



THE EMPLOYMENT (RECORD OF SERVICES) ACT, 1951



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*THE EMPLOYMENT (RECORD OF SERVICES) ACT 1951

¹ACT NO. XIX of 1952

[18th April, 1952]

An Act to make provision for compulsory maintenance of the record of service of persons in certain classes of employment in certain areas.

WHEREAS it is expedient to make provision for the compulsory maintenance of the record of service of persons in certain classes of employment in certain areas; it is hereby enacted as follows:—

1. Short title, extent, application and commencement.—(1) This Act may be called the Employment (Record of Services) Act, 1951.

**For Punjab Amendment pl. see Pb. Act. XI of 2011.*

*¹ For Statement of Objects and Reasons, see Gazette of P. 1951 Pt. V, dated 23rd November, 1951, pp. 4 and 5 and for Report of Select Committee, see *ibid.*, 1952, Ext. pp. 335-339.*

The Act has been extended to—

(i) the Baluchistan States Union, by the Baluchistan States Union (Federal Laws) (Extension) Order, 1953 (G.G.O. 4 of 1953).

(ii) the State of Bahawalpur by the Bahawalpur (Extension of Federal Laws) Order, 1953 (G.G.O. 11 of 1953); and

(iii) Khairpur State, by the Khairpur (Federal Laws) (Extension) Order, 1953 (G.G.O. of 5 of 1953).

The Act has been and shall be deemed to have been brought into force in Gwadur (with effect from the 8th September, 1958), by the Gwadur (Application of Central Laws) Ordinance, 1960 (37 of 1960), s. 2.

The Act has been brought into force throughout the Province of West of Pakistan (with effect from the 15th August, 1961), see Gazette of West Pakistan, 1961, Ext., p. 1855.

This Act has been applied to certain classes of employment throughout the Province of West Pakistan see Gazette of West Pakistan, 1961, Ext, p. 1855.

The Act has been applied to the Provincially Administered Tribal Areas or to the parts or those areas to which it does not already apply, see Regulation No. 1 of 1972, s. 2 and Sch.

¹[(2) It extends to the whole of Pakistan.]

(3) It applies to all persons concerned as employers or employees in such classes of employment and in such areas as the ²[Provincial Government] may specify by notification in this behalf.

(4) It shall come into force on such date as the ²[Provincial Government] may, by notification in the official Gazette, appoint.

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

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(b) “employee” means a person to whom this Act applies engaged for hire or for any other pecuniary consideration by an employer, or an apprentice ;

(c) “employer” means any person to whom this Act applies engaging the services—manual or clerical, skilled or unskilled—of another for hire or for any other pecuniary consideration or as an apprentice for the purpose of carrying on his calling, trade, business, undertaking or manufacture or for personal or domestic service and includes any body of persons whether incorporated or not and any managing agent of any employer ;

¹ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch., for the original sub-section (2) (with effect from the 14th October, 1955).

² Subs. by A.O., 1964, Art. 2 and Sch., for “appropriate Government”.

³ The original cl. (a) as amended by A.O., 1961, Art. 2 and Sch., has been omitted by A.O., 1964, Art. 2 and Sch.

- (d) “Labour Commissioner” means the officer so designated and appointed by the ¹[Provincial Government] ;
- (e) “prescribed” means prescribed by rules made under this Act; and
- (f) “wages” has the same meaning as in the Payment of Wages Act, 1936 (IV of 1936).

3. Exemptions. The ¹[Provincial Government] may exempt from the provisions of this Act any establishment or undertaking where records of service are maintained to the satisfaction of the Government.

4. Service book to be produced by employee.—(1) Before engaging an employee the employer shall require from him his service book, if he asserts that he has been previously in employment under any other employer and the employee shall produce the service book if he has one.

²[(2) If the employee has no service book, the employer shall, at his own cost, provide one and keep it with himself.]

(3) The service book ³[if any produced by the employee under subsection (1)] shall be kept by the employer, who shall give the employee a receipt therefor in the prescribed form.

(4) Nothing in this section shall prevent an agreement between the employee and the employer whereby it is provided that the employee shall keep and maintain a duplicate of his service book.

(5) The employer shall hand over the service book to the employee on the termination of the employee’s service with the employer, except where the

¹ Subs. by A.O., 1964, Art. 2 and Sch., for “appropriate Government”.

² Subs. by the Employment (Record of Services) (Amdt.) Ordinance, 1960 (18 of 1960), s. 2, for the original sub-section(2).

³ Ins. *ibid.*, s. 2.