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PART III

Other Notifications, Orders, etc.

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 26th September, 2016

No. F. 22(12)/2016 Legis.—Pursuant to rule 235 (4) of the Rules of Procedure and Conduct of Business in the National Assembly, 2007, the following reports of the Standing Committee, presented to the Assembly on 26th September, 2016 are published for information:—

**REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE
ON THE CENTRAL LAW OFFICERS (AMENDMENT) BILL, 2016**

1. Chairman of the Standing Committee on Law and Justice, have the honor to present this report on the Bill further to amend the Central Law Officers Ordinance, 1970 [The Central Law Officers (Amendment) Bill, 2016] Amendment of Sections 2, 3, 3A, 4, 4A, Ordinance VII of 1970] referred to the Standing Committee on 8th April, 2016.

2. The Committee comprises the following members:—

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|---|-----------------|
| (1) Chaudhry Mahmood Bashir Virk | Chairman |
| (2) Chaudhary Muhammad Ashraf | <i>Member</i> |
| (3) Mr. Mohsin Shah Nawaz Ranjha | <i>Member</i> |
| (4) Mr. Muhammad Moeen Wattoo | <i>Member</i> |

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| (5) | Mr. Muhammad Raza Hayat Harraj | <i>Member</i> |
| (6) | Sardar Muhammad Amjad Farooq Khan Khosa | <i>Member</i> |
| (7) | Ms. Kiran Haider | <i>Member</i> |
| (8) | Syed Ayaz Ali Shah Sherazi | <i>Member</i> |
| (9) | Mr. Mumtaz Ahmed Tarar | <i>Member</i> |
| (10) | Ms. Asiya Naz Tanoli | <i>Member</i> |
| (11) | Mr. Rajab Ali Khan Baloch | <i>Member</i> |
| (12) | Syed Naveed Qamar | <i>Member</i> |
| (13) | Mr. Muhammad Ayaz Soomro | <i>Member</i> |
| (14) | Ms. Shagufta Jumani | <i>Member</i> |
| (15) | Eng. Ali Muhammad Khan Advocate | <i>Member</i> |
| (16) | Dr. Arif Alvi | <i>Member</i> |
| (17) | Mr. S.A. Iqbal Quadri | <i>Member</i> |
| (18) | Moulana Mohammad Khan Sherani | <i>Member</i> |
| (19) | Ms. Aisha | <i>Member</i> |
| (20) | Mr. Zahid Hamid | |
| | Minister Incharge for Law and Justice | <i>Ex-officio Member</i> |

3. The Standing Committee in its meeting held on 2nd May, 2016 considered the Central Law Officers (Amendment) Bill, 2016. The Committee in its aforementioned meeting had unanimously recommended that the Central Law Officers (Amendment) Bill, 2016 as introduced in the National Assembly (Annex-A) be passed.

Sd/-
(ABDUL JABBAR ALI)
Secretary

Sd/
(CHAUDHRY MAHMOOD BASHIR VIRK)
Chairman

Islamabad, the 26th August, 2016.

Annex-A

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

BILL

further to amend the Central Law Officers Ordinance, 1970

WHEREAS It is expedient further to amend the Central Law Officers Ordinance, 1970 (VII of 1970), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement**—(1) This Act may be called the Central Law Officers (Amendment) Act, 2016.

(2) It shall come into force at once.

2. **Amendment of section 2, Ordinance VII of 1970.**—In the Central Law Officers Ordinance, 1970 (VII of 1970), hereinafter referred to as the said Ordinance, in section 2, in sub-section (1), for the words “Standing Counsel” the words “Assistant Attorneys-General” shall be substituted.

3. **Amendment of section 3, Ordinance VII of 1970.**—In the said Ordinance, in section 3, in paragraph (b), for the words and comma “Standing Counsel, he is qualified for appointment as a Judge of a High Court” the words and comma “Assistant Attorney-General, he has for a period of not less than five years been an Advocate of a High Court” shall be substituted.

4. **Amendment of section 3A, Ordinance VII of 1970.**— In the said Ordinance, in section 3A,—

(i) in sub-section (1), for the words “a Standing Counsel” the words “an Assistant Attorney-General” shall be substituted; and

(ii) in sub-section (2), for the words “Standing Counsel” the words “Assistant Attorney-General” shall be substituted.

5. **Amendment of section 4, Ordinance VII of 1970.**—In the said Ordinance, in section 4,—

(a) for the words “Standing Counsel” the words “Assistant Attorney-General” shall be substituted; and

(b) for the full stop at the end, a colon shall be substituted and thereafter the following proviso shall be added, namely:—

“Provided that an Assistant Attorney-General shall have right of audience before the Supreme Court subject to a licence issued by the Pakistan Bar Council.”.

6. **Amendment of section 4A, Ordinance VII of 1970.**— In the said Ordinance, in section 4A, for the words “Standing Counsel” the words “Assistant Attorneys-General” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

In line with the recommendation of the Attorney-General for Pakistan the post of the Standing Counsel is proposed to be renamed as Assistant Attorney-General by amending the Central Law Officers Ordinance, 1970 (VII of 1970).

2. The Bill seeks to achieve the aforesaid object.

Minister-in-Charge

**REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE
ON THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL, 2016.**

I, Acting Chairman of the Standing Committee on Law and Justice, have the honor to present this report on the Bill further to amend the Code of Civil Procedure, 1908 in its application to Islamabad Capital Territory [The Code of Civil Procedure (Amendment) Bill, 2016] referred to the Standing Committee on 11th May, 2016.

2. The Committee comprises the following, members:—

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|---|-----------------|
| (1) Chaudhry Mahmood Bashir Virk | Chairman |
| (2) Justice (Retd) Iftikhar Ahmad Cheema | <i>Member</i> |
| (3) Chaudhary Muhammad Ashraf | <i>Member</i> |
| (4) Mr. Mohsin Shah Nawaz Ranjha | <i>Member</i> |
| (5) Mr. Muhammad Moeen Wattoo | <i>Member</i> |
| (6) Mr. Muhammad Raza Hayat Harraj | <i>Member</i> |
| (7) Sardar Muhammad Amjad Farooq Khan Khosa | <i>Member</i> |
| (8) Ms. Kiran Haider | <i>Member</i> |
| (9) Syed Ayaz Ali Shah Sherazi | <i>Member</i> |
| (10) Mr. Mumtaz Ahmed Tarar | <i>Member</i> |
| (11) Ms. Asiya Naz Anoli | <i>Member</i> |
| (12) Mr. Rajah Ali Khan Baloch | <i>Member</i> |
| (13) Syed Naveed Qamar | <i>Member</i> |
| (14) Mr. Muhammad Ayaz Soomro | <i>Member</i> |
| (15) Ms. Shagufta Jumani | <i>Member</i> |
| (16) Eng. Ali Muhammad Khan Advocate | <i>Member</i> |
| (17) Dr. Arif Alvi | <i>Member</i> |
| (18) Mr. S.A. Iqbal Quadri | <i>Member</i> |
| (19) Moulana Mohammad Khan Sherani | <i>Member</i> |

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|---|--------------------------|
| (20) Ms. Aisha | <i>Member</i> |
| (21) Mr. Zahid Hamid Minister Incharge for Law and Justice | <i>Ex-officio Member</i> |

3. The Standing Committee in its meeting held, on 30th May, 2016 considered the Code of Civil Procedure (Amendment) Bill, 2016. The Committee in its aforementioned meeting unanimously recommended that the Code of Civil Procedure (Amendment) Bill, 2016 as introduced in the National Assembly (Annex-A) may be passed.

Sd/-
(ABDUL JABBAR ALI)
Secretary

Sd/-
(CHAUDHARY MUHAMMAD ASHRAF)
Acting Chairman

Islamabad, the 15th August, 2016

Annex-A

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

B.P.L.

further to amend the Code of Civil Procedure, 1908 in its application to Islamabad Capital Territory

WHEREAS it is expedient further to amend the Code of Civil Procedure, 1908 (Act V of 1908), in its application to Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act may be called the Code of Civil Procedure (Amendment) Act, 2016.

(2) It shall apply to Islamabad Capital Territory.

(3) It shall come into force at once.

2. **Amendment of section 91, Act V of 1908.**— In the Code of Civil Procedure, 1908 (Act V of 1908), hereinafter referred to as the said Code, in

section 91, in sub-section (1), for the words "having obtained the consent in writing of the Advocate General" the words "with the leave of the Court" shall be substituted.

3. **Amendment of section 92, Act V of 1908.**— In the said Code, in section 92,—

- (a) in sub-section (1), for the words "consent in writing of the Advocate General" the words "leave of the Court" shall be substituted; and
- (b) in sub-section (2), the words, commas, figures and brackets "Save as provided by the Religious Endowment Act, 1863 (XX of 1863)," shall be omitted and for the word "no" the word "No" shall be substituted.

3. **Amendment of section 104, Act V of 1908.**— In the said Code in section 104, after clause (ff), the following new clause shall be inserted, namely:—

- "(fff) an order under section 91 or section 92 refusing leave to institute a suit;".

STATEMENT OF OBJECTS AND REASONS

Under sections 91 and 92 of the Code of Civil Procedure, 1908 (Act V of 1908), in case of public nuisances and public charities, the Advocate General or two or more persons with the leave of the Court, may institute a suit for declaration and injunction or for such other relief as may be appropriate the circumstances of the case. The Law and Justice Commission of Pakistan has recommended amendment in the said sections for institution of suit relating to public nuisances and public charities direct with the leave of court without permission of the Advocate General. The proposed amendme it will result in expeditious disposal of cases.

The Bill is designed to achieve the aforesaid object.

MINISTER-IN-CHARGE

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT) BILL, 2016.

I, Acting Chairman of the Standing Committee on Law and Justice have the honor to present this report on the Bill further to amend the Legal Practitioners and

Bar Councils Act, 1973 [The Legal Practitioners and Bar Councils (Amendment) Bill, 2016] referred to the Standing Committee on 11th May, 2016.

2. The Committee comprises the following members:—

| | |
|---|--------------------------|
| (1) Chaudhry Mahmood Bashir Virk | Chairman |
| (2) Justice (Retd) Iftikhar Ahmad Cheema | <i>Member</i> |
| (3) Chaudhary Muhammad Ashraf | <i>Member</i> |
| (4) Mr. Mohsin Shah Nawaz Ranjha | <i>Member</i> |
| (5) Mr. Muhammad Moeen Wattoo | <i>Member</i> |
| (6) Mr. Muhammad Raza Hayat Harraj | <i>Member</i> |
| (7) Sardar Muhammad Amjad Farooq Khan Khosa | <i>Member</i> |
| (8) Ms. Kiran Haider | <i>Member</i> |
| (9) Syed Ayaz Ali Shah Sherazi | <i>Member</i> |
| (10) Mr. Mumtaz Ahmed Tarar | <i>Member</i> |
| (11) Ms. Asiya Naz Tanoli | <i>Member</i> |
| (12) Mr. Rajah Ali Khan Baloch | <i>Member</i> |
| (13) Syed Naveed Qamar | <i>Member</i> |
| (14) Mr. Muhammad Ayaz Soomro | <i>Member</i> |
| (15) Ms. Shagufta Jumani | <i>Member</i> |
| (16) Eng. Ali Muhammad Khan Advocate | <i>Member</i> |
| (17) Dr. Arif Alvi | <i>Member</i> |
| (18) Mr. S.A. Iqbal Quadri | <i>Member</i> |
| (19) Moulana Mohammad Khan Sherani | <i>Member</i> |
| (20) Ms. Aisha | <i>Member</i> |
| (21) Mr. Zahid Hamid Minister Incharge for Law and Justice | <i>Ex-officio Member</i> |

3. The Standing Committee in its meeting held on 30th May, 2016 considered the Legal Practitioners and Bar Councils (Amendment) Bill, 2016. The Committee in its aforementioned meeting unanimously recommended that the Legal Practitioners and Bar Councils (Amendment) Bill, 2016 as introduced in the National Assembly (Annex-A) may be passed.

Sd/-
(ABDUL JABBAR ALI)
Secretary

Sd/-
(CHAUDHARY MUHAMMAD ASHRAF)
Acting Chairman

Islamabad, the 15th August, 2016

Annex-A

[AS INTRODUCED IN THE NATIONAL ASSEMBLY]

A

Bill.

further to amend the Legal Practitioners and Bar Councils Act, 1973.

WHEREAS it is expedient further to amend the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**—This Act may be called the Legal Practitioners and Bar Councils (Amendment) Act, 2016.

(2) It shall come into force at once.

2. **Amendment of section 5, Act XXXV of 1973.**—In the Legal Practitioners and Bar Councils, Act, 1973 (XXXV of 1973), hereinafter referred to as the said Act, in section 5, in sub-section (2), in clause (a), for the figure “75” the figure “74” shall be substituted.

3. **Amendment of section 57, Act XXXV of 1973.**—In the said Act, for Section 57 the following shall be substituted, namely:—

“57. **Grants to Bar Councils and Bar Associations.**—The Federal Government and the Provincial Governments may make grants-in-aid to the Pakistan Bar Council, Islamabad Bar Council, Provincial Bar Councils and the Bar Associations as they may deem fit, having regard to the total number of advocates on the roll of a Bar Council or a Bar association and in certain bases keeping in view also the requirements of a particular Bar Council or a Bar Association in accordance with the prescribed procedures.”

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to rectify an anomaly created by the Legal Practitioners and Bar Councils (Amendment) Act, 2014 wherein the number of seats for Punjab Bar Council in section 5(2) of the Act remained un-amended, whereas the Schedule to the Act was amended

2. Moreover, for the benefit of the lawyer community at large, it is proposed to bring various Bar Councils and Associations of the country in the ambit of Federal grants. The grants shall be made having regard to the total number of Advocates on the roll of a Bar Council or Bar Association and in certain cases keeping also in view the requirements of a particular Bar Council or Bar Association in accordance with the prescribed procedure.

3. The Bill seeks to achieve the aforesaid object.

MR. ZAHID HAMID,
Member-in-charge.

ABDUL JABBAR ALI,
Secretary.