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PROVINCIAL ASSEMBLY OF THE PUNJAB

REPORT OF THE STANDING COMMITTEE ON PRICE CONTROL AND COMMODITIES MANAGEMENT REGARDING "THE PUNJAB SAHULAT BAZAARS AUTHORITY BILL 2025 (BILL NO. 22 OF 2025)"

The subject Bill was referred to the Committee on 17.02.2025 and the same was considered by the Committee in its meeting held on 28.02.2025.

2. The following attended:

1. Mr Muhammad Awais, MPA (PP-140)	Chairperson
2. Ms Zaib un Nisa Awan, MPA (W-328)	Member
3. Rao Kashif Raheem Khan, MPA (PP-105)	Member
4. Mr Muhammad Aoun Jahangir, MPA (PP-39)	Member
5. Mr Ali Ahmad Khan Leghari, MPA (PP-290)	Member
6. Raja Muhammad Aslam Khan, MPA (PP-27)	Member
7. Mr Junaid Afzal Sahi, MPA (PP-98)	Co-opted Member

3. Mr Muhammad Ajmal Bhatti, Secretary to Government of the Punjab, Price Control and Commodities Management Department and Mr Shan-ul-Haq, Special Secretary, Law & Parliamentary Affairs Department, represented their respective departments. Mr Khalid Mahmood, Acting Secretary General, Provincial Assembly of the Punjab, functioned as Secretary to the Committee.

4. On invitation by the Chair, the Administrative Secretary submitted that the Government of the Punjab intended to replace the Punjab Model Bazaars Management Company with the Punjab Sahulat Bazaars Authority for whole of the Province aiming at more efficient performance in providing essential commodities to the people at controlled rates. The existing assets and employees of the Punjab Model Bazaars Management Company would stand transferred to the Authority under the proposed Act. Concluding his remarks, he requested the Committee to recommend the Bill for passage by the Assembly, as introduced.

5. The Committee, after listening to the Members, having viewpoints of the Administrative Department and the Law & Parliamentary Affairs Department as well as considering the Bill clause by clause, recommended by the majority vote, that the Bill be passed by the Assembly, subject to the following amendments:

AMENDMENTS IN THE BILL

Clause 4

In clause 4, in sub-clause (1):

- in paragraph (b) for the expression, "Industry, Commerce, Investment and Skills Development Department", the expression " Industries, Commerce and Investment Department" be substituted;
- in paragraph (f), after the word law, the expression, "having ten years' experience in the relevant field" be inserted; and
- in paragraph (g), for the word "two", the word "three" be substituted and after the word "Member", the expression " and one Member from the opposition" be inserted.

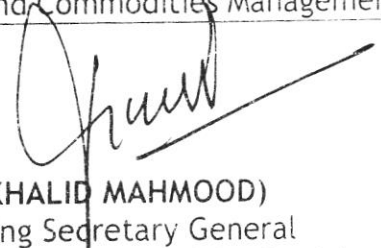
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6. A copy of the Bill, as introduced in the Assembly, is given at Annexure A and as recommended by the Standing Committee on Price Control and Commodities Management is given at Annexure B.

Lahore:
February 28, 2025

(MUHAMMAD AWAIS)
Chairperson
Standing Committee on
Price Control and Commodities Management

Lahore:
February 28, 2025



(KHALID MAHMOOD)
Acting Secretary General
Provincial Assembly of the Punjab

(Bill as Introduced in the Assembly)

PROVINCIAL ASSEMBLY OF THE PUNJAB

Bill No. 22 of 2025

THE PUNJAB SAHULAT BAZAARS AUTHORITY BILL 2025

A

Bill

to establish the Punjab Sahulat Bazaars Authority.

It is necessary to establish Punjab Sahulat Bazaars Authority for launching, constructing, monitoring, regulating and maintaining Sahulat Bazaars in the Punjab and supplying essential commodities to the general public on notified rates and creating business opportunities for entrepreneurs and for all the matters ancillary thereto and connected therewith.

Be it enacted by Provincial Assembly of the Punjab as follows:

1. Short title, extent and commencement.— (1) This Act may be cited as the Punjab Sahulat Bazaars Authority Act 2025.

(2) It extends to whole of the Punjab.

(3) It shall come into force at once.

2. Definitions.— In the Act:

- (a) "Act" means the Punjab Sahulat Bazaars Authority Act 2025;
- (b) "allied facilities" mean a facility provided in a Sahulat Bazaar other than stalls;
- (c) "Authority" means Punjab Sahulat Bazaars Authority established under the Act;
- (d) "business plan" means a business plan of each bazaar established under the Act;
- (e) "Chairperson" means the Chairperson of the Authority;
- (f) "Director General" means the Director General of the Authority;
- (g) "Fund" means the Punjab Sahulat Bazaars Authority Fund established under the Act;
- (h) "Government" means Government of the Punjab;
- (i) "Member" means a Member of the Authority;
- (j) "PMBMC" means the Punjab Model Bazaars Management Company;
- (k) "prescribed" means prescribed by the rules or regulations made or framed under the Act;
- (l) "regulations" means the regulations framed under the Act;
- (m) "rules" means the rules made under the Act;
- (n) "Sahulat Bazaar" means a Bazaar established under the Act; and
- (o) "stall holder" means a stall holder doing business in a Sahulat Bazaar, and includes a temporary stall holder or any other person doing business in a Sahulat Bazaar or using a stall or space provided by the Authority for his business in a Sahulat Bazaar for a specified period in accordance with agreement with the Authority.

3. Establishment of the Authority.— (1) The Government shall, by notification in the official Gazette, establish an Authority to be known as the Punjab Sahulat Bazaars Authority for carrying out the purposes of the Act.

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

(3) The Authority shall not dispose of an immovable property without prior approval of the Government.

(4) The head office of the Authority shall be at Lahore and the Authority may establish its sub-offices, on need basis, anywhere in the Punjab.

4. Composition of the Authority.— (1) The Authority shall consist of the following:

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|-----|--|------------------|
| (a) | a person to be appointed by the Chief Minister. | Chairperson |
| (b) | Secretary to the Government, Industry, Commerce, Investment and Skills Development Department or his nominee not below rank of Additional Secretary. | Member |
| (c) | Secretary to the Government, Finance Department, or his nominee not below the rank of Additional Secretary. | Member |
| (d) | Secretary to the Government, Planning and Development Board or his nominee not below the rank of Additional Secretary. | Member |
| (e) | Secretary to the Government, Price Control and Commodities Management Department or his nominee not below the rank of Additional Secretary. | Member |
| (f) | four technical experts, including at least one woman, from the field of farming, agricultural marketing, food industry, corporate or law. | Members |
| (g) | two Members of Provincial Assembly of the Punjab, including at least one female Member, to be nominated by the Chief Minister. | Members |
| (h) | Director General of the Authority. | Member/Secretary |

(2) The Members at clause (f) of sub-section (1) shall be appointed by the Chief Minister and they shall hold office during pleasure of the Chief Minister.

(3) In case, the post of Chairperson is vacant due to any reason, the Chairperson shall be appointed within sixty days of such vacancy.

(4) In case, a Member at clause (f) of sub-section (1) resigns or such post is vacant due to any reason, Chief Minister shall fill such vacancy by appointing another person for remaining period of the tenure of the Member whose post has become vacant.

(5) In case, a Member at clause (g), resigns by submitting his resignation to the Chief Minister his resignation shall not take effect until it is accepted by the Chief Minister.

5. Powers and functions of the Authority.— The Authority shall, in such manner as may be prescribed by the regulations, have powers and functions to:

- plan, promote, organize, re-organize and implement programs for construction, development, operation and upgradation of existing Sahulat Bazaars, and, for establishment of new Sahulat Bazaars;
- approve business plan of the respective Sahulat Bazaars;
- repair, rehabilitate, provide security to and maintain the infrastructure of Sahulat Bazaars and the allied facilities;
- plan to utilize the land of the Authority for revenue generation and creation of business opportunities;

- (e) establish and maintain an effective system for monitoring, supervision and control of functions of the Authority;
- (f) provide platform to farmers, producers and stall holders to sell their products to end users or to any other person running business in a Sahulat Bazaar;
- (g) levy fee, rent or charge for providing the space for stalls, security, and allied facilities in the Sahulat Bazaars;
- (h) establish Sahulat Bazaars at suitable places in a district, and to designate any place or existing facility as a Sahulat Bazaar;
- (i) enter into contracts, agreements, and memorandum of understanding with Governmental and non-Governmental Organizations, public or private institutions, persons, authorities, associations, societies and corporations to carry out the purposes of the Act;
- (j) seek assistance from any department, agency, organization or body of the Government for carrying out the purposes of the Act;
- (k) consider and approve annual and revised budget estimates and to re-appropriate funds from one major head of expenditure to another and to appoint internal and third party auditors;
- (l) develop and implement human resource management policies and system;
- (m) assess, identify, create, increase, decrease, designate and re-designate, upgrade posts and prepare and execute the internal job posting regime;
- (n) lay down qualifications and criteria for appointment of its employees, and implement a transparent and objective evaluation process for appointment of the employees;
- (o) take disciplinary action against its employees in such manner as may be prescribed through regulations;
- (p) suspend, or fire its employees in such manner as may be prescribed through regulations;
- (q) lend or borrow any of its employee or employee of any other Department or authority, on deputation basis as per the policy of the Government;
- (r) transfer or post any employee against any post in any entity administered by the Authority;
- (s) appoint, with or without remuneration, such advisors, consultants, experts, interns, and other staff as it may deem appropriate;
- (t) impart training to its employees for purposes of better performance and service delivery;
- (u) establish roles, jurisdictions and job descriptions of the employees and devise mechanism of performance appraisal of employees;
- (v) take measures to establish and maintain discipline in the employees and determine the terms and conditions of engagement of such experts, consultants or advisors as may be required and in such manner as may be prescribed;
- (w) make payment of reward from the Fund to an employee who has made exceptional efforts in accomplishing the objectives of the Act; and
- (x) exercise and perform such powers and functions as may be ancillary to any of the above.

6. Meetings of the Authority.— (1) The Authority shall meet at least once in a month at such time and place and shall observe such procedure in regard to transaction of its business and meetings as may be prescribed by the regulations and until so prescribed as the Authority may determine.

(2) The meetings of the Authority shall be presided over by the Chairperson who may approve its agenda; and, in absence of the Chairperson, the meeting shall be

presided by the Member nominated by the Chairperson and in case the nomination cannot be made, then by the Member so elected by the Members present.

(3) The quorum for a meeting of the Authority shall be one half of the total Members.

(4) The Director General, on the direction of the Chairperson or on a requisition by not less than one-half of the total Members, shall call a meeting of the Authority.

(5) Subject to the quorum, the decisions of the Authority shall be taken by majority of the Members present and voting and in the event of equality of votes, the Chairperson or the Member presiding over the meeting, as the case may be, shall have a casting vote.

(6) The Director General shall maintain a complete record of the minutes of the meeting and the decisions of the Authority.

(7) No act, decision, order or proceedings of the Authority or a committee constituted by the Authority shall be invalid by reason of any vacancy or defect in the constitution of the Authority.

7. Director General.— (1) The Chief Minister shall, on such terms and conditions as the Authority may determine, appoint the Director General of the Authority, through public advertisement and open competition process.

(2) The Director General shall serve during the pleasure of the Chief Minister and he may resign from his office subject to one month's prior notice in writing to the Chief Minister through the Authority or on payment of one month's pay in lieu thereof.

(3) The Director General shall be the administrative head of the Authority and shall:

- (a) be the principal accounting officer of the Authority;
- (b) keep in custody the records and seal of the Authority;
- (c) authorize payments of monthly salaries, honoraria and allowances to the employees of the Authority;
- (d) prepare annual budget estimates and supplementary budget estimates of the Authority and place the same before the Authority for approval;
- (e) be responsible for the maintenance and development of all ancillary services and procurements;
- (f) approve payment of bills under any head of the budget of the Authority;
- (g) authenticate orders, decisions or other instruments of the Authority by his signature;
- (h) take steps for the implementation of the decisions of the Authority;
- (i) receive and send all the correspondence of the Authority; and
- (j) execute deeds and documents on behalf of the Authority.

(4) The Director General may, with approval of the Chairperson, delegate any of his powers to any other officer of the Authority.

(5) The Director General shall be answerable to the Authority for administrative, financial and other actions undertaken by him under the Act.

8. Delegation of powers.— The Authority may, subject to such conditions and limitations as it may determine, delegate any of its powers or functions to the Chairperson, Director General, or a committee constituted by it, except the powers to:

- (a) frame, amend or repeal regulations;
- (b) approve policy decisions, guidelines or procedures for the operation of the Fund;
- (c) determine the terms and conditions of service of the employees of the Authority;

- (d) constitute committees;
- (e) approve the annual budget, audited accounts and annual reports of the Authority; and
- (f) consider audit reports of the Authority.

9. Committees.— The Authority may constitute committees comprising of such Members or its employees or such other persons as it may deem necessary for carrying out the purposes of the Act, on such terms and conditions as it may determine.

10. Public servants.— All persons acting or purporting to act under the Act shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

11. Fund of the Authority.— (1) There shall be a fund of the Authority to be known as the Punjab Sahulat Bazaars Authority Fund which shall vest in the Authority and shall be utilized by the Authority for performance of its functions under the Act.

(2) The Fund shall consist of:

- (a) funds provided by the Government;
- (b) grants received from the Government;
- (c) grants received from any other authority or agency;
- (d) donations made to the Authority;
- (e) all such sums of money as may be determined from time to time by the Government;
- (f) all such sums of money as may be received by the Authority in exercise, discharge and performance of its powers, functions and duties;
- (g) rates and loans negotiated and raised, or otherwise obtained, by the Authority with the prior approval of the Government;
- (h) all other sums receivable by the Authority;
- (i) income of the Authority from any other source.
- (j) rates and loans negotiated and raised, or otherwise obtained, by the Authority with the prior approval of the Government;
- (k) fee, charges, rentals and fines collected by the Authority;
- (l) income from the lease or sale of the property;
- (m) funds from floating bonds, shares, debentures, certificates, or other securities issued by the Authority; and
- (n) all other sums received by the Authority.

(3) The Fund shall be maintained in such form and manner as may be prescribed.

12. Bank accounts.— The Authority may open and maintain its bank accounts at such scheduled banks as may be prescribed by the regulations.

13. Accounts.— The Authority shall maintain proper accounts and other relevant records and prepare annual statement of accounts relating to its financial affairs including its income and expenditure as per requirements of the international financial reporting standards in such form and manner as may be prescribed.

14. Budget.— (1) The Director General shall prepare, in such manner and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure of the Authority and shall submit the same to the Authority for approval.

(2) Expenditure which has not been approved in the budget shall not be incurred without prior approval of the Authority.

(3) The Authority may empower the Director General to re-appropriate funds from one head to another as may be prescribed.

15. Audit.— (1) The accounts of the Authority shall be maintained and audited by the Auditor General of Pakistan.

(2) Subject to sub-section (1), the Authority may cause the accounts of the Authority to be audited by a registered chartered accountant firm.

(3) Subject to the Act, the auditor shall submit annual or any special audit report to the Authority and the Authority shall take corrective measures in light of the audit report, if any.

16. Succession and validation.— (1) On establishment of the Authority, subject to the provisions of the Companies Act, 2017 (XIX of 2017), all assets including land, property and any liability in the name, possession and control of the PMBMC; all rights of the PMBMC regarding the land owned and managed by the PMBMC shall stand transferred to the Authority.

(2) All orders, notifications, instructions or standard operating procedures issued by PMBMC, if not inconsistent with the provisions of this Act, shall continue to remain in force.

(3) Notwithstanding the provisions of the Punjab Rented Premises Act, 2009 (VII of 2009), the immovable properties including any site or building obtained on rent by the PMBMC shall be deemed to have been obtained in the name of the Authority which shall be deemed to be the tenant for such property, and the Model Bazaars established by the PMBMC shall be deemed to be Sahulat Bazaars under the Act. (4)

Notwithstanding anything contained in any other law for the time being in force, all existing employees presently working in the PMBMC shall be deemed to be the employees of the Authority, and shall be adjusted against the positions created in the Authority and shall be eligible, at least, for present salaries and all other benefits in the Authority on such terms and conditions as may be prescribed by the regulations but such terms and conditions shall not be less favourable than those admissible to such employees while in service of the PMBMC immediately before the commencement of the Act:

Provided that previous service period of the employees of the PMBMC shall also be counted towards their employment in the Authority.

(5) Save as otherwise specifically provided, anything done, actions taken, proceedings commenced, orders, rules, regulations, agreements made, directions given or instruments executed, standard operating procedures, instructions or any kind of notifications issued in relation to PMBMC, if in force on commencement of the Act and not inconsistent with the Act, shall continue to be in force unless modified, amended, repealed or substituted under the provisions of the Act.

17. Land acquisition.— (1) The acquisition of any land or any interest in land by the Authority under the Act shall be deemed to be acquisition for a public purpose within the meaning of the Land Acquisition Act, 1894 (I of 1894).

(2) The Authority may establish a Sahulat Bazaar on a piece of state land not owned by it, in a prescribed manner, subject to no objection certificate from the concerned District Collector or authority or department or agency, and with prior permission to be obtained from the Board of Revenue of the Government, where applicable, for such period as may be determined with mutual agreement.

(3) The Authority may acquire a piece of land on lease by entering into a lease agreement with any public or private entity, in a prescribed manner.

(4) A department, authority, agency or a local government may, for the purposes of the Act, transfer any assets, rights and liabilities to the Authority for the

purposes of establishing a Sahulat Bazaar on such terms and conditions as may be mutually agreed.

18. Powers to eject unauthorized occupants.— (1) The Authority may, in the prescribed manner, with the aid of police, summarily eject any unauthorized occupant from any part of the Sahulat Bazaar or a proposed Sahulat Bazaar site vested in the Authority, and remove any structure thereon.

(2) The Authority may recover the cost incurred on ejection under sub-section (1) from the unauthorized occupant as arrears of land revenue.

19. Appeals.— Any person aggrieved by an order passed under the Act may, within thirty days from the date of receipt of such order, prefer an appeal to:

- (a) the Director General, if such order is passed by an officer of the Authority, except the Director General;
- (b) the Authority if such order is passed by the Director General; and
- (c) Chief Secretary, if such order is passed by the Authority.

20. Recovery of fines.— The Authority shall recover the fine, fee or any other amount, imposed or levied, under the Act, the rules or the regulations, as an arrears of land revenue.

21. Damage to property.— (1) Any person who intentionally damages the property vested in the Authority or causes it to be damaged or dishonestly misappropriates or converts to his own use or to any other person's use shall be punished with imprisonment for a term which may extend to one year but which shall not be less than fifteen days and fine which may extend to two hundred thousand rupees but which shall not be less than thirty thousand rupees.

(2) Notwithstanding anything contained in sub-section (1), the person who is guilty of any offence under sub-section (1) shall restore such damage to the satisfaction of the Authority at his cost and if he fails to do so, the Authority shall determine the cost involved in the restoration of the damage and such person shall be liable to pay the amount so determined within the time specified by the Authority.

(3) No court shall take cognizance of an offence under the Act except on a complaint made in writing by the Authority or an officer authorized by the Authority for the purpose.

22. Annual report.— (1) The Authority shall, within four months of the end of a financial year, submit its annual performance report to Provincial Assembly of the Punjab with approval of the Government.

- (2) The report shall consist of:
 - (a) the statement of accounts and audit reports of the Authority;
 - (b) all activities, targets achieved, future plans, works done under the Act and its proposed projects and schemes; and
 - (c) such other facts as may be ancillary to the above.

23. Indemnity.— (1) No suit, prosecution or other legal proceedings shall lie against the Authority, Chairperson, Members, officers or employees of the Authority or any other person exercising any power or performing any function under the Act or the rules or regulations made there under for anything done in good faith.

(2) No Government department or agency shall initiate any inquiry or investigation against the official conduct of any of the employees of the Authority without prior approval of the Authority.

24. Removal of difficulties.— If any difficulty arises in giving effect to the provisions of the Act, the Government, at any time, may make such orders or give such directions not contrary to the provisions of the Act, as are necessary to remove such difficulty.

25. Overriding effect.— In the event of any conflict or inconsistency between a provision of the Act and a provision of any other law, the provisions of the Act shall, to the extent of such conflict or inconsistency, prevail.

26. Bar of jurisdiction.— A civil court shall not entertain a suit or an application for the grant of injunction against any proceedings taken or order made under the Act.

27. Power to frame regulations.— The Authority may, by notification in the official Gazette, frame regulations for carrying out the purposes of the Act.

28. Power to make rules.— The Government may, by notification in the official Gazette, make rules for carrying out the purposes of the Act.

29. Guidelines.— The Authority may, issue guidelines, including but not limited to a code of conduct, for the exercise of powers and performance of functions of its Members and employees under the Act, rules or regulations.

STATEMENT OF OBJECTS AND REASONS

Government of the Punjab intends to replace the Punjab Model Bazaars Management Company with the Punjab Sahulat Bazaars Authority for whole of the Province aiming at more efficient performance in providing essential commodities to the people at controlled rates. The existing assets and employees of the Punjab Model Bazaars Management Company shall stand transferred to Authority under the proposed Act; hence this Bill.

MINISTER INCHARGE

Lahore:
February 17, 2025

CH AMER HABIB
Secretary General

||

**(Bill as Recommended by the Standing Committee on Price Control
and Commodities Management)**

A

Bill

to establish the Punjab Sahulat Bazaars Authority.

It is necessary to establish Punjab Sahulat Bazaars Authority for launching, constructing, monitoring, regulating and maintaining Sahulat Bazaars in the Punjab and supplying essential commodities to the general public on notified rates and creating business opportunities for entrepreneurs and for all the matters ancillary thereto and connected therewith.

Be it enacted by Provincial Assembly of the Punjab as follows:

1. Short title, extent and commencement.— (1) This Act may be cited as the Punjab Sahulat Bazaars Authority Act 2025.

- (2) It extends to whole of the Punjab.
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- (f) "Director General" means the Director General of the Authority;
- (g) "Fund" means the Punjab Sahulat Bazaars Authority Fund established under the Act;
- (h) "Government" means Government of the Punjab;
- (i) "Member" means a Member of the Authority;
- (j) "PMBMC" means the Punjab Model Bazaars Management Company;
- (k) "prescribed" means prescribed by the rules or regulations made or framed under the Act;
- (l) "regulations" means the regulations framed under the Act;
- (m) "rules" means the rules made under the Act;
- (n) "Sahulat Bazaar" means a Bazaar established under the Act; and
- (o) "stall holder" means a stall holder doing business in a Sahulat Bazaar, and includes a temporary stall holder or any other person doing business in a Sahulat Bazaar or using a stall or space provided by the Authority for his business in a Sahulat Bazaar for a specified period in accordance with agreement with the Authority.

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| (a) | a person to be appointed by the Chief Minister. | Chairperson |
| (b) | Secretary to the Government, <u>Industries, Commerce and Investment Department</u> or his nominee not below rank of Additional Secretary. | Member |
| (c) | Secretary to the Government, Finance Department, or his nominee not below the rank of Additional Secretary. | Member |
| (d) | Secretary to the Government, Planning and Development Board or his nominee not below the rank of Additional Secretary. | Member |
| (e) | Secretary to the Government, Price Control and Commodities Management Department or his nominee not below the rank of Additional Secretary. | Member |
| (f) | four technical experts, including at least one woman, from the field of farming, agricultural marketing, food industry, corporate or law <u>having ten years' experience in the relevant field.</u> | Members |
| (g) | <u>three</u> Members of Provincial Assembly of the Punjab, including at least one female Member <u>and one Member from the opposition</u> , to be nominated by the Chief Minister. | Members |
| (h) | Director General of the Authority. | Member/Secretary |

(2) The Members at clause (f) of sub-section (1) shall be appointed by the Chief Minister and they shall hold office during pleasure of the Chief Minister.

(3) In case, the post of Chairperson is vacant due to any reason, the Chairperson shall be appointed within sixty days of such vacancy.

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- approve business plan of the respective Sahulat Bazaars;
- repair, rehabilitate, provide security to and maintain the infrastructure of Sahulat Bazaars and the allied facilities;
- plan to utilize the land of the Authority for revenue generation and creation of business opportunities;
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- levy fee, rent or charge for providing the space for stalls, security, and allied facilities in the Sahulat Bazaars;

- (h) establish Sahulat Bazaars at suitable places in a district, and to designate any place or existing facility as a Sahulat Bazaar;
- (i) enter into contracts, agreements, and memorandum of understanding with Governmental and non-Governmental Organizations, public or private institutions, persons, authorities, associations, societies and corporations to carry out the purposes of the Act;
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- (k) consider and approve annual and revised budget estimates and to re-appropriate funds from one major head of expenditure to another and to appoint internal and third party auditors;
- (l) develop and implement human resource management policies and system;
- (m) assess, identify, create, increase, decrease, designate and re-designate, upgrade posts and prepare and execute the internal job posting regime;
- (n) lay down qualifications and criteria for appointment of its employees, and implement a transparent and objective evaluation process for appointment of the employees;
- (o) take disciplinary action against its employees in such manner as may be prescribed through regulations;
- (p) suspend, or fire its employees in such manner as may be prescribed through regulations;
- (q) lend or borrow any of its employee or employee of any other Department or authority, on deputation basis as per the policy of the Government;
- (r) transfer or post any employee against any post in any entity administered by the Authority;
- (s) appoint, with or without remuneration, such advisors, consultants, experts, interns, and other staff as it may deem appropriate;
- (t) impart training to its employees for purposes of better performance and service delivery;
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- (v) take measures to establish and maintain discipline in the employees and determine the terms and conditions of engagement of such experts, consultants or advisors as may be required and in such manner as may be prescribed;
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- (x) exercise and perform such powers and functions as may be ancillary to any of the above.

6. Meetings of the Authority.— (1) The Authority shall meet at least once in a month at such time and place and shall observe such procedure in regard to transaction of its business and meetings as may be prescribed by the regulations and until so prescribed as the Authority may determine.

(2) The meetings of the Authority shall be presided over by the Chairperson who may approve its agenda; and, in absence of the Chairperson, the meeting shall be presided by the Member nominated by the Chairperson and in case the nomination cannot be made, then by the Member so elected by the Members present.

(3) The quorum for a meeting of the Authority shall be one half of the total Members.

(4) The Director General, on the direction of the Chairperson or on a requisition by not less than one-half of the total Members, shall call a meeting of the Authority.

(5) Subject to the quorum, the decisions of the Authority shall be taken by majority of the Members present and voting and in the event of equality of votes, the Chairperson or the Member presiding over the meeting, as the case may be, shall have a casting vote.

(6) The Director General shall maintain a complete record of the minutes of the meeting and the decisions of the Authority.

(7) No act, decision, order or proceedings of the Authority or a committee constituted by the Authority shall be invalid by reason of any vacancy or defect in the constitution of the Authority.

7. Director General.— (1) The Chief Minister shall, on such terms and conditions as the Authority may determine, appoint the Director General of the Authority, through public advertisement and open competition process.

(2) The Director General shall serve during the pleasure of the Chief Minister and he may resign from his office subject to one month's prior notice in writing to the Chief Minister through the Authority or on payment of one month's pay in lieu thereof.

(3) The Director General shall be the administrative head of the Authority and shall:

- (a) be the principal accounting officer of the Authority;
- (b) keep in custody the records and seal of the Authority;
- (c) authorize payments of monthly salaries, honoraria and allowances to the employees of the Authority;
- (d) prepare annual budget estimates and supplementary budget estimates of the Authority and place the same before the Authority for approval;
- (e) be responsible for the maintenance and development of all ancillary services and procurements;
- (f) approve payment of bills under any head of the budget of the Authority;
- (g) authenticate orders, decisions or other instruments of the Authority by his signature;
- (h) take steps for the implementation of the decisions of the Authority;
- (i) receive and send all the correspondence of the Authority; and
- (j) execute deeds and documents on behalf of the Authority.

(4) The Director General may, with approval of the Chairperson, delegate any of his powers to any other officer of the Authority.

(5) The Director General shall be answerable to the Authority for administrative, financial and other actions undertaken by him under the Act.

8. Delegation of powers.— The Authority may, subject to such conditions and limitations as it may determine, delegate any of its powers or functions to the Chairperson, Director General, or a committee constituted by it, except the powers to:

- (a) frame, amend or repeal regulations;
- (b) approve policy decisions, guidelines or procedures for the operation of the Fund;
- (c) determine the terms and conditions of service of the employees of the Authority;
- (d) constitute committees;
- (e) approve the annual budget, audited accounts and annual reports of the Authority; and
- (f) consider audit reports of the Authority.

9. Committees.— The Authority may constitute committees comprising of such Members or its employees or such other persons as it may deem necessary for carrying out the purposes of the Act, on such terms and conditions as it may determine.

10. Public servants.— All persons acting or purporting to act under the Act shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

11. Fund of the Authority.— (1) There shall be a fund of the Authority to be known as the Punjab Sahulat Bazaars Authority Fund which shall vest in the Authority and shall be utilized by the Authority for performance of its functions under the Act.

(2) The Fund shall consist of:

- (a) funds provided by the Government;
- (b) grants received from the Government;
- (c) grants received from any other authority or agency;
- (d) donations made to the Authority;
- (e) all such sums of money as may be determined from time to time by the Government;
- (f) all such sums of money as may be received by the Authority in exercise, discharge and performance of its powers, functions and duties;
- (g) rates and loans negotiated and raised, or otherwise obtained, by the Authority with the prior approval of the Government;
- (h) all other sums receivable by the Authority;
- (i) income of the Authority from any other source;
- (j) rates and loans negotiated and raised, or otherwise obtained, by the Authority with the prior approval of the Government;
- (k) fee, charges, rentals and fines collected by the Authority;
- (l) income from the lease or sale of the property;
- (m) funds from floating bonds, shares, debentures, certificates, or other securities issued by the Authority; and
- (n) all other sums received by the Authority.

(3) The Fund shall be maintained in such form and manner as may be prescribed.

12. Bank accounts.— The Authority may open and maintain its bank accounts at such scheduled banks as may be prescribed by the regulations.

13. Accounts.— The Authority shall maintain proper accounts and other relevant records and prepare annual statement of accounts relating to its financial affairs including its income and expenditure as per requirements of the international financial reporting standards in such form and manner as may be prescribed.

14. Budget.— (1) The Director General shall prepare, in such manner and at such time as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure of the Authority and shall submit the same to the Authority for approval.

(2) Expenditure which has not been approved in the budget shall not be incurred without prior approval of the Authority.

(3) The Authority may empower the Director General to re-appropriate funds from one head to another as may be prescribed.

15. Audit.— (1) The accounts of the Authority shall be maintained and audited by the Auditor General of Pakistan.

(2) Subject to sub-section (1), the Authority may cause the accounts of the Authority to be audited by a registered chartered accountant firm.

(3) Subject to the Act, the auditor shall submit annual or any special audit report to the Authority and the Authority shall take corrective measures in light of the audit report, if any.

16. Succession and validation.— (1) On establishment of the Authority, subject to the provisions of the Companies Act, 2017 (XIX of 2017), all assets including land, property and any liability in the name, possession and control of the PMBMC; all rights of the PMBMC regarding the land owned and managed by the PMBMC shall stand transferred to the Authority.

(2) All orders, notifications, instructions or standard operating procedures issued by PMBMC, if not inconsistent with the provisions of this Act, shall continue to remain in force.

(3) Notwithstanding the provisions of the Punjab Rented Premises Act, 2009 (VII of 2009), the immovable properties including any site or building obtained on rent by the PMBMC shall be deemed to have been obtained in the name of the Authority which shall be deemed to be the tenant for such property, and the Model Bazaars established by the PMBMC shall be deemed to be Sahulat Bazaars under the Act.

(4) Notwithstanding anything contained in any other law for the time being in force, all existing employees presently working in the PMBMC shall be deemed to be the employees of the Authority, and shall be adjusted against the positions created in the Authority and shall be eligible, at least, for present salaries and all other benefits in the Authority on such terms and conditions as may be prescribed by the regulations but such terms and conditions shall not be less favourable than those admissible to such employees while in service of the PMBMC immediately before the commencement of the Act:

Provided that previous service period of the employees of the PMBMC shall also be counted towards their employment in the Authority.

(5) Save as otherwise specifically provided, anything done, actions taken, proceedings commenced, orders, rules, regulations, agreements made, directions given or instruments executed, standard operating procedures, instructions or any kind of notifications issued in relation to PMBMC, if in force on commencement of the Act and not inconsistent with the Act, shall continue to be in force unless modified, amended, repealed or substituted under the provisions of the Act.

17. Land acquisition.— (1) The acquisition of any land or any interest in land by the Authority under the Act shall be deemed to be acquisition for a public purpose within the meaning of the Land Acquisition Act, 1894 (I of 1894).

(2) The Authority may establish a Sahulat Bazaar on a piece of state land not owned by it, in a prescribed manner, subject to no objection certificate from the concerned District Collector or authority or department or agency, and with prior permission to be obtained from the Board of Revenue of the Government, where applicable, for such period as may be determined with mutual agreement.

(3) The Authority may acquire a piece of land on lease by entering into a lease agreement with any public or private entity, in a prescribed manner.

(4) A department, authority, agency or a local government may, for the purposes of the Act, transfer any assets, rights and liabilities to the Authority for the purposes of establishing a Sahulat Bazaar on such terms and conditions as may be mutually agreed.

18. Powers to eject unauthorized occupants.— (1) The Authority may, in the prescribed manner, with the aid of police, summarily eject any unauthorized occupant

from any part of the Sahulat Bazaar or a proposed Sahulat Bazaar site vested in the Authority, and remove any structure thereon.

(2) The Authority may recover the cost incurred on ejection under sub-section (1) from the unauthorized occupant as arrears of land revenue.

19. Appeals.— Any person aggrieved by an order passed under the Act may, within thirty days from the date of receipt of such order, prefer an appeal to:

- (a) the Director General, if such order is passed by an officer of the Authority, except the Director General;
- (b) the Authority if such order is passed by the Director General; and
- (c) Chief Secretary, if such order is passed by the Authority.

20. Recovery of fines.— The Authority shall recover the fine, fee or any other amount, imposed or levied, under the Act, the rules or the regulations, as an arrears of land revenue.

21. Damage to property.— (1) Any person who intentionally damages the property vested in the Authority or causes it to be damaged or dishonestly misappropriates or converts to his own use or to any other person's use shall be punished with imprisonment for a term which may extend to one year but which shall not be less than fifteen days and fine which may extend to two hundred thousand rupees but which shall not be less than thirty thousand rupees.

(2) Notwithstanding anything contained in sub-section (1), the person who is guilty of any offence under sub-section (1) shall restore such damage to the satisfaction of the Authority at his cost and if he fails to do so, the Authority shall determine the cost involved in the restoration of the damage and such person shall be liable to pay the amount so determined within the time specified by the Authority.

(3) No court shall take cognizance of an offence under the Act except on a complaint made in writing by the Authority or an officer authorized by the Authority for the purpose.

22. Annual report.— (1) The Authority shall, within four months of the end of a financial year, submit its annual performance report to Provincial Assembly of the Punjab with approval of the Government.

(2) The report shall consist of:

- (a) the statement of accounts and audit reports of the Authority;
- (b) all activities, targets achieved, future plans, works done under the Act and its proposed projects and schemes; and
- (c) such other facts as may be ancillary to the above.

23. Indemnity.— (1) No suit, prosecution or other legal proceedings shall lie against the Authority, Chairperson, Members, officers or employees of the Authority or any other person exercising any power or performing any function under the Act or the rules or regulations made there under for anything done in good faith.

(2) No Government department or agency shall initiate any inquiry or investigation against the official conduct of any of the employees of the Authority without prior approval of the Authority.

24. Removal of difficulties.— If any difficulty arises in giving effect to the provisions of the Act, the Government, at any time, may make such orders or give such directions not contrary to the provisions of the Act, as are necessary to remove such difficulty.

25. Overriding effect.— In the event of any conflict or inconsistency between a provision of the Act and a provision of any other law, the provisions of the Act shall, to the extent of such conflict or inconsistency, prevail.

26. Bar of jurisdiction.— A civil court shall not entertain a suit or an application for the grant of injunction against any proceedings taken or order made under the Act.

27. Power to make rules.— The Government may, by notification in the official Gazette, make rules for carrying out the purposes of the Act.

28. Power to frame regulations.— The Authority may, by notification in the official Gazette, frame regulations for carrying out the purposes of the Act.

29. Guidelines.— The Authority may, issue guidelines, including but not limited to a code of conduct, for the exercise of powers and performance of functions of its Members and employees under the Act, rules or regulations.
