



THE ASSOCIATED CEMENT (VESTING) ACT, 1974



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THE ASSOCIATED CEMENT (VESTING) ACT, 1974

¹ACT No. VII OF 1975

[13th January, 1975]

An Act to provide for the vesting of the Associated Cement in the State Cement Corporation of Pakistan Limited.

WHEREAS it is expedient to provide for the vesting of the Associated Cement in the State Cement Corporation of Pakistan Limited and for matters connected there with or incidental thereto;

It is hereby enacted as follows:—

1. Short title and Commencement.—(1) This Act may be called the Associated Cement (Vesting) Act, 1974.

(2) It shall come into force at once.

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

- (a) "Associated Cement" means the undertakings known as Associated Cement which immediately before the commencing day vested in the Federal Government, together with all lands, buildings, machinery appliances, fixtures and funds appertaining thereto;
- (b) "commencing day" means the day on which this Act comes into force; and
- (c) "Corporation" means the State Cement Corporation of Pakistan Limited formed and registered under the Companies Act, 1913 (VII of 1913).

3. Vesting of Associated Cement in Corporation. As from the commencing day,—

- (a) the Associated Cement shall vest in the Corporation and all powers which immediately before that day were exercisable by the Federal Government in relation to the Associated Cement shall be exercisable by the Corporation ;
- (b) all rights, properties, assets, liabilities, debts and obligations of the Federal Government relating to the Associated Cement shall be the rights, properties, assets, liabilities, debts and obligations of the Corporation;

¹For Statement of Objects and Reasons, see Gaz. of P., 1974, Ext., Pt.III, p.1357.

- (c) any contract made, or deemed to have been made, on behalf of the President for the purposes of the Associated Cement shall be deemed to have been made on behalf of the Corporation;
- (d) all suits and other legal proceedings in relation to the Associated Cement instituted, or deemed to have been instituted, by or against the Federal Government shall be deemed to be suits and proceedings instituted by or against the Corporation and may be proceeded with accordingly ; and
- (e) all orders and instructions issued by the President or the Federal Government before the commencing day in relation to the Associated Cement shall, to the extent they are not inconsistent with the provisions of this Act, be deemed to be orders and instructions issued by the Corporation.

4. Continuance in service of employees, etc.— (1) Every officer and employee employed for the purposes of the Associated Cement shall, on the commencing day, become an officer or employee, as the case may be, of the Corporation and shall hold office therein on such terms and conditions, which are not less favourable than those to which he was entitled immediately before the commencing day, as the Corporation may determine:

Provided that an officer or employee of the Corporation shall, unless his services are earlier terminated in accordance with the terms and conditions applicable to him, retire from service on the completion of the fifty-eighth year of his age.

(2) Any officer or employee who becomes an officer or employee of the Corporation under sub-section (1) may be transferred—

- (a) by the Corporation, to any company or project set up by it, or
- (b) by the Federal Government, to any other corporation, company or industrial unit controlled by it,

and shall hold office therein on terms and conditions which are not less favourable than those to which he was entitled immediately before such transfer.

(3) Any officer or employee who becomes an officer or employee of the Corporation under sub-section (1), or is transferred under sub-section (2), shall not be entitled to any compensation or to the designation which he was holding immediately before the commencing day or, as the case may be, the date of such transfer, and no claim for such compensation or designation shall be entertained by any court, tribunal or other authority.

(4) If any question arises as to whether any person was, immediately before the commencing day, an officer or employee employed for the purposes of the Associated Cement, the question shall be referred to the Federal Government whose decision shall be final.

5. Administration, etc., of the Associated Cement.— (1) The Corporation shall, subject to the provisions of this Act, be competent to administer, control, operate, manage, reorganise or dispose of the Associated Cement in such manner as it deems fit.