

ORDINANCE XIV OF 1999

**PAKISTAN WATER AND POWER DEVELOPMENT
AUTHORITY (THIRD AMENDMENT) ORDINANCE, 1999**

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

[Gazette of Pakistan, Extraordinary, Part I,
24th September, 1999]

No.F.2(1)/99-Pub... dated 24-9-1999.--The following Ordinance made
by the President is hereby published for general information:--

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 powers 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 (Third Amendment)
Ordinance, 1999.

(2) It shall come into force at once.

(3) The provisions of section 17-A, 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a period of two years and on the expiration of the said period shall cease to be part of the said Act and shall stand repealed.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:—
(iii-a) "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 subsection (1) after the word "Chairman" the comma and words "Deputy Chairman" shall be inserted;

(b) in subsection (2) after the word "Chairman" the words "and Deputy Chairman" shall be inserted;

(c) in subsection (3) after the word "Chairman" the comma and words "Deputy Chairman" shall be inserted; and

(d) in subsection (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 subsection (2), before the letter "a", occurring for the first time, the words "the Deputy Chairman or" shall be inserted.

7. Amendment of section 8, W.P. Act XXXI of 1958.—In the said Act, in section 8,—

(i) in subsection (2), in clause (vii), the words "and the National Transmission Grid" shall be omitted; and

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(ii) in subsection (5),—

(a) in clause (d), in sub-clause (iii), the word "and" at the end shall be omitted;

(b) in clause (e), for the full-stop at the end, a semi-colon and word "and" shall be substituted; and

(c) after clause (e), amended as aforesaid, the following new clause shall be added, namely:—

"(f) notwithstanding any terms of any contract entered into by the Authority for the supply of electricity to any person, transfer such contract to any company or other entity promoted, formed or sponsored pursuant to a scheme framed under clause (vii) of subsection (2)."

8. Amendment of section 17, W.P. Act XXXI of 1958.—In the said Act, in section 17,—

(a) for subsection (1-A), the following shall be substituted, namely:—

"(1-A) Notwithstanding anything contained in subsection (1) or any law, settlement or award for the time being in force, or any rules or regulations made under this Act, or any rules, regulations, 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, 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.

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

(b) after subsection (2), the following new subsection shall be added, namely:—

(3) Notwithstanding anything contained in subsection (1) or any rules made, orders or instructions issued by the Authority, or in the terms and conditions of services of any person employed by, or serving under, the Authority, the Authority may, at any time, transfer, second or depute any such person to any company or other entity promoted, formed or sponsored pursuant to a scheme framed under clause (vii) of subsection (2) of section 8 on such terms and conditions as it may deem fit."

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9. **Insertion of new section 17-A, W.P. Act XXXI of 1958.**—In the said Act, after section 17, the following new section shall be inserted, namely:—

"17-A. 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."

10. **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.

11. **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.