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The Gazette #6 :

EXTRAORDINARY  
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PART  
cts, Ordinances, President's Orders and Regulations  
NATIONAL ASSEMBLY OF PAKISTAN

Islamia the UI Afar LUFT

The following Acts of Parliament received the assent of the President on the 28th May, 1977, and are hereby published for general information.

ACT No ME Or PPT

An Act to provide for effective prevention of smuggling and for punishment of offenders and for matters connected therewith.

WHEREAS it is expedient to provide for effective prevention of smuggling and for matters connected therewith;

It is hereby enacted as follows:

CHAPTER 1  
PRELIMINARY

1. Short title, extent and commencement. (1) This Act may be called the Prevention of Smuggling Act, 1977,

(2) It extends to the whole of Pakistan.

(3) It shall come into force on such days as the Federal Government may, by notification in the official Gazette, appoint.

2. Definitions.—(1) In this Act, unless there is anything repugnant in the subject of context—

(a) "associate" in relation to a person, includes

(i) any individual who is or has been residing in the residence or premises, including a house and servant-quarters of such person;

(ii) any individual who is or has been wanes before or keeping the accounts of such person:

{ 207 >

Price: Rs. &?

[1523 Ex, Gaz.]

ACT No. XVI o or 1977

An Act ta amend the Representation of the People Act, 1976

WHEREAS it is expedien: to amend the Representation of the People Act, 1976 (LXXX¥ of 1976), for the purpose hereinafter appearing ;

ly is hereby enacted as follows :—

]. Short tile and commencement.—{1) This Act may he called the Representa-tion of the People (Amendment) Act, 1977.

{2) It shall come into force al once.

2. Insertion of new section 103A, Act LXXXV of 1976,—In the Repre-sentation of the People Act, 1976 (LXXXV of 1976), after section 103, ths new section shall be inserted, namely :—

“103A. Power of Commission to punish for contempt.—The Commis-sion shall have the same power us the High Court has to punish eny person for contempt of court and the Cuntempt of Court Act, 1976 (LXIV of 1976), shall have effect accordingly as if reference therein

to a “court™ and to a “judge” were a reference, respectively, to the “ Commission” and “,a member of the Commission 7. ”.

3. Repeal—The Representation of the People (Amendment} Ordinance, 1977 (VIII 'of 1977), is hereby repealed.

ACT No. XVII OF 1977

An Act further to amend certain laws relating to industrial relations and welfare of workers

WHEREAS it is expedient further to amend certain laws relating to industrial fejations and welfare of workers for the purposes hereinafter appearing ;

Tt is hereby enacted as follows :—

1. Short ti@e, extent and commencement.--{1) This Act may be calied the Labour Laws (Amendment) Act, 1977,

(2) It extends to the whole of Pakistan.

(3) Tt shall come into force at once.

2. Amendment of certain laws.- The jaws specified in the First Schedule shall be amended in the manner specified in the fourth column thereof.

3. Repeal.—The Labour Laws (Amendment) Ordinance, 1977 (IX cf 1977), is hereby repealed.

THE FIRST SCHEDULE

{See section 2)

SI. Number and Year of Short title : : Ametilment ~

No, Act or Ordinance

] 2 3 4

1. Act VITI of 1923 .. The Workmen's Com- (1) For Schedule [¥ the Schedule set  
pensation Act, 192%, Out in the Second Schedule to

this Agt shall be substi-  
tuted.

2. Act XXV of 1934 .. The Factories Act, 1994. €)} In section \$0, for the word,  
"twelfth" the word "four  
teenth"? shall be substituted.

(2) In section 31, for the word  
"daelfih " the word "fout-  
teent \* shall be substituted.

{In section §2, in sub-section  
Qj, inc au-e fa). for the word  
"owelPih ' the word \*\* four.  
tcenth \* shai bo subsihuee.

3. Act FV of 1936 .. The Payment of Wages (1) In section 3, in ciguse fijj, in  
Act, 1936 sub-clause {@), the words "in  
ahy madustiel eslablishment \*\*

shall be omitted

(2) In section 18,—  
(al in sub-section (2),—

{f) after the words \*\* pay-  
ment of wastes", the  
Commas and words  
"loTuofany dues relat-  
ing lo provident fund or  
gtatuity payable under  
any law, shall be in-  
seTted ; and

Ui) after the word and  
comma "Act," Lhe words  
and comma" or any of  
the heirs of an employed  
persen who has died, '\*  
shall he inserted; and

{d) in sub-section (3), afier lhe  
words "employed persan ",

utsursine for the first time,  
ie yards and commas © or,  
iP the applecant is one of the  
heirs of an employed per  
30n, the payment te suck  
aplicunt. " shall be inserted.

(3) Vn section 17. in subsection €1},  
for clause (b} the following shall  
be substituted. namely :—

" (A) by an employed persen er,  
Wf be has diel, by any  
of his Reis, Jf the total  
amount of wages claimied (0  
have heer withheld from the  
employs! pereon or fiom  
th: unpa'd group 10 which be  
belonged excerds fifty rupees,  
er",

— — — — — \_ 5\$V16vu4u4Qe ev... S==«\*+«—\_ .

— — — ...

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2 A

4 Act XXYYT of 1933 .. The Emptoyment of (1) In section 3, in sub-section (3), Children Aci, 1934, for the word " twelfih' the Word "fourteenth" shall be

substituted, .

(2) In section 3€7. Tor the word

"twelfth' the word "four. teenth" shall be substituted,

5. Act XIE of 1948 .. The Companies Profits (1) In section 3, insub-seetion (1),— (Workers Participation} (2) inclause fa}, the word "\* and" Act, 1968, at the end shall be omitted ;

and

(6) for clause {b}, the following shall be substitu'cd, name- yi

"bpsublect to adie !ments, if any, Pay every scar to the Purcd oot c;ter thar nig months afler the close of thal year fiy per cent of its profits during such ycat, which shall, where ~ the accounts have been audited by an «uudilor appointed under sectio:: 234 of the Industris| Relations Ordinance, 1919 (XNHL of 1/49}. be assessed on the basis g such audit; and

fe} furnish to the Federal Go. vernment and the Beard, not later than nine months after ine close of every Year of account, is audited accounts far thal year, duly signed by

its quditurs.".

42) In section -, in sub-set (1) after the wand 'he acenr. ting fot the first tivv-, the samans urd wore byl

net later han won ibs,"  
shall be taserclled.

(3) In section §, --

ta) for subsections 11) nd 02}  
the following sba! + -ubsti-  
tuted, oasnety —

"(ly Wheres company -. which  
the scheme applic: fails to  
comply with any of the  
provisions of this ct or the  
schesn¢e, every Jifeetor,  
manager or other officer  
reaponsible for the manage-  
ment oF the affairs of the  
cyMpasty shall, ifthe Federal  
Government by oriter so  
Wirects, pay by way of  
penaliy a sum which may  
extend lo ing thousand te-  
pees and, in case of a  
comlinuing failure, os Surdher  
sum ulevk may østend to  
ane thousand rupees for  
esery Ady afer he rst  
chuiag whi the fidure  
conlinues ';

ee eS

-s—

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2 3 + ,  
brackets and figure \*\*{2}"  
the brackets and figure \*(i)"  
shall be substituted : and

fe) in sub-section (4), the words,  
brackets and figure " or sub-  
section (2)" shall be omitted.

6 W.P. Ordinance No. YITI The West Pakistan Shops In section 2, in clause fc}, for the  
af 1969, and Establishment = word \*\* twelfth \* the word, "© four-

Ordinance, L969. tecnth °, shall be substituted.

? Ordinance XXIN of 1969. The Industiad Relatiuns (1) In section 224, ja s.:b-section  
Ordinage, 1969, (8) in clause €F, the words

"of unfair fabour practices"  
shall be omitted.

(2) In section 254, subsections  
(6) & (7) shall be omitted.

{3) In section 26, in sub-section  
(2), for the words 'within ten  
days of the receipt of the  
coTomunication by — bilateral  
ncgatizliens \* the wards " by  
bilaterl nvsotations within ten  
days of Ue rescript of the  
communication of within such  
further pericel os thay he agreed  
upon by the parties" shall be  
substituted,

44) In section 35, in sub-sec(ion  
34 for the full siop at the  
enc! a cofon shall be substituted  
und thereafter the following  
proviso shall be added, name  
¥ s—

"Provided that the Pra-  
vincial Government of Bgluchis-  
tan may, after consultation  
with the Federal Government,  
appoint any person net so  
qualified te be the Presiding  
Officer of a Labor Court,

(S) in section 36, in sub-section (3), the commas and words "sand shall, for the purpose of appeal from a sentence passed by it, be deemed to be a Court of Session under that Code™ shall be omitted,

66) In section 37,—

{a} in sub-section (3) |-

di) after the figure and letter \*\* 254 \*\* the words, "Fisutes and brackets" are Section 34 or a Sentence passed in the clause (c) of sub-section (5) of section 33 " shall be inserted ; and

vi) after the word "delivery", the words "or or sing shall be inserted + and

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for subsection (4) the following shall be substituted, namely :—

“(q) Save as otherwise expressly provided in this Ordinance, all decisions of, and all sentences passed by, a Labour Court shall be final and shall not be called in question in any manner by or before any court or other authority.”.

(7) In section 33,—

fa) In sub-section (3), after the

figure and letter “2S5A°”, the words, figure and brackets “ of section 34 of a Sentence passed under clause (c) of sub-section (5) of section 35” shall be inserted ; and

(6) after sub-section (3), amend-

13) In

(6),

ded as aforesaid, the following new subsection shall be inserted, namely ;—

“(3a) the Tribunal may, on its own motion at any time, call for the record of any

case or proceedings  
under this Ordinance  
in which a Labour  
Court within its  
jurisdiction has passed  
an order, for the  
purpose of satisfying  
itself as to the correct-  
ness, legality, or  
propriety of such  
order, and may pass  
such order in relation  
thereto as it thinks  
fit;

Provided that no  
order under this  
sub-section shall  
be passed revising or  
modifying any order  
adversely affecting  
any person without  
giving such person a  
reasonable opportunity  
of being heard

section 43, in sub-section  
for the words "Juntor"

Labour, "Court" the words  
"Labour? Court" shall be  
substituted.

—.

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SSS SS TY, See? oe aeoee | sbemes eam mn

typ in seetion 63, Jur Lhe full stop  
at the end a colon shall be  
substituled and ihiteafter the  
following proviso shall be added,  
namely —

“ Provided that, where a  
Company has intimated \* 7) ta  
Government in writing \_-thc  
name Of any of its directors  
restden! in Pakisian whom iL  
has norninuted for the parpusc  
of this section and the offence  
is committed while such direc-  
tor Continues to be sc nominated,  
only such director shall be so  
deemed to be guilty of such  
offence. ”,

#### THE SECOND SCHEDULE

(See the First Schedule, Serial No, 1)

#### SCHEDULE IV

(See section 4)

#### COMPENSATION PAYABLE IN CURTAIN CASES

Amouot of compensa-

Monthly wapes of che tion for  
wotktaan injured. ere --- = Half monthly payient as cempunsg-  
Permanent tine far temporary disablement.  
Death lentil dis-  
adloment.

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Re. Ne ¥. Rs, aj+ of the imunthly wages during  
a 150 12,000 17,000) the period of disablement or a

250 0 13,500 19,000 peried of Gat youl, cephoned ftom  
300 350 15,000 21,000 the date of injury, whichever is  
thereafter only in cases

less god 1

of chronic Tung diseases 1/6 of the

monthly wages during the period of disablement or for a period of 5 years, reckoned from the date of injury, whichever is less.

450 1,000 15,000 21,1105 YS of the monthly wages during the period of disablement or a period of one year, reckoned from the date of injury, whichever is less, and thereafter only in cases of chronic long diseases (1/8 of the monthly wages during the period of disablement or for a period of 5 years, reckoned from the date of injury, whichever is

M. A. HAQ,  
Secretary.

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