



THE CONTROL OF EMPLOYMENT ORDINANCE, 1965



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THE CONTROL OF EMPLOYMENT ORDINANCE, 1965

¹ORDINANCE NO. XXXII OF 1965

[18th September, 1965]

An Ordinance to provide for the collection of information relating to employment in industrial undertakings and availability of persons therefor, and for the control and distribution of such employment, and matters connected therewith or incidental thereto.

WHEREAS it is expedient to provide for the collection of information relating to employment in industrial undertakings and availability of persons therefore, and for the control and distribution of such employment, and matters connected therewith or incidental thereto;

AND WHEREAS a Proclamation of Emergency issued under clause (1) of Article 30 of the Constitution is in force ;

AND WHEREAS the President is satisfied that immediate legislation is necessary to meet the emergency;

NOW, THEREFORE, in exercise of the powers conferred by clause (4) of Article 30 of the Constitution, read with clause (2) of Article 131 thereof, and of all other powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :—

1. Short title, extent, application and commencement.—(1) This Ordinance may be called the Control of Employment Ordinance, 1965.

(2) It extends to the whole of Pakistan, and also applies to all citizens of Pakistan, and vehicles, vessels and aircraft registered in or chartered for Pakistan wherever they may be.

(3) It shall come into force at once ²[and shall be deemed to have taken effect on the eighth day of September, 1965].

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

(1) “Board” means a Manpower Board constituted under section 4;

¹ Approved by the National Assembly of Pakistan on 26th November, 1965, see *Gaz. of P., 1965, Ext., pp. 1424–1429.*

This Ordinance has been applied to the Provincially Administered Tribal Areas or the parts or those areas to which it does not already apply, see, Regulation No. I of 1972, s. 2 and Sch.

² Added by the Control of Employment (Second Amdt.) Ordinance, 1965 (55 of 1965), s. 2.

- (2) “essential personnel” has the same meaning as assigned to it in clause (a) of section 2 of the Essential Personnel (Registration) Ordinance, 1948 (X of 1948), as amended from time to time;
- (3) "essential" work means any work relating to the manufacture, production, maintenance or repair of arms, ammunition and equipment or other supplies and any other work which the ¹[Federal Government] or the Provincial Government may, by notification in the official Gazette, declare to be essential work for the purposes of this Ordinance ;
- (4) “industrial undertaking” means,—
- (a) any concern engaged in—
 - (i) the manufacture or production of any article or commodity,
 - (ii) the supply or distribution of light, power, gas or water,
 - (iii) the supply or maintenance of any kind of mechanised transport;
 - (b) any concern engaged in installing equipment or erecting premises or preparing and producing designs for, or testing the products of, any concern referred to in sub-clause (a);
 - (c) any technical training establishment or centre; and
 - (d) any other undertaking which the ¹[Federal Government] or the Provincial Government may, by notification in the official Gazette, declare to be an industrial undertaking for the purposes of this Ordinance ;
- (5) “Manpower Council” means the National Manpower Council set up by the ¹[Federal Government] in the Labour and Social Welfare Division ;
- (6) “prescribed” means prescribed by rules made under this Ordinance; and
- (7) “Tribunal” means a Manpower Tribunal constituted under section 9.

¹Subs. by F.A.O., 1975, Art. 2 and Table, for “Central Government”.

(3) Three members of the Board (including the Chairman) shall constitute a quorum at a meeting of the Board.

(4) The Board may, subject to such conditions, if any, as it may think fit, delegate any of its powers to its Chairman.

5. Functions and powers of the Board.—(1) The functions of the Board shall include collection of information relating to employment in industrial undertakings and availability of persons therefor, and to control and distribution of, and taking measures to make persons available for, such employment :

Provided that the Board shall not ask from any employer any question about the employment of a foreigner except through the Department of Investment Promotion and Supplies.

(2) For the purpose of sub-section (1), the Board may—

- (a) require any person or industrial undertaking to furnish or cause to be furnished, such information and in such manner and form as it may specify;
 - (b) take measures, or cause measures to be taken, by the industrial undertaking or other competent authority, to ensure that the required number of persons are available for employment in such undertaking ;
 - (c) require any person to undertake any essential work he is competent to do ;
 - (d) prohibit any person from accepting any employment or offer of employment ;
 - (e) control or regulate the employment in any industrial undertaking ;
 - (f) regulate the relinquishment of employment by, and the dismissal of, any person employed in any industrial undertaking ;
 - (g) order the release, transfer, interview, training or test of skill of any person employed or to be considered for employment in any industrial undertaking ;
 - (h) prohibit persons employed or engaged in any essential work from leaving the work or absenting themselves from duty or slowing down or otherwise impeding their output ;
 - (i) lay down the terms and conditions of service of persons employed, or to be employed, in any industrial undertaking ;
 - (j) authorize any of its members or officers to enter upon, inspect and search any premises occupied by any industrial undertaking and to ask for and examine any document relating to such undertaking and to enquire any person employed or found therein to furnish any information relating thereto ;
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