

city Act, 1910

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The Pakistan Water & Power Development Authority Act

(XXXI OF 1958)

[24th April, 1958]

AN ACT TO PROVIDE FOR THE UNIFIED AND CO-ORDINATED
DEVELOPMENT OF THE WATER AND POWER RESOURCES OF
PAKISTAN.

Preamble : Whereas it is expedient to provide for the unified
co-ordinated development of the water and power resources of
Pakistan;

It is hereby enacted as follows:--

CHAPTER I PRELIMINARY

1. **Short title and extent :** (1) This Act may be called the
[Pakistan] Water and Power Development Authority Act, 1958.

(2) It extends to the whole of Pakistan, except the District of
Karachi.

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

(i) "Authority" means the Pakistan Water and Power
Development Authority established under Section 3 of
this Act;

*. For Statement of Objects and Reasons, see Gazette of West Pakistan, dated 24th April, 1958, Extraordinary, pp. 411 and 412.

** Subs. for "West Pakistan" by the W.P.W/ PDA (Amendment) Ordinance, LXXII of 1979.

- (ii) "Chairman" means the Chairman of the Water and Power Development Authority;
- (iii) "Controlled station" means a power generating station declared as a controlled station under clause (iv) of sub-section (1) of Section 11;
- (iv) "Government" means the Federal Government;
- (v) "land" includes benefits to arise out of land, and things attached to the earth or permanently fastened to anything attached to the earth;
- (vi) "local body" means any District Board, District Local Board, Municipal Corporation, Municipal Committee, Municipality, Small Town Committee or Notified Area Committee;
- (vii) "Member" means Member of the Water and Power Development Authority;
- (viii) "Power" includes hydraulic power, electrical energy, steam, gas or any other power notified as such by the Government in the Official Gazette; and
- (ix) "regulations" means Regulations framed under this Act.

CHAPTER II

CONSTITUTION OF THE AUTHORITY

3. Constitution of the Authority : (1) There shall be established an Authority to be known as the [Pakistan] Water and Power Development Authority for carrying out the purposes of this Act.

(2) The Authority shall be a body corporate, shall be entitled to acquire and hold property, shall have perpetual succession and a common seal and shall by the said name sue and be sued.

4. Appointment and term of office of Chairman and Member : (1) The Authority shall consist of Chairman and not more than three Members appointed by Government:

Provided that till such time as the Authority is fully constituted, the Chairman shall exercise the powers, functions and duties of the Authority.

* Added by the WAPDA (Amendment) Ordinance. LXXII of 1979.

(2) The term of office of the Chairman or of a Member three years.

(3) Any person ceasing to hold office on the expiry of the term of office or on appointment for another term of office, the Government may decide.

(4) The Chairman or any Member may resign provided that his resignation shall be accepted by the Government.

5. Remuneration and conditions of service : Each Member shall receive such salary and allowances and conditions of service as may be prescribed by the Government in such duties as are assigned to them under this Act.

6. Removal of Chairman or Member : The Government may remove the Chairman or any Member--

(a) if he refuses or fails to discharge his responsibilities under this Act;

(b) if he has been declared insolvent;

(c) if he has been dismissed from employment in, or has been convicted in Pakistan, or has been convicted of moral turpitude; or

(d) if he has knowingly and without the permission of the Government directly or indirectly been interested in any contract for the benefit of the Authority in his knowledge, is liable to be removed as a result of the operation of this Act.

7. Meetings of the Authority : The Authority shall meet at such time and place and in such manner as may be provided in the Regulations.

Provided that until Regulations are made, the meetings shall be convened by the Chairman.

(2) The Chairman, or in his absence, any Member, and one other Member shall constitute a quorum at a meeting of the Authority.

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(2) The term of office of the Chairman shall be five years and
that of a Member three years.

(3) Any person ceasing to be the Chairman or Member by
reason of the expiry of the term of his office shall be eligible for
reappointment for another term or for such shorter terms as the
Government may decide.

(4) The Chairman or any Member may at any time resign;
provided that his resignation shall not take effect until accepted by
the Government.

5. Remuneration and conditions of service : The Chairman and
each Member shall receive such salary and allowances and be subject to such
conditions of service as may be prescribed by the Government, and shall perform
such duties as are assigned to them under this Act or by any Regulation framed
under it.

6. Removal of Chairman or Members : The Government may by notification
remove the Chairman or any Member--

- (a) if he refuses or fails to discharge or becomes in the
opinion of the Government, incapable of discharging his
responsibilities under this Act, or
- (b) if he has been declared insolvent; or
- (c) if he has been declared to be disqualified for
employment in, or has been dismissed from the service of
Pakistan, or has been convicted of an offence involving
moral turpitude; or
- (d) if he has knowingly acquired or continued to hold
without the permission in writing of the Government,
directly or indirectly or through a partner, any share or
interest in any contract or employment with or by or on
behalf of the Authority, or in any land or property which,
in his knowledge, is likely to benefit or has benefitted as
a result of the operation of the Authority.

7. Meetings of the authority : (1) The Authority shall meet at
such time and place and in such manner, as may be prescribed by
Regulations:

Provided that until Regulations are made in this behalf, such
meetings shall be convened by the Chairman.

(2) The Chairman, or in his absence a Member authorised by
him, and one other Member shall be present to constitute a
quorum at a meeting of the Authority.

POWERS AND DUTIES OF THE AUTHORITY

(2) The Authority may frame a Scheme or schemes for a Province or any part thereof providing for all or any of the following matters, namely:--

- (i) irrigation, water-supply and drainage; and recreational use of water resources;
- (ii) the generation, transmission and distribution of power, and the construction, maintenance and operation of power houses and grids;
- (iii) flood control;
- (iv) the prevention of waterlogging and reclamation of waterlogged and salted lands;
- (v) inland navigation ; and
- (vi) the prevention of any ill-effects on public health resulting from the operations of the authority.

- (i) a description of the scheme and the manner of its execution;
- (ii) an estimate of costs and benefits; the allocation of costs to the various purposes to be served by the scheme and the amounts to be repaid by the beneficiaries; and
- (iii) a statement of the proposals by the Authority for the resettlement or re-housing of persons likely to be displaced by the execution of the scheme.

(4) The Government may sanction or may refuse to sanction, or may return for reconsideration any scheme submitted to it under this section, or may call for such further details or

9. Schemes framed by other
by an agency in any Province
of any of the matters enumerated
its estimated cost exceeds that of
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[9-A. Notwithstanding a Authority may, with the pre undertake the execution of an Provincial Government or a Provincial Government or administrative and financial c such terms and conditions as the one hand and the provin be, such agency in consultatio the other].

10. Survey and Experiment
necessary or expedient for carrying out the same may:-

- (a) cause studies, survey to be made ; or
- (b) contribute towards experiments or technology.

"[10-A. On and from such notification, declare and subject may determine, all assets apparatus, material and plan

* Sec. 9-A ins, by the Federal Adaptive

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call for such further details or

information about the scheme, or may direct such further
examination of the scheme as it may consider necessary.

9. Schemes framed by other agencies : (1) Any scheme framed
by an agency in any Province other than the Authority, in respect
of any of the matters enumerated in sub-section (2) of Section 8, if
its estimated cost exceeds the amount to be prescribed by the
Government, shall be submitted to the Government through the
Authority and the Government may pass any of the orders
contemplated by sub-section (4) of Section 8.

(2) The authority may, with the approval of the Government
undertake the execution of any scheme, or exercise technical
supervision and administrative and financial control over the
execution of any scheme framed or sponsored by any agency in
respect of the matters enumerated in sub-section (2) of Section 8.

[9-A. Notwithstanding anything contained in the Act, the
Authority may, with the previous approval of the Government
undertake the execution of any scheme framed or sponsored by a
Provincial Government or any agency under the control of a
Provincial Government or exercise technical supervision and
administrative and financial control over the execution thereof on
such terms and conditions as may be agreed to by the Authority on
the one hand and the provincial Government or, as the case may
be, such agency in consultation with the Provincial Government on
the other].

10. Survey and Experiments : The Authority, if it considers this
necessary or expedient for carrying out the purposes of this Act,
may:-

- (a) cause studies, surveys, experiments or technical research
to be made ; or
- (b) contribute towards the cost of any such studies, surveys,
experiments or technical research made by any other
agency.

[10-A. On and from such date as the Government may, by
notification, declare and subject to such terms and conditions as it
may determine, all assets including lands, works, machinery,
apparatus, material and plants vested in the Government in the

*. Sec. 9-A ins. by the Federal Adaptation of Laws Order, 4 of 1975.

**. Sec. 10-A ins. by the W.P. Electricity Ordinance, XIII of 1959.

Electricity Department shall vest in the Authority, and all liabilities in respect of the said assets shall be the liability of the Authority.

11. Control over waters, power houses and grids : (1) Subject to the provisions of any other law for the time being in force, the Authority--

- (i) shall have control over the--
 - (a) underground water resources of any region in a Province;
 - (b) operation of all power houses and grids, including such ancillary works as may be considered necessary for their proper operation;
- (ii) may make recommendations to the Government for prescribing standards for the--
 - (a) operation and maintenance of all irrigation works;
 - (b) maintenance of power houses and grids;
- (iii) may make recommendations to the Government for promoting simplification of methods of charge for supplies of electricity and standardisation of the system of supply;
- (iv) may, with the prior approval of the Government and on payment of reasonable compensation, declare any power generating station belonging to a licensee to be a controlled station and thereupon, the power to regulate production from such station, shall vest in the Authority;
- (v) may require the owner of any controlled power generating station in the grid area to--
 - (a) supply to the grid all or part of the power generated at the station at such rates as may be determined by the Government by general or special order;
 - (b) take from the grid all or part of the power required for distribution to consumers; or
 - (c) close down the station on payment or reasonable compensation.

(2) Before the Authority exercises any control under clause (i) of sub-section (1), the area over which and the extent to which control is intended to be exercised shall be agreed to and notified by the Government in the official Gazette.

(3) Nothing in this section shall enable the Authority to exercise any power in respect of any land or building owned by the Federal Government or the exclusive use of any department of the Government or any Military Cantonment.

12. Authority to have powers as if the Electricity Act, 1910 : The Authority shall have all the powers and discharge all the obligations as if the Electricity Act, 1910, were in force.

Provided that nothing in Section 21 and Section 22, 23 and 24 of the Electricity Act, 1910, shall apply to the Authority.

13. Powers regarding certain measures : The Authority may take such measures and exercise such powers as may be deemed expedient for the carrying out of its functions.

(2) Without prejudice to the generality of the provisions of the preceding sections and the provisions of this section, the Authority may for carrying out its functions--

- (a) undertake any works, including the construction of plant, machinery and material, and enter into and perform any contract which it may consider necessary or expedient;
- (b) acquire by purchase, lease, or otherwise, and dispose of by sale, lease, exchange, or any interest in land;
- (c) place wires, poles, wall brackets, and other appliances for the transmission of telegraph, telephone, or other communications necessary for the scheme;
- (d) direct the owners of private land to--
 - (i) carry out measures for training and re-planting of trees and conservation of forests and re-
 - (ii) undertake anti-erosion and conservation of forests and re-

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l Gazette.

(3) Nothing in this section shall entitle the Authority to exercise any power in respect of works, power houses or grids owned by the Federal Government and established for the exclusive use of any department of the Federal Government or of a Military Cantonment.

12. Authority to have powers and obligations of licensee under Act IX of 1910 : The Authority shall, for the purposes of the Electricity Act, 1910, be deemed to be a licensee and shall have all the powers and discharge all the obligations of a licensee under the said Act:

Provided that nothing in Sections 3 to 11, sub-sections (2) and (3) of Section 21 and Section 22, 23 and 27 or in clauses I to XII of the Schedule to the said Act relating to the duties and obligations of a licensee shall apply to the Authority.

13. Powers regarding certain matters : The Authority may take such measures and exercise such powers as it considers necessary or expedient for the carrying out of the purposes of this Act.

(2) Without prejudice to the generality of the power conferred by preceding sections and the provisions of sub-section (1) of this section, the Authority may for carrying out the purposes of this Act--

- (a) undertake any works, incur any expenditure, procure plant, machinery and materials required for its use and enter into and perform all such contracts as it may consider necessary or expedient;
- (b) acquire by purchase, lease, exchange or otherwise and dispose of by sale, lease, exchange or otherwise any land or any interest in land;
- (c) place wires, poles, wall brackets, stays, apparatus and appliances for the transmission of electricity, or for the transmission of telegraphic or telephonic communications necessary for the proper execution of a scheme;
- (d) direct the owners of private lands to-
 - (i) carry out measures for training of streams;
 - (ii) undertake anti-erosion operations, including conservation of forests and reforestation;

- (e) restrict or prohibit by general or special order the clearing and breaking up of land in the catchment area of any river;
- (f) direct that any work which has been required to be done by any person under the two preceding clauses, and which remains undone, shall, after due notice to such person and consideration of any objection raised by him, be executed by the Authority and specify the proportion in which the risk and expense of such work shall be borne by such person, or by any other person who, after being given a reasonable notice and after such inquiry as the Authority considers necessary, is held by the Authority to be responsible for the execution of such work in whole or in part; and
- (g) seek and obtain advice and assistance in the preparation or execution of a scheme from any local body or agency of the Government, and as such local body or agency shall give the advice and assistance sought by the Authority to the best of its ability, knowledge and judgment:

Provided that the Authority shall pay the cost or such advice and assistance if the giving of such advice and assistance entails additional expenditure to the local body or the agency.

(3) The acquisition of any land or any interest in land for the Authority under this section, or for any scheme under this Act, shall be deemed to be an acquisition for a public purpose within the meaning of the Land Acquisition Act, 1894, and the provisions of the said Act shall apply to all such proceedings.

14. Right of entry : (1) The Chairman or any person authorised by him in writing, may enter upon and survey any land, erect pillars for the determination of intended lines of works, make borings and excavations and do all other acts which may be necessary for the preparation of any scheme:

Provided that when the affected land does not vest in the Authority, the power conferred by this sub-section shall be exercised in such manner as to cause the least interference with, and the least damage to the rights of the owner thereof.

(2) When any person enters into or upon any land in pursuance of sub-section (1), he shall, at the time of entering or as

soon thereafter as may be practicable, shall make good all necessary damage to be done, and in the event of dispute as to the sufficiency of the compensation, the dispute shall be referred to the District Judge of the district whose decisions shall be final.

15. Sanction of the Government : Any scheme sanctioned under this Act may be modified or cancelled by the Authority at any time, but if a scheme is sanctioned without the previous sanction of the Government, the Authority shall not be liable for the cost of the scheme.

Explanation : An increase in the cost of a scheme of more than fifteen per cent of the sanctioned cost shall be deemed to be a modification of the scheme if the benefit and cost ratio which either before or after the increase the ratio exceed the benefits or results in a ratio of more than fifteen percent shall be deemed to be a modification for the purpose of this section.

16. Arrangements with local bodies : If as any scheme has been carried out, and if, before the date, the Authority may arrange to carry out the scheme with a local body or other agency within the area covered by the scheme lies, the Authority may, with the assent of such a local body or other agency, make the works and services in that area to be carried out by the matter to the Provincial Government may give such directions to the local body or other agency as it may deem fit.

(2) The Government shall be entitled to hand over any scheme or part of a multipurpose scheme to a local body or other agency of the Government or a local authority. The Authority shall be entitled to recover the audited expenditure incurred by it in carrying out the scheme.

CHAPTER IV

ESTABLISHMENT

17. Employment of officers and staff : The Authority may from time to time employ such officers and staff as it may deem fit, and may appoint such experts or consultants for the performance of its functions as it may deem fit:

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ch has been required to be done he two preceding clauses, and shall, after due notice to such n of any objection raised by him, ority and specify the proportion ense of such work shall be borne ny other person who, after being ce and after such inquiry as the essary, is held by the Authority to ecution of such work in whole or

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ters into or upon any land in shall, at the time of entering or as

soon thereafter as may be practicable, pay or tender payment for all necessary damage to be done as aforesaid, and in case of dispute as to the sufficiency of the amount so paid or tendered, the dispute shall be referred to the Deputy Commissioner of the district whose decisions shall be final.

15. Sanction of the Government : A scheme framed and sanctioned under this Act may be amended or modified by the Authority at any time, but if a material change is made in the scheme, previous sanction of the Government shall be obtained.

Explanation : An increase in the cost of the scheme by more than fifteen per cent of the sanctioned cost, or a change in the benefit and cost ratio which either makes the cost component in the ratio exceed the benefits or reduces the benefits component by more than fifteen percent shall be deemed to be a material change for the purpose of this section.

16. Arrangements with local body or other agency : (1) As soon as any scheme has been carried out by the Authority or at a later date, the Authority may arrange by a written agreement with a local body or other agency within whose jurisdiction any particular area covered by the scheme lies, to take over and maintain any of the works and services in that area. If the Authority fails to obtain the assent of such a local body or other agency, it may refer the matter to the Provincial Government, and the Provincial Government may give such directions to the local body or the other agency as it may deem fit.

(2) The Government shall have the power to direct the Authority to hand over any scheme other than a power scheme or the power part of a multipurpose scheme carried out by it to any agency of the Government or a local body. In such a case the Authority shall be entitled to receive credit to the extent of the audited expenditure incurred by it on that scheme.

CHAPTER IV

ESTABLISHMENT

17. Employment of officers and servants : (1) The Authority may from time to time employ such officers and servants, or appoint such experts or consultants, as it may consider necessary for the performance of its functions, on such terms and conditions as it may deem fit:

Provided that all persons serving in connection with the affairs of a Province in the Electricity and Irrigation Departments shall be liable to serve under the Authority, if required to do so by the Provincial Government, on such terms and conditions as the Provincial Government may, in consultation with the Authority, determine but shall not be entitled to any deputation allowance:

Provided further that the Provincial Government may, in relation to any such person as aforesaid, delegate such administrative, disciplinary and financial powers to the Authority as the Provincial Government may deem fit:

Provided also that the terms and conditions of service of any such person as aforesaid shall not be varied by the Authority to his disadvantage.

"[(1-A) Notwithstanding anything contained in sub-section (1) or any rules made, or orders or instructions issued, by the Authority, or in the terms and conditions of service of any person employed by, or serving under the Authority may, at any time retire or remove from its service any person without assigning any reason, after giving him not less than thirty days notice or pay for the period by which such notice falls short of thirty days.

"[Explanation I : For the purpose of this sub-section, any person employed by or serving under the Authority includes a person referred to in the provisos to sub-section (1).

Explanation II: Any person referred to in the provisos to sub-section (1) who is removed or retired from service by the Authority under this sub-section shall stand reverted to the Province to which he is allocated under the Province of West Pakistan (Dissolution) Order, 1970 (P. O. No. 1 of 1970).]

"[(1-B) Service under the Authority is hereby declared to be service of Pakistan and every person holding a post under the Authority, not being a person who is on deputation to the Authority from any province, shall be deemed to be a civil servant for the purposes of the Service Tribunal Act, 1973 (LXX of 1973)].

- * Sub-sec. (1-A) inst. by the W.P. Water and Power Development Authority (Amendment) Act, LXXXIV of 1975.
- ** Explanations Ins. by the W.P. WAPDA (Amendment) Ord., LXXII of 1979.
- *** Ins. by the Act LXXXIV of 1975.

"[(1-C) Any order of removal passed by the Authority, in exercise of sub-section (1-A), shall not be subject to any proceedings taken under the Industrial Disputes Act, 1947 (XXIII of 1969), or the Essential Services Act, 1952 (LIII of 1952), or under any law for the time being in force in any Court, Tribunal or Commission. This sub-section shall apply to any Court, Tribunal or Commission constituted after September, 1975, and before the establishment of the Water and Power Development Authority, 1979, setting aside or modifying the provisions of the Authority to be void and of no effect.]

"[(1-D) Nothing contained in the Ordinance, 1969 (XXIII of 1969) shall apply to any person employed as a member of the Authority for the protection of the interests of the Authority].

(2) The Chairman, in case of emergency, may employ officers and servants on such terms and conditions as may be necessary:

Provided that every appointment made by the Authority shall be reported to the Authority.

"[(3) Notwithstanding anything contained in sub-section (2), no person shall be appointed by the Authority, by whatever designation, without the approval of Government, and no person shall be entrusted by the Authority with any financial, revenue or criminal Court or a Tribunal, or any powers in which the Authority is a partner, or in the name of such legal practitioner or Government.]"

18. Recruitment and conditions of service : The Authority shall have the power of appointment, and terms and conditions of service.

- **** Ins. by the Ordinance, LXXII of 1979.
- * Sub-sec. (1-D) added by the Pakistan Water and Power Development Authority (Amendment) Ordinance, XIII of 1983.
- ** Deleted by the W.P. Ordinance, XXXII of 1979.
- *** Added by the Ordinance, XIII of 1983.

in connection with the affairs of Irrigation Departments shall be, if required to do so by the terms and conditions as the consultation with the Authority, any deputation allowance:

Provincial Government may, in as aforesaid, delegate such financial powers to the Authority as may seem fit:

and conditions of service of any person employed by the Authority to his satisfaction.

Nothing contained in sub-section (1) of the provisions issued by the Authority may, at any time, be construed as authorising any person without assigning any notice or pay for a period of thirty days.

For the purpose of this sub-section, any person employed under the Authority includes a person employed under sub-section (1).

Nothing contained in the provisions to sub-section (1) shall be construed as authorising any person to be removed from service by the Authority or to be transferred to the Province to which the person belongs (Dissolution of West Pakistan).

Authority is hereby declared to be a person holding a post under the Government who is on deputation to the Authority shall be deemed to be a civil servant for the purposes of the Civil Servants Act, 1973 (LXX of 1973).

Water and Power Development Authority (Amendment) Ord., LXXII of 1979.

“(1-C) Any order of removal or termination of service passed by the Authority, in exercise of the powers conferred by sub-section (1-A), shall not be called in question in any proceedings taken under the Industrial Relations Ordinance, 1969 (XXIII of 1969), or the Essential Services (Maintenance) Act, 1952 (LIII of 1952), or under any law for the time being in force, before any Court, Tribunal or Commission and any order passed by any Court, Tribunal or Commission after the thirtieth day of September, 1975, and before the coming into force of the Water and Power Development Authority (Amendment) Ordinance, 1979, setting aside or modifying or declaring any order of the Authority to be void and of no effect, shall stand vacated.]”

“(1-D) Nothing contained in the Industrial Relations Ordinance, 1969 (XXIII of 1969), shall apply to or in relation to any person employed as a member of the Security Staff of the Authority for the protection of the installations and establishments of the Authority].”

(2) The Chairman, in case of urgency, may appoint such officers and servants on such terms and conditions as may be necessary:

Provided that every appointment made under this sub-section shall be reported to the Authority without unreasonable delay.

“(3) Notwithstanding anything contained in sub-section (1) and (2), no person shall be appointed to the post of legal adviser to the Authority, by whatever designation called or known, or to advise the Authority, in regard to legal matters save with the approval of Government, and no legal practitioner shall be entrusted by the Authority with any matter pending in any civil, revenue or criminal Court or a Tribunal exercising civil or revenue powers in which the Authority is a party or has any interest, unless the name of such legal practitioner is on the approved list of Government.]”

18. Recruitment and conditions of service and disciplinary powers : The Authority shall prescribe the procedure for appointment, and terms and conditions of service of its officers and

**** Ins. by the Ordinance, LXXII of 1979.

* Sub-sec. (1-D) added by the Pakistan Water and Power Development Authority (Amendment) Ordinance, XIII of 1983.

** Deleted by the W.P. Ordinance, XXXII of 1965.

*** Added by the Ordinance, XIII of 1983.

servants, and shall be competent to take disciplinary action against its officers and servants.

19. Immunity of the Authority and its employees : (1) The Chairman, Members, officers and servants of the Authority shall, when acting or purporting to act in pursuance of any of the provisions of this Act, be deemed to be public servants within the meaning of Section 21 of the Pakistan Penal Code.

(2) No suit, prosecution or other legal proceedings shall lie against the Authority, the Chairman, Members or officers and servants of the Authority in respect of anything done or intended to be done, in good faith under this Act.

20. Delegation of powers to Chairman, etc. : The Authority may be general or special order delegate to the Chairman a Member, or officer of the Authority, any of its powers, duties or functions under this Act subject to such conditions as it may think fit to impose.

CHAPTER V

REPORTS AND STATEMENTS

21. Submission of yearly reports and returns, etc. : (1) The Authority shall submit to the Government, as soon as possible after the end of every financial year but before the last day of September next following, a report on the conduct of its affairs for that year.

(2) A copy of the report mentioned in sub-section (1), together with a copy of the audit report referred to in Section 28 shall be placed by the Government before the National Assembly and the National Assembly shall refer the same to its Committee on Public Accounts for scrutiny and examination.

[(2-A) The Committee on Public Accounts shall scrutinise and examine the reports referred to it under sub-section (2) in the same manner as, and shall in respect thereof, perform the same functions and exercise the same powers as are required by it to be performed and exercised in respect of appropriation accounts of the Federal Government and the report of the Auditor-General of Pakistan thereon.

*. Sub-sec. (2-A) ins. by the Water and Power Development Authority (Amendment) Act, XIII of 1967.

(3) The Government may require with--

- (i) any return, statement, information regarding and the Authority, or
- (ii) a report on any such matter
- (iii) a copy of any document and

the Authority shall comply with every

CHAPTER

FINANCE

22. Authority Fund : (1) There is the "Authority Fund" vested in the Authority by the Authority to meet charges incurred under this Act including the payments of remunerations to the Chairman and to its officers and servants.

- (2) The Authority Fund shall include--
 - (a) grants made by the Government;
 - (b) loans obtained from the Government;
 - (c) grants made by local Government;
 - (d) sale-proceeds of bonds issued by the Government;
 - (e) loans obtained by the Authority with the general sanction of the Government;
 - (f) foreign aid and loans obtained by the Bank of Reconstruction and Finance Corporation with the sanction of, and approved by the Government;
 - (g) all other sums received by the Authority.

23. Authority to be deemed to be a public authority : The Authority shall be deemed to be a public authority for the purposes of the Public Authorities Loans Act, 1914, for the purposes of that Act, and the making of loans under the said Act, and the making of loans

ake disciplinary action against

and its employees : (1) The servants of the Authority shall, in pursuance of any of the be public servants within the Penal Code.

er legal proceedings shall lie an, Members or officers and of anything done or intended Act.

Chairman, etc. : The Authority delegate to the Chairman a y, any of its powers, duties or such conditions as it may think

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arts and returns, etc. : (1) The Government, as soon as possible ear but before the last day of on the conduct of its affairs for

oned in sub-section (1), together ferred to in Section 28 shall be the National Assembly and the ame to its Committee on Public ion.

lic Accounts shall scrutinise and it under sub-section (2) in the pect thereof, perform the same wers as are required by it to be ct of appropriation accounts of eport of the Auditor-General of

(3) The Government may require the Authority to furnish it with--

- (i) any return, statement, estimate, statistics or other information regarding any matter under the control of the Authority, or
- (ii) a report on any such matter, or
- (iii) a copy of any document in the charge of the Authority and

the Authority shall comply with every such requisition.

CHAPTER VI

FINANCE

22. Authority Fund : (1) There shall be a fund to be known as the "Authority Fund" vested in the Authority which shall be utilised by the Authority to meet charges in connection with its functions under this Act including the payment of salaries and other remunerations to the Chairman and Members of the Authority and to its officers and servants.

(2) The Authority Fund shall consist of--

- (a) grants made by the Government;
- (b) loans obtained from the Government;
- (c) grants made by local bodies as required by the Government;
- (d) sale-proceeds of bonds issued under the authority of the Government;
- (e) loans obtained by the Authority with the special or general sanction of the Government;
- (f) foreign aid and loans obtained from the International Bank of Reconstruction and Development or otherwise, with the sanction of, and on such terms and conditions as may be approved by the Government; and
- (g) all other sums received by the Authority.

23. Authority to be deemed to be a local authority : The Authority shall be deemed to be a local authority under the Local Authorities Loans Act, 1914, for the purpose of borrowing money under the said Act, and the making and execution of any scheme

under this Act shall be deemed to be a work which such authority is legally authorised to carry out.

24. Limited liability : the liability of the Government to the creditors of the Authority shall be limited to the extent of grants made by the Government and the loans raised by the Authority with the sanction of the Government.

25. Rates for sale of power : (1) The Authority shall ordinarily sell power in bulk.

(2) The rates at which the Authority shall sell power shall be so fixed as to provide for meeting the operating costs, interest charges and depreciation of assets; the redemption at due time of loans other than those covered by depreciation, the payment of any taxes and a reasonable return on investment.

26. Maintenance of accounts : The Authority shall maintain complete and accurate books of accounts in such form as may be prescribed by it:

Provided that separate accounts shall be maintained for all schemes and transactions relating to power.

27. Annual statement of accounts : In the month of January each year the Authority shall submit to the Government for approval a statement of the estimated receipts and expenditure in respect of the next financial year.

28. Audit : The accounts of the Authority shall be audited every year by the Auditor-General of Pakistan in such manner as may be prescribed by the Government. Copies of the audit report shall be sent to the Authority, and, with the comments of the Authority, to the Government and shall also be available for public inspection. The Authority shall carry out any directive issued by the Government for rectification of an audit objection.

CHAPTER VII

REGULATIONS

29. Regulations : For the purpose of carrying into effect the provisions of this Act, the Authority may, with the approval of the Government, frame such Regulations as it may consider necessary or expedient.

30. Repeal : The West Pakistan Water & Power Development Authority Ordinance, 1970

PRESIDENT'S ORDER

In exercise of the powers conferred on me by section 5 of the Province of West Pakistan Water & Power Development Authority Ordinance, No. 1 of 1970, and of all other powers vested in me by law, I, the President is pleased to make the following Order:

1. Short title and commencement : This Order shall be called the Employees of the West Pakistan Water & Power Development Authority (allocation of employees) Order, 1970.

(2) It shall come into force on the 1st day of January 1971.

2. Allocation of Employees : The employees of the West Pakistan Water & Power Development Authority to whom the provisions of the Ordinance in connection with the affairs of the Authority relating to the electricity and irrigation department are applicable shall serve under the Pakistan Water & Power Development Authority under sub-section (1) of section XXXI of 1958) are allocated to the West Pakistan Water & Power Development Authority or, if they were appointed by the Government after the creation of that Province, to the West Pakistan Water & Power Development Authority permanent residence."

Authorisation to Wapda u/s. 12 of the Wapda Act--

Notification No. S. O. II (E) 2070/71 dated 12th March 1971, in exercise of the powers conferred on him by section 5 of the Wapda Act, 1958, the Governor of West Pakistan is pleased to make the following Order:

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The Authority shall maintain,
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ER VII

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30. Repeal : The West Pakistan Water and Power
Development Authority Ordinance, 1958 is hereby repealed.

PRESIDENT'S ORDER NO. 24 OF 1979

In exercise of the powers conferred by Clause (1) of Article 20
of the Province of West Pakistan (Dissolution) Order, 1970 (P. O.
No. 1 of 1970), and of all other powers enabling him in that behalf,
the President is pleased to make the following Order :

1. Short title and commencement.--(1) This Order may be
called the Employees of the Pakistan Water and Power
Development Authority (allocation to Provinces) Order, (1979).

(2) It shall come into force at once.

2. Allocation of Employees of Pakistan Water and Power
Development Authority to Provinces.-- All persons serving in
connection with the affairs of the Government of West Pakistan in
the electricity and irrigation departments, who were required to
serve under the Pakistan Water and Power Development Authority
under sub-section (1) of section 17 of the Pakistan Water and
Power Development Authority Act, 1958 (West Pakistan Act
XXXI of 1958) are allocated to the Provinces where they were
serving at the time of the creation of the province of West Pakistan
or, if they were appointed by the Government of West Pakistan
after the creation of that Province, to the provinces of their
permanent residence."

Authorisation to Wapda u/s. 51 Electricity Act read with S. 12
Wapda Act--

Notification No. S. O. II (E) 2/5-60 dated 6-6-1961: In exercise of
the powers conferred on him by section 51 of the Electricity Act, 1910 read with S.
12 of the Wapda Act, 1958, the Governor of West Pakistan.