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PART I

Acts, Ordinances, President's nice wae Regulations

SENATE SECRETARIAT

Islamabad, the 12th December, 1992

The following Acts of Majlis-e-Shoora (Parliament) received the assent of the President on the 9th December, 1992, and are hereby published for general informa-

tion ;—

ACT NO. XXIV OF [992

An Act further to amend the Senate (Election) Act, 1975

WHEREAS it is expedient further to amend the Senate (Election) Act. 1975(LI of 1975), for the purpose hereinafter appearing;

I is hereby enacted as follows —

I. Short title and commencement.—{(1) This Act may be called the Senate (Election) (Amendment) Act, 1992.

(2) It shall come into force at once.

(641)

(Price : Ps. 60,

[3741 Ex. Gaz.)

_3. Insertion of new section 250A, Act V of 1898.—In the Code of Criminal Procedure, 1898 (Act V of 1898), after section 250, the following new section shall be inserted namely :—

“250A, Special summons in case of petty offences—{(1) Any Magistrate of the first class specially empowered in this behalf by the Provincial Government taking cognizance of any offence punishable only with fine shall, except for reasons to be recorded in writing, issue summons to the accused requiring him either to appear before him on a specified date in person or by an advocate or, if he desires to plead guilty to the charge, without appearing before the Magistrate, to transmit to the Magistrate before the specified date, by registered post or through a messenger, the said plea in writing and the amount of fine specified in the summons of, if he desires to appear by an advocate and to plead guilty to the charge, to authorise, in writing, such advocate to plead guilty to the charge on his behalf and to pay the fine:

Provided that the amount of the fine specified in such summons shall not be less than twenty-five per cent nor more than fifty per cent of the maximum fine provided for such offence.

(2) Sub-section (1) shall not apply to an offence punishable under the Motor Vehicles Ordinance, 1965 (W_P. Ordinance XTX of 1965), or

under any other law which provides for the accused person being convicted in his absence on a plea of guilty.”

The following Act of Majlis-e-Shoora (Parliament) received the assent of the President on the 10th December, 1992 and is hereby published for general information :—

Act No. XXVI oF 1992

An Act further to amend the Pakistan Engineering Council Act, 1975

WHEREAS it is expedient further to amend the Pakistan Engineering Council Act, 1975 (Y of 1976), for the purposes hereinafter appearing:

It is hereby enacted as follows:—

I. Short title and commencement.—(1) This Act may be called the Pakistan Engineering Council (Amendment) Act, 1992.

{2) It shall come into force at once.

2. Amendment of section 2, Act V of 1976—In the Pakistan Engineering Council Act, 1975 (V of 1976), hereinafter referred to as the said Act. in section 2, after clause (f), the following new clause shall be inserted, namely;—

“(ff) “enrolment committee” means the enrolment committee referred to in sub-section (1) of section 17:”.

3, Amendment of section 4, Act V of 1976.—In the said Act, in section 4, in sub-section (3), for the word “two™ the word “three” shall be substituted.

4. Amendment of section 5, Act V of 1976,—In the said Act, in section 5, in sub-section (1), after the word “Council”, occurring for the second time, the words “or at a Provincial Capital by rotation” shall be inserted.

5, Amendment of section 9, Act ¥ of 1976.—In the said Act, in section 9,—

(a) in sub-section (2)—

(i) for clause (c) the following shall be substituted. namely:—

“(c) six members, being professional engineers, of whom two shall be nominated by the Federal Government and one each by the Provincial Governments :”; and

(it) for clause (i) the following shall be substituted, namely ;—

“(f) fifty members, being professional engineers of not less than ten years’ standing, to be elected in the prescribed manner by professional engineers whose names are borne on the register on the thirtieth June of the year in which an election to the Executive Committee is held, against seats allocated to the various disciplines on proportionate basis before the elections are held.”; and

(b) in sub-section (4), for the word “two” the word “three” shall be substituted.

6, Amendment of section 16, Act ¥ of 1976.—In the said Act, in section 16, in sub-section (4), for the word “annually” the words “for any number of years not exceeding three at a time” shall be substituted.

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7, Amendment of section 17, Act V of 1976.—In the said Act, in section 17,—

(a)

(b)

for sub-section (2) the following shall be substituted:—

“(2) The enrolment committee in its discretion may refuse to permit the registration of any person or direct removal altogether or for a specified period from the Register of the name of any registered professional engineer or consulting engineer who has been convicted of any such offence as implies in the opinion of the committee a defect of character after providing such person an opportunity of being heard, and shall record reasons for action under this section.”; and

sub-section (4) shall be omitted.

8, Substitution of section 20, Act V of 1976.—In the said Act. for section 20 the following shall be substituted, namely :—

“20,

(2)

(3)

“Complaints against professional engineers, etc—{(1) A complaint made against any professional engineer or consulting engineer as to work or conduct shall be considered by the enrolment committee and, if that committee is of the opinion that there are sufficient reasons to proceed against the person to whom the complaint relates, it may either proceed to enquire into the complaint itself or refer the complaint to a Tribunal of Enquiry:

Where the enrolment committee decides to proceed with the complaint itself, it shall follow the same procedure as has been prescribed for the Tribunal of Enquiry and may pass such order as it is competent to pass under sub-section (7) of section 22.

For the purpose of any inquiry, the enrolment committee shall be deemed to be a court within the meaning of the Qanun-c-Shahadat, 1984 (P.O. No. 10 of 1984), and shall exercise all the powers of a civil court for summoning witnesses, for compelling the production of documents and for issuing commissions.”

9. Amendment of section 22, Act V of 1976,—in the said Act, in section 22 —

(a)

(b)

for the words “Executive Committee”, wherever occurring, the words “enrolment committee” shall be substituted:

in sub-section (4), in clause (b), in sub-clause (ii), for the words “twelve months” the words “five years” shall be substituted; and

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(c) after sub-section (7); the following new sub-section shall be inserted,
namely :—

“(7A) Any person aggrieved by an order under sub-section (7) may,
within thirty days of the communication of the order to him, prefer
an appeal to the executive committee.”.

10. Amendment of section 23, Act V of 1976.—In the said Act, in section 23, in
sub-section (4), for the words, figures, comma and brackets “section 132 of the
Evidence Act, 1872 (I of 1872)” the words, figures, comma, brackets and letters
“Article 15 of the Qanun-e-Shahadat, 1984 (P.O. No. 10 of 1984)” shall be substituted.

RAHATULLAH KHAN JARRAL,
Secretary.

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