

Punjab Economic Research Institute Ordinance, 1980

10 of 1980

[13 November 1980]

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An Ordinance to provide for the establishment of the Punjab Economic Research Institute as a statutory body Preamble.-
WHEREAS it is expedient to provide for the establishment of the Punjab Economic Research Institute as a statutory body and for matters ancillary thereto; NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (CMLA Order 1 of 1977), the Governor of the Punjab is pleased to make and promulgate the

following Ordinance:--

1. Short Title And Commencement :-

(1) This Ordinance may be called the Punjab Economic Research Institute Ordinance 1980.

(2) It shall come into force at once.

2. Definitions :-

In this Ordinance, unless the context otherwise requires, the following words and expressions shall have the meanings hereby respectively assigned to them,-

(a) "Board" means the Board of the Punjab Economic Research Institute constituted under the Ordinance;

(b) "Chairman" means the Chairman of the Board;

(c) "Director" means Director of the Institute;

(d) "Government" means Government of the Punjab;

(e) "Institute" means the Punjab Economic research Institute established under the Ordinance;

(f) "member" means a member of the Board and includes its Chairman;

(g) "prescribed" means prescribed by rules framed under the Ordinance;

(h) "regulations" means regulations made under the Ordinance; and

(i) "specified" means specified by an order of the Government.

3. Establishment Of The Institute :-

(1) As soon as may be after the promulgation of this Ordinance, Government may, by notification in the official Gazette, establish an institute to be called the Punjab Economic Research Institute.

(2) The Institute shall be a body corporate, having perpetual succession and a common seal with power to acquire, hold and dispose of property, both movable and immovable, and may, by the said name, sue and be sued.

(3) The head office of the Institute shall be at Lahore.

4. Functions Of The Institute :-

(1) The functions of the Institute shall be:-

(i) to conduct and promote research seminars, conferences, demonstrations and experiments in the fields of economics,

- demography and socio-economic problems relating thereto;
- (ii) to provide information and advice regarding modern research techniques and methodology in economics and related social disciplines;
 - (iii) to compile results of such studies and investigations as are carried out by or under the auspices of the Institute and to publish such results in the form of monographs, books or reports together with its recommendations;
 - (iv) to carry out such research in the aforementioned fields for Government, semi-Government organizations and private bodies as may be desired or authorised by Government;
 - (v) to advise and make recommendations to Government, as and when required, with regard to various economic policies;
 - (vi) to provide facilities for training in socio-economic research and demographic analysis to such persons as Government may direct;
 - (vii) to assist and extend co-operation to national and international agencies in the field of economic research and training and to perform such ancillary functions as may be required by Government; and
 - (viii) to undertake such other activities as may be necessary to carry out the aforesaid functions.
- (2) In the performance of its functions, the Institute shall be guided on questions of policy by instructions, if any, given to it by Government who shall be the sole judge as to whether a question is a question of policy.

5. Board :-

- (1) Subject to the provisions of the Ordinance, the administration and management of the Institute shall vest in the Board which may exercise such powers and perform such functions as may be exercised or done by the Institute under the Ordinance.
- (2) The Board shall consist of the following members:-
- (1) Chairman, Planning and Development Board or Additional Chief Secretary, Planning and Development Department, Government of the Punjab, who shall also be the Chairman of the Board;
 - (2) Secretary to Government of the Punjab, Finance Department;
 - (3) Secretary to Government of the Punjab, Agriculture Department;
 - (4) Secretary to Government of the Punjab, Industries Department;
 - (5) Secretary to Government of the Punjab, Education Department;
 - (6) Chief Economist, Planning and Development Department,

Government of the Punjab;

(7) Additional Secretary (Development), Planning and Development Department, Government of the Punjab;

(8) Director of the Institute; and

(9) three non-official members to be nominated by the Government preferably from professional scientists and social economists.

(3) Government may, by notification in the official Gazette, increase, decrease or alter the membership of the Board.

(4) The members other than ex-officio members shall hold office for a period of three years:

Provided that Government may remove any non-official member before the expiry of his term without assigning any reason.

(5) Government may suspend the execution of any resolution or order of the Board which in the opinion of Government, contravenes the provisions of the Ordinance, or the rules or regulations made thereunder or the directions given by Government, and may prohibit the doing of any act which is being done in pursuance of the said resolution or order, or if the act has been accomplished, order its rectification in such manner as may be directed.

6. Meetings Of The Board :-

(1) The meetings of the Board shall be held at such time and place as may be determined by the Chairman of the Board.

(2) The quorum for transacting business at a meeting of the Board shall be four.

(3) All decisions at a meeting of the Board shall be taken by a majority of votes of the members present and in the event of equality of votes, the Chairman shall have a casting vote.

(4) The meetings of the Board shall be presided over by the Chairman and in his absence by a member elected for the purpose from amongst the members present.

(5) The minutes of every meeting of the Board shall be recorded in a book to be maintained for the purpose and shall be signed by the person who presided over the meeting.

(6) No act or proceedings of the Board shall be invalid merely by reason of any vacancy in, or defect in the constitution of the Board.

7. Director :-

(1) There shall be appointed by the Government a Director of the Institute who shall exercise such executive powers and perform

such functions and duties as may be assigned to him by the Board or as may be specified.

(2) The Director shall-

(a) be a whole-time officer of the Institute;

(b) hold office for a term of three years from the day he enters upon his office;

(c) be entitled to receive such salary and allowances as may be specified:

Provided that the Director shall, notwithstanding the expiration of his term, continue to hold office for a further period of three months or till his successor enters upon his office, whichever is earlier.

(3) Nothing contained in sub-section (2) shall preclude Government from re-appointing the Director to hold that office for such further period as may be specified but not exceeding three years at a time.

(4) The Director may, at any time, before the expiry of his term, resign his office by writing under his hand addressed to Government with three months notice or on payment of three months pay in lieu thereof.

8. Secretary :-

(1) There shall be a Secretary of the Institute who shall be its regular employee.

(2) The Secretary shall perform such functions as may be assigned to him by the Board.

9. Committee :-

The Board may constitute such committees as may be deemed necessary for carrying out the purposes of the Ordinance.

10. Advisers, Etc :-

The Board may, from time to time and with the approval of Government, appoint or engage such advisers, experts and consultants as it considers necessary on such terms and conditions as may be prescribed.

11. Fund :-

(1) There shall be a fund of the Institute to be known as Punjab Economic Research Institute Fund.

(2) The fund shall consist of-

- (a) grants made by Government or other authorities or agencies;
 - (b) donations from national and international agencies;
 - (c) proceeds of sale and royalty of the publications of the Institute;
 - (d) research fee earned by the Institute from research undertaken by it for private organizations;
 - (e) balance of the fund of the Society known as Punjab Economic Research Institute which under the provisions of this Ordinance is being dissolved and succeeded by the Institute; and
 - (f) income from other sources.
- (3) The fund shall be maintained and invested in such manner as may be prescribed.
- (4) The fund of the Institute shall be utilized to meet the expenses of the Institute in connection with its functions under the Ordinance.

12. Budget And Accounts :-

- (1) The Institute shall, before the commencement of each financial year, prepare a statement of the estimated receipts and expenditure of the Institute for the next financial year and forward the same to Government for approval.
- (2) The Institute shall maintain such accounts and in such manner as may be prescribed.
- (3) The accounts of the Institute shall be audited annually in such manner and by such authority as may be prescribed.

13. Employees Of The Institute :-

- (1) The Institute may, subject to the approval of Government, employ such officers and other employees as it considers necessary for the efficient performance of its functions under the Ordinance.
- (2) The Institute may provide for the grant of such allowances, leave, pension, gratuity, provident fund and other benefits and facilities as may be prescribed.
- (3) The Institute shall give to the officers and other employees of the Society known as the Punjab Economic Research Institute being dissolved under the provisions of the Ordinance, an option for service under the Institute on such terms and conditions as may be offered to them by the Institute:
- Provided that such terms and conditions shall not be less favourable than those applicable to them as servants of the Society known as the Punjab Economic Research Institute being dissolved under the Ordinance.

14. Delegation Of Powers :-

The Board may, by general or special order and subject to such conditions as may be specified in such order, delegate any of its powers, duties or functions under the Ordinance to the Chairman, Director, members, adviser, officer, expert, consultant or an employee of the Institute or to a committee constituted under the Ordinance.

15. Winding Up Of The Society :-

(1) Notwithstanding the provisions contained in the Societies Registration Act, 1860 (XXI of 1860) or in the Memorandum and Articles of Association of the Punjab Economic Research Institute, a Society registered under the said Act, Government may, by notification in the official Gazette, order the dissolution of the said Society with effect from such date as may be mentioned in the notification.

(2) On the dissolution of the Society referred to in sub-section (1)-

(a) all properties, funds and other assets of the Society shall vest in the Institute;

(b) all publications and other research material prepared or collected by the Society shall be deemed to have been issued, prepared and published by the Institute;

(c) all debts, liabilities, contracts entered into, matters or things done or to be done by or for, all suits and other proceedings by or against the said Society shall be deemed to be the debts, liabilities and obligations incurred, contracts entered into, matters or things done or to be done by or for, and suits and other proceedings by or against the Institute.

16. Winding Up Of The Institute :-

(1) No provision of any law relating to winding up of companies shall apply to the Institute.

(2) When, in the opinion of Government, it is expedient that the Institute shall cease to exist, Government may, by notification in the official Gazette, declare that the Institute shall be dissolved from such date as may be mentioned in the notification and the Institute shall be deemed to have been dissolved accordingly and from such date-

(a) all properties, funds and dues which are vested in or realizable by the Institute shall vest in and be realizable by an administrator

or any other officer appointed by Government in this behalf;

(b) all liabilities which are enforceable against the Institute shall be enforceable only against the administrator or the other officer appointed by Government in this behalf;

(c) the administrator or the other officer appointed by Government shall keep separate accounts of all moneys respectively received and expended by him under the Ordinance until all liabilities referred to in clause (b) have been duly discharged; and

(d) the administrator or the other officer appointed by Government in this behalf shall have power to dispose of the properties, assets and rights of the Institute in such manner as Government may direct from time to time.

(3) Any properties and assets left over after all the liabilities of the Institute have been discharged shall vest in Government and all liabilities left undischarged after all the properties and assets of the Institute have been disposed of shall become the liabilities of Government.

(4) The administrator or the other officer appointed by Government in this behalf may delegate any of his powers under this section to an officer of Government or to an officer of the Institute to such extent and on such terms and conditions as may be approved by Government.

17. Officers And Employees Of The Institute To Be Public Servants :-

The Director, officers and other employees of the Institute shall be deemed to be public servants within the meanings of section 21 of the Pakistan Penal Code (XLV of 1860).

18. Government Not Bound By The Opinion Of The Institute :-

Government shall not be bound or held responsible for any opinion expressed or any conclusion reached by the authors of the publications issued or published by or under the authority of the Institute.

19. Annual Report :-

The Institute shall submit annual report of its activities to Government at the end of each financial year and circulate a quarterly report of its activities to all members of the Institute in

the manner prescribed.

20. Power To Make Rules :-

(1) Government may make rules for carrying out the purposes of the Ordinance.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for-

(a) the manner and form of keeping the accounts of the institute;

(b) the qualifications and procedure to be followed for appointment or recruitment of advisers, consultants, experts, officers and other employees of the Institute;

(c) the terms and conditions of employment or service of the advisers, consultants, experts, officers and other employees of the Institute;

(d) the date on which and the form in which the annual budget statement of the Institute shall be submitted to Government each year;

(e) the procedure for appropriation and reappropriation of moneys at the disposal of the Institute;

(f) the form and manner in which the accounts of receipts and expenditure of the Institute shall be kept;

(g) the manner in, and the authority, by, which accounts of the Institute shall be audited;

(h) the manner in which audit reports shall be submitted to Government by the Institute;

(i) the manner and form in which and the authority to whom returns, reports, or statements shall be submitted;

(j) the establishment, composition, powers and duties of various committees which may be established under the Ordinance; and

(k) such other matters relating to the administration and other affairs of the Institute as Government may think fit to be prescribed by rules.

21. Power To Make Regulations :-

The Institute may, with the previous approval of Government, make regulations for matters not provided for in the rules for which provision is necessary or expedient for carrying out the purposes of the Ordinance.