

Institutionalizing Publication of Laws in Pakistan: A Legislative Gap Analysis

Through an ordinance, the federal government has promulgated the establishment of a dedicated cell at the law ministry for regulating the publication of law books and the official gazette. The regulation shall take place via all-encompassing law cell that will be authorized with the responsibilities of registration of publishers, review/authentication of laws, and standardization of translations, certificate issuance and penalization of offenders. The ordinance also promotes the translation of laws in to Urdu and vernaculars for enhanced legal awareness. The cell shall be monitored by the supervisory committee from law ministry headed by the Secretary Law, Justice and Human Rights Division.

The initiative of error free law books shall aid implementers and justice providing institutions for effective enforcement. However the ordinance puts immense onus on the publishers for reaching out to the cell for registration and lacks the process of central and online mechanism. This leaves a room for violation for uninformed publishers about the promulgation of the legislation. Therefore the ministry should launch a communication campaign for broad range awareness of the ordinance and its implementation.

Moreover the definition of the publisher includes vendors using both print and electronic mediums however the ordinance lacks information on regulation of the online dissemination of rules and laws for general awareness. It is unclear if the accuracy certificate will also be uploaded on the websites in the same format as the printed books.

As per the ordinance No. VIII, the proposed law compilations shall be reviewed by the director, deputy and assistant directors, however the legislation lacks the information on selection criteria of the office holders. It would be prudent if the team of Laws of Pakistan Cell has some members with the language background. Similarly the supervisory committee should also include a linguist in both Urdu and English language as a member.

The measure for standardization of law printing deserves to be lauded in all respects yet the success of any policy enactment considerably hinges upon the monitoring and accountability mechanisms of the implementation team. It is suggested that ordinance should include the action plan for programmatic and financial monitoring of the functioning of cell. The cell should also ensure the availability of updated books in the market with latest amendments and laws passed by all provincial and federal legislatures. In the same course, the cell should seize the unauthorized publication of books through violation of copyrights. Moreover, the use of technology should be enhanced in the registration and online authentication of law compilations.

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Email us: comments@inp.org.pk