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PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 6th July, 1994

The following Act of Majlis-e-Shoora (Parliament) received the assent of the

President on the 30th June, 1994, and is hereby published for general information :—

AcT No. XIII OF 1994

An Act 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 (West Pakistan Act XXXI of 1958), for the purposes hereinafter appearing ;

It is hereby enacted as follows :—

1. Short title, extent and commencement.—{1) This Act may be called the Pakistan Water and Power Development Authority (Amendment) Act, 1994.

(2) -It shall come into force at once.

2. Amendment of section 1, 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 1, in sub-section (2) for the word "District" the word "Districts" shall be substituted.

(595)

Price: Ps. 30

[3734 Ex. Gaz.]

3. Amendment of section 3, W.P. Act XXXI of 1958.—In the said Act, in section 3, in sub-section (2), for the words “ and hold” the comma and words “, hold and dispose of” shall be substituted. _

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

(i) In sub-section (2).—

(i)

(a) in clause (v), the word “and” at the end shall be omitted ;

_ (b) in clause (vi), for the full-stop at the end a semi-colon shall be

substituted and thereafter the word “and” shall be added; and

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

“(vii) -Privatise or otherwise restructure any operation of the Authority except the hydel generating power stations and the National Transmission Grid” ; and

after sub-section (4), the following new sub-section shall be added, namely :—

“(5) Where a scheme is sanctioned by the Government under sub-section (4), the Authority may—

(a) undertake any joint venture or work in association with the Provincial Government, an agency, corporation. company. authority or any person and may subscribe to the equities and acquire such other rights and obligations as may be necessary for such joint venture or association ; ;

(b) promote, form or sponsor any company or companies having objects of installation of thermal and hydel projects and development and utilization of any resources of energy for generation, transmission and distribution of power and for survey, investigation, exploitation and utilization of resources of energy

(©) subscribe for, take or otherwise acquire, hold and dispose of shares, bonds, debentures, commercial papers or other securities of any company promoted, formed or sponsored under clause (b) and receive dividends or other payments therefrom and transfer to it any of its land or any other property, moveable or immoveable, tangible or intangible, against cash, shares, bonds, debentures,

commercial papers or other securities as is desirable or necessary to enable it to privatise or otherwise restructure any operation of the Authority ; :

(d) enter into any of the following arrangements which may be consistent with its objects, namely —

(i) provision of services and personnel ;

(ii) provision of goods, appliances, plants, machinery and other material ; and

(iii) purchasing of electrical capacity and energy from any company specified in clause (b); and

(ec) enter into any contract or agreement with any company or companies specified in clause (b).

Explanation —For the purpose of this section, the expression “privatise” means the transfer or disinvestment of any of its assets, property, rights or liabilities, interest, power houses, grid operation of work, or maintenance thereof, or generation or its distribution, by the Authority, with the prior approval of the Federal Government, for valuable consideration to any person, company or body on ownership basis or for management, control, operation or maintenance, either in joint venture or in association or otherwise and subject to such conditions as the Authority may impose.”.

5. Amendment of section 11, W.P. Act XXXI of 1958.—In the said Act, in section 11,—

(a) in sub-section (1), in clause (b),—

(i) for the word “all” the word “its” shall be substituted ; and

(ii) clauses (iv) and (v) shall be omitted; and

(b) sub-section (3) shall be omitted.

6. Amendment of section 17, W.P. Act XXXI of 1958.—In the Pakistan Water and Power Development Authority Act, 1958 (W.P. Act No. XXXI, 1958), in section 17, in sub-section (I-A), for the words and comma “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” the words and comma “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 in writing against the action, within a period of fourteen days" shall be substituted.

7. Amendment of section 22, W.P. Act XXXI of 1958.—In the said Act, in section 22, in sub-section (2),—

(i) for clause (d), the following shall be substituted, namely —

"(d) _ sale proceeds of bonds, debentures, commercial Papers or other securities issued by the Authority ;";

(ii) after clause (d), substituted as aforesaid, the following new sub-clause shall be inserted, namely :—

"(dd) all sums, dividends, shares, bonds, debentures, commercial papers, securities or any other payments received from a company or companies specified in clause (b) of sub-section (5) of section 8; and

(iii) in clause (f), after the word "sanction" the words "and under the gaurantee" shall be inserted.

8. Amendment of section 23, W.P. Act XXXI of 1958.—In the said Act,—

(a) the existing section 23 shall be re-numbered as sub-section (1) of that section ; and

(b) after sub-section (1), re-numbered as aforesaid, the following new sub-section shall be added, namely :—

"(2) Any sum due to the Authority shall be recoverable as arrears of land revenues."

ABDUL RAUF KHAN LUGHMANI,
Secretary General.

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