



THE PAKISTAN ORDINANCE FACTORIES BOARD ORDINANCE, 1961



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THE PAKISTAN ORDINANCE FACTORIES BOARD ORDINANCE, 1961

ORDINANCE NO. XVII OF 1961

[15th May, 1961]

An Ordinance to provide for the constitution of a Pakistan Ordnance Factories Board and for investing it with certain powers and functions of the Central Government in relation to the ordnance factories.

WHEREAS it is expedient to provide for the constitution of a Pakistan Ordnance Factories Board and for investing it with certain powers and functions of the Central Government in relation to the ordnance factories;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, 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 Pakistan Ordnance Factories Board Ordinance, 1961.

(2) It shall come into force at once.

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

$$1 * \quad * \quad * \quad * \quad * \quad * \quad *$$

(b) “Board” means the Pakistan Ordnance Factories Board constituted under this Ordinance;

(c) “Chairman” means the Chairman of the Board;

[(d) “factory” means an ordnance factory owned by the ²[Federal Government];

(e) “member” means a member of the Board.

3. Constitution of the Board.— (1) As soon as may be after the commencement of this Ordinance, the ²[Federal Government] shall, by notification³ in the official Gazette, constitute, for carrying out the purposes of this Ordinance, a Pakistan Ordnance Factories Board consisting of ⁴[six members] appointed by it.

(2) The ²[Federal Government] shall appoint one of the members to be the Chairman of the Board, one to be the Financial Adviser to the Board ⁵[,] the third to be the Director of the Industrial and Commercial Relations of the Board ⁶[⁴[,] the fourth to be the Member Production Coordination of the Board], ⁴[, the fifth member to be called Member (Private) who shall be appointed from the

¹Cl. (a) omitted by F.A.O., 1975, Art. 2 and Sch.,

²Subs. by F.A.O., 1975, Act 2 and table, for "Central Government".

³For such Notification see, *Gaz of P.*, 1961, *Ext.*, p. 1125.

⁴*Subs. added and ins. by Ord. 58 of 2001, ss. 2 and 3.*

⁵Subs by A.O. 1975 Act 2 and table for "and".

⁶Added *ibid.*.

corporate sector on the recommendation of the Secretary, Defence Production Division, and the sixth member shall be the Member Ministerial Co-ordination to be nominated by the Federal Government.

4. Terms of office of the members.—(1) A member shall hold office for a term of four years unless sooner required to vacate by the ¹[Federal Government] and shall be eligible for re-appointment and shall receive such salary allowances as the ¹[Federal Government] may fix.[:]²

²[Provided that the Member (Private) shall hold office in honorary capacity.]

(2) Every member shall be a whole time officer of the Board and shall perform such functions as are or may be assigned to him by or under this Ordinance.

(3) Every member ²[except Member (Private),] shall, before assuming his office as such, relinquish or divest himself of any office or interest in any corporation, company or concern other than an industry owned by the ¹[Federal Government] or sponsored by the Board.

5. Meetings.—(1) No business of the Board shall be transacted except at a meeting at which a quorum of ³[three members] is present.

(2) The Chairman and in his absence a member nominated by him 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.

6. Functions of the Board.—(1) The principal function of the Board shall be to manage and administer the affairs of the factories and to run them on sound commercial lines so as to adequately meet during war and peace the needs of the defence of the country and to utilise the surplus capacity of the factories to meet the needs of the civilian population.

(2) The Board shall, in discharging its functions, be guided on question of policy involving national interest, including defence requirements during war and peace, by such directions as the ¹[Federal Government], which shall be the sole judge whether or not national interest is involved, may give from time to time.

7. Investment of the Board with certain powers.— Notwithstanding anything contained in any law, regulation, rule, order, notification, agreement or other instrument for the time being applicable to any factory, or any officer or other employee appointed or engaged in, or in connection with, any factory, the Board may, in relation to such factory, officer or employee, exercise the following powers of the ¹[Federal Government] or of any officer authorized for the purpose by the ¹[Federal Government], that is to say,—

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

²Subs. added and ins. by Ord. 58 of 2001, ss. 2 and 3.

³Subs. *ibid.*, s. 3, for “two members”