

HEAVY INDUSTRIES BOARD ACT, 1997

ACT No.XII OF 1997

An Act to establish a Heavy Industries Taxila, Board.

WHEREAS it is expedient to establish a Heavy Industries Taxila, Board and to provide for matters connected therewith or incidental thereto;

It is hereby enacted as follows:—

1. Short title and commencement.— (1) This Act may be called the Heavy Industries ¹[Taxila] Board Act, 1997.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

- (a) "Board" means the Heavy Industries ¹[Taxila] Board established under section 3;
- (b) "Chairman" means the Chairman of the Board;
- (c) "factories" means Heavy Re-build Factories and Manufacturing Factories established and functioning under the control of Heavy Industries ¹[Taxila] Board;
- (d) "Heavy Industries" means the Heavy Industries, Taxila and includes Heavy Re-build Factories, Manufacturing Factories and other allied facilities owned by the Federal Government; and
- (e) "member" means a member of the Board.

3. Establishment of the Board.— (1) As soon as may be, after commencement of this Act, the Federal Government shall, by notification in the Official Gazette, establish for carrying out the purposes of this Act, a Heavy Industries ¹[Taxila] Board consisting of a Chairman and ¹[five] members to be appointed by it.

(2) The Chairman shall be appointed by the Federal Government on recommendation of the Chief of Army Staff.

(3) Out of the ¹[five] members to be appointed by the Federal Government, one shall be appointed as member finance in consultation with the Ministry of Finance, the second to be as the member Ministerial Coordination, ¹[third member shall appointed form the corporate sector, to be called the Member (Private), on the recommendation of the Secretary, Defense Production Division] and the remaining tow to be the technical members as members production Control and Project Planning to be appointed from within the existing strength of the Board.

¹ Ins. and subs. by Ordinance 47 of 2000, ss.2-6.

4. Terms of office of the members.— (1) The Chairman and members shall hold office for a term of four years and shall be eligible for re-appointment and shall receive such salary and allowances as the Federal Government may, from time to time determine:¹

¹[Provided that the Member (Private shall hold office in honorary capacity.)]

(2) Every member, except member Ministerial Coordination, ¹[and Member (Private)] shall be a whole time officer of the Board and shall perform such functions as are or may be assigned to him under this Act.

(3) Every member shall, before assuming his office, relinquish or divest himself of any office or interest in any corporation, company or concern other than an industry owned by the Federal Government or sponsored by the Board or Cooperative Society, or a charitable organization:

Provided that the Federal Government may permit a member, ¹[except Member (Private)] to retain any shares in a company purchased by him if the company of which the shares have been acquired does not have any dealings with the Board, and in case of company of which a member holds shares starts dealings with the Board, the member shall immediately declare to the Board the extent of his share in the company.

5. Meetings.— (1) No business of the Board shall be transacted except at a meeting at which a quorum of at least three members is present.

(2) The Chairman and in his absence the senior most member shall preside at the meetings of the Board.

(3) At the meetings of the Board each member shall have one vote and, in the event of equality of votes the Chairman or the member presiding shall have a second or casting vote.

(4) A resolution in writing signed by all the members for the time being in Pakistan shall be as valid and effective as if it has been passed at the meeting of the Board.

6. Functions of the Board.— (1) The principal functions of the Board shall be to manage, ¹[organize or, as the case may be, within the existing financial resources, reorganize any factory] and administer the affairs of the factories included in Heavy Industries and to run them on sound administrative and modern management techniques so as to adequately meet, during war and peace, the needs of the defence of the country and to utilize the surplus capacity of the factories to meet the requirements of the civilian population and the brotherly or friendly countries.

¹ Ins. by ordinance 47 of 2000, ss.6-7.