



LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT), ORDINANCE, 2004

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SCHEDULE

LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT), ORDINANCE, 2004

ORDINANCE III OF 2004

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ORDINANCE

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;

AND WHEREAS the National Assembly is 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, and commencement etc.—(1) This Ordinance may be called the Legal Practitioners and Bar Councils (Amendment) Ordinance, 2004.

(2) It shall come into force at once.

(3) The provisions of this Ordinance shall have effect notwithstanding anything contained in any other law or rules for the time being in force.

2. Amendment of section 2, 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 2,—

(1) clause (cc) shall be omitted;

(2) for clause (e), the following shall be substituted, namely:-

"(e) "Legal practitioner" means an advocate;"

(3) after clause (k), the following new clauses shall be inserted, namely:-

"(kk) "roll of group of districts" means a roll of advocates of a High Court or, as the case may be, a roll of advocates practicing in a former revenue Division as existed on the 31st December, 1999, prepared and maintained by a Provincial Bar Council under this Act;

(kkk) "Schedule" means Schedule to this act;" and

(4) in clause (n), for the full stop at the end the semi-colon shall be substituted and thereafter the following new clause shall be added, namely:-

"(o) "voter" means—

- (i) in relation to election to a Provincial Bar Council, an advocate whose name for the time being appears on the roll of group of districts and to whom an identity card has been issued by a Provincial Bar Council and who is not in arrears of dues of the Provincial Bar Council for a period exceeding six months; and
- (ii) in relation to election to the Pakistan Bar Council, a member of a Provincial Bar Council."

3. Amendment of section 5, Act XXXV of 1973. In the said Act, in section 5,—

(i) for sub-section (2); the following shall be substituted, namely:-

"(2) The number of members to be elected to following Provincial Bar Councils shall be as hereinafter provided namely:-

(a) Punjab Bar Council 75

Sindh Bar Council 32

N.-W.F.P. Bar Council 28

Balochistan Bar Council 08;

- (b) the district-wise allocation of seats referred to in clause (a) for respective Provincial Bar Councils shall be in accordance with the Schedule; and
- (c) no seat of a Provincial Bar Council shall be increased in future on the basis of increase in number of advocates of respective Provincial Bar Council and seat allocated to a new district will be drawn from the district out of which it is carved out.";

(ii) for sub-section (2A), the following shall be substituted, namely:—

"(2A) For the purpose of election of members of a Provincial Bar Council from a district or districts under sub-section (2) the advocates entered on the roll of group of districts as mentioned in the Schedule, shall constitute the electoral college.";

(iii) sub-section (3), shall be omitted; and

(iv) in sub-section (4), for the word "Division" the words and commas district or, as the case may be, the group of districts" shall be substituted.

4. Amendment of section 5A, Act XXXV of 1973. In the said Act, in section 5A,—

(i) for clause (a) the following shall be substituted, namely:-

"(a) is on the roll of advocates of High Court maintained by a Provincial Bar Council";
and

(ii) in clause (b), for the word "seven" the word "ten" shall be substituted.

5. Amendment of section 9, Act XXXV of 1973. In the said Act, in section 9, in sub-section (1), in clause (a), for the word 'Division' the word 'district' shall be substituted.

6. Addition of Schedule, Act XXXV of 1973. In the said Act, at the end, the following Schedule shall be added, namely:-

"SCHEDULE
[See section 5(2) (b)]
PUNJAB BAR COUNCIL
GROUP OF DISTRICTS-I

	Name of District	Seats
(1)	Bahawal Nagar	01
(2)	Bahawalpur	03
(3)	Rahim Yar Khan	02

GROUP OF DISTRICTS-II

	Name of District	Seats
(1)	Dera Ghazi Khan	01
(2)	Layah	01
(3)	Muzaffargarh	02
(4)	Rajanpur	01

GROUP OF DISTRICTS-III

	Name of District	Seats
(1)	Khanewal	02
(2)	Lodharan	01
(3)	Multan	04
(4)	Pakpattan	01
(5)	Sahiwal	02
(6)	Vehari	02

GROUP OF DISTRICTS-IV

	Name of District	Seats
(1)	Faisalabad	04
(2)	Jhang	02
(3)	Toba Tek Singh	01

SINDH BAR COUNCIL GROUP OF DISTRICTS-I

	Name of District	Seats
(1)	Jacobabad	01
(2)	Larkana	01
(3)	Shikarpur	01

GROUP OF DISTRICTS-II

	Name of District	Seats
(1)	Mirpur Khas	01
(2)	Sanghar	01

N.W.F.P. BAR COUNCIL GROUP OF DISTRICTS-I

	Name of District	Seats
(1)	Peshawar	07
(2)	Charsadda	01
(3)	Nowshera	02

GROUP OF DISTRICTS-II

	Name of District	Seats
(1)	Mardan	02
(2)	Swabi	01

GROUP OF DISTRICTS-III

	Name of District	Seats
(1)	Kohat + Hangu	01
(2)	Karak + Bauda Daud Shah	01

GROUP OF DISTRICTS-IV

	Name of District	Seats
(1)	D. I. Khan + Tank	02
(2)	Bannu	01
(3)	Lakki Marwat	01

GROUP OF DISTRICTS-V

	Name of District	Seats
(1)	Haripur	01
(2)	Abbotabad	02
(3)	Mansehra + Batagram,+ Balakot + Kohistan	02

GROUP OF DISTRICTS-VI

	Name of District	Seats
(1)	Mingora (Swat)	01
(2)	Hangla (Alpuri) + Matta (Swat)	01
(3)	Daggar (Baner) + Dargai + Malakand at Batkhela	01
(4)	Timargara (Dir)	01
(5)	Chitral	01

BALUCHISTAN BAR COUNCIL
GROUP OF DISTRICTS-1

Name of District	Seats
(1) Quetta + Chaghi + Noskhi + Pishiti + Killa Abdullah	04

GROUP OF DISTRICTS-II

Name of District	Seats
(1) Zhob + Loralai + Killa Saifullah + Ziarat + Musakhel + Barkhan	01

GROUP OF DISTRICTS-III

Name of District	Seats
(1) Kech + Panjgor + Gawadar + Lasbela	01

GROUP OF DISTRICTS-IV

Name of District	Seats
(1) Kalat + Khuzdar + Mastung + Kharan + Awaran	01

GROUP OF DISTRICTS-V

Name of District	Seats
(1) Sibi + Bolan + Nasirabad + Jafarabad + Jhal Magsi + Kohlu + Dera Bugti	01
