

# The Punjab Legislative Assembly (Offices) Act, 1939

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### Act 7 of 1939

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The Punjab Legislative Assembly (Offices) Act, 1939 Act No. 7 of 1939 Statement of Objects and Reasons. - This Bill is intended to make specific provision for the agency through which the Speaker may enforce his decisions for preserving order and for the removal or withdrawal of persons infringing the rules of procedure of the Assembly or otherwise behaving in a disorderly manner. It should eliminate any doubts which may have been entertained regarding the power of the Speaker to employ the necessary agency to enforce his orders. Published vide Punjab Government Gazette Extraordinary, 1939; for the Select Committee report, see Punjab Government Gazette Extraordinary, 1939, Part IV,; and for Proceedings in Assembly, See Punjab Legislative Assembly Debates, 1939, Volume VII, pp. 811-59 VII, Volume, page 47, Volume IX, pp. 175-85, 215-56, 283-303, 308-23, 447-82, 527-62, 576-61 and 642-78. Received the assent of His Excellency the Governor General on the 4th June, 1939, and was first published in the Punjab Government Gazette Extraordinary, dated the 14th June, 1939. An Act to provide for the appointment of a Serjeant-at-Arms to attend on the Speaker of the Punjab Legislative Assembly and for the appointment of deputies and subordinates and for other matters. Whereas it is expedient that more definite provision than at present exists should be made for the enforcement of the orders of the Speaker of the Punjab Legislative Assembly in matters relating to conduct of business and the maintenance of order; it is hereby enacted as follows :-

#### 1. Short title.

- This Act may be called the Punjab Legislative Assembly (Offices) Act, 1939.

#### 2. Definitions.

- In this Act -(i)"Assembly" means the Punjab Legislative Assembly;(ii)"Assembly building" means Assembly Chamber, the lobbies and all other portions of the Assembly building, and includes its precincts; and(iii)"Speaker" includes a person acting as such under [Articles 178 and 180 of the Constitution of India or under the rules of procedure of the Assembly except for the purpose of

sections 7 and 9.] [Substituted by Punjab Act 33 of 1957, Section 3(b) and Schedule]

### **3. Appointment of Serjeant-at-Arms and his deputies.**

- The Governor or such person as he may direct may appoint a Serjeant-at-Arms and one or more deputy Serjeant-at-Arms.

### **4. Power of the Speaker to order removal or expulsion of persons.**

- The Speaker shall have the power to direct the Serjeant-at-Arms or any of his deputies to remove or exclude from the Assembly building or any part thereof of any person who in the opinion of the Speaker infringes the rules of procedure of the Assembly or otherwise behaves in a disorderly manner :Provided that this power shall not be exercised against a member of the Assembly unless he has first been directed by the Speaker to withdraw.

### **5. Duties of Serjeant-at-Arms and his deputies.**

- The duties of the Serjeant-at-Arms and his deputies, if any, shall be to attend on the Speaker, to keep the doors of the Assembly building and to execute the orders given by the Speaker under section 4 for which purposes they may enlist to their aid such servants of the [Government] [Substituted by Punjab Act 33 of 1957, Section 3(b) and Schedule] or of the Assembly, as they may consider necessary.

### **6. Appointment of officers and messengers, etc., as assistants of Serjeant-at-Arms and conditions of their service.**

- The Governor or such person as he may direct may appoint such officers, messengers and other persons as may be required to assist the Serjeant-at-Arms in the proper execution of his duties.

### **7. Bar to civil or criminal proceedings.**

- Except with the sanction of the Speaker, no court shall entertain any proceedings, either civil or criminal, which may be instituted against the Serjeant-at-Arms or any of his deputies in respect of any act done or purporting to be done by them in the execution of their duty or against any person in respect of the carrying out of orders given to him by the Serjeant-at-Arms or any of his deputies within the scope of their authority.

### **8. Persons who are to be deemed public servants within the meaning of the Indian Penal Code.**

- The Serjeant-at-Arms and his deputies; and any person appointed under section 6 or enlisted in aid under section 5, shall be deemed to be public servants for the purposes of the Indian Penal Code.

## **9. Power to make rules.**

- The Speaker may frame rules for the purposes of carrying out the provisions of this Act.