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PART I

**Acts, Ordinances, President's Orders and Regulations**

**NATIONAL ASSEMBLY SECRETARIAT**

*Islamabad, the 8th December, 1976*

The following Acts of Parliament received the assent of the President on the 1st December, 1976, and are hereby published for general information :—

ACT No. LXXVIII OF 1976

*An Act further to amend the Newspaper Employees (Conditions of Service) Act, 1973.*

WHEREAS it is expedient further to amend the Newspaper Employees (Conditions of Service) Act, 1973 (LVIII of 1973), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

**1. Short title and commencement.**—(1) This Act may be called the Newspaper Employees (Conditions of Service) (Amendment) Act, 1976.

(2) It shall come into force at once.

**2. Substitution of section 12A, Act LVIII of 1973.**—In the Newspaper Employees (Conditions of Service) Act, 1973 (LVIII of 1973), hereinafter referred to as the said Act, for section 12A the following shall be substituted, namely :—

“ 12-A. *Tribunal.*—(1) The Federal Government may, by notification in the official Gazette, constitute a Tribunal consisting of one or more members to implement the decision of the Board under section 11.

(2) The Chairman and members of the Tribunal shall be appointed by the Federal Government on such terms and conditions as it may determine.

(3) Where the Tribunal consists of one member only, that member, and, where the Tribunal consists of more members than one, the member designated by the Federal Government, shall be the Chairman of the Tribunal.

(4) The Chairman of the Tribunal shall be a person who has been, or is, or is qualified to be, a Judge of a High Court.

(5) The qualifications for appointment as a member of the Tribunal shall be determined by the Federal Government.”.

**3. Amendment of section 13, Act LVIII of 1973.**—In the said Act, in section 13,—

(a) in the marginal heading, for the word “Commission” the word “Tribunal” shall be substituted ; and

(b) sub-section (3A) shall be renumbered as sub-section (4) and, after sub-section (4) renumbered as aforesaid, the following new sub-sections shall be added, and shall be deemed to have been so renumbered and added on the twenty-first day of July, 1975, namely :—

“(5) Subject to any rules of procedure which may be prescribed, the Tribunal may, for the purpose of determining the category of a newspaper establishment or the grade of a newspaper employee or otherwise holding an inquiry for the purpose of implementing the decision of the Board, exercise the same powers and follow the same procedure, so far as may be and with the necessary modifications, as the Commission may exercise or follow for the purpose of adjudicating an industrial dispute under the Ordinance.

- (6) The Tribunal may require a newspaper establishment to file a declaration in such form and give such information as the Tribunal may determine or require.”

**4. Insertion of section 13B, Act LVIII of 1973.**—In the said Act, after section 13A, the following new section shall be added, namely :—

“13B. *Benches of the Tribunal etc.*—(1) The Chairman of the Tribunal shall exercise general superintendence over its affairs.

**(2) Where the Tribunal consist of more members than one,—**

- (a) the Chairman shall constitute as many benches of the Tribunal consisting of one or more members of the Tribunal as he may deem fit ; and
- (b) if any member of the Tribunal who constitutes a bench, or is a member of a bench, is absent from, or otherwise unable to attend, any sitting of a bench, the Chairman of the Tribunal may take over the case himself, or transfer it to another bench, for disposal ; and the Chairman, or, as the case may be, the other bench, may continue the proceedings from the stage they had reached ”.

**5. Insertion of new section 16A, Act LVIII of 1973.**—In the said Act, after section 16, the following new section shall be added, namely :—

“16A. *Additional power of Board and Tribunal.*—The Board and the Tribunal shall have the same power to punish their respective contempts as the Commission has under section 22C of the Ordinance ”.

**6. Amendment of section 17, Act LVIII of 1973.**—In the said Act, in section 17, for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely :—

“Provided that the provisions of this section shall not apply to a person who is employed as the editor of a newspaper ”.

**7. Amendment of section 18, Act LVIII of 1973.**—In the said Act, in section 18,—

- (a) for the words “this Ordinance” the words “this Act” shall be substituted ; and
- (b) in the proviso, in clause (i), after the word “capacity” the words “or is the editor of a newspaper” shall be inserted.

**8. Insertion of new section 21A, Act LVIII of 1973.**—In the said Act, after section 21, the following new section shall be added, namely :—

“21A. *Chairman, etc., to be public servants.*—The Chairman of the Board and the Chairman and members of the Tribunal shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code (Act XLV of 1860).”.

**9. Amendment of section 23, Act LVIII of 1973.**—In the said Act, in section 23, in sub-section (2), in clause (g), the word “and” shall be omitted

and, after clause (g) amended as aforesaid, the following new clause shall be inserted, namely :—

“(gg) the procedure to be followed by the Tribunal in determining the categories of newspaper establishments or grades of newspaper employees or holding an inquiry for the purpose of implementing the decision of the Board ; and”.

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**M. A. HAQ.**  
*Secretary.*

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**CORRIGENDUM**

*[to the Gazette of Pakistan, Extraordinary, Part I, dated the 4th December, 1976 containing Act No. LXXI of 1976, dated the 4th December, 1976.]*

Page 612 : In para 2, 2nd line for “fifty-eight” read fifty-eighth”.