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BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT

NOTIFICATION

The 29th July, 1974.

No. Legis-X-(13)/74. The Provincial Assembly of Baluchistan Privileges (Amendment) Bill, 1974 having been passed by the Provincial Assembly of Baluchistan on 15th July, 1974 and assented to by the Governor of Baluchistan, is hereby published as an Act of the Provincial Assembly.

**THE PROVINCIAL ASSEMBLY OF BALUCHISTAN
PRIVILEGES (AMENDMENT) ACT, 1974.**

BALUCHISTAN ACT NO. XIV OF 1974.

**AN
ACT**

to amend the Provincial Assembly of Baluchistan Privileges Act, 1973.

G.P.(Q) 115-550-9-74.

Preamble.

WHEREAS it is expedient to amend the Provincial Assembly of Baluchistan Privileges Act, 1973 in the manner hereinafter mentioned;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Provincial Assembly of Baluchistan Privileges (Amendment) Act, 1974.

(2) It shall come into force at once.

Amendment of Section 11 of Act VII of 1973.

2. In the Provincial Assembly of Baluchistan Privileges Act, 1973 (hereinafter called the Act), in section 11 after the word "obstructed" the words "or commits contempt of the Assembly in any manner whatsoever" shall be added.

Addition of Section 11-A in Act VII of 1973.

3. In the Act after section 11 the following new section shall be added:—

"11-A TRIAL OF PERSONS BY THE ASSEMBLY AND ITS PROCEDURE- (1) The punishment mentioned in sub-section (6) of section 10 and section 11 of the Act may be awarded by the Assembly itself.

(2) If the Assembly decides to proceed with a matter, as stated in sub-section (1) above, the Assembly shall refer the matter to the Committee on Rules of Procedure and Privileges to consider the charges. The Committee shall examine the charges, and after giving the person or persons so charged an opportunity of being heard, submit its report to the Assembly within such time as the Assembly may direct:

Provided that the notice shall be served on the person or persons so charged through the District Magistrate with jurisdiction and after the service of the notice the Committee shall proceed to consider the charges and examine witnesses, if any, whether the person or persons charged appear or do not appear before the Committee. The person or persons charged, while appearing before the Committee in obedience to the notice, can take help of a counsel if they so desire, and can examine witnesses in their defence.

(3) The Committee shall submit its report to the Assembly, and the Assembly may on a motion by a Member award the punishment or exonerate the person or persons so charged as it deems fit.

(4) The decision of the Assembly awarding the punishment shall be authenticated by the Speaker, and a copy thereof, alongwith the person so convicted, if he is present, be forwarded by the Secretary to the District Magistrate, who shall prepare a warrant of commitment under section 383 of the Code of Criminal procedure 1898 and send the person so convicted to the District Prison to serve out the sentence. If the punishment is only of fine and if it is paid, the District Magistrate shall inform the Secretary of it at the earliest. If the convicted

person is not present, when the punishment is awarded by the Assembly, the authenticated decision of the Speaker will be sent to the District Magistrate concerned, who shall issue warrant of arrest of the convicted person, and after the arrest he shall send him to the District Prison with a warrant of commitment and shall inform the Secretary of the Assembly accordingly."

Addition of
Section 11-B in
Act VII of 1973.

4. In the Act, after section 11-A, the following new section shall be added namely :

"11-B. **NO APPEAL.** Notwithstanding anything contained in any other law no appeal or other proceeding shall lie against any order made, proceedings taken or punishment awarded by the Assembly under this Act."

Amendment of
section 12 of
Act VII of 1973.

5. In section 12 of the said Act, for sub-section (1) the following shall be substituted, namely:—

"(1) If the Assembly does not decide to proceed with the matter in accordance with section 11-A, the Speaker may, and if the Assembly so decides shall, direct the Secretary to lodge a complaint in the Court of competent jurisdiction and the Secretary shall lodge the complaint in writing accordingly."

Amendment of
section 13 of
Act VII of 1973.

6. In section 13 of the said Act, for the word "No" at the commencement, the words and comma "Subject to the provisions of section 11-A, no" shall be substituted.

MUHAMMAD ATHAR
Secretary,
Provincial Assembly of Baluchistan.