

Pakistan Water and Power Development Authority (Amendment) Ordinance, 1998

Ordinance XX of 1998

An ordinance further to amend the Pakistan Water and Power Development Authority Act, 1958

WHEREAS it is expedient further to amend the Pakistan Water and Power Development Authority Act, 1958 (W.P. Act XXXI of 1958), 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 power 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.-

(1)

This ordinance may be called the Pakistan Water and Power Development Authority (Amendment) Ordinance, 1998.

(2)

It shall come into force at once.

(3)

The provisions of section 17A, inserted in the Pakistan Water and Power Development Authority Act, 1958 (W.P. Act XXXI of 1958), shall remain in force for a period of two years and on the expiration of the said period shall cease to be part of the said Act and shall stand repealed.

2.

Amendment of section 2, W.P. Act XXXI of 1958.-

In the Pakistan Water and Power Development Authority Act, 1958 (W.P. Act XXXI of 1958), hereinafter referred to as the said Act, in section 2, after clause (iii), the following new clause shall be inserted, namely:-

"(iiia)

"Deputy Chairman" means the Deputy Chairman of the Pakistan Water and Power Development Authority".

3.

Amendment of section 4, W.P. Act XXXI of 1958.-

In the said Act, in section 4,-

(a)

in sub-section (1) after the word "Chairman" the comma and words ", Deputy Chairman" shall be inserted;

(b)

in sub-section (2) after the word "Chairman" the words " and Deputy Chairman" shall be inserted;

(c)

in sub-section (3) after the word "Chairman" the comma and words ", Deputy Chairman" shall be inserted; and

(d)

in sub-section (4) after the word "Chairman" the comma and words ", Deputy Chairman" shall be inserted.

4.

Amendment of section 5, W.P. Act XXXI of 1958.-

In the said Act, in section 5, after the word "Chairman" the comma and words ", Deputy Chairman" shall be inserted.

5.

Amendment of section 6, W.P. Act XXXI of 1958.-

In the said Act, in section 6, after the word "Chairman" the comma and words ", Deputy Chairman" shall be inserted.

6.

Amendment of section 7, W.P. Act XXXI of 1958.-

In the said Act, in section 7, in sub-section (2), before the letter "a" occurring for the first time, the words "the Deputy Chairman or "shall be inserted.

7.

Amendment of section 17, W.P. Act XXXI of 1958.-

In the said Act, in section 17, for sub-section (1A), the following new sub-sections shall be substituted, namely:-

"(1A)

Notwithstanding anything contained in sub-section (1A) or any law, settlement or award for the time being in force, or any rules or regulations framed under this Act, or any rules, regulations, orders or instructions issued by the Authority, or in the terms and conditions issued by the Authority, or in the terms and conditions of service of any person employed by, or serving under, the Authority, the Authority may, at any time,-

(a)

retire from its service any person without assigning any reason; or

(b)

remove from its service any person after informing him in writing of the grounds on which such action is proposed to be taken and giving him an opportunity of showing cause against the action within fourteen days.

(1AB)

Where a person is retired from service under sub-section (1A), he shall, in addition to the retiring benefits admissible to him under the terms and conditions of his service, if any, be paid pay for three months".

8.

Insertion of new section 17A, P.W. Act XXXI of 1958.-

In the said Act, after section 17, the following new section shall be inserted, namely:-

"17A

Certain laws not to apply to employment under the Authority.-

Nothing contained in the West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (W.P. Ordinance VI of 1968), or the Industrial Relations Ordinance, 1969 (XXIII of 1969), shall apply to, or in relation to, the Authority or any of the officers or employees appointed by it."

9.

Amendment of section 19, W.P. Act, XXXI of 1958.-

In the said Act, in section 19, after the word "chairman" occurring twice, the comma and words", Deputy Chairman" shall be inserted.

10.

Amendment of section 20, W.P. Act XXXI of 1958.-

In the said Act, in section 20, after the word "Chairman" the comma and words", Deputy chairman" shall be inserted.

Muhammad Rafiq Tarar

President