



THE NETWORK ANALYSER STUDY CENTRE (TRANSFER TO WAPDA) ORDINANCE, 1983



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THE PAKISTAN CODE

THE NETWORK ANALYSER STUDY CENTRE (TRANSFER TO WAPDA) ORDINANCE, 1983

ORDINANCE No. I OF 1983

[8th January, 1983]

An Ordinance to provide for transfer of the Network Analyser Study Centre, Lahore, to the Pakistan Water and Power Development Authority.

WHEREAS it is expedient to provide for the transfer of the Network Analyser Study Centre, Lahore to the Pakistan Water and Power Development Authority, and for matters connected therewith or ancillary thereto;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance: —

1. Short title and commencement: —(1) This Ordinance may be called the Network Analyzer Study Center (Transfer to WAPDA) Ordinance, 1983.

(2) It shall come into force at once.

2. Definitions. In this Ordinance, unless there is anything repugnant in the subject or context, —

- (a) “appointed day” means the eighteenth day of July, 1981 ;
- (b) “Authority” means the Pakistan Water and Power Development Authority; and
- (c) “Centre” means the Network Analyser Study Center, office of the Chief Engineering Adviser, Lahore.

3. Transfer of the Centre to the Authority. The Centre shall stand transferred to the Authority on and from the appointed day on the following terms and conditions, namely: —

- (a) the Authority shall pay to the Federal Government cost of network analyzer, air-conditioning and other items of equipment determined on the basis of their original book value minus depreciation at the rate of 3.3 per cent per annum from the date of commissioning;
- (b) the ownership of land and buildings shall continue to be retained by the Federal Government and no rent shall be charged from the Authority on this account, but the government may construct office building for the Office of

Pakistan Commissioner for Indus Waters at the vacant premises of the center as and when considered necessary; and

- (c) the Authority, if required, shall promptly carry out studies at the Center for the Federal Government free of cost.

4. Transfer of existing civil servants of the Centre to the Authority.— (1) Notwithstanding anything contained in any law or in the conditions of service, every civil servant employed in or under the Centre immediately before the appointed day, including persons on deputation to other organizations or abroad, shall, save as hereinafter provided, cease to be a civil servant and stand transferred to and become an employee of, the Authority on the same terms and conditions, including remuneration, tenure of service, rights and privileges as to pension and gratuity and other matters, as were applicable to him immediately before the appointed day, until his employment in the Authority is terminated in accordance with his conditions of service or his terms and conditions are altered by regulations, which shall not be less favorable than those by which he was governed immediately before his transfer to the Authority.

(2) Any person referred to in subsection (1) who is on deputation with the Centre shall continue in the employment of the Authority on deputation in accordance with the terms of his deputation:

Provided that, if, within three months from the commencement of this Ordinance, he opts to be transferred to the service of the Authority on the terms and conditions referred to in subsection (1), he shall stand so transferred and cease to be a civil servant.

(3) Any person referred to in subsection (1) may, within three months from the commencement of this ordinance, opt to be transferred to the service of the authority and the option so exercised shall be final.

(4) The services of an employee who opts under subsection (3) not to be transferred to the Authority shall stand terminated on the date on which his option is accepted by the Federal Government and he shall be entitled to be paid by the Federal Government compensation equivalent to three months' remuneration

Explanation.—The compensation payable to an employee under this sub-section shall be in addition to and not in derogation of his rights as to pension, gratuity, provident fund money or other benefits to which he may be entitled under his conditions of service.

(5) The termination of service of an employee under sub-section (4) shall be deemed to be discharge from service owing to abolition of a permanent post for the purpose of admissibility of compensation pension.

(6) No person referred to in sub-section (1) who stand transferred to the Authority shall, notwithstanding anything contained in any law for the time being in force, be entitled to any compensation because of his transfer.