



Legislative Assembly (Offices) (Punjab) Act, 1939

Act 7 of 1939

Keyword(s):

Sergeant at Arms, Public Servant, Legislative Assembly, Speaker

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(OFFICES)

'THE PUNJAB LEGISLATIVE ASSEMBLY
(OFFICES) ACT, 1939.

PUNJAB ACT NO. 7 OF 1939.

[Received the assent of His Excellency the Governor-General on the 4th June, 1939, and was first published in the Punjab Gazette, Extraordinary, on the 14th June, 1939.]

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|------|-----|---|--|
| Year | No. | Short title | Whether repealed or otherwise affected by legislation |
| 1939 | 7 | The Punjab Legislative Assembly (Offices) Act, 1939 | Adaptation of Laws Order, 1950 Amended by Punjab Act 33 of 1957. ² Amended by Haryana Act 1 of 1966. ³ |

An Act to provide for the appointment of a Serjeant-at-Arms to attend on the Speaker of the ⁴[Haryana] Legislative Assembly, for the appointment of deputies and subordinates and for other matters.

WHEREAS it is expedient that more definite provisions than at present exists should be made for the enforcement of the orders of the Speaker of the ⁴[Haryana] Legislative Assembly in matters relating to the conduct of business and the maintenance of order ; Preamble.

IT is hereby enacted as follows :—

1. This Act may be called the Punjab Legislative Assembly (Offices) Act, 1939. Short title.

1. For Statement of Objects and Reasons, see *Punjab Government Gazette* (Extraordinary), 1939, page 6, for the Select Committee's report, see *ibid*, 1939, Part IV, pages 1-6; and for Proceedings in Assembly, see *Punjab Legislative, Assembly Debates*, 1939, Volume VII, pages 811-59, Volume VIII, page 47, Volume IX, pages 175-85, 218-56, 283-303, 308-23, 447-82; 527-62; 576-616 and 642-78.
2. For Statement of Object and Reasons, see *Punjab Government Gazette* (Extraordinary), dated the 11th October, 1957.
3. For Statement of Objects and Reasons, see *Haryana Government Gazette* (Extraordinary), dated the 23rd December, 1966.
4. Deemed to have been substituted for the word "Punjab" by the Haryana Adaptation of Laws Order, 1968.

Definitions.

2. In this Act—

- (i) "Assembly" means the ¹[Haryana] Legislative Assembly,
- (ii) "Assembly building" means the 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 ²[Articles 179 and 180 of the Constitution of India], or under the rules of procedure of the Assembly except for the purposes of sections 7 and 9.

Appointment of Serjeant-at-Arms and his deputies.

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

Power of the Speaker to order removal or exclusion of persons.

4. 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 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.

Duties of the Serjeant-at-Arms and his deputies.

5. 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 ³[Government] or of the Assembly as they may consider necessary.

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

6. 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.

1. Substituted for the word "Punjab" by the Haryana Act 1 of 1966.

2. Substituted for the words "section 65 of the Government of India Act, 1935" by Punjab Act 33 of 1957.

3. Substituted for the word "Crown" by the Adaptation of Laws Order, 1950.

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7. 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.

Bar to civil
criminal
proceedings.

8. 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.

Persons who
are to be
deemed publ
servants
within the
meaning of
the Indian
Penal Code.

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

Power to
make rules.