**CHAPTER 4. – GENERAL**

# Protection to President, Governor, Minister, etc.

1. The President, a Governor, the Prime Minister, a Federal Minister, a Minister of State, the Chief Minister and a Provincial Minister shall not be answerable to any court for the exercise of powers and performance of functions of their respective offices or for any act done or purported to be done in the exercise of those powers and performance of those functions:

Provided that nothing in this clause shall be construed as restricting the right of any person to bring appropriate proceedings against the Federation or a Province.

1. No criminal proceedings whatsoever shall be instituted or continued against the President or a Governor in any court during his term of office.
2. No process for the arrest or imprisonment of the President or a Governor shall issue from any court during his term of office.
3. No civil proceedings in which relief is claimed against the President or a Governor shall be instituted during his term of office in respect of anything done or not done by him in his personal capacity whether before or after he enters upon his office unless, at least sixty days before the proceedings are instituted, notice in writing has been delivered to him, or sent to him in the manner prescribed by law, stating the nature of the proceedings, the cause of action, the name, description and place of residence of the party by whom the proceedings are to be instituted and the relief which the party claims.

# Legal proceedings:

1. Any legal proceedings which, but for the Constitution, could have been brought by or against the Federation in respect of a matter which, immediately before the commencing day, was the responsibility of the Federation and has, under the Constitution, become the responsibility of a Province, shall be brought by or against the Province concerned; and if

Any such legal proceedings were pending in any court immediately before the commencing day then, in those proceedings, for the Federation the Province concerned shall, as from that day, be deemed to have been substituted.

1. Any legal proceedings which, but for the Constitution, could have been brought by or against a Province in respect of a matter which, immediately before the commencing day, was the responsibility of the Province and has under the Constitution become the responsibility of the Federation, shall be brought by or against the Federation; and if any such legal proceedings were pending in any court immediately before the commencing day then, in those proceedings, for the Province the Federation shall, as from that day, be deemed to have been substituted.

# Salaries, allowances, etc., of the President, etc.

1. Within two years from the commencing day, provision shall be made by law for determining the salaries, allowances and privileges of the President, the Speaker and Deputy Speaker and a member of the National Assembly or a Provincial Assembly, the Chairman and Deputy Chairman and a member of the Senate, the Prime Minister, a Federal Minister, a Minister of State, 1 \* \* a Chief Minister, a Provincial Minister and the Chief Election Commissioner.
2. Until other provision is made by law,—
   1. The salaries, allowances and privileges of the President, the Speaker or Deputy Speaker or a member of the National Assembly or a Provincial Assembly, a Federal Minister, a Minister of State, 1 \* \* a Chief Minister, a Provincial Minister and the Chief Election Commissioner shall be same as the salaries, allowances and privileges to which the President, the Speaker or Deputy Speaker or member of the National Assembly of Pakistan or a Provincial Assembly, a Federal Minister, a Minister of State, 1 \* \* a Chief Minister, a Provincial Minister or, as the case may be, the Chief Election Commissioner was entitled immediately before the commencing day; and
   2. The salaries, allowances and privileges of the Chairman, the Deputy Chairman, the Prime Minister and a member of the Senate shall be such as the President may by Order determine.
3. The salary, allowances and privileges of a person holding office as—
   1. The President;

(b) The Chairman or Deputy Chairman;

(c) The Speaker or Deputy Speaker of the National Assembly or a Provincial Assembly;

1. Governor;
2. The Chief Election Commissioner; or

(f) The Auditor-General; shall not be varied to his disadvantage during his term of office.

1. At any time when the Chairman or Speaker is acting as President, he shall be entitled to the same salary, allowances and privileges as a President but shall not exercise any of the functions of the office of Chairman or Speaker or a member of 1 [Majlis-e-Shoora (Parliament)] or be entitled to salary, allowances or privileges as Chairman, Speaker or such a member.

# National language:

1. The National language of Pakistan is Urdu, and arrangements shall be made for its being used for official and other purposes within fifteen years from the commencing day.
2. Subject to clause (1), the English language may be used for official purposes until arrangements are made for its replacement by Urdu.

# Maximum limits as to property, etc.

(1) 1 [Majlis-e-Shoora (Parliament)] may by law—

1. Prescribe the maximum limits as to property or any class thereof which may be owned, held, possessed or controlled by any person; and
2. Declare that any trade, business, industry or service specified in such law shall be carried on or owned, to the exclusion, complete or partial, of other persons, by the Federal Government or a Provincial Government, or by a corporation controlled by any such Government.

(2) Any law which permits a person to own beneficially or possess beneficially an area of land greater than that which, immediately before the commencing day, he could have lawfully owned beneficially or possessed beneficially shall be invalid.

# Failure to comply with requirement as to time does not render an act invalid:

When any act or thing is required by the Constitution to be done within a particular period and it is not done within that period, the doing of the act or thing shall not be invalid or other-wise ineffective by reason only that it was not done within that period.

# Oath of Office:

1. An oath required to be made by a person under the Constitution shall 1 [preferably be made in Urdu or] a language that is understood by that person.
2. Where, under the Constitution, an oath is required to be made before a specified person and, for any reason, it is impracticable for the oath to be made before that person, it may be made before such other person as may be nominated by that person.
3. Where, under the Constitution, a person is required to make an oath before he enters upon an office, he shall be deemed to have entered upon the office on the day on which he makes the oath.

# Private armies forbidden:

No private organisation capable of functioning as a military organisation shall be formed, and any such organisation shall be illegal.

# Provision relating to the State of Jammu and Kashmir:

When the people of the State of Jammu and Kashmir decide to accede to Pakistan, the relationship between Pakistan and that State shall be determined in accordance with the wishes of the people of that State.

# Government of territories outside Provinces:

Subject to the Constitution, until 2 [Majlis-e-Shoora (Parliament)] by law otherwise provides, the President may, by Order, make provision for peace and good government of any part of Pakistan not forming part of a Province.

# AWARDS:

1. No citizen shall accept any title, honour or decoration from any foreign State except with the approval of the Federal Government.
2. No title, honour or decoration shall be conferred by the Federal Government or any Provincial Government on any citizen, but the President may award decorations in recognition of gallantry 3 [,meritorious service in the Armed Forces] 1 [,academic distinction or distinction in the field of sports or nursing], as provided by Federal law.
3. All titles, honours and decorations awarded to citizens by any authority in Pakistan before the commencing day other-wise than in recognition of gallantry 2 [, meritorious service in the Armed Forces] or academic distinction shall stand annulled.

**THE END**