

## NATIONAL ASSEMBLY SECRETARIAT

### REPORT OF THE STANDING COMMITTEE ON LAW, JUSTICE AND HUMAN RIGHTS ON THE PUBLICATION OF LAWS OF PAKISTAN BILL, 2015.

1. Chairman of the Standing Committee on Law, Justice and Human Rights, have the honor to present, this report on the Bill to ensure publication of the text of the laws of Pakistan free from errors of reproduction, updating and printing [The Publication of Laws of Pakistan Bill, 2015] referred to the Committee on the 20<sup>th</sup> April, 2015.

2. The Committee comprises the following Members: -

1)	Chaudhry Mahmood Bashir Virk	Chairman
2)	Justice (Retd) Ittikhar Ahmad Cheema	Member
3)	Chaudhary Muhammad Ashraf	Member
4)	Mr. Mohsin Shah Nawaz Ranjha	Member
5)	Mr. Muhammad Moeen Wattoo	Member
6)	Mr. Muhammad Raza Hayat Harraj	Member
7)	Sardar Muhammad Amjad Farooq Khan Khosa	Member
8)	Ms. Kiran Haider	Member
9)	Syed Ayaz Ali Shah Sherazi	Member
10)	Mr. Muhammad Ayaz Soomro	Member
11)	Syed Naveed Qamar	Member
12)	Ms. Alizeh Iqbal Haider	Member
13)	Eng. Ali Muhammad Khan Advocate	Member
14)	Ms. Munaza Hassan	Member
15)	Mr. S.A. Iqbal Quadri	Member
16)	Moulana Muhammad Khan Sherani	Member
17)	Ms. Aisha	Member
18)	Mr. Mumtaz Ahmed Tarar	Member
19)	Ms. Asiya Naz Tanoli	Member
20)	Minister Incharge for Law, Justice & Human Rights	Ex-officio Member

3. The Committee in its meeting held on 13<sup>th</sup> July, 2015 considered the Bill and recommended certain amendments in the Bill, as follows:-

#### Preamble

1. in the Preamble:

- (i) after the word "Khyber Pakhtunkhwa", the word "and" shall be omitted.

- (ii) after the word "Punjab", the words "and Sindh" shall be added.

Clause 1

- 2. in clause 1:
  - (i) bracket and word "Regulation" shall be omitted;
  - (ii) for the word "Ordinance", occurred twice, the word "Act" shall be substituted;
  - (iii) In sub-clause (4), for the word "Ordinance", the word "Act" shall be substituted.

Clause 2

- 3. in clause 2:
  - (i) for the word "Ordinance", the word "Act" shall be substituted.
  - (ii) in paragraph (c), the following proviso, shall be added:

"Provided that the commentary portion of any law of Pakistan and reproduction by photocopy or scanning of any law of Pakistan shall be out of the purview of this Act."
  - (iii) in paragraph (d), for the word, "Ordinance", the word "Act" shall be substituted.
  - (iv) in paragraph (e)
    - (a) after the words "Federal Government", the words, commas and figures "under the Rules of Business, 1973," shall be inserted.
    - (b) after the words and comma "Provincial Government, and", the words and comma "under Rules of Business of the respective Provincial Government," shall be inserted.
  - (v) in paragraph (f), after the words "means a", the words and commas "natural person or a juristic person who publishes or engages another publisher, within or outside Pakistan, for publishing" shall be inserted.

- (vi) in paragraph (g), for the word "Ordinance" the word "Act" shall be substituted.

Clause 5

4. in clause 5.

- (i) in title subject, for the word "Publication", the word "Compilation" shall be substituted.

(ii) in sub-clause (1):

- (a) after the words and comma "Federal laws", the words "compile and" shall be inserted;
- (b) after the words "laws of Pakistan", the words and commas "and translation thereof in Urdu, both in paper and electronic form." shall be inserted; and
- (c) for the word "Ordinance", the word "Act" shall be substituted.

(iii) in sub-clause (2):

- (a) after the words and comma "respective Province", the words "compile and" shall be inserted;
- (b) after the words "laws of Pakistan", the words and commas "and translation thereof in Urdu and Provincial languages, both in paper and electronic form." shall be inserted;
- (c) for the word "Ordinance", the word "Act" shall be substituted;

- (iv) in sub-clause (3), for the word "secure", the word "ensure" shall be substituted.

Clause 7

5. in clause 7, in sub-clause (g), for the word "Ordinance", the word "Act" shall be substituted.

Clause 8

6. in clause 8, in sub-clause (1), for the word "sixty", the word "twenty" shall be substituted.

Clause 9

7. in clause 9,-
- (i) in sub-clause (1), for the word "prescribed", the word "specified" shall be substituted;
  - (ii) in sub-clause (2), after the words "Assistant Directors", the words "involved in the business of review" shall be inserted;
  - (iii) after sub-clause (2), the following new sub-clause (3), shall be added, namely:-  
"(3) Subject to this Act, the Director shall perform all the functions of the Cell."

Clause 10

8. in clause 10, for the words "subject to such conditions and limitations as it may impose", the words "with the approval of supervisory committee and subject to such conditions and limitations as may be imposed by the supervisory committee" shall be substituted.

Clause 11

9. in clause 11, in sub-clause (1):
- (i) in paragraph (i), after the word "Division", the words "or his nominee not below the rank of Joint Secretary", shall be added;

- (ii) in paragraph (ii), after the word "Provinces", the words "or their nominees not below the rank of Additional Secretary", shall be added;
- (iii) the following new paragraphs (viii) and (ix) shall be added, namely:-
  - "(viii) a representative from Department of Archives Member"
  - "(ix) a representative from National Language Authority Member"
- (iv) in sub-clause (3), for the word "half" the word "fourth" shall be substituted.
- (v) after sub-clause (6), the following new sub-clause (7) shall be added, namely:-
  - "(7) the Supervisory Committee shall supervise the functions of the Cell and in such supervision issue directions which shall be binding on the Cell".

#### Clause 15

- 10. in clause 15.-
  - (i) in sub-clause (3):
    - (a) for the word "Ordinance" the word "Act" shall be substituted;
    - (b) for the words "at a conspicuous place", the words "on the title page of that publication" shall be substituted;
  - (ii) sub-section (4), shall be omitted; and
  - (iii) sub-section (5), shall be omitted.

#### Clause 16

- 11. in clause 16, for the word "Ordinance", the word "Act", shall be substituted.

Clause 17

12. in clause 17, for the word "vernacular", the word "Provincial" shall be substituted.

Clause 19

13. in clause 19, in sub-clause (1), the following provision shall be added, namely:

"Provided that in case of violation under clause (a) of sub-section (2) of section 15, the fine shall be imposed equal to the benefit gained by the publisher for not publishing on the paper prescribed by the Cell, but in any case the amount of fine shall not be less than one hundred thousand rupees."

Clause 20

14. in clause 20,-
- (i) in sub-clause (1).-
    - (a) the words "or intends to publish" shall be omitted;
    - (b) for the word "Ordinance", the word "Act" shall be substituted;
  - (ii) in sub-clause (2).
    - (a) the words "or intends to publish" shall be omitted;
    - (b) for the word "Ordinance", the word "Act" shall be substituted.

Clause 21

15. for clause 21, the following shall be substituted, namely:-
- "21. **Violations and offences by juristic persons.**- If a person held for a violation under section 19 or guilty of an offence under section 20 is a

company or other body corporate or a firm, every proprietor, Director, General Manager, Secretary, partner or any other office bearer of the company or body corporate or firm shall, unless he proves that the violation or offence was committed without his knowledge or that he exercised all due diligence to prevent the violation or commission of the offence, be deemed to be accountable for such violation and guilty of such offence.”

Clause 22

16. in clause 22,-

- (i) for sub-clause (1), the following shall be substituted, namely:-  
“(1) Any person may, in respect of the offence committed under section 20, lodge a complaint with the Magistrate First Class in whose jurisdiction the impugned publication has been published.”
- (ii) in sub-clause (2), for the words “Session Judge” the words “Magistrate First Class” shall be substituted.

Clause 23

17. in clause 23, sub-clause (2), shall be omitted.

Clause 24

18. in clause 24, for the word “Ordinance”, the word “Act” shall be substituted.

Clause 25

19. in clause 25:

- (i) after the word “carrying out”, the word “the” shall be added;
- (ii) for the word “Ordinance”, the word “Act” shall be substituted.

-:8:-

Clause 26

20. in clause 26, for the word "Ordinance" occurred twice, the word "Act" shall be substituted.

4. The Bill as introduced in the National Assembly is at Annex "A" and as reported by the Standing Committee is at Annex "B". The Committee unanimously recommends that the Bill as amended by it may be passed by the Assembly.

-S/d-

**(MOHAMMAD RIAZ)**  
**Secretary**

Islamabad, the 9<sup>th</sup> November, 2015

-S/d-

**(CHAUDHRY MAHMOOD BASHIR VIRK)**  
**Chairman**

Standing Committee on Law, Justice  
& Human Rights



[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

*[Published in the Gazette of Pakistan, Extraordinary,  
Part-I, dated the 4<sup>th</sup> April, 2015]*

ORDINANCE NO.VIII OF 2015

AN

ORDINANCE

*to ensure publication of the text of the laws of Pakistan free from errors of  
reproduction, updating and printing*

WHEREAS it is expedient to provide for publication of the text of the laws of Pakistan free from errors of reproduction, updating and printing and to deal with ancillary matters;

AND WHEREAS the Provincial Assemblies of Balochistan, Khyber Pakhtunkhwa and Punjab have passed Resolutions under Article 144 of the Constitution to the effect that Parliament may by law regulate the issue;

AND WHEREAS the Senate and the National Assembly are not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW THEREFORE, in exercise of the powers conferred by clause (1) of Article 89 of the Constitution of the Islamic Republic of Pakistan, the President is pleased to make and promulgate the following Ordinance:—

1. **Short title, extent, commencement and application.**— (1) This Ordinance may be called the Publication of Laws of Pakistan (Regulation) Ordinance, 2015.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

(4) This Ordinance shall not apply to publication of laws of Pakistan by the Federal Government, a Provincial Government, any House of *Majlis-e-Shoora* (Parliament) or a Provincial Assembly, but the Governments and Legislatures shall maintain internal checks in order to ensure accuracy of the laws published by them.

2. **Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

(a) “Cell” means the Laws of Pakistan Cell to be established under section 6;

(b) “Director” means the Director of the Cell;

(c) “law of Pakistan” means a law passed under the Constitution of the Islamic Republic of Pakistan, or by or under the authority of *Majlis-e-Shoora* (Parliament) or any of the Provincial Assemblies, which is published in the Gazette of Pakistan or Gazette of any Province and includes principal and subordinate legislation and any other statutory instrument which is published in the Gazette of Pakistan or Gazette of any Province;

(d) “prescribed” means prescribed by rules made under this Ordinance;

(e) “public sector organization” means a concerned ministry, division, department, attached department, statutory body or an autonomous body of the Federal Government, a department, statutory body, an attached department or autonomous body of a Provincial Government and a local government and Supreme Court of Pakistan, Federal Shariat

Court or a High Court to the extent of Rules and Orders published under the authority of the Supreme Court, Federal Shariat Court or a High Court;

- (f) "publisher" means a person who is publishing or who, intends to publish any law of Pakistan in the form of a book, booklet, pamphlet, journal, or in any electronic form; and
- (g) "reviewer" means a person who reviews a law of Pakistan under this Ordinance.

3. **Registration of publishers.**—(1) A publisher shall not publish any law of Pakistan unless,—

- (a) he is registered with the Cell;
- (b) his proposed publication is reviewed by the Cell; and
- (c) the Cell has certified that his proposed publication is accurate and updated till the date of issuance of certificate.

(2) The Cell shall, on payment of prescribed fee and fulfillment of the prescribed conditions, register a publisher.

4. **Exemption from registration.**—A public sector organization and a Legislature shall be exempt from registration under this Ordinance but the head of the public sector organization or the Secretary of the Senate or the National Assembly or a Provincial Assembly, as the case may be, or any officer authorized by the head of the public sector organization, Senate, National Assembly or a Provincial Assembly, shall execute and publish a certificate of accuracy of the contents of a law of Pakistan published by the public sector organization or a Legislature and the certificate shall contain the date when the law of Pakistan is last updated.

5. **Publication of authentic versions of laws of Pakistan.**— (1) The Federal Government shall, to the extent of Federal laws, maintain an updated and accurate version of the laws of Pakistan which shall, besides other purposes, be used to determine the accuracy of the material submitted by a publisher for review under this Ordinance.

(2) Each Provincial Government shall, to the extent of Provincial laws of the respective Province, maintain an updated and accurate version of the laws of Pakistan which shall, besides other purposes, be used to determine the accuracy of the material submitted by a publisher for review under this Ordinance.

(3) The Federal Government and each Provincial Government shall secure the safe custody of the Gazettes of Pakistan and Gazettes of the respective Province

containing laws of Pakistan concerning the Federation or the Province and the publications of the updated and accurate versions of the respective laws of Pakistan.

6. **Cell.**—(1) The Federal Government shall, by notification in the official Gazette, establish a Cell to be known as Laws of Pakistan Cell.

(2) The Federal Government shall establish as many offices of the Cell throughout Pakistan, as may be necessary for efficient working of the Cell.

7. **Functions of the Cell.**—The Cell shall,—

- (a) register publishers of laws of Pakistan;
- (b) regulate the publication of the standard translation of laws of Pakistan;
- (c) review every proposed publication of a law of Pakistan;
- (d) issue certificate of accuracy to the effect that the contents of the law of Pakistan submitted by a publisher are authentic, accurate and updated till date of such certification;
- (e) seize any unauthorized publication of a law of Pakistan which contains errors and destroy the same if, in the opinion of the Cell, the errors cannot be rectified;
- (f) impose fines as provided in section 19;
- (g) initiate prosecution under this Ordinance; and
- (h) perform any other function which is incidental to above functions or as may be prescribed.

8. **Review of publications.**—(1) The Cell shall, on payment of a prescribed fee, review a proposed publication of a law of Pakistan submitted by a registered publisher and subject to rules, the Cell shall, within the maximum period of sixty working days from the date of submission of publication or payment of fee, whichever is later, complete the review, correct errors and issue certificate of accuracy of the publication as on a specified date.

(2) If text of a publication of a law of Pakistan includes other material like commentary, the Cell shall only review the contents of the law of Pakistan and the certificate of accuracy shall also be construed to contain responsibility only to that extent.

(3) After review of a publication, the Cell shall retain the authenticated copy of the publication in safe custody and shall, subject to payment of remaining fee, if any, provide a copy of the authenticated copy of the publication to publisher for publication.

9. **Director.**—(1) The Federal Government shall appoint a Director of the Cell and as many Deputy Directors, Assistant Directors and other staff of the Cell as may be necessary for efficient working of the Cell, on such terms and conditions as may be prescribed.

(2) The Director and all the Deputy Directors and Assistant Directors shall be the reviewers of the laws of Pakistan for the purposes of this Ordinance and each certificate of accuracy shall bear the name and signatures of the Director as reviewer.

10. **Delegation.**—The Director may, subject to such conditions and limitations as it may impose, delegate any of his functions to any other officer of the Cell except the function to—

- (a) to sign the certificate of accuracy;
- (b) constitute a committee or fill a vacancy in a committee; and
- (c) approve annual budget, audited accounts and annual report of the Cell.

11. **Supervisory committee.**—(1) The supervisory committee shall consist of:—

- (i) Secretary Law, Justice and Human Rights Division *Chairperson*
- (ii) Secretaries of Law Departments of Provinces *Members*
- (iii) a representative from National Book Foundation *Member*
- (iv) a representative from Pakistan Bar Council *Member*
- (v) one representative each from Provincial Bar Councils and Islamabad Bar Council *Members*
- (vi) a representative from Printing Corporation of Pakistan *Member*
- (vii) a representative from the Pakistan Publishers and Booksellers Association *Member*

(2) The Director shall act as Secretary of the supervisory committee.

(3) One half of the total members of the supervisory committee shall constitute the quorum for a meeting of the supervisory committee.

(4) In the absence of Chairperson, the supervisory committee shall nominate a member to preside over the meeting.

(5) Except for the purposes of hearing appeal under sub-section (1) of section 23 for which the supervisory committee may meet whenever deemed necessary, the supervisory committee shall meet at least biannually.

(6) The Supervisory Committee, on receipt of the annual report, may issue guidelines to the Cell for corrective measures on efficient working of the Cell.

12. **Annual report.**—(1) The Cell shall, within three months of the close of a financial year, submit to the Supervisory Committee an annual report.

(2) The report shall consist of,—

- (a) a comprehensive statement of the work and activities of the Cell and the measures taken for accurate publication of laws of Pakistan during the preceding financial year;
- (b) future plans and projects;
- (c) the problems faced by the Cell and the recommendations to resolve those problems;
- (d) guidelines issued by the Cell for translation of laws of Pakistan; and
- (e) such other matters as may be prescribed or as the Cell may consider appropriate.

13. **Disclosure of interest.**—(1) If the Chairperson, Secretary, member, Director, or any other employee, including an adviser, consultant, agent, actuary, valuator, lawyer, and auditor or the family of such a person has, direct or indirect interest in any matter relating to financial transactions of the Cell or supervisory committee, such person shall forthwith disclose that interest and the Cell or, as the case may be, the supervisory committee, may take such action as it may consider appropriate.

(2) Any person referred to in sub-section (1), if present in a meeting of the Cell or supervisory committee, shall forthwith disclose his interest and withdraw himself from the meeting during the consideration of that matter.

14. **Recovery of dues.**—Any amount due to the Cell may be recovered as arrears of land revenue by an officer authorized for this purpose by the Cell and such officer shall exercise all powers of a collector for recovery of the amount due.

15. **Duties of publishers.**—(1) A publisher may print a law of Pakistan in off-set, photostat, photo-block or any other modern system of printing including uploading on website etc., but he shall not print it in litho process.

- (2) A publisher shall.--
- (a) not use paper prohibited by the Cell for printing the law of Pakistan;
  - (b) before submission to the Cell, get his specimen copy of the proposed publication of a law of Pakistan compared with the text of the Gazettes and official publication of laws of Pakistan, by a person holding a law degree from a recognized university or a person trained in the job of proof reading of legal publications, and have a statement recorded in writing by such a person that the contents of the laws of Pakistan reproduced in the publication do not contain any error; and
  - (c) ensure that the cover page of every edition or publication of the law of Pakistan clearly bears the name and registration number of the publisher, the batch number of the publication, the name of the printer or database operator, and the day, month and year till which it has been updated.

(3) In addition to the duties specified in sub-section (2), the publisher shall, in case of laws of Pakistan published after the commencement of this Ordinance, print the certificate of accuracy relating to that publication at a conspicuous place.

(4) As soon as this Ordinance is promulgated, a publisher shall recall the latest edition of his publications containing a law or laws of Pakistan, published immediately before the commencement of this Ordinance, and print the certificate of accuracy on those publications within a period of ninety days from the commencement of this Ordinance and return the publications on the same addresses from which they were received.

(5) In case it is not possible to correct errors in any publication recalled under sub-section (4), the publisher shall destroy the same and send a copy published under sub-section (3), free of cost, on the address specified under sub-section (4).

16. **Disclaimer by the publisher.**--Any disclaimer given by the publisher in his publication containing a law of Pakistan shall not exonerate him from the civil and criminal liability created under this Ordinance.

17. **Translation of the laws of Pakistan.**---(1) The Cell shall regulate the publication of translation of laws of Pakistan and issue guidelines, from time to time, for standard translation of laws of Pakistan in Urdu and other vernacular languages of Pakistan.

(2) All the provisions applicable to the laws of Pakistan under this Ordinance and the rules made thereunder shall, in so far as may be practicable, also apply to the translations of the laws of Pakistan and the publications thereof.

18. **De-registration.**—(1) The Cell may, in the prescribed manner, de-register a publisher through an order specifying reasons for the order.

(2) The Cell shall not pass an order of de-registration of a publisher unless the publisher has been served a notice and afforded an opportunity of hearing.

19. **Fines.**—(1) If a person publishes a law of Pakistan in violation of all or any of the requirements under section 15, the Cell may, subject to notice and opportunity of hearing, direct the person to pay a fine of an amount which may extend to one hundred thousand rupees.

(2) In case of recurring breach as specified in sub-section (1), the person shall be subject to a fine ranging between one hundred thousand rupees to three hundred thousand rupees.

20. **Offences.**—(1) Any person who publishes or intends to publish a law of Pakistan without registration under this Ordinance shall be punished with simple imprisonment for a term which may extend to six months and fine which may extend to one million rupees, but shall not be less than two hundred thousand rupees.

(2) Any person who publishes or intends to publish a law of Pakistan without obtaining review and certificate of accuracy under this Ordinance shall be punished with simple imprisonment for a term which may extend to three months and fine which may extend to three hundred thousand rupees.

(3) Any reviewer found negligent in his duty of review, which negligence results in publication of a law of Pakistan with errors, shall be punished with fine which may extend to one hundred thousand rupees.

(4) All published copies of the laws of Pakistan, in respect of which the offence has been committed, shall be seized by the Cell.

(5) The police shall act in aid of the Cell, as and when required by the Cell, for the purposes of this Ordinance.

21. **Offences by corporations.**—If the person guilty of an offence under section 19 is a company or other body corporate, every proprietor, director, general manager, secretary or any other office bearer of the company or body corporate shall, unless he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence, be deemed to be guilty of such offence.

22. **Jurisdiction to try offences.**—(1) Any person may lodge a complaint with the Session Judge, in whose jurisdiction the offence has been committed, in respect of the offence committed under section 20.



(2) For any offence committed under section 20, the Session Judge shall conduct a summary trial in accordance with the provisions of Code of Criminal Procedure, 1898 (V of 1898).

23. **Appeal.**—(1) Any person aggrieved by an order made by the Cell under section 19 may, within fifteen days of the date of receipt of the order, prefer an appeal to the supervisory committee and the decision of the supervisory committee thereon shall be final.

(2) Any person aggrieved of the order or judgment of Session Court under section 20 may, within thirty days of the receipt of such order or judgment, prefer an appeal to the High Court.

24. **Bar of jurisdiction.**—A civil court shall not entertain any suit or application against any proceedings before the Cell or supervisory committee under this Ordinance.

25. **Power to make rules.**—The Federal Government may, by notification in the official Gazette, make rules for carrying out purposes of this Ordinance.

26. **Removal of difficulty.**—If any difficulty arises in giving effect to any of the provisions of this Ordinance, the President may make an order, not inconsistent with the provisions of this Ordinance, for the purposes of removing the difficulty.

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## STATEMENT OF OBJECTS AND REASONS

The Supreme Court of Pakistan in suo moto case No. 1 of 2005 and in the order passed on 3<sup>rd</sup> March, 2015, directed that a legislation shall be enforced to regulate the publication of law books and materials and their translations, for placing a check on the sale of erroneous law books and materials to the public which sometimes lead to glaring consequences causing loss to either of the parties in litigation. Since the subject and contents of the Bill do not figure in the Federal Legislative List contained in the Fourth Schedule to the Constitution, therefore, Resolutions were sought from all the four Provincial Assemblies, through their respective Provinces, in terms of Article 144 of the Constitution. The Provincial Assemblies of Bolochistan, Khyber Pakhtunkhwa and Punjab have passed Resolutions to this effect.

2. The Bill is designed to achieve the aforesaid object.

**MR. PERVAIZ RASHID**  
Minister-In-Charge for  
Law, Justice & Human Rights

[AS REPORTED BY THE STANDING COMMITTEE]

A

**BILL**

*to ensure publication of the text of the laws of Pakistan free from errors of reproduction, updating and printing*

**WHEREAS** it is expedient to provide for publication of the text of the laws of Pakistan free from errors of reproduction, updating and printing and to deal with ancillary matters;

**WHEREAS** the Provincial Assemblies of Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh have passed Resolutions under Article 144 of the Constitution to the effect that Parliament may by law regulate the issue:

It is hereby enacted as follows:-

1. **Short title, extent, commencement and application.**-(1) This Act may be called the Publication of Laws of Pakistan Act, 2015.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

(4) This Act shall not apply to publication of laws of Pakistan by the Federal Government, a Provincial Government, any House of Majlis-e-Shoora (Parliament) or a Provincial Assembly, but the Governments and Legislatures shall maintain internal checks in order to ensure accuracy of the laws published by them.

2. **Definitions.**-In this Act, unless there is anything repugnant in the subject or context:-

(a) "Cell" means the Laws of Pakistan Cell to be established under section 6;

(b) "Director" means the Director of the Cell;

(c) "law of Pakistan" means a law passed under the Constitution of the Islamic Republic of Pakistan, or by or under the authority of Majlis-e-Shoora (Parliament) or any of the Provincial Assemblies, which is published in the Gazette of Pakistan or Gazette of any Province and includes principal and subordinate legislation and any other statutory

instrument which is published in the Gazette of Pakistan or Gazette of any Province:

Provided that the commentary portion of any law of Pakistan and reproduction by photocopy or scanning of any law of Pakistan shall be out of the purview of this Act;

- (d) "prescribed" means prescribed by rules made under this Act;
- (e) "public sector organization" means a concerned ministry, division, department, attached department, statutory body or an autonomous body of the Federal Government under the Rules of Business 1973, a department, statutory body, an attached department or autonomous body of a Provincial Government under Rules of Business of the respective Provincial Government, a local government and Supreme Court of Pakistan, Federal Shariat Court or a High Court to the extent of Rules and Orders published under the authority of the Supreme Court, Federal Shariat Court or a High Court;
- (f) "publisher" means a natural person or a juristic person who publishes or engages another publisher within or outside Pakistan, for publishing any law of Pakistan in the form of a book, booklet, pamphlet, journal, or in any electronic form; and
- (g) "reviewer" means a person who reviews a law of Pakistan under this Act.

3. **Registration of publishers.**-(1) A publisher shall not publish any law of Pakistan unless,-

- (a) he is registered with the Cell;
- (b) his proposed publication is reviewed by the Cell; and
- (c) the Cell has certified that his proposed publication is accurate and updated till the date of issuance of certificate.

(2) The Cell shall, on payment of prescribed fee and fulfillment of the prescribed conditions, register a publisher.

4. **Exemption from registration.**-A public sector organization and a Legislature shall be exempt from registration under this Act but the head of the public sector organization or the Secretary of the Senate or the National Assembly or a Provincial Assembly, as the case may be, or any officer authorized by the head of the public sector organization, Senate, National Assembly or a Provincial Assembly, shall execute and publish a certificate of accuracy of the contents of a law of Pakistan

published by the public sector organization or a Legislature and the certificate shall contain the date when the law of Pakistan is last updated.

5. **Compilation of authentic versions of laws of Pakistan.**-(1) The Federal Government shall, to the extent of Federal laws, compile and maintain an updated and accurate version of the laws of Pakistan and translation thereof in Urdu, both in paper and electronic form, which shall, besides other purposes, be used to determine the accuracy of the material submitted by a publisher for review under this Act.

(2) Each Provincial Government shall, to the extent of Provincial laws of the respective Province, compile and maintain an updated and accurate version of the laws of Pakistan and translation thereof in Urdu and Provincial languages, both in paper and electronic form, which shall, besides other purposes, be used to determine the accuracy of the material submitted by a publisher for review under this Act.

(3) The Federal Government and each Provincial Government shall ensure the safe custody of the Gazettes of Pakistan and Gazettes of the respective Province containing laws of Pakistan concerning the Federation or the Province and the publications of the updated and accurate versions of the respective laws of Pakistan.

6. **Cell.**-(1) The Federal Government shall, by notification in the official Gazette, establish a Cell to be known as Laws of Pakistan Cell.

(2) The Federal Government shall establish as many offices of the Cell throughout Pakistan, as may be necessary for efficient working of the Cell.

7. **Functions of the Cell.**- The Cell shall-

- (a) register publishers of laws of Pakistan;
- (b) regulate the publication of the standard translation of laws of Pakistan;
- (c) review every proposed publication of a law of Pakistan;
- (d) issue certificate of accuracy to the effect that the contents of the law of Pakistan submitted by a publisher are authentic, accurate and updated till date of such certification;
- (e) seize any unauthorized publication of law of Pakistan which contains errors and destroy the same if, in the opinion of the Cell, the errors cannot be rectified;
- (f) impose fines as provided in section 19;
- (g) initiate prosecution under this Act; and



- |        |  |         |
|--------|--|---------|
| (ii)   | Secretaries of Law Departments of Provinces or their nominees not below the rank of Additional Secretary | Members |
| (iii)  | a representative from National Book Foundation   | Member  |
| (iv)   | a representative from Pakistan Bar Council   | Member  |
| (v)    | one representative each from Provincial Bar Councils and Islamabad Bar Council                           | Members |
| (vi)   | a representative from Printing Corporation of Pakistan   | Member  |
| (vii)  | a representative from the Pakistan Publishers and Booksellers Association                                | Member  |
| (viii) | a representative from Department of Archives   | Member  |
| (ix)   | a representative from National Language Authority  | Member  |

(2) The Director shall act as Secretary of the supervisory committee.

(3) One fourth of the total members of the supervisory committee shall constitute the quorum for a meeting of the supervisory committee.

(4) In the absence of Chairperson, the supervisory committee shall nominate a member to preside over the meeting.

(5) Except for the purposes of hearing appeal under section 23 for which the supervisory committee may meet whenever deemed necessary, the supervisory committee shall meet at least biannually.

(6) The supervisory committee, on receipt of the annual report, may issue guidelines to the Cell for corrective measures on efficient working of the Cell.

(7) The supervisory committee shall supervise the functions of the Cell and in such supervision issue directions which shall be binding on the Cell.

12. **Annual report.**-(1) The Cell shall, within three months of the close of a financial year, submit to the Supervisory Committee an annual report.

(2) The report shall consist of,-

- (a) a comprehensive statement of the work and activities of the Cell and the measures taken for accurate publication of laws of Pakistan during the preceding financial year;

- (b) future plans and projects;
- (c) the problems faced by the Cell and the recommendations to resolve those problems;
- (d) guidelines issued by the Cell for translation of laws of Pakistan; and
- (e) such other matters as may be prescribed or as the Cell may consider appropriate.

13. **Disclosure of interest.**-(1) If the Chairperson, Secretary, member, Director, or any other employee, including an adviser, consultant, agent, actuary, valuator, lawyer, and auditor or the family of such a person has, direct or indirect interest in any matter relating to financial transactions of the Cell or supervisory committee, such person shall forthwith disclose that interest and the Cell or, as the case may be, the supervisory committee, may take such action as it may consider appropriate.

(2) Any person referred to in sub-section (1), if present in a meeting of the Cell or supervisory committee, shall forthwith disclose his interest and withdraw himself from the meeting during the consideration of that matter.

14. **Recovery of dues.**-Any amount due to the Cell may be recovered as arrears of land revenue by an officer authorized for this purpose by the Cell and such officer shall exercise all powers of a collector for recovery of the amount due.

15. **Duties of publishers.**-(1) A publisher may print a law of Pakistan in off-set, photostat, photo-block or any other modern system of printing including uploading on website etc., but he shall not print it in litho process.

(2) A publisher shall,-

- (a) not use paper prohibited by the Cell for printing the law of Pakistan;
- (b) before submission to the Cell, get his specimen copy of the proposed publication of a law of Pakistan compared with the text of the Gazettes and official publication of laws of Pakistan, by a person holding a law degree from a recognized university or a person trained in the job of proof reading of legal publications, and have a statement recorded in writing by such a person that the contents of the laws of Pakistan reproduced in the publication do not contain any error; and
- (c) ensure that the cover page of every edition or publication of the law of Pakistan clearly bears the name and registration number of the publisher, the batch number of the publication, the name of the printer or database operator, and the day, month and year till which it has been updated.



(3) In addition to the duties specified in sub-section (2), the publisher shall, in case of laws of Pakistan published after the commencement of this Act, print the certificate of accuracy relating to that publication on the title page of that publication.

16. **Disclaimer by the publisher.**—Any disclaimer given by the publisher in his publication containing a law of Pakistan shall not exonerate him from the civil and criminal liability created under this Act.

17. **Translation of the laws of Pakistan.**—(1) The Cell shall regulate the publication of translation of laws of Pakistan and issue guidelines, from time to time, for standard translation of laws of Pakistan in Urdu and other Provincial languages of Pakistan.

(2) All the provisions applicable to the laws of Pakistan under this Act and the rules made thereunder shall, in so far as may be practicable, also apply to the translations of the laws of Pakistan and the publications thereof.

18. **De-registration.**—(1) The Cell may, in the prescribed manner, de-register a publisher through an order specifying reasons for the order.

(2) The Cell shall not pass an order of de-registration of publisher unless the publisher has been served a notice and afforded an opportunity of hearing.

19. **Fines.**—(1) If a person publishes a law of Pakistan in violation of all or any of the requirements under section 15, the Cell may, subject to notice and opportunity of hearing, direct the person to pay a fine of an amount which may extend to one hundred thousand rupees:

Provided that in case of violation under clause (a) of sub-section (2) of section 15, the fine shall be imposed equal to the benefit gained by the publisher for not publishing on the paper prescribed by the Cell, but in any case the amount of fine shall not be less than one hundred thousand rupees.

(2) In case of recurring breach as specified in sub-section (1), the person shall be subject to a fine ranging between one hundred thousand rupees to three hundred thousand rupees.

20. **Offences.**—(1) Any persons who publishes a law of Pakistan without registration under this Act shall be punished with simple imprisonment for a term which may extend to six months and fine which may extend to one million rupees, but shall not be less than two hundred thousand rupees.

(2) Any person who publishes a law of Pakistan without obtaining review and certificate of accuracy under this Act shall be punished with simple imprisonment for a

term which may extend to three months and fine which may extend to three hundred thousand rupees.

(3) Any reviewer found negligent in his duty of review, which negligence results in publication of a law of Pakistan with errors, shall be punished with fine which may extend to one hundred thousand rupees.

(4) All published copies of the laws of Pakistan, in respect of which the offence has been committed, shall be seized by the Cell.

(5) The police shall act in aid of the Cell, as and when required by the Cell, for the purposes of this Act.

21. **Violations and offences by juristic persons.**-If a person held for a violation under section 19 or guilty of an offence under section 20 is a company or other body corporate or a firm, every proprietor, director, general manager, secretary, partner or any other office bearer of the company or body corporate or firm shall, unless he proves that the violation or offence was committed without his knowledge or that he exercised all due diligence to prevent the violation or commission of the offence, be deemed to be accountable for such violation and guilty of such offence.

22. **Jurisdiction to try offences.**-(1) Any person may, in respect of the offence committed under section 20, lodge a complaint with the Magistrate First Class in whose jurisdiction the impugned publication has been published.

(2) For any offence committed under section 20, the Magistrate First Class shall conduct a summary trial in accordance with the provisions of Code of Criminal Procedure, 1898 (V of 1898).

23. **Appeal.**- Any person aggrieved by an order made by the Cell under section 19 may, within fifteen days of the date of receipt of the order, prefer an appeal to the supervisory committee and the decision of the supervisory committee thereon shall be final.

24. **Bar of jurisdiction.**-A civil court shall not entertain any suit or application against any proceedings before the Cell or supervisory committee under this Act.

25. **Power to make rules.**-The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

26. **Removal of difficulty.**-If any difficulty arises in giving effect to any of the provisions of this Act, the President may make an order, not inconsistent with the provisions of this Act, for the purposes of removing the difficulty.

**STATEMENT OF OBJECTS AND REASONS**

The Supreme Court of Pakistan in suo moto case No. 1 of 2005 and in the order passed on 3<sup>rd</sup> March, 2015, directed that a legislation shall be enforced to regulate the publication of law books and materials and their translations, for placing a check on the sale of erroneous law books and materials to the public which sometimes lead to glaring consequences causing loss to either of the parties in litigation. Since the subject and contents of the Bill do not figure in the Federal Legislative List contained in the Fourth Schedule to the Constitution, therefore, Resolutions were sought from all the four Provincial Assemblies, through their respective Provinces, in terms of Article 144 of the Constitution. The Provincial Assemblies of Balochistan, Khyber Pakhtukhwa and Punjab have passed Resolutions to this effect.

2. The Bill is designed to achieve the aforesaid object.

**MR. PERVAIZ RASHID**  
Minister-In-Charge for  
Law, Justice and Human Rights