

EXTRAORDINRAY
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ISLAMABAD, FRIDAY, FEBRUARY 9, 1973
PARTI
Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY OF PAKISTAN

Islamabad, the 9th February, 1973

The following Acts of the National Assembly received the assent of the President on the 9th February, 1973, and are hereby published for general

information :—

ACT No. XXIE oF 1973

An Act further to amend the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968.

WHEREAS it is expedient further to amend the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (West Pakistan Ordinance No. VI of 1968). for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the West Pakistan Industrial and Commercial Employment (Standing Orders) (Amendment) Act, 1973.

(2) It shall come into force at once.

2. Amendment of section 1, W.P. Ordinance No. VI of 1968.—In the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance. 1968 (W.P. Ordinance No. VI of 1968), hereinafter referred to as the said Ordinance in section 1. in sub-section (4),

(a) for clauses (a) and (b) the following shall be substituted, namely :—

“(a) every industrial establishment or commercial establishment wherein

twenty or more workmen are employed, directly or through any
(59)

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PART I] THE GAZETTE OF PAKISTAN, EXTRA, FEB. 9, 1973 &
Explanation.—“ Commissioner” and “dependant” in this Standing
Order shall have the same meanings as are respectively assigned
to eo in the Workmen’s Compensation Act, 1923 (VIII of
1923),”;

(i) after Standing Order 14, the following new Standing Order 14A
shall be inserted, namely :—

“LA. Special provision for construction workers.—Where any work-
man is retrenched or discharged by a contractor or any employer
engaged in the construction industry due to completion, cessa-
tion or discontinuance of work, he shall be given preference for
employment in any other similar work undertaken by the con-
tractor or employer within a period of one year from the date
of such retrenchment or discharge :

Provided that where a workman is re-employed within one month of his
retrenchment or discharge, he shall be deemed to have been in con-
tinuous service of the contractor or employer notwithstanding the
interruption caused by his retrenchment or discharge but no wages
shall be paid to him for the period of interruption.” ; and

(j) in Standing Order 15, in clause (4),—

(i) for the commas and words “, when the circumstances appear to
warrant it, the employer may” the words “ the employer shall ”*
shall be substituted ; and

(ii) for the full stop at the end a colon shall be substituted and there-
after the following proviso shall be added, namely :—

“Provided that the workman proceeded against may, if he so desires
for his assistance in the enquiry, nominate any workman employed
in that establishment and the employer shall allow the workman
so nominated to be present in the enquiry to assist the workman
proceeded against and shall not deduct his wages if the enquiry
is held during his duty hours ”

Repeal.—The West Pakistan Industrial and Commercial Employment
(Standing Orders) (Amendment) Ordinance, 1972 (LI of 1972), is hereby re-
pealed.

ACT No, XXIV of 1973
An Act to amend the Workers’ Children (Education) Ordinance, 1972

WHEREAS it is expedient to amend the Workers’ Children (Education) Ordinance,
1972 (XI of 1972), for the purposes hereinafter appearing ;

AND WHEREAS the Proclamation of Emergency referred to in clause (8) of
Article 139 of the Interim Constitution of the Islamic Republic of Pakistan is in
force ;

it is hereby enacted as follows :— ~

1. Short title, extent and commencement.—(1) This Act may be called the 'Workers' Children (Education) (Amendment) Act, 1973.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Amendment of section 2, Ordinance XJ of 1972.—in the Workers Children (Education) Ordinance, = {XI of 1972}, hereinafter referred to as the said Ordinance, in section 2, for clause (b) the following shall be substituted, namely :—

"(b)' establishment' means any office, firm, industrial unit, undertaking, shop or premises in which workers are employed for the purpose of carrying on any business, trade, manufacture, calling, service, employment or occupation ;

3. Substitution of sections 3, 4 and 5, Ordinance XI of 1972.—in the said Ordinance, for sections 3, 4 and 5 the following shall be substituted, namely :—

"3. Levy of education cess—(1) Every employer of an establishment in which the number of workers employed at any time during a year is twenty or more shall pay to the Provincial Government an education cess at the rate of one hundred rupees per worker per annum.

(2) Every employer shall, within every three months beginning from the first day of the calendar month following the commencement of the Workers' Children (Amendment) Act, 1973, prepare and deliver, or cause to be prepared and delivered, in the form and to the officer prescribed by the Provincial Government, a return showing the number of workers employed in the establishment during the preceding

warter and shall subscribe a declaration of the truth of the return at foot thereof,

(3) The levy of education cess shall be on the basis of the number of workers shown in the return referred to in sub-section (2).

4. Education of Workers' Children.—The Provincial Government shall provide education free of cost up to Matric to one child of every worker employed in an establishment referred to in section 3.

Explanation.—' Education free of cost' includes provision of text books free of cost and exemption from admission fee, tuition fee, examination fee and school fund.

5. Manner of levying cess.—The cess described in section 3 shall be levied, so far as may be, in the same manner, and under the same provisions of law, as the land revenue.

6. Power to make rules.—The Provincial Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.",

Repeal.—The Workers' Children (Education) (Amendment) Ordinance, on (E of 1972), is hereby repeated.