

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

BILL

to provide for establishment of the Pakistan Council of Renewable Energy Technologies

WHEREAS it is expedient to provide for establishment of a council for research and development, acquisition, promotion, propagation and dissemination of renewable energy technologies and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows: —

1. **Short title, extent and commencement.**— (1) This Act may be called the Pakistan Council of Renewable Energy Technologies Act, 2018.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

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

(a) “**Board**” means the Board of Governors of the Council;

(b) “**Chairman**” means the Chairman of the Board;

(c) “**Council**” means the Pakistan Council of Renewable Energy Technologies;

(d) “**Director-General**” means the Director General of the Council;

(e) “**executive committee**” means the executive committee of the Board;

(f) “**member**” means a member of the Board;

(g) “**prescribed**” means prescribed by rules or regulations made under this Act;

(h) “**regulations**” means regulations made under this Act;

(i) “**renewable energy**” includes photovoltaic, biogas or biomass, mini or micro hydel, wind and other alternative and renewable energy;

(j) “**rules**” means rules made under this Act;

(k) “**technical advisory committee**” means the technical advisory committee of the Council; and

(l) “**Vice-Chairman**” means the Vice-Chairman of the Board.

3. Establishment of the Council.— (1) On commencement of this Act, the Pakistan Council of Renewable Energy Technologies stands established in accordance with the provisions of this Act.

(2) The Council shall be a body corporate, having perpetual succession and a common seal with powers, subject to the provisions of this Act, to acquire and hold property and shall by the said name sue and be sued through its Director General.

(3) The head quarter of the Council shall be at Islamabad.

4. Functions of the Council. — The Council shall—

- (a) acquire, develop and disseminate techniques and processes for promotion and propagation of photovoltaic, solar, thermal, hydrogen, biogas or biomass, mini or micro hydel, wind and other alternate and renewable energy techniques;
- (b) establish facilities and expertise for developing suitable technologies to produce materials, devices and appliances in the fields of alternate and renewable energy sources;
- (c) organize, coordinate, promote and execute research and development in the fields of alternative, new and renewable energy technologies;
- (d) create training and educational facilities to meet the requirements of expanding indigenous renewable energy technologies;
- (e) arrange conferences, workshops, demonstrations, motivation, dissemination, training and extension for wide adoption of renewable energy technologies including establishing data base on related activities;
- (f) establish liaison with other related national and international organizations and promote cooperation in the related technical fields;
- (g) advise and assist the Federal Government and relevant industries in establishment of facilities for industrial level production in renewable energy technologies;
- (h) collect, disseminate, arrange utilization of information and research processes and results;
- (i) accept fees, donations, endowments and gifts for further achieving objectives of the Council;
- (j) determine economic and technical feasibility of related technologies and undertake pilot plant investigations and field trials;
- (k) establish technical advisory service cells for all types of renewable energy technologies;

- (l) undertake contract and collaborative research projects with public and private sectors;
- (m) undertake any further activities to promote generally aims and objectives of the Council; and
- (n) undertake testing of renewable energy related products.

5. Management of the Council.- The management of the Council shall consist of the-

- (a) Board;
- (b) Executive Committee; and
- (c) Director-General.

6. Board of Governors.— (1) The general control and superintendence of affairs of the Council shall vest in the Board.

(2) The Board shall consists of the following, namely:-

- | | |
|---|-----------------------|
| (a) Minister for Science and Technology. | <i>Chairman</i> |
| (b) Secretary, Science and Technology Division. | <i>Vice- Chairman</i> |
| (c) Secretary, Ministry of Finance or his representative not below the rank of Joint Secretary. | <i>Member</i> |
| (d) Secretary, Ministry of Water and Power or his representative not below the rank of Joint Secretary. | <i>Member</i> |
| (e) a representative of Alternative Energy Development Board. | <i>Member</i> |
| (f) two representative of academia to be nominated by the Federal Government. | <i>Members</i> |
| (g) Director-General, Pakistan Environmental Protection Agency. | <i>Member</i> |
| (h) a representative of the Federation of Pakistan Chambers of Commerce and Industry. | <i>Member</i> |
| (i) Director-General. | <i>Member</i> |

(3) The Director-General shall act as Secretary of the Board.

7. Functions and powers of the Board.— The Board shall-

- (a) formulate overall policies, plans and programmes of the Council;

- (b) make annual and long term plans of the Council;
- (c) examine and approve feasible research projects, proposed by the technical advisory committee;
- (d) approve after examining feasibility of the annual development and non-development budget of the Council;
- (e) subject to feasibility create, abolish or re-designate any post or engage consultants or experts from time to time on such pay or remuneration, other allowances and terms and conditions as it may deem necessary for efficient performance of functions of the Council;
- (f) recommend to the Federal Government to terminate contract of the Director General before expiry of his term in case of unsatisfactory performance; and
- (g) when required, make regulations for carrying out the activities considered necessary for achieving efficient functioning of the Council under this Act.

8. Term of office of members.— (1) Save as hereinafter provided, a member, other than an *ex-officio* member, shall hold office for a term of three years from the date of his appointment.

(2) A member, other than an *ex-officio* member, may resign his office by writing under his hand addressed to the Federal Government.

(3) No act or proceeding of the Board shall be invalid, merely on the ground of existence of a vacancy in, or defect in constitution of, the Board.

9. Meetings of the Board.— (1) Save as hereinafter provided, the Board shall regulate the procedure for its meetings.

(2) Meetings of the Board shall be called by its Chairman on such date and at such time and place, as he may deem fit:

Provided that not less than two meetings shall be held in a year.

(3) One-half members of the Board shall constitute quorum for a meeting of the Board.

(4) Each meeting of the Board shall be presided over by the Chairman and, in his absence, by the Vice-Chairman.

10. Executive committee.— (1) The executive committee shall assist the Chairman in running day to day functions of the Council and be responsible for administrative as well as financial matters of the Council. The committee shall comprise the following members, namely:—

- (a) Director-General;
- (b) two most senior scientific or technical

Convener

- | | | |
|-----|--|----------------|
| | officers of the Council; | <i>Members</i> |
| (c) | a representative not below the rank of Joint Secretary, of the Division to which business of the Council stands allocated; and | <i>Member</i> |
| (d) | a representative of Finance Division not below the rank of Joint Secretary. | <i>Member</i> |

(2) The executive committee shall take decisions of urgent nature and all decisions of the committee shall be reported to the Board for notification.

11. Director-General of the Council.— The Director-General shall be appointed by the Federal Government on such terms and conditions as may be prescribed.

12. Powers and functions of the Director-General.— The Director-General shall be chief executive officer of the Council, who—

- (a) may subject to clause (e) of section 7, appoint such officers and employees as may be necessary for efficient performance of functions of the Council on such terms and conditions as may be prescribed;
- (b) may, from time to time, for the purpose of ensuring efficient functioning of the Council and to facilitate its day to day functions, delegate to any officers of the Council, such of his functions, powers or duties as he may consider necessary;
- (c) shall formulate business and research plans and submit to the Board for approval;
- (d) shall ensure protection of all assets of the Council including intellectual property assets;
- (e) shall promote commercialization of research and development work of the Council linking it with the market demand;
- (f) shall arrange for annual performance evaluation of the Council;
- (g) shall prepare annual report of the Council for submission to the Federal Government which shall place it before the Parliament;
- (h) shall, for efficient performance of the Council, identify areas of strength and weakness and formulate remedial programmes; and
- (i) shall commission industry specific studies, to identify technical problems and to approve plans for technical or scientific input by the Council towards solution thereof.

13. Technical advisory committee.— (1) There shall be a technical advisory committee of the Council comprising—

- | | | |
|-----|---|--------------------|
| (a) | Director-General. | <i>Chairperson</i> |
| (b) | two members of the Board to be nominated by the Board. | <i>Members</i> |
| (c) | two experts from academia to be nominated by the Board. | <i>Members</i> |

- (d) Deputy Director-General of the Council. *Member*
- (e) two experts from manufacturers of machinery and Equipment in the field of renewable energy technologies to be nominated by the Board. *Members*
- (f) representatives of Provincial Governments from energy sector, one from each Province; and *Members*
- (g) one most senior scientific or technical officer of the Council. *Member*

(2) The technical advisory committee shall—

- (a) identify and prepare research programmes relevant to the market demand;
- (b) propose annual, five years and ten years development programmes of the Council;
- (c) advise and report on any technical matters referred to it by the Board; and
- (d) conduct performance evaluation of research programme for consideration by the Board.

14. Funds of the Council.— The Funds of the Council shall consist of—

- (a) grants from the Government;
- (b) donations and endowments;
- (c) funds generated through sale proceeds, technical services and income from patents; and
- (d) research grants.

15. Appointment of officers and staff, etc.— All appointments in the Council shall be made in such manner as may be prescribed.

16. Budget and accounts.— (1) The Director-General shall, in respect of each financial year, submit for approval of the Board, a statement showing all expenditures incurred during the year alongwith estimated receipts and expenditures for the next financial year.

(2) The Council shall, by such date and in such form as may be prescribed, submit to the Federal Government for approval of its budget for each financial year, showing the estimated receipts and expenditure and the sums which are likely to be required from the Federal Government during the financial year.

(3) The accounts of the Council shall be maintained by the Director-General of the Council and audited by the Auditor-General of Pakistan.

17. Delegation of powers.— The Board may delegate all or any of its powers to any functionary of the Council and by general or special order in writing direct that such of its

powers shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercised by the Chairman, executive committee or a member or officer of the Council.

18. Submission of reports, etc.— The Council shall submit to the Federal Government at such time and at such intervals as the Federal Government may specify,—

- (a) annual report on working of the Council;
- (b) such periodical reports, summaries and copies of documents as may be required by the Federal Government;
- (c) such periodical returns, accounts, statements and statistics as may be required by the Federal Government;
- (d) information and comments asked for by the Federal Government on any specific point; and
- (e) original documents required by the Federal Government for examination or any other purpose.

19. Directives and orders from the Federal Government.— The Federal Government may, from time to time, issue to the Council such directives and orders as it may consider necessary for carrying out the purpose of this Act and the Council shall follow and carry out such directives and orders.

20. Declaration of fidelity and secrecy.— Every member, adviser, officer or other employee of the Council shall make such declaration of fidelity and secrecy as may be prescribed.

21. Continuance of certain rules etc.— All rules, regulations and bye-laws made by the council formed under the repealed Resolution and in force immediately before commencement of this Act shall *mutatis mutandis*, and so far as they are not inconsistent with any of the provisions of this Act, continue in force until repealed or altered by rules or regulations made under this Act.

22. Powers to make rules. — The Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

23. Power to make regulations. — The Council may, with approval of the Board, make regulations not inconsistent with the provisions of this Act and the rules made there under, which are considered necessary for achievement of its aims and objectives and for performance of its functions.

24. Repeal.— Resolution of the Federal Government notified *vide* its Notification No. 1(1)/97-CDOAM, dated the 4th August, 1998, called as the repealed Resolution, is hereby repealed.

25. Savings.— Upon commencement of this Act, the council formed by the Federal Government under the repealed Resolution shall stand dissolved and upon such dissolution—

- (a) all assets, rights, powers, authorities, privileges and property, movable and immovable, cash and bank balance, reserve funds, investments and all other interests and rights in, or arising out of such property and all debts, liabilities and obligations of whatever kind of the dissolved council subsisting immediately before its dissolution shall stand transferred to and vest in the Council;
- (b) all employees of the dissolved council shall, notwithstanding anything contained in this Act, either stand transferred to the Council or remain civil servants under the Civil Servants Act, 1973(LXXI of 1973) on exercising one-time irrevocable option which may be exercised within ninety days of the commencement of this Act, provided that where any person, does not exercise this option within the said period, he shall be deemed to have become employee of the Council;
- (c) all debts and obligations incurred or contracts entered into or rights acquired and all matters and things engaged to be done by, with or for the dissolved council before its dissolution, shall be deemed to have been incurred, entered into, acquired or engaged to be done by, with or for the Council;
- (d) all suits and other legal proceedings instituted by or against the dissolved council before its dissolution shall be deemed to be suits and proceedings by or against the Council and may be proceeded or otherwise dealt with accordingly;
- (e) all actions done by the dissolved council before commencement of this Act and not inconsistent with any provision of this Act shall be deemed to have been done under this Act;
- (f) the Federal Government shall pay to the Council capitalized value of pension and gratuity in respect of employees, transferred to the Council under clause (b) to which they have become entitled to or have been earned by them or have accumulated till their transfer to the Council;
- (g) all the employees of the dissolved council who opt to remain civil servants under clause (b) shall be entitled to all the privileges and facilities of the Federal Government such as pension, gratuity, housing, health, etc; and
- (h) an employee of the Council, whose services are so transferred, shall not be entitled to any compensation because of such transfer.

26. Removal of difficulties.— If any difficulty arises in giving effect to any provision of this Act, the Federal Government may make such order not inconsistent with the provisions of this Act, as it may appear necessary or expedient for the purpose of removing the difficulty:

Provided that this power shall not be exercised after expiry of two years from commencement of this Act.

(11)

**STATEMENT OF OBJECTS AND REASONS FOR THE ESTABLISHMENT OF
PAKISTAN COUNCIL OF RENEWABLE ENERGY TECHNOLOGIES (PCRET)**

Nature has gifted Pakistan with enormous renewable and environment friendly energy resources such as solar, biomass, biogas, microhydel, wind and geothermal, etc. These resources can positively support progress through tangible R & D efforts, designated to develop & promote technologies for sustainability, consistent with our socio-economic conditions.

Further, the world sources of fossil fuels are not only limited, these are fast depleting. Indiscriminate use of fossil fuels has environmental dimensions as well. A shift to renewable energy sources has therefore become imperative.

A substantial investment in the research of renewable energies, for optimum utilization of domestic resources, would also tend to improve the current energy mix in its favour of eventual self-sufficiency.

The establishment of Pakistan Council of Renewable Energy Technologies, as a statutory organization, is intended to move towards the achievement of the above objectives, through a coordinated research effort.

Rana Tanveer Hussain
Minister for Science & Technology