



# THE PAKISTAN SPACE AND UPPER ATMOSPHERE RESEARCH COMMISSION ORDINANCE, 1981



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# THE PAKISTAN SPACE AND UPPER ATMOSPHERE RESEARCH COMMISSION ORDINANCE, 1981.

ORDINANCE NO. XX OF 1981

[21<sup>st</sup> May, 1981]

*An Ordinance to provide for the establishment of a Space Research Council and the Pakistan Space and Upper Atmosphere Research Commission.*

WHEREAS it is expedient to provide for the establishment of a Space Research Council and the Pakistan Space and Upper Atmosphere Research Commission for the promotion of peaceful uses and applications of space and for matters connected therewith or ancillary thereto;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (C. M. L. A. Order No. 1 of 1977) and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :—

## CHAPTER I PRELIMINARY

**1. Short title, and commencement.** — (1) This Ordinance may be called the Pakistan Space and Upper Atmosphere Research Commission Ordinance, 1981.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

<sup>1</sup>**2. Definitions.**—In this Ordinance, unless there is anything repugnant in the subject or context,—

- (a) “Chairman” means the Chairman of the Commission;
- (b) “CJCSC” means the Chairman Joints Chiefs of Staff Committee;
- (c) “Commission” means the Pakistan Space and Upper Atmosphere Research Commission (SUPARCO);
- (d) “DCC” means the Development Control Committee of NCA;
- (e) “NCA” means the National Command Authority;
- (f) “prescribed” means prescribed by rules made under this Ordinance;
- (g) “Secretary” means the Secretary of the Commission; and
- (h) “SPD” means Strategic Plans Division, Joint Staff Headquarters.]

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<sup>1</sup>Subs by the Pakistan space and upper Atmosphere Research Commission (Amdt.) Ordinance, 2002 (CXXVII of 2002) s.2.

## CHAPTER II

### CONSTITUTION OF SUPARCO

<sup>1</sup> [(3)*	*	*	*	*	*	*
<sup>1</sup> [(4)*	*	*	*	*	*	*
<sup>1</sup> [(5)*	*	*	*	*	*	*
<sup>1</sup> [(6)*	*	*	*	*	*	*

**7. Establishment etc., of the Commission.**—<sup>2</sup>[(1) The Federal Government shall establish, in accordance with the provisions of this Ordinance, a Commission to be called the Pakistan Space and Upper Atmosphere Research Commission.]

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

<sup>2</sup>[(3) Every employment under the Commission shall, for the purpose of the Pakistan Essential Services (Maintenance) Act, 1952 (LIII of 1952), be deemed to be employment under the Federal Government and the said Act shall have effect accordingly.]

<sup>2</sup>[(4) The Federal Government shall exercise control over the Commission through DCC of NCA, SPD being the secretariat of NCA shall coordinate tasking and exercise financial and administrative control over the Commission.]

**<sup>2</sup>[8. Composition of the Commission.**—(1) The Commission shall consist of the following members, namely:—

- (a) Chairman;
- (b) Member, Space Technology;
- (c) Member, Space Electronics;
- (d) Member, Space Research;
- (e) Member, Range; and
- (f) Member, Finance.

(2) The Chairman of the Commission shall be appointed by the President on the recommendation of the CJCSC.

(3) The President may, on recommendation of the CJCSC, increase or decrease the number of members of the Commission.

(4) The members of the Commission shall be appointed by the President on the recommendation of the CJCSC.]

**9. Functions of the Commission.** The functions of the Commission shall be:—

- <sup>2</sup>[(a) to advance research and development in space science and allied fields and to enhance indigenous capabilities in space technology and to promote the peaceful applications of space science and technology for the socio-economic development of the country;]

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<sup>1</sup>Omitted by Ord. (CXXVII of 02), ss. 3 to 6.

<sup>2</sup>Subs. by Ord. (CXXVII of 02), ss. 7 to 9.

- (b) to undertake such special surveys, investigations and other specialised works as may be assigned by the <sup>1</sup>[DCC];
- (c) to prepare and submit to the <sup>1</sup>[DCC] its quarterly progress reports;
- (d) to prepare and submit to the <sup>1</sup>[DCC] its annual budget for approval; and
- <sup>1</sup>[(e) to do all acts and things including research and development projects in space science and technology for the execution of policies laid down by the DCC.]

**10. Meetings of the Commission.**—(1) Save as hereinafter provided, the Commission shall regulate its own procedure for its meetings.

(2) The annual report and the accounts of the Commission for each financial year shall be submitted by the Secretary at a meeting of the Commission to be held within six months of the close of that year for adoption.

(3) To constitute a quorum at a meeting of the Commission, not less than three members, including the Chairman, shall be present.

(4) All meetings of the Commission shall be presided over by the Chairman and, in the absence of the Chairman, by a member of the Commission authorised in writing by the Chairman and, in the absence of such authorization or of the member so authorised, by a member elected for the purpose by the members present.

(5) All questions at a meeting of the Commission shall be decided by a majority vote and in case of equality of votes the person presiding shall have a second or casting vote:

Provided that, in the event of a difference of opinion between the Finance Member and a majority of the other members of the Commission in any matter having financial implications, the matter shall, if the Finance Member so desires, be referred to the <sup>1</sup>[DCC] for a decision.

(6) Any urgent business of the Commission may be transacted by circulation among all its members, and any proposal so circulated and approved by a majority of the members shall be as effective and binding as if such proposal had been passed at a regular meeting of the Commission.

**11. Powers of the Chairman.**—(1) The Chairman shall be the Chief Executive Officer of the Commission and shall, subject to such directions as the <sup>1</sup>[DCC] may give from time to time, exercise all such powers as are necessary to direct and control the affairs of the Commission in accordance with this Ordinance.

(2) The Chairman may, subject to rules and regulations made under this Ordinance, appoint, employ on contract or on a part time basis or otherwise such officers, consultants, advisers and other staff as are considered necessary for the efficient working of the Commission.

(3) The Chairman may delegate all or any of his powers to any member or officer of the Commission.

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<sup>1</sup>Subs. by Ord. No. (CXXVII of 02), ss. 9 to 11.

### CHAPTER III

#### FUNDS OF THE COMMISSION

**12. Funds of the Commission.**—(1) The funds of the Commission shall consist of—

- (i) grants-in-aid from the Federal Government and Provincial Governments;
- (ii) donations and endowments of money approved by the Federal Government;
- (iii) income from investments and royalties; and
- (iv) receipts from such other sources as may be approved by the Commission.

(2) The Commission may open its account with any scheduled Bank of Pakistan <sup>1</sup>[as per the prescribed procedures].

<sup>1</sup>**[13. Budget, audit and accounts.**— (1) The Commission shall prepare and submit its annual budget to the DCC showing the estimated receipts and expenditure and the sums likely to be required from the Federal Government during the next financial year before the end of March every year.

(2) The accounts of the Commission shall be maintained and presented for audit to the DCC in such form and manner as may be prescribed by the Federal Government.]

### CHAPTER IV

#### MISCELLANEOUS

**14. International Co-operation.** The Commission may, subject to the prior approval of the Federal Government, co-operate with any international organization for furthering peaceful uses of space and applications of space sciences and technology pursuant to the terms and conditions of any programme or agreement for co-operation to which such organization is a party or pursuant to any other international agreement made before or after the commencement of this Ordinance.

**15. Discoveries and Inventions.** All rights relating to discoveries and inventions and any improvement in materials, methods, processes, apparatus or equipment made by any officer or employee of the Commission in the course of his employment shall vest in the Commission.

**16. Declaration of fidelity.** Every member, adviser, officer or other employee of the Commission shall make such declaration of fidelity and secrecy as may be prescribed.

**17. Submission of reports, etc.** The Commission shall submit to the Federal Government at such intervals as the Federal Government may specify—

- (a) such periodical reports and summaries as may be required by the Federal Government; and
- (b) such information and comments as may be asked for by the Federal Government on any specific point.

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<sup>1</sup>Ins. and subs. by Ord. No. (CXXVII of 2002), ss. 12-13.

**18. Continuance of certain rules.** All rules, regulations, orders and instructions of the <sup>1</sup>[Commission] in force immediately before the commencement of this Ordinance shall, *mutatis mudandis* and so far as they are not inconsistent with any of the provisions of this Ordinance, continue in force until repealed or altered by rules or regulations made under this Ordinance.

**19. Ordinance XXIII of 1969 not to apply to Commission.** Nothing contained in the Industrial Relations Ordinance, 1969 (XXIII of 1969), shall apply to or in relation to the Commission or any of the officers and employees of the Commission.

**20. Winding up of the Commission.** No provision of law relating to the winding up of bodies corporate shall apply to the Commission and the Commission shall not be wound up except by order of the Federal Government and in such manner as the Federal Government may direct.

<sup>1</sup>[(21)\* \* \* \* \* \*]

<sup>1</sup>[(22)\* \* \* \* \* \*]

**23. Power to make rules.** The Federal Government may, by notification in the official Gazette, make rules <sup>1</sup>[, not inconsistent with the provisions of this Ordinance,] for carrying out the purposes of this Ordinance.

**24. Power to make regulations.** The Commission may, with the previous approval of the <sup>2</sup>[DCC] make such regulations not inconsistent with the provisions of this Ordinance and the rules made thereunder as it may consider necessary or expedient for the administration and management of the affairs of the Commission.

**25. Removal of difficulties.** If any difficulty arises in giving effect to any of the provisions of this Ordinance, the Federal Government may make such order, not inconsistent with the provisions of this Ordinance, as may appear to it to be necessary for the purpose of removing the difficulty.

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<sup>1</sup>Subs. omitted. Ins by ord. (CXXVII of 02), ss. 14-17.

<sup>2</sup>Subs. by Ord. No. (CXXVII of 2002), s. 18.