

of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, TUESDAY, MAY 8, 2012

PART I
Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT
Islamabad, the 8th May, 2012

No. F. 22(18)/2008-Legis.—The following Acts of Majlis-e-Shoora
(Parliament) received the assent of the President on the 4th May, 2012 and are
hereby published for general information:—

Act No, XI or 2012

An Act further to amend the Modaraba companies and Modaraba
(Floatation and Control) Ordinance, 1980

Whereas it is expedient further to amend the Modaraba Companies and
Modaraba (Floatation and Control) Ordinance, 1980 (XXXI of 1980) for the purpose
hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the

Modaraba Companies and Modaraba (Floatation and Control) (Amendment)
Act, 2012,

(245)

(2520(2012WEx. Gaz.) Price : Rs, 30.50

to one hundred thousand rupees and, where the contravention is a continuing one, with a further fine which may extend to one thousand - rupees for every day after the first during which such contravention continues.

41B. Power to issue directives, circulars, codes, guidelines, etc.—The Commission may issue such directives, circulars, codes, guidelines or notifications as are necessary to carry out the purposes of this Ordinance and the rules and regulations made thereunder.”

Passed by the National Assembly on the 8th October, 2009 and by the Majlis-e-Shoora (Parliament) in its Joint Sitting on the 30th March, 2012 in terms of clause (3) of Article 70 of the Constitution of the Islamic Republic of Pakistan.

Act No. XIL or 2012

An Act further to amend the Delimitation of Constituencies Act, 1974

Whereas it is expedient further to amend the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Delimitation of Constituencies (Amendment) Act, 2012.

(2) It shall come into force at once.

2. Amendment of section 4, Act XXXIV of 1974.—(1) In the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), hereinafter referred to as the Act, in section 4, in sub-section (3),

(a) for the words “other two members” the words “majority of the members of the Commission” shall be substituted.

(b) for the proviso, the following shall be substituted, namely:
“Provided that—

(a) where the members attending the proceedings of the Commission are four and they are equally divided in their opinion; or

(b) where the members attending the proceedings of the Commission are three and there is difference of opinion amongst them;

the matter shall be placed before the Commission for decision.”.

3. Substitution of section 5, Act XXXIV of 1974.— In the said Act, in section 5, the following shall be substituted, namely:

“5. Delegation of powers, etc.— (1) The Commission may authorize three or more of its members, acting together, to exercise and perform all or any of its powers and functions under this Act.

(2) Where four members are authorized under sub-section (1) the decision of majority shall prevail and where three members are authorized as aforesaid the decision shall be unanimous:

Provided that—

(a) where four members have been authorized and they are equally divided in their opinion; or

(b) where three members have been authorized and there is difference of opinion amongst them;

the matter shall be placed before the Commission for decision.”.

4. Amendment of section 7, Act, XXXIV of 1974.—(1) In the said Act, in section 7, for sub-section (1), the following shall be substituted, namely: —

“(1) On the basis of population, the seats in the National Assembly for each Province, the Federally Administered Tribal Areas and the Federal Capital are allocated as set out in the table below: —

S.No Province/Area General Women Total

Seats Seats

1, Balochistan 14 3 17

2. Khyber Pakhtunkhwa 35 08 43

3. Punjab 148 35 183

4. Sindh 61 14 75

5. Federally Administered Tribal Areas 12 - 12

6. Federal Capital 02 - 02

Total 272 60 332:

Provided that in addition to the number of seats referred in the above table there shall be in the National Assembly ten seats reserved for non-Muslims as defined in Article 260 of the Constitution."

5. Substitution of section 8, Act XXXIV of 1974,—In the said Act, for section 8, the following shall be substituted, namely:—

"8, Delimitation of Constituencies.—(1) For the purpose of election to the National Assembly, the Commission shall divide —

{a} each Province into as many separate territorial constituencies as the number of general seats allocated to that Province under section 7; and

(b) the Federally Administered Tribal Areas and the Federal Capital into as many separate territorial constituencies, as the number of general seats respectively allocated to said Areas and Federal Capital under section 7.

(2) The constituencies for the seats reserved for women in the National Assembly shall be such that each Province forms one constituency with as many such seats as are allocated to that Province under section 7.

(3) The constituency for all seats reserved for non-Muslims in the National Assembly under clause (4) of Article 51 shall be the whole country.

(4) For the purpose of election to Provincial Assemblies, the Commission shall divide each Province into as many separate territorial

constituencies as the number of general seats given below:

Province/Area General Women Non- Total

Seats Seats Muslims

Balochistan 51 1 3 65

Khyber Pakhtunkhwa 99 22 3 124

Punjab 297 66 8 371

Sindh 130 29 9 168

(5) The constituencies for the seats reserved for women and non-Muslims in the Provincial Assemblies shall be such that each Province forms one constituency with as many such seats as are allocated to that Province under sub-section (4)."

6. Substitution of section 9, Act XXXIV of 1974,—In the said Act, for section 9, the following shall be substituted, namely;—

"9, Principles of delimitation.—(1) All constituencies for general seats shall, as far as practicable, be delimited having regard to the distribution of population in geographically compact areas, existing boundaries of administrative units, facilities of communication and public convenience and other cognate factors to ensure homogeneity in the creation of constituencies:

Provided that for the purpose of delimiting constituencies for the general seats for the Federally Administered Tribal Areas two or more separate areas may be grouped into one constituency,

(2) As far as may be the constituencies for election to the same Assembly shall be equal among themselves in population."

7. Omission of Schedule, Act XXXIV of 1974,—In the said Act, the Schedule, occurring at the end, shall be omitted.

Passed by the Senate on the 3rd November, 2011 and by the National Assembly on the 4th January, 2012 with amendment and again passed by the Senate on the 8th March, 2012 with amendment. Passed by the Majlis-e-Shoora (Parliament) in Joint Sitting on the 30th March, 2012 in terms of clause (3) of Article 70 of the Constitution of the Islamic Republic of Pakistan.

Act No. XIII of 2012

An Act to establish NFC Institute of Engineering and Technology Multan

Whereas it is expedient to provide for the establishment of NFC Institute of Engineering and Technology Multan with degree awarding status to enhance the quality of higher education in the country and for matters connected therewith or ancillary thereto;