

EXTRAORDINARY
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“ISLAMABAD, MONDAY, JULY 30, 1973.

PART I - oO

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY OF PAKISTAN

Islamabad, the 20th July, 1973

The following Acts of the National Assembly received the assent of the President on the 28th July, 1973, and are hereby published for general information :— - .

ACT No. LII oF 1973

~An Act to amend the Companies (Managing Agency and Election of Directors) Order, 1972

WHEREAS it is expedient to amend the Companies (Managing Agency and Election of Directors) Order, 1972 (P.O. No. 2 of 1972), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title and commencement.—(i) This Act may be called the Companies (Managing Agency and Election of Directors) (Amendment) Act, 1973.

(2) It shall come into force at once and shall, except section 3, be deemed to have taken effect on the 15th day of January, 1972.

2. General amendment, P.O. No. 2 of 1972.—In the Companies (Managing Agency and Election of Directors) Order, 1972 (P. O. No. 2 of 1972), hereinafter referred to as ‘the said Order, for the words “Central Government”, wherever occurring, the words “Federal Government” shall be substituted.

3. Insertion of new Article 13A, P. O. No. 2 of 1972.—In the said Order, after Article 13, the following new Article 13A shall be inserted, namely :—

“13A. Penalty—{(1) Whoever contravenes any of the provisions of this Order or the rules made thereunder shall be punishable with imprisonment for a term which may extend to two years, or with

- fine which may extend to ten lakh rupees, or with both.

(2) If the person guilty of an offence under this Order is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised all the diligence to prevent its commission, be deemed to be guilty of the offence, ”.

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4. Amendment of Article 15, P.O. No. 2 of 1972.—In the said Order, Article 15 shall be re-numbered as clause (1) of that Article and, after clause (i) re-numbered as aforesaid, the following new clause (2) shall be added, namely :—

“(2) Nothing in Part II] of this Order shall apply to—

- (a) a company limited by guarantee and having no share capital ;
- (b) directors nominated by the Pakistan Industrial Credit and Investment Corporation Limited or by a corporation or company set up or controlled by the Federal Government: or a Provincial Government on the board of another company in or to which such corporation or company has made investment or otherwise extended credit facilities ;
- (c) directors nominated by the Federal Government or a Provincial Government on the board of a company ; or
- (d) directors nominated by the foreign equity holders on the board of the Pakistan Industrial Credit and Investment Corporation Limited, the Security Papers Limited or the RCD Ball Bearing Limited or of any other company set up in Pakistan under a regional cooperation arrangement approved by the Federal Government :

Provided that, where a director referred to in paragraph (c). or paragraph (d) is nominated, such number of the votes computed in the manner laid down in Article 10 as is equal to the minimum number of votes which would have been sufficient to elect such director if he had offered himself for election shall stand excluded from the total number of votes otherwise available at an election of directors to the authority or person nominating him. ”.

S. Insertion of Article 15A, P. O. No. 2 of 1972.—In the said Order, after Article 15 amended as aforesaid, the following new Article 15A shall be inserted, namely :—

“ISA. Power to exempt—The Federal Government may, by notification in the official Gazette, exempt any of the following classes of agree-

ments or contracts from the operation of the provisions of Part II of this Order, namely :—

- (a) an agreement or contract with an investment adviser in relation to an investment company registered under the Investment Companies and Investment Advisers Rules, 1971, and
- (b) an agreement or contract, approved by the Federal Government, with a foreign collaborator in relation to a company which

owns an hotel in Pakistan. ”.

ACT No. LIV oF 1973

An Act to ensure publication of the text of the Holy Quran tree from errors of printing :

WuEREAS it is expedient to ensure publication of the text of the Holy Quran free from errors of printing, and matters connected therewith ;

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It is hereby enacted as follows :—

1. Short title, extent and commencement.—(1) This Act may be called the Publication of the Holy Quran (Elimination of Printing Errors) Act, 1973.

. (2) It extends to the whole of Pakistan.
(3) It shall come into force at once.

2. Definitions._In this Act, unless there is anything repugnant in the subject or context,—

(a) "Committee" means the Committee of Ulema appointed under section 4;

(b) "Holy Quran" means the Holy Quran in the Arabic text, published in complete form, or in the form of parts (Paras) or Chapters (Surahs), but does not include extracts published in text-books or prayer-books or religious treatises ;

(c) "prescribed" means prescribed by rules made under this Act;

(d) "publisher" means a person or an association of persons. registered under section 3 as publisher of the Holy Quran ;

{e) "standard copy" means a copy of the Holy Quran authenticated by the Committee as correct and free from errors of printing.

3. Registration of publishers.—Any publisher who intends to publish the Holy Quran shall get himself registered with the Auqaf Department of the + Provincial Government within whose jurisdiction he is carrying on his business in such manner, on payment of such fee and on such terms and conditions as may be pri

4. Committee of Ulema— (1) The Federal Government shall appoint a Committee of Ulema comprising prominent Ulema, Huffaz and Qaris of all schools of thought amongst Muslims.

(2) The Federal Government shall cause a copy of the Holy Quran to be prepared and forward it to the Committee for authentication.

(3) After authentication by the Committee, the standard copy shall be kept in the Government archives for safe custody.

5. Publishing of the Holy Quran.—(!) A publisher may print the Holy Quran in off-set, photostat, photo-block or any other modern system of printing but he shall not print it in litho process.

(2) In printing the Holy Quran, a publisher shall use paper the use of which is not prohibited by the Federal Government.

(3) Every publisher shall get his specimen copy of the Holy Quran compared

with the text of the standard copy by a person holding a diploma from a religious institution or a certificate of Moulvi Fazil or a qualified Qari who is also a Hafiz or a person trained in the job of proof reading in Arabic and have a certificate recorded by such person at the end to the effect that the text and references do not contain any error.

(4) The publisher shall ensure—

(a) that the serial number of every Chapter (Surah) is printed on every page and the serial number of every verse (Ayah) is inserted within the sign of conclusion (@ of every verse (Ayah):

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(b) that the cover page of every edition of the Holy Quran clearly bears the name of the publisher, the name of the printing press, and the year of publication ;

(c) that every page of the Holy Quran bears the indication given in the illustration in the Schedule; and .

(d) that on detection of any error or omission in the printed Holy Quran the leaf on which it occurs is replaced by a fresh leaf free from such

error and omission in each copy :

Provided that he shall not be penalised for non- compliance. with the provisions of paragraphs (a) and (c).

(5) No translation of the Holy Quran shall be published without its Arabic text

6. Penalty.—(1) A printer or publisher who contravenes any provision of this Act or the rules made thereunder shall, on a complaint made in this behalf by the Federal Government or the Auqaf Department of a Provincial Government or an officer authorised in this behalf by any such Government, be liable to imprisonment for a term which may extend to one year, or with fine. amounting to not less than one thousand rupees, or with both.

(2) The registration under section 3 of a publisher who is convicted of an offence under sub-section (1) may be cancelled.

7. Offences by corporations.—If the person guilty of an offence under sub-section (1) of section 6 is a company or other body corporate, every director, manager, secretary or other officer thereof shall, unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission thereof, be deemed to be guilty of such offence. >

8. Power to make rules.—{(1) The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the inspection of the copies of the Holy Quraa printed before the commencement of this Act; and

(b) the prohibition of the sale of copies containing errors.

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[See section 5 (4) (c)]

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