



## THE ESSENTIAL PERSONNEL (REGISTRATION) ORDINANCE, 1948



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**MEMORANDUM**

# THE ESSENTIAL PERSONNEL (REGISTRATION) ORDINANCE, 1948

## <sup>1</sup>Ordinance No. X of 1948

[17<sup>th</sup> February, 1948]

### An Ordinance to provide for the compulsory registration of Essential Personnel at Employment Exchanges.

WHEREAS an emergency has arisen which renders it necessary to take Power to require essential personnel to register at Employment Exchanges set up by the Government of Pakistan ;

NOW, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act 1935 (26 Geo. Of 5,c.2), as adapted by the Pakistan (Provisional Constitution) Order, 1947, the Governor-General is pleased to make and promulgate the following Ordinance :—

**1. Short title extent and commencement.**—(1) This Ordinance may be called the Essential Personnel (Registration) Ordinance, 1948.

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<sup>1</sup> The Ordinance has been applied to Baluchistan, see Gaz. of P. 1952, Pt. I, p. 146; and extended to the Leased Areas of Baluchistan, by the Leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950). It has been applied also in the Federated Areas of Baluchistan, see Gaz. of P. 1953, Pt. I, p. 152.

It has also been extended to—

(i) the Baluchistan States Union, by the Baluchistan States Union (Federal Laws) (Extension) Order, 1953 (G.G.O. 5 of 1953); and  
(ii) the Khairpur State, see the Khairpur (Federal Laws) (Extension) Order, 1953 (G.G.O. 5 of 1953); and  
(iii) the State of Bahawalpur by the Bahawalpur (Extension of Federal Laws) Order, 1953 (G.G.O. 11 of 1953).  
Also applied to PATA (Baluchistan + NWFP) by Reg. I of 1972, Art. 2 + sch.

This Ordinance has been amended in its application to the Province of West Pakistan by West Pakistan Ordinance No. 5 of 1965 (with effect from the 1<sup>st</sup> April, 1965).

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

(2) To extends to the whole of <sup>1\*</sup>\* \* Pakistan.

(3) It shall come into force at once.

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

(a) “essential personnel” includes all persons normally <sup>2</sup>[exercising or following any of the professions, occupations or employments] specified in Schedule 1 <sup>3</sup>[and persons trained or qualified to exercise or follow any such profession or employment.]

<sup>4</sup>[(b) “Employment Exchanges” means an Employment Exchange set up by the <sup>5</sup>[Provincial Government].

(c) “Manager of an Employment Exchange” means the Officer-in-Charge of an Employment Exchange and so appointed by the Government.

<sup>6</sup>[(d) “Schedule” means a Schedule to this Ordinance.

**7[3. Liability to register at employment exchanges.—**(1) All essential personnel over the age of 18 and under the age or 60 years, residing in Pakistan, and not being employees of the <sup>8</sup>[Federal] or any Provincial Government, shall be liable to register themselves at an Employment Exchange.

(2) Every person in charge of any institution which trains such essential personnel as aforesaid, or from where such personnel qualify, shall furnish to the Manager of the Employment Exchange concerned such information as he may from time to time require.

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<sup>1</sup> The original words “the Dominion of” omitted by the Essential Personnel (Registration) (Amtd.) Ordinance, 1960 (33 of 1960), s. 2.

<sup>2</sup> Subs. by Essential Personnel (Registration) Ord. (Amendment) Act, 1948 (28 of 1948), s. 2, for “employed in any of the capacities”.

<sup>3</sup> Added by Ord. 33 of 1960, s. 3.

<sup>4</sup> Subs. *ibid.*, s. 3, for the original cl. (b).

<sup>5</sup> Subs. by A.O., 1964, Art. 2 and Sch., for “Central Government”.

<sup>6</sup> Cl. (d) added by Act 28 of 1948, s. 2.

<sup>7</sup> Subs. by Ordinance 33 of 1960, s. 4, for the original section 3.

<sup>8</sup> Subs. by F.A.O., 1975, Art. 2 and Table, for “Central”

(3) All employers other than the <sup>1</sup>[Federal Government] and Provincial Governments shall be liable to get all persons to whom this Ordinance applies and who are employed by them registered at an Employment Exchange, if such persons are not already so registered.

(4) Every person registered under this Ordinance shall notify any change of address, acquisition of new skills and change in employment status at once to the Employment Exchange where he is registered.]

**4. Place of Registration.**—(1) All persons included within the definition of essential personnel shall register themselves at one of the Employment Exchanges detailed in Schedule III.

(2) In cases where it is not feasible for the essential personnel to call in person at the Employment Exchange to get registered they may submit by registered (acknowledgment due) post their particulars for registration on the form prescribed in Schedule II, to—

- (a) the Manager, Employment Exchange within whose area they reside ; or
- (b) the District Magistrate of the district in which they reside.

**5. Registration Certificate.**—(1) The Employment Exchange to which application is made shall issue within 10 days of the receipt of the application a registration certificate in the form prescribed in Schedule IV.

(2) When the application is made personally the Employment Exchange to which the application is made shall forthwith give to the applicant a memorandum as given in Schedule V acknowledging receipt of the application and specifying the time and date when the applicant should present himself to receive the registration certificate.

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<sup>1</sup> Subs. by F.A.O., 1975, Art. 2 and Table, for "Central Government".

(3) When the application is received by post the registration certificate shall be issued within 10 days by registered (acknowledgment due) post to the applicant.

(4) When the application is submitted to the District Magistrate/Deputy Commissioner, he shall then issue to the applicant by registered (acknowledgment due) post a memorandum as specified in Schedule VI acknowledging receipt of the application and shall forward the application to the Employment Exchange whose area covers the district concerned. On receipt of the application from the District Magistrate the Exchange shall register the applicant and issue a registration certificate in respect of the applicant in accordance with section 5 (1) above and forward the registration certificate to the District Magistrate who will then issue it to the applicant concerned.

**6. Penalties and Procedure.**—<sup>1</sup>[(1) Any person who, being within the age limits mentioned in <sup>2</sup>[sub-section (1) of section 3] and normally exercising or following any profession, occupation or employment which is, in pursuance of the provisions of section 7, may be specified in Schedule I, fails without sufficient cause to apply for registration within two months of that profession, occupation or employment being so specified <sup>3</sup>[and any person who otherwise contravenes the provision of section 3], shall be punishable with fine not exceeding five hundred rupees.

<sup>4</sup>[Explanation.—The provisions of this sub-section shall apply—

(a) to any person normally exercising or following any profession, occupation or employment specified in Schedule I who—

(i) enters Pakistan with the intention of permanent residence therein and is

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<sup>1</sup> Sub-sections (1) and (2) were subs. by the Essential Personnel (Registration) Ordinance (Amdt.) Act, 1948 (28 of 1948), s. 3, for original sub-section (1).

<sup>2</sup> Subs. by the Essential Personnel (Registration) (Amdt.) Ordinance, 1960 (33 of 1960), s. 5, for "section 3".

<sup>3</sup> Ins. *ibid.*, s. 5.

<sup>4</sup> Subs. *ibid.*, for the existing sub-section (2).