



## THE LAW REPORTS ACT, 1875



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#### SCHEDULE.

THE PAKISTAN CODE

# THE LAW REPORTS ACT, 1875

<sup>1</sup>Act No, XVIII OF 1875

[13th October, 1875]

*An Act for the improvement of Law Reports.*

<sup>2</sup>[\* \* \* \* \*]

**1. Short title.** — This Act may be called the <sup>3</sup>[\*] Law Reports Act, 1875.

**Local extent.**—<sup>4</sup>[It extends to the whole of Pakistan:]

**Commencement.** And it shall come into force on such day as the <sup>5</sup>[Federal Government] notifies in this behalf in the <sup>6</sup>[official Gazette].

**2.** [Repeal of Act II of 1875.] Rep. by the Repealing Act, 1876 (XII of 1876).

**3. Authority given only to authorized reports.** No Court shall be bound to hear cited, or shall receive or treat as an authority binding on it, the report of any case <sup>7</sup>[decided] on or after the said day by any <sup>8</sup>[High Court], other than a report published under the authority of <sup>9</sup>[a Provincial Government].

**4. Authority of judicial decisions.** Nothing herein contained shall be construed to give to any judicial decision any further or other authority than it would have had if this Act had not been passed.

<sup>10</sup>**[5. Certification by the courts, etc.]**—A court or tribunal deciding a matter shall at the end of the judgment or order, as the case may be, certify in the form specified in the Schedule that it is based upon or enunciates a principle of law or decides a question of law which is of first impression or distinguishes, over-rules, reverses or explains a previous decision.

*Explanation.*— For the purpose of this Act, the expression “court or tribunal” includes the Federal Shariat Court, a Service Tribunal, the Income Tax Appellate Tribunal and the National Industrial Relations Commission.]

<sup>1</sup>For the Statement of Objects and Reasons, see Gazette of India, 1875 Pt. V, p. 139; for Proceedings, in Council, see *ibid.*, Extra Supplement, dated 31st July, 1875, p. 5, and *ibid.*, Extraordinary, dated 25th October, 1875, p.1.

This Act came into force on 1-1-1876, see Notifn. No, 22-D/23-11 75, Gaz. of India, 1875, Pt. I, p. 589.

<sup>2</sup>preamble rep. by A.O., 1937.

<sup>3</sup>The word “Indian” omitted by A.O., 1949, Sch.

<sup>4</sup>Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), for the original para. as amended by A.O., 1949, Arts. 3(2) and 4.

<sup>5</sup>Subs. by F.A.O., 1975, Art. 2 and Table, for “Central Government” which was subs. by A.O., 1937, for “G.G. in C.”.

<sup>6</sup>Subs. *ibid.*, for “Gazette of India”.

<sup>7</sup>Subs. *ibid.*, for “decided by any of the said High Courts or by the Chief Court of Oudh on or after the said day.” For list of courts which are High Courts for the purposes of the Government of India Act, 1935, see s. 219 of that Act.

<sup>8</sup>The original words “Court in British India which is a High Court for the purposes of the Government of India Act, 1935” have successively been amended by A.O., 1949, arts. 3(2) and 4, and the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955), to read as above.

<sup>9</sup>The original words “the G. G. in C.” have successively been subs. by the Devolution Act, 1920 (38 of 1920), s. 2 and Sch. I, A.O., 1937, and Ord. 21 of 1960, s. 3 and 2nd Sch. (with effect from the 14th October, 1955), to read as above.

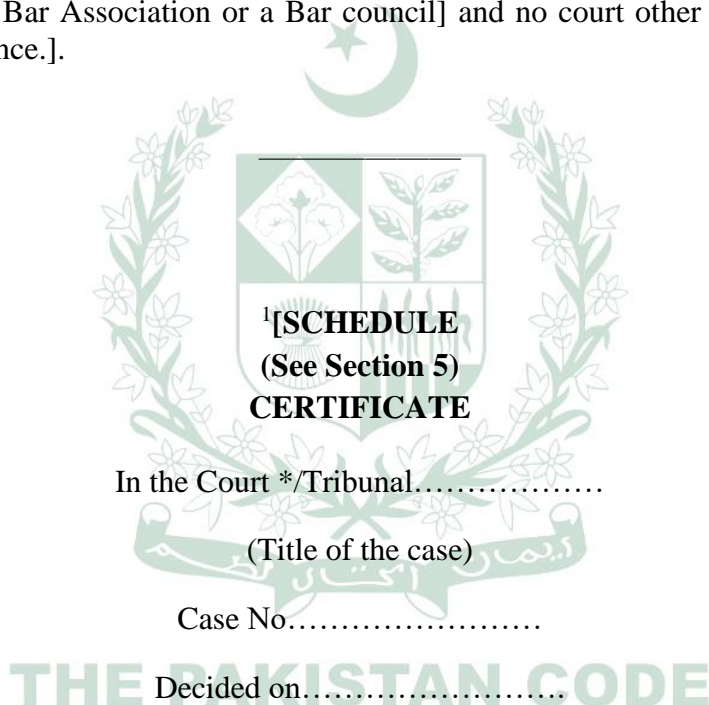
<sup>10</sup>Added by The Law Reports (Amendment) Act, 1989 (Act No. II of 1990), s.2.

<sup>1</sup>**[6. Restriction on the publication of judgements and orders.]**—No judgement or order of a court tribunal shall be published or printed <sup>2</sup>[in a Law Report] by any publisher, printer or any other person, unless it is approved for reporting by a court or tribunal or is certified under section 5.

**7. Penalty.**— (1) Whoever contravenes the provisions of section 6 shall be punished with fine which may extend to one lac rupees or in default of payment of fine with simple imprisonment for a term which may extend to six months.

(2) All copies of a publication in respect of which a person is convicted under sub-section (1) shall stand forfeited to the Provincial Government.

**8. Jurisdiction to try offences.**— No court shall take cognizance of an offence punishable under this Act except upon a complaint in writing made by the Presiding Officer of the court or tribunal by which the judgement or order in respect of which the offence was committed was given or made, or by an officer generally or specially empowered by him in this behalf <sup>2</sup>[ or by any office holder of a registered Bar Association or a Bar council] and no court other than a court of session shall try any such offence.].



Certified that the judgement \*/order is based upon or enunciates a principal of Law \*/ decides a question of law which is of first impression/ distinguishes/ over-rules/ reverses/ explains a previous decision.

Judge(s)/\*Presiding Officer.

\*Strike out whichever is not applicable.]

<sup>1</sup>Added by The Law Reports (Amendment) Act, 1989 (Act No. II of 1990), s.2 and 3.

<sup>2</sup>Ins. By The Law Reports (Amendment) Ord. 2002 (LXVII of 2002), ss. 2 and 3.