of preventing the Bill from coming to the Assembly.

(3) If a Committee does not present its report within the period prescribed, or the time allowed, the Bill or the matter referred to it may be considered by the Assembly without waiting for the report, upon a motion by any Member.

(4). x x x x x x x x x x x x x x x x

(5). x x x x x x x x x x x x x x x x

Briefings to the Committees by concerned Departments.

135-A. (1) Following election of Chairman of a Committee, the Secretary or Head of respective Department of the Government shall brief the Committee about functions, performance and challenges of the Department.

1. Rule 133 substituted vide Notification No.PAB/Legis: I (3)/ 2013, dated, 5th March, 2018.
2. Sub Rules (4) & (5) of Rule 135 omitted vide Notification No.PAB/Legis: I (3)/2013 dated 5th April, 2018.
3. Rule 135-A inserted vide Notification No.PAB/Legis: I (3)/2013 dated: 5th March, 2018.

(2) The Committee shall formulate a Comprehensive Report containing recommendations for improvement in functioning of said Department and lay it before the Assembly for consideration.

**Power to
appoint a Sub
Committee.**

135-B. (1) A Committee may, with the approval of the Speaker, appoint a sub-committee for a specified function arising out of the matter referred to it.

(2) The order of reference to a sub-committee shall clearly state the point for investigation. The report of the sub-committee shall be considered by the whole committee and when approved by the whole committee, be deemed to be the report of that Committee:

Provided that the sub-committee shall stand dissolved at the expiry of two months irrespective of presentation of the report.

**Reference to
Standing
Committees.**

136. The Assembly may, on a motion made by any Member, remit to the Standing Committee concerned any subject or matter which may be studied by that Standing Committee with a view to suggesting legislation.

**Meetings of
Committees.**

137. (1) The meeting of a Committee shall be held on such day and at such hour as the Chairman of the Committee may determine:

Provided that if the Chairman of the Committee is not readily available, the Secretary may fix the date and time of a meeting.

(2) The meeting shall ordinarily be held at Quetta.

(3) Subject to the provisions of Rule 135 and on a requisition made by three members of the Committee, the Chairman shall call a meeting of the Committee within seven days from the date of receipt of the requisition:

Provided that if the Chairman fails to call a requisitioned meeting within seven days, the Secretary may fix the date and time for such a meeting.

**Meeting of the
Committee
while the
Assembly is
sitting.**

138. (1) A Committee shall not meet while the Assembly is sitting without the leave of the Speaker.

(2) If a Committee is meeting while the Assembly is also sitting, the Chairman of the Committee shall, if a Division

1. Rule 135-B inserted vide Notification No.PAB/Legis: I (3)/2013 dated: 5th April, 2018.
2. Sub Rule (3) of Rule 137 substituted vide Notification No.PAB/Legis: (3) /2013 dated:
5th April, 2018.

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 in the Assembly.

Sitting of a Committee to be private.

139. The meetings of the Committee shall be held in private unless the Committee, by a majority, decides otherwise.

Quorum of a meeting.

140. The quorum for a meeting of a Committee shall be ¹[one-third] elected members of the Committee.

Voting in Committees.

141 All questions at a sitting of a Committee shall be determined by a majority of members present and voting.

Casting vote of Chairman.

142. The Chairman or the person presiding in his absence shall not vote except in the event of equality of votes.

Power of Committee to examine Government officials and records.

143. (1) A Committee shall have power to summon and examine any person and the records of the Provincial Government and of statutory bodies, autonomous or semi-autonomous, under the Provincial Government:

Provided that the Committee shall have no powers to send for any papers or records 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 reasons, any particular record summoned from any office of or authority under the Government or set up or established by 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 refer the matter to the Speaker whether the privilege or exemption, as the case may be, has been properly claimed and the orders of the Speaker, on such point shall be final and conclusive.

1. Substituted vide Notification No. Legis: I (3)/2002 dated 9th Feb, 2004.

2. Proviso to Sub-Rule (2) of Rule 143 added vide Notification No.PAB/(3) 2013, dated 5th April, 2018.

**Evidence,
report and
proceedings
treated
confidential.**

144. (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 directs, the Speaker may direct that such evidence be confidentially made available to Members before it is formally laid on the table.

(2) No part of the evidence, oral or written, report or proceedings of the Committee which has not been laid on the table, shall be open to inspection by anyone 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.

**Copies of
private
Member's Bill
to be supplied
to Department
concerned.**

145. In case of 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.

**Record of the
proceedings of
Committees.**

146. (1) A summary of the record of the proceedings of each Committee shall be maintained by the Secretary.

(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.

Special reports.

147. 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.

**Report of
Committee.**

148. (1) Report of a Committee shall be presented within the time-limit fixed by the Speaker under Rule 84 or thirty days from the date on which reference was made to it by the Assembly unless the Assembly, on 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 ³[Minister or Parliamentary Secretary] if furnished;
- (b) set forth the recommendations of the Committee together with the views of the minority, if any; and

1. Rule 144 substituted vide Notification No. Legis: I (3)/2002 dated 9th Feb: 2004.

2. Sub Rule (1) of Rule 146 substituted vide Notification No.PAB/Legis: I (3)/ 2013, dated 5th April, 2018.

3. Substituted vide Notification No. Legis: I (15)/85 dated 15th Aug:1985.

- (c) be signed by the Chairman on behalf of the Committee or, if the Chairman is absent by another member chosen by the Committee.

Presentation of report and discussion thereon.

149. (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.

(2) Save as otherwise provided by these rules, after a report has been presented in the House on a matter other than a Bill, the Chairman or any member of the Committee may move that the report be considered and adopted.

(3) After the motion made under sub-rule (2) is carried, the Speaker may allot time as may be deemed necessary for discussion and adoption of the report.

(4) After the motion is carried the decisions of the House shall be communicated to the Department concerned for implementation. In case the Department is unable to implement decisions of the House it shall inform the House within two months of the reasons thereof.

(5) The Secretary shall cause every adopted report of a Committee together with the views of the minority, if any, to be printed and a copy thereof made available for the use of every Member of the Assembly.

Agenda and notices of the meetings of Committees.

150. (1) The arrangement of business of a Committee and the agenda for each 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 the Standing Committees shall be sent to the members of the Committee.

Decision of Speaker on procedure.

151. 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.

Business before Committee not to lapse on prorogation of Assembly.

152. 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.

**Un-finished
work of a
Committee.**

153. A Committee which is unable to complete its work before the expiration of its terms 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.

(B) SELECT COMMITTEE.

**Composition of
Select
Committee on
Bills.**

154. (1) The Minister concerned, the Chairman of the Standing Committee concerned with the Bill, the Member-in-Charge and the Minister for Law and Parliamentary Affairs shall be included in every 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 elected 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 Standing Committee concerned with the Bill shall be the Chairman of the select Committee.

(4) If the Chairman is not present at any sitting of the Committee, the members of the Committee shall elect a Chairman for that sitting.

(5) The Chairman or the person 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 interest affected by the Bill.

**Quorum of
Select
Committee.**

155. (1) The quorum for the meeting of the Select Committee shall be ¹[one-third] Members of the Committee.

(2) If at the time fixed for any sitting of the Select Committee, or at any time during any such sitting the quorum is not present, the Chairman shall either suspend the sitting until a quorum is present or adjourn the sitting to some future day.

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

1. Substituted vide Notification No. PAB/Legis: I (3)/ 2002 dated 9th February, 2004.

2. Rule 153 substituted vide Notification No.PAB/Legis: I (3)/2013, dated 5th April, 2018.

Amendment in Select Committee.

156. A Select Committee shall have powers to suggest such amendments in the Bill as it thinks fit, provided such amendments are not beyond the scope of the Bill.

Report by Select Committee.

157. (1) After completing the consideration of the Bill, the Select Committee shall make a report on the Bill.

(2) Such report shall be made within the period specified by the Assembly.

Presentation of report.

158. The report of the Select Committee on a Bill shall be presented to the Assembly by the Member-in-Charge, and there shall be no debate on it at that stage.

Printing and publication of report.

159. The Secretary shall cause every report of a Select Committee, together with the minutes of dissent, if any, to be printed, and a copy thereof shall be made available for the use of every Member of the Assembly. The report, with the minutes of dissent, if any, and the Bill, if amended, shall be published in the Gazette.

(C) PUBLIC ACCOUNTS COMMITTEE.**Constitution of Public Accounts Committee.**

60. (1) There shall be constituted by the Assembly within ninety days after the election of the Leader of the House, a standing Public Accounts Committee for the duration of the Assembly.

(2) The Committee shall consist of ³[eleven] Members to be elected by the Assembly from among its Members and the Finance Minister shall be ex-officio Member, but the Finance Minister shall have no right of vote until he is an elected Member of the Committee. The quorum for the meeting of the Committee shall be ⁴[one-third] *members* of the Committee.

(3) Casual vacancies shall be filled by election as soon as possible after they occur and any person elected to fill such a vacancy shall hold office for so long only as the person in whose place he is elected would have held office.

(4) The Chairman of the Committee shall be elected by the Committee from among its Members. In case of any equality of votes on any matter, the Chairman shall have a second or casting vote.

1. Sub-Rule (1) of Rule 160 substituted vide Notification No. PAB/Legis: I (3)/ 2013, dated 5th April, 2018.

2. Sub Rule-2 of Rule 160 substituted vide Notification No. Legis: I (15)/85 dated 12th January, 1988.

3. Substituted vide Notification No. PAB/Legis: I (3)/ 2002 dated 24th May, 2003.

4. Substituted vide Notification No. PAB/Legis: I (3)/ 2002 dated 9th February, 2004.

5. Sub-Rule (4) of Rule 160 Substituted vide Notification No. Legis: I (15)/85 dated 15th August 1985.

Functions of the Committee.

161. (1) The Committee shall deal with the Appropriation Accounts of the Provincial Government and the report of the Auditor-General thereon and such other matters as the Finance Minister may refer to the Committee.

(2) In scrutinizing the Appropriation Accounts of the Provincial Government and the report of the Auditor-general thereon, it shall be the duty of the Committee on Public Accounts to satisfy itself –

- (a) that the money 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) that the expenditure conforms to the authority which governs it; and
- (c) that every re-appropriation has been made in accordance with such rules as prescribed by the Government.

(3) It shall also be the duty of the Committee on Public Accounts-

- (a) to examine the statements 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, made to the Governor, thereon;
- (b) to examine the statement of Accounts showing the income and expenditure of autonomous and semi-autonomous bodies the audit of which may be conducted by the Auditor-General of Pakistan under the direction of the Governor or under a statute; and
- (c) to consider the report of the Auditor-General in cases where the Governor may have required him to conduct the audit of any receipt or to examine the accounts of stores and stocks.

Report of the Committee.

162. Report of the Committee shall be presented within a period of one year 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 the presentation of the report be extended to a date specified in the motion.

(D) COMMITTEE ON RULES OF PROCEDURE AND PRIVILEGES.

Constitution of the Committee on Rules of Procedure and Privileges.

163. (1) There shall be a Committee on Rules of Procedure and privileges for the duration of the Assembly.

(2) The Committee shall consist of ¹~~seven~~ Members to be elected by the Assembly and the Minister for Law and Parliamentary Affairs shall be a member ex-officio, but he shall not be entitled to vote unless he is an elected Member of the Committee.

Functions of the Committee.

164. The functions of the Committee shall be to examine and report on all questions of privileges referred to it by the Assembly under Chapter X of these rules and to consider all proposals for amendment of these rules referred to it under Chapter XIX of these rules.

(E) FINANCE COMMITTEE.

Constitution of Finance Committee.

165. (1) There shall be a Finance Committee for the duration of the Assembly, consisting of the Speaker, the Finance Minister and five other members to be elected by the Assembly in the manner prescribed in rule 131.

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

(3) Until the Finance Committee is constituted or the Assembly is dissolved, the Speaker, in consultation with the Minister of Finance, shall exercise the powers and perform functions of the committee.

(4) The Finance Committee may make rules for regulation of its procedure.

Functions and powers of the Finance Committee.

166. (1) 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.

1. Substituted vide Notification No.PAB/Legis: I (3)/2013 dated 18th January, 2014.

2. Rule 165 & 166 Substituted vide Notification No.PAB/ Legis:I (3)/2013, dated 5th April, 2018.

(2) 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.

(3) 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.

(4) In addition to above, the Finance Committee shall have the powers to. -

- (i) sanction the creation of post(s) in the Assembly Secretariat;
- (ii) approve the upgradation of the post(s) sanctioned in the Assembly Secretariat; and
- (iii) sanction any expenditure in the Assembly Secretariat which is beyond the powers delegated to the Secretary under the Delegation of Powers under the Financial Rules and the Powers of re-appropriation Rules 1962 framed by the Government.

(5) The Budget approved by the Finance Committee shall be forwarded by the Secretary to the Finance Department for inclusion in the Annual Budget.

(F) COMMITTEE ON GOVERNMENT ASSURANCES.

Committee on Government Assurances.

167. (1) There shall be a Committee on Government Assurances to scrutinize the assurances, promises and undertakings given by Ministers ¹*[or Parliamentary Secretaries]* from time to time on the floor of the Assembly and to report on-

- (a) the extent to which such assurances, promises undertakings etc., have been implemented; and
- (b) where implemented whether such implementation has taken place within the minimum time necessary for the purpose.

(2) The Committee shall consist of seven Members who shall be elected by the Assembly for the duration of the Assembly and Minister for Law and Parliamentary Affairs shall be its ex-officio member but he shall not be entitled to vote unless he is an elected Member of the Committee.

(3) Any Member who feels that an assurances or promise given to him or to the Assembly or an undertaking made by a Minister ²[or Parliamentary Secretary] has not been implemented within a reasonable time he may, in writing propose that the matter may be referred to the Committee by the Speaker. If the Speaker is satisfied that a reasonable time has elapsed and that the matter should be gone into by the Committee on Assurances, he may refer the matter to the Committee.

(4) This rule shall not apply to assurances, promises and undertakings given before the coming into force of these rules.

(5) The Committee shall only scrutinize the assurances, promises and undertakings given during the term of that Assembly.

(G) HOUSE AND LIBRARY COMMITTEE.

House and Library Committee.

168. There shall be a House and Library Committee consisting of the Deputy Speaker as ex-Officio Chairman and ³[five] other Members to be elected by the Assembly.

Functions of the Committee.

169. The functions of the Committee shall be-

- (a) to deal with matters relating to the issue of admission cards for galleries, other than the Governor's Box and the Speaker's Box and such questions relating to residential accommodation for Members as may be referred to it by the Speaker from time to time;
- (b) to exercise supervision over facilities pertaining to accommodation and other immunities including food provided to Members in the Members' hostels;

1. Sub-Rule (2) of Rule 167 substituted vide Notification. No.PAB/Legis: I (3)/2013, dated 5thApril, 2018.

2. Inserted vide Notification No. Legis: I (15)/85 dated 15th August, 1985.

3. Substituted vide Notification No.PAB/Legis: I (3)/2013 dated 18th January, 2014.

- (c) to consider and advice on such matters concerning the Library of the Assembly as may be referred to it by the Speaker from time to time; and
- (d) to consider suggestions in respect of addition of books, magazines, journals etc. to the Library and its general improvement.

(H) SPECIAL COMMITTEES.

**Special
Committees.**

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

(H-I) COUNCIL OF CHAIRMEN.

**Council
of Chairmen.**

170-A. (1) There shall be a Council of Chairmen consisting of all the Chairmen Standing Committees and Functional Committees, headed by the Speaker of the Assembly or any other member of the Assembly nominated by the Speaker to consider and coordinate any matter relating to the Standing Committees and the Functional Committees.

(2) The meeting of the Council shall be convened by the Speaker Provincial Assembly as and when required during Session of the Assembly.

(H-II) BUSINESS ADVISORY COMMITTEE.

Composition.

170-B. The Business Advisory Committee shall be headed by the Speaker and consist of such other members as may be nominated by him, from time to time.

Functions.

170-C. (1) It shall be the function of the Committee to recommend the time that should be allocated for the discussion of various Government legislative and other business, including private members' business likely to be transacted during the ensuing session.

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

1. Rule 170-A inserted vide Notification No.PAB/Legis: I (3)/2013, dated 18th April, 2016.
2. Rule 170-B and Rule 170-C added vide Notification No.PAB/Legis: I(3)/2013, Dated 17th May, 2017.

(H-III) COMMITTEE OF THE WHOLE HOUSE.

Constitution. **170-D.** The House may constitute itself into a Committee of the Whole on a motion by the Leader of the House or Leader of the Opposition, as the case may be. When the House constitutes itself into a Committee of the Whole, it functions as one Committee acting upon any matter(s) referred by the House and conducts its proceedings like a regular Committee with its membership composed of all the members of the House:

Provided that if a motion to constitute the House into a Committee of the Whole is not passed, a similar motion shall not be presented within the same session.

Proceedings. **170-E.** (1) The Speaker or any member nominated by the Speaker shall preside over the Committee.

(2) The Committee shall conduct business only when there is a quorum. If there is no quorum, the Speaker or the person nominated by the Speaker to preside shall immediately suspend its proceedings.

(3) In addition to his vote as a member, the Speaker or the person nominated by the Speaker to preside shall, in the event of equality of votes, have a casting vote.

(4) Documents and papers in possession of the House or the Assembly Secretariat may be called for by any member and read by the Secretary Assembly for the information of the Committee unless the Committee orders otherwise. Resource persons and/or technical assistants may be invited to attend the proceedings, and upon permission of the Speaker, may directly answer questions asked and inquiries made by the members.

(5) The Committee shall have power to require the attendance of any person or summon production of papers, record from any department, autonomous body, semi-autonomous body or organization, or examine such persons on oath or solemn affirmation, or invite or summon any person to give evidence in relation to any matter under its consideration.

1. Rule 170-D and Rule 170-E added vide Notification No.PAB/Legis: I (3)/2013, dated 5th April, 2018.

(6) When a Committee of the whole has concluded consideration of a matter referred to it, the Leader of the House or the Leader of the Opposition, as the case may be, shall make a report to the House. Matters reported shall be presented before the House for action as though reported by any other Committee.

(I) GENERAL.

Supplementary rules of Committees and applicability of General rules.

171. (1) The rules pertaining to Standing Committees shall apply to all Committees where not inconsistent with the particular rules applicable to that 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 in conducting its proceedings and the directions given by the Speaker shall be followed.

CHAPTER XVI.

STATUTORY REPORTS.

Report on the implementation of Principles of Policy.

172. (1) The Minister concerned shall lay before the Assembly the report under clause (3) of Article 29 of the Constitution.

(2) The Speaker shall allot time for discussion on such report.

(3) On the day fixed for discussion of such report, the Assembly may, on a motion by a Member, refer the report to a Committee to be appointed by the Assembly. Thereupon the Committee shall examine the matter and make its recommendations to the Assembly.

(4) The report of the Committee shall be presented to and considered by the Assembly on a day fixed by the Speaker.

Recommendations of the National Finance Commission.

173. (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.

Reports of the Auditor-General.

174. The reports of the Auditor-General submitted to the Governor under Article 171 of the Constitution shall, as soon as possible, be laid before the Assembly by the Finance Minister. Such reports shall be referred by the Speaker to the Public Accounts Committee constituted under Rule 160 of these rules.

Recommendations and Reports of the Council of Islamic Ideology.

175. (1) The recommendations and reports of the Council of Islamic Ideology received under Article 230 of the Constitution shall be laid before the Assembly by the Minister for Law.

(2) The Speaker shall allot time for consideration of such recommendations and reports.

(3) The provisions of sub-rules (3) and (4) of Rule 172 of these rules shall apply in the case of such recommendations and reports also.

CHAPTER XVII.

STATEMENT AND PERSONAL EXPLANATIONS.

Statement by a Member resigning the Ministry.

176. (1) A Member who has resigned the office of Minister may, with the consent of the Speaker, make a personal statement in explanation of his resignation.

(2) Such statement shall ordinarily be made after questions and before the business on the Orders of the Day is entered upon.

(3) On such statement no debate shall be allowed:

Provided that a Minister shall be entitled after the Member has made his statement to make a statement pertinent thereto.

Personal explanation.

177. Any Member may, with the permission of the Speaker, make a personal explanation although there is no question before the Assembly:

Provided that such explanation, if permitted, shall be made at the earliest possible opportunity before the

Orders of the Day is entered upon, and shall be limited to the circumstances which are the subject of the explanation and no speech or debate thereon shall be allowed by the Speaker.

**CHAPTER XVIII.
GENERAL RULES OF PROCEDURE.
A. NOTICE.**

**Notice by
Member.**

178. Save as otherwise provided in these rules, every notice required by the rules shall be given in writing and addressed to the Secretary and shall be delivered at the Assembly Secretariat. If it is delivered during the office hours, it shall be treated as delivered on that day. If it is delivered at any later time or any holiday, it shall be treated as delivered on the day on which the Secretariat next opens.

**Circulation of
Notice to
Members.**

179. (1) The Secretary shall circulate to each Member and any other person entitled to take part in the proceedings of the Assembly under the Constitution, a copy of the notice or other paper required under these rules to be made available to such Member and other person.

(2) A notice or 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 sitting; and
- (b) If it is sent by post to the Member's permanent address as registered in the Assembly Secretariat at other times.

(B) MOTIONS.

**Decision by
motions.**

180. 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.

Notice of motion or amendment.

181. Save as otherwise provided in these rules, a Member who wishes to move a motion shall give, 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, of his intention, to the Secretary:

Provided that the Speaker may allow a motion or 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.

Who may move motion.

182. (1) Except as otherwise provided in these rules, a motion or amendment which requires notice may be moved only by the Member giving notice.

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

Motion to be moved as appearing on the notice paper.

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

Repetition of motion.

184. (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) This rule shall not be deemed to prevent the making of any of the following motions, namely:-

- (a) a motion for the taking into consideration, or the reference to a Select Committee of a Bill, where an amendment has been carried to a previous motion of the same kind to the fact that the Bill be circulated or re-circulated for the purpose of eliciting public opinion thereon; or
- (b) a motion for the amendment of a Bill which has been recommitted to a Select Committee or re-circulated for the purpose of eliciting public 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.

Anticipation of a matter before the Assembly.

185. A motion or amendment must not anticipate a matter already appointed for consideration of the Assembly, and in determining whether a motion 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.

Proposal of question.

186. 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 those propositions may be proposed as a separate question.

Withdrawal of motion.

187. At any time after the question on a motion has been proposed and before the voting has taken place, the motion may, with the leave of the Assembly, be withdrawn by the Member who moved it:

Provided that-

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

(C) AMENDMENTS.

Rules as to amendments.

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

(5) An amendment may be moved to an amendment which has been moved in the Assembly.

(6) If any amendments are made in a Bill, the re-numbering or re-lettering of the clauses, sub-clauses and all references therein, consequential amendments, the numbering or lettering of clauses and sub-clauses as required by such re-numbering, re-lettering or amendments and any clerical errors may be rectified by the Secretary under the orders of the Speaker.

(7) In respect of any motion, or in respect of any 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.

Putting of amendments.

189. The Speaker may put amendments in such order as he may think fit:

Provided that the Speaker may refuse to put an amendment which, in his opinion, is frivolous, inconsistent or meaningless.

(D) DEBATE.

Mode of Address.

190. (1) A Member desiring to speak on any matter before the Assembly or to raise a point of order or privilege shall rise in his seat, or if unable to do so, shall otherwise intimate his desire to the Speaker and shall speak only when called upon to do so by the Speaker and shall address the House standing, except when permitted otherwise. If at any time, the Speaker speaks or rises, the Member shall resume his seat.

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

Rules against reading.

191. Except with the permission of the Speaker a Member may not read his speech but may refresh his memory by reference to his notes.

Limitation of debates.

192. (1) The subject matter of every speech shall be relevant to the matter before the Assembly.

(2) A Member while speaking shall not-

- (a) discuss any matter which is sub-judice in a Court of Law in any part of Pakistan;
- (b) reflect upon the President or the Governor in his personal capacity:

Provided that nothing in the sub-rule shall preclude any reference, subject to the provisions of the Constitution, to the President or the Governor in relation to any act done in his official capacity;

- (c) make a personal charge against a Member, Minister or the holder of a public office except in so far as it may be relevant in regard to the matter before the Assembly;
- (d) utter unreasonable or defamatory or unparliamentary words, or make use of offensive expressions; and
- (e) use his right of speech for the purpose of willfully and persistently obstructing the business of the Assembly.

(3) No discussion shall take place with respect to the conduct of any Judge of the Supreme Court or of a High Court in the discharge of his duties.

Irrelevance or repetition.

193. 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.

Order of speech and right of reply.

194. (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. If any Member, who is 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, except with the permission of the Speaker, for the purpose of making a personal explanation.

(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 ¹[or Parliamentary Secretary] concerned may speak after the mover has replied.

(4) 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, resolution or motion, save with the permission of Speaker.

(E) QUORUM, CLOSURE AND VOTING.

Want of Quorum. **195.** If at any time during a sitting of the Assembly the attention of the Speaker/presiding officer is drawn by a member to the fact that less than one-fourth of the total membership of the Assembly is present, he shall either adjourn the Assembly or suspend the meeting until at least one-fourth of such membership is present.

Closure. **196.** (1) At any time after a question has been proposed, a Member may move “that the question be now put” and unless it appears to the Chair that such motion is an abuse of the rules or an infringement of the right of reasonable debate, the Speaker shall put the motion “that the question be now put”.

(2) When the motion “That the question be now put” has been carried, the question or questions consequent thereon shall be put forthwith without amendment or debate:

Provided that the Speaker may allow any Member a right of reply which he may have under these rules.

(3) A motion “That the question be now put” may, subject to the restrictions contained in the above provisions, be also moved in respect of a clause or amendment to a clause of Bill under consideration of the Assembly.

Voting. **197.** (1) Save as otherwise provided, the votes of Members on any question put by the Speaker, may be taken by voices in the first instance. On the conclusion of a debate,

1. Inserted vide notification No. Legis: I (15)/85 dated 15h August, 1985.

2. Rule 195 substituted vide Notification No.PAB/Legis:I(3) /2013, dated 5th April, 2018.

the Speaker shall put the question and invite those who are in favor of the motion to say "Aye" and those against the motion to say "No".

(2) The Speaker shall then say: "I think Ayes (or the Noes, as the case may be) have it". If the opinion of the Speaker as to the decision of a question is not challenged, he shall say twice: "The Ayes (or the Noes, as the case may be) have it" and the question before the Assembly shall be determined accordingly.

- (3) (a) If the opinion of the Speaker as to the decision of a question is challenged, he shall order that the Lobby be cleared;
- (b) After the lapse of two minutes he shall put the question a second time declare whether in his opinion the "Ayes" or the "Noes" have it; and
- (c) If the opinion so declared is again challenged, he shall direct that the votes be recorded by Division in the manner set out in Schedule IV:

Provided that, if in the opinion of the Speaker, the Division is unnecessarily claimed, he may ask the Members who are for "Aye" and those for "No" respectively to rise in their places and, on a count being taken, he may declare the determination of the Assembly. In such a case, the names of the voters shall not be recorded.

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

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

(6) A Member may not vote on any question in which he has a pecuniary interest. If he votes on such a question, the vote shall on a substantive motion carried by the Assembly, be disallowed.

EXPLANATION.— The interest contemplated in this rule shall be direct and personal and not remote or general.

No Speech after question is put.

198. A Member shall not speak on a question after the Speaker has put the question to the Assembly.

Casting Vote.

199. The Speaker shall not vote except in the event of an equality of votes.

Validity of proceedings etc.

200. (1) The validity of the proceedings in the Assembly shall not be called in question in any court or tribunal.

(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 person who was otherwise not entitled to do so, was present at or voted or otherwise took part in the proceeding.

(F) POINTS OF ORDER.**Decision on points of order.**

201. (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 conditions referred to in 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, which shall be final.

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

(F-1) POINT OF PUBLIC IMPORTANCE.

Allocation of time for points of public importance.

201-A. (1) The Speaker shall, after the disposal of Business on the Orders of the Day, allocate time for raising points of public importance by the Members.

(2) A point of public importance may not be raised before the Speaker has disposed of the earlier point of public importance.

(3) The Minister concerned may respond to a point of public importance raised by the Member at the sitting. In case the Minister concerned is not available, then the Speaker may decide to allow raising of such point on another day fixed for the purpose.

Restriction on debate.

201-B. (1) The time for asking points of public importance shall be fifteen minutes.

(2) Only one point of public importance shall be raised in a sitting.

(3) The member raising the point of public importance shall not have a right of reply and no other member except the member raising the point of public importance shall be allowed to speak.

(4) No debate shall be allowed on point of public importance, but the Speaker may, if he thinks fit hear Members before giving his decision.

Decision and Ruling of the Speaker.

201-C. (1) Subject to sub-rule (3), if the Speaker gives ruling on any matter on the floor of the House or reserve for future announcement and subsequently decides in his office on a file, the decision of 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 and the departments concerned for compliance.

(3) The Speaker may, for reasons to be recorded in writing, review a decision made or ruling given under sub-rule (1) and (2).

(G) MAINTENANCE OF ORDER.

Speaker to preserve order and enforce decisions.

202. The Speaker shall preserve order and shall have all powers necessary for the purpose of enforcing his decisions.

Withdrawal of Member.

203. 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 day's sitting.

Suspension of Member.

204. (1) The Speaker may, if he deems it necessary, name a Member who disregards the authority of the Speaker or abuses these rules by persistently and willfully obstructing the business of the Assembly.

(2) If a Member is so named by the Speaker, he shall forthwith put the question that the Member (naming him) be suspended from the service of the Assembly for a period not exceeding the remainder of the session:

Provided that the Assembly may, at any time, on a motion being made, resolve that such suspension be terminated.

(3) A Member suspended under this rule shall forthwith withdraw from the precincts of the Assembly.

(H) SUSPENSION OF SITTING.

Power of Speaker to suspend sitting or adjourn the Assembly. **205.** In the case of a grave disorder arising in the Assembly, the Speaker may, if he thinks it necessary to do so, suspend any sitting for a time to be specified by him or adjourn the Assembly.

(I) ADMISSION, WITHDRAWAL AND REMOVAL OF STRANGERS.

Admission of strangers. **206.** The admission of strangers during the sittings of the Assembly to those portions of the Assembly which are not reserved for the exclusive use of Members shall be regulated, in accordance with directions given by the Speaker.

Withdrawal of strangers. **207.** The Speaker may, whenever he thinks fit, order the galleries to be cleared and any strangers to be removed.

Sergeant-at-Arms. **208.** The Speaker 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.

Removal of strangers. **209.** The Sergeant-at-Arms 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 which is reserved for the exclusive use of Members and also any stranger 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 Rule 206 or does not withdraw when the strangers are directed to withdraw under Rule 207.

(J) SECRET SITTING OF THE ASSEMBLY.

Secret sitting. **210.** (1) On a request made by the Leader of the House or any other Minister 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 as the Speaker may direct.

Report of proceedings.

211. The Speaker may cause a report of the proceedings of a secret sitting to be issued in such manner as he thinks fit but no other person present 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 purport to describe, such proceedings.

Procedure in other respects.

212. 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.

Lifting ban on Secrecy.

213. (1) When it is considered that the necessity for maintaining secrecy in regard to the proceedings of a secret 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 that the proceedings in the Assembly sitting secret be no longer treated as secret.

(2) On adoption by the Assembly 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.

Disclosure of proceeding or decisions.

214. Save as provided in Rule 211, disclosure of the proceedings or decisions of a secret sitting by any person in any manner shall be treated as gross breach of privilege of the Assembly.

(K) LANGUAGE, RECORD AND REPORTS.**Language of the Assembly.**

215. (1) The Members shall ordinarily address the Assembly in Urdu, but a Member who cannot adequately express himself in Urdu may, with the permission of the Speaker, address the Assembly in English or in his mother tongue.

(2) If a Member desires that a summary in Urdu of his speech delivered in a language other than Urdu or English be read out to the Assembly, he shall supply a copy of the summary to the Speaker who may, in his discretion, allow it to be read to the Assembly. Such summary shall be included in the record of the proceedings of the Assembly.

(3) The official records of the proceedings of the Assembly shall be kept in Urdu and where necessary in English.

Report of proceedings.

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

(2) The Secretary may also cause to be prepared a journal of the House containing-

- (a) brief record of proceedings of the Assembly at each of its sittings;
- (b) information on any matter relating to or connected with the business of the Assembly or a matter which in the opinion of the Speaker may be included therein; and
- (c) information regarding the Committees.

Custody of documents and records.

217. 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.

Expunction of words from debates.

218. (1) If the Speaker is of the opinion that words have been used in debate, which are defamatory, indecent, unparliamentary or un-dignified, he may, at any time, order that such words be expunged from the proceedings of the Assembly.

(2) The expunged words shall not be printed, published or mentioned by any person including media and if so published, printed or mentioned shall amount to breach of privilege of the House.

(3) 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.

Indication in printed debates of expunged proceedings.

219. The portion of the proceedings of the Assembly so expunged shall be marked by asterisks and an explanatory foot-note shall be inserted in the proceedings as follows: -

“Expunged as ordered by the Speaker”.

(L) RULES TO BE OBSERVED BY MEMBERS.

Rules to be observed by Members while present in House.

220. Whilst sitting in the House a Member-

- (i) shall not read any book, newspaper or letter except in connection with the business of the House;
- (ii) shall not interrupt any Member while speaking by disorderly expressions or notices or in any other disorderly manner;
- (iii) shall not pass between the Chair and any Member who is speaking;
- (iv) shall not leave the House when the Speaker is addressing the House;
- (v) shall always address the Chair;
- (vi) shall keep to his seat while addressing the House;
- (vii) shall maintain silence when not speaking in the House;
- (viii) shall not obstruct proceedings, hiss or interrupt and shall avoid making running commentaries when speeches are being made in the House; and
- (ix) shall not, while speaking, make any reference to the strangers in any of the galleries.

(M) LAPSE OF BUSINESS.**Lapse of pending notices on prorogation of session.**

221. (1) On the prorogation of a session all notices other than notices of intention to introduce a Bill, shall lapse and fresh notices shall be given for the next session.

(2) Bills which have been introduced shall be carried over to the pending Orders of the Day 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.

Effect of dissolution of Assembly.

222. On the dissolution of the Assembly all pending business shall lapse.

(N) MISCELLNEOUS.**Secretary to be ex-officio Secretary of Committees.**

223. The Secretary shall be ex-officio Secretary to every Committee of the Assembly.

Secretary may authorise any officer.

224. The Secretary may authorise any officer of the Assembly Secretariat to perform such duties as he may direct.

Suspension of Rules.

225. Whenever any inconsistency or difficulty arises in the application of these rules, any 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 suspended.

Residuary powers of the Speaker.

226. Any matter arising in connection with the business of the Assembly and its Committees for which no specific provision exists in these rules shall be decided by the Speaker and his decision shall be final.

Papers quoted to be laid on the Table.

227. If a Minister ¹[or 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:

1. Inserted vide Notification No. Legis: I (15)/85 dated 15th August, 1985.

Provided that this rule shall not apply to any document, which is stated by the Minister ¹[or Parliamentary Secretary] to be of such a nature that its production would be against the public interest:

Provided further that where a Minister ²[or 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.

Treatment of paper laid on the Table.

228. (1) A paper or document to be laid on the Table shall be duly authenticated by the Member or Minister ³[or Parliamentary Secretary] laying it.

(2) All papers and documents laid on the Table shall be considered public.

Procedure when a Minister discloses source of advice or opinion given to him.

229. If, in answer to a question or during debate, a Minister 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.

Statements on matters of public importance.

230. A statement may be made by a Minister on a matter of public importance with the consent of the Speaker, but no question shall be asked nor discussion take place thereon at the time statement is made.

Use of Assembly Chamber.

231. Except with the permission of the House, the Assembly Chamber shall not be used for any purpose other than the sittings of the Assembly.

Transitional provisions.

232. 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 the Speaker, as are necessary for the running of the day-to-day affairs of the Assembly, the convening of the first meeting of the Assembly after general election and for the conduct of business of the Assembly.

^{1,2 & 3} Inserted vide Notification No. Legis: I (15)/85 dated 15th August, 1985.

⁴. Rule 231 substituted vide Notification No.PAB/Legis:I(3)2013, dated 5th April, 2018.

**Gender and
number in the
Rules.**

232-A. In these Rules-

- (a) words importing the masculine gender shall be taken to include females; and
- (b) words in the singular shall include the plural, and words in the plural shall include the singular.

CHAPTER XIX.

PROCEDURE FOR AMENDMENT OF RULES.

**Amendment of
Rules.**

233. (1) Unless the Speaker otherwise directs, not less than fifteen days; notice of a motion for leave to amend these rules shall be given and the notice shall be accompanied by the amendment proposed.

(2) The motion shall be included in the Orders of the Day, if the Assembly is in session, within seven days of the expiry of the notice given under sub-rule (1), or if the Assembly is not in session within seven days of the commencement of the next session, on such day as the Speaker may direct.

(3) When the motion is reached, the Speaker shall read 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 favor of leave being granted to rise in their seats, and if at least five Members do not so rise, he shall declare that the Member has not the leave of the Assembly, or, if no objection is taken or such number so rise, the Speaker shall declare that the Member has the leave of the Assembly.

- (4) (a) When a Member has the leave of the Assembly under sub-rule (3), he may move that the proposed amendment be taken into consideration, to which any other Member may move as an amendment that the proposed amendment may be referred to the Committee on Rules of Procedure and Privileges. If the motion for consideration is carried, the proposed amendment will be put to the Assembly immediately for decision, and

(b) If the amendment to refer the proposed amendment to the Committee is carried, the matter shall be referred to the Committee.

(5) After the proposed amendment has been referred to the Committee, the procedure in regard to a Bill similarly committed shall be followed as far as may be, with such variation as the Speaker may consider necessary.

(6) When a rule or an amendment of a rule is passed by the Assembly, it shall come into force at once.

SCHEDULE I.

(See Rules 26 and 27)

**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 upto 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 on a priority list. This procedure will be carried out till all the numbers or in the case of a ballot for resolutions five 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.

SCHEDULE II.**(See Rules 66 and 67)****FORM OF COMMUNICATION REGARDING ARREST,
DETENTION, CONVICTION OR RELEASE AS THE CASE
MAY BE, OF A MEMBER.**

Place _____

Date _____

To

The Speaker,
Provincial Assembly of Balochistan

A

Sir,

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 or Code _____) to direct that Mr./Mrs./Miss _____ Member of the Provincial Assembly Balochistan, be arrested/detained for _____ (reasons for the arrest or detention, as the case may be).

Mr./Mrs./Miss _____ Member of the Provincial Assembly of Balochistan was accordingly arrested/taken into custody at (time) _____ on (date) _____ and is at present lodged in the _____ (Jail) _____ (Place).

B

I have the honour to inform you that Mr./Mrs./Miss _____ Member of the

Provincial Assembly of Balochistan was tried at the (Name of Court) _____ Court before me on a charge (or charges) of _____ (nature of offence charged).

On (date) _____ after trial lasting for (period) _____ days, I found him/her guilty of _____ and sentenced him/her to imprisonment for (period) _____ (His/her application for leave to appeal to _____ is pending consideration).

C

I have the honour to inform you that Mr./Mrs./Miss _____ Member of the Provincial Assembly of Balochistan who was arrested/taken into custody on (date) _____ under Section _____ of _____ Act/Code was released on bail by me (Name and designation) on (date) _____.

D

I have the honour to inform you that Mr./Mrs./Miss _____ Member of the Provincial Assembly of Balochistan, 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 (date) _____.

Your obedient servant,

(Judge, Magistrate or Executive Authority)

SCHEDULE III.

(See Rule 131)

**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; *

* 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:-

(1) A1
B2
C3
D3
E4

(2) A1
B2
C3
D5
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 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 some 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) "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-paper 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 paper" 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.

(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 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; and
- (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 squares 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 recognisable; or
- (b) which does not bear the Returning Officer's initial; 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-papers 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; and
- (b) ignore all preferences recorded for candidates already elected or excluded from the pool.

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 divided 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 of 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 un-exhausted 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; and
- (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-paragraph 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-paragraph to the papers already belonging to such candidate.

(7) All papers in the parcel or sub-paragraph 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 someone 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 remain 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 distributing, 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	Name of Candidates

Note: -The counterfoil must show the number corresponding to this on the back of the ballot paper.

INSTRUCTIONS TO MEMBERS.

- A. Each Member has one vote and one vote only.
- B. The Member votes-
 - (a) 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; and
 - (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.
 - (b) the number of preference 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.

(From of back of Ballot paper)

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 THIS SYSTEM OF A SINGLE
TRANSFERABLE VOTE IN ACCORDANCE WITH THE
PRECEDING PARAGRAPHS.**

**Paragraph
VIII.**

Assuming that there are seven members to be elected, sixteen candidates, and one hundred and forty electors.

The valid ballot papers are arranged in separate parcels according to the first preference recorded for each candidate and 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
			Total-----	140

**Paragraph
X.**

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.

**Paragraph
XI.**

The values of all the papers are added together and the total 14,000 is divided by eight (i.e; the number which exceeds by one the number of vacancies to be filled) and 1, 751 (i.e; the quotient, 1,750, increased by one) is the number sufficient to secure the return of a number and is called the quota. The operation may be shown thus-

$$\text{Quota } \frac{14,000}{8} + 1 = 1,750 + 1 = 1,751$$

Paragraph XIII (1).

The Candidate H, the value of whose votes, exceeds quota, is declared, elected.

Paragraph XIII(3) Surplus.

As the value of the papers in H's parcel exceeds the quota, this surplus must be transferred. His surplus is 149 (i.e 1,900 less 1,751).

Paragraph XIV (4) (a).

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:-

Let it be assumed that the result is as follows-
Papers

(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	<u>18</u>
	Number of exhausted papers	<u>1</u>
	Total of papers.	<u>19</u>

Paragraph XIV (4) (b).

The values of the papers in the sub-parcels are as follows:-

(B)	-----	----	-----	-----	-----	-----	700
(D)	-----	----	-----	-----	-----	-----	400
(E)	-----	----	-----	-----	-----	-----	400
(F)	-----	----	-----	-----	-----	-----	300
Total value unexhausted papers							1,800
Value of exhausted papers							100
Total value							1,900

Paragraph XIV (4) (c).

The value of the unexhausted papers is 1,800 and is greater than the surplus. The surplus is, therefore, transferred as follows:-

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-

$$\frac{149 \text{ (the surplus)}}{\text{of unexhausted papers}} = 8, \text{ the residue of } 18 \text{ (the number)}$$

The value, 92, being required by H for the purpose of constituting his quota, i.e., 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 valued of 8).

F = 24 (i.e. three papers at the value of 8).

These operations can be shown on a transfer sheet as fellows-

Transfer Sheet-

Value of surplus H's to be transferred	.....	149
Number of papers in H's parcel	.....	19
Value of each paper in parcel	.....	100
Number of unexhausted papers	.....	18
Value of unexhausted papers	.....	180
Surplus		149
New value of each paper transferred	----- = -----	8
Number of exhausted papers		18

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
Total	18	144
Number of exhausted Papers	1	-----
Loss of value owing to neglect of fractions.	---	5
Total	19	149

Paragraph XV (1).

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.

There being on further surplus the candidate lowest on the pool has now to be excluded. G and O both have 400

Paragraph XIX.

The Returning Officer casts lots and G is chosen to be excluded.

Paragraph XV (2).

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 receive 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.

Paragraph XIX .

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 three first named receiving 100 each and I, who had the next preference on two papers receiving 200. P is then excluded and his papers are transferred to E, L and K, the two first named receiving 100 each and K, who had the next preference on three papers, receiving 300.

Paragraph XVII (1).

K now exceeds the quota and it declared elected.

Paragraph XVII (3).

Prior to further exclusions, K's surplus of 49 has to be distributed.

Paragraph XIV (3).

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 un-exhausted paper (3) B, F and I accordingly receive 16 each.

Paragraph XIX

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 receive 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.

Paragraph XV II (1).

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.

Paragraph XIV (5).

The last, sub-parcel transferred to I consisted of one paper transferred at the value of 100; D is next preference on this paper; and receives the whole surplus of 65.

Paragraph XIV (4)(d) and (5).

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, i.e. the surplus divided by the number of the unexhausted papers (3), B accordingly receives 32 and E 16.

Paragraph XV (1).

No other candidate having reached the quota, the process of exclusion is proceeded with and F, who is now lowest with 840, is excluded.

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.

**Paragraph
XV (2).**

The transferred votes are next transferred in the order of their transfers of F. The three 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.

**Paragraph
XV (1)**

No continuing candidate having yet reached the surplus, M who is now lowest with 1,016 is excluded.

**Paragraph
XV (2)**

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.

**Paragraph
XV (4) and
(5) and XVI**

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.

Full details are shown in the result sheet.

SCHEDULE IV.**PROCEDURE REGARDING DIVISIONS.****(See Rule 197)**

1. When the minority desires a Division, they will challenge the opinion by exclaiming "The Ayes (or the Noes) have it" whereupon the person presiding, if satisfied that the demand for the Division is not an abuse of the rules, 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 'Lobby' will be locked and the Watch and Ward staff posted at each entrance will not allow any entry or exit through these entrances until the Division has concluded. Then the person presiding will read the terms of the motion before the Assembly and put the question for a third time. If the Division is still demanded, he will say "Ayes to the right Noes to the letter, 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 appointed by the Speaker. On reaching the desk of the tellers, each Member will in turn, call out the Division number which will be 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 marked on the seat-card of each Member.
3. When the voting process as described above is completed in the Division 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 person presiding. The person presiding 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 person presiding.
4. In case a Member's vote has been recorded both in Ayes and Noes, the person presiding shall ask him which side he intended to vote and a correction shall be made accordingly.

Secretary,
Provincial Assembly of Balochistan.

SCHEDULE V.

(see rule 15)

NOMINATION PAPER FOR ELECTION OF THE CHIEF MINISTER.

PART - A.

(To be filled by the Proposer)

I, _____
Member of the Provincial Assembly of the Balochistan 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 Balochistan elected
from Constituency No. _____

I hereby certify that I have not subscribed to any other
nomination paper for this election as Secunder.

Dated _____

Signature of Secunder.

PART - C.

(To be filled by the Candidate)

I, _____
(Name of the Candidate)

Member of the Provincial Assembly of the Balochistan 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 Balochistan 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
Balochistan.

SCHEDULE VI.

(see rules 18, 19-A and 19-B)

**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 18 or as the case may be, the resolution under rule 19-A or rule 19-B 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 names of the member. In order to ensure that his vote has been properly recorded, the members 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 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.

SECRETARY,

Provincial Assembly of Balochistan.

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