

BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

NOTIFICATION.

Dated Quetta, the 07th December, 2021.

No.PAB/Legis:V(25)/2021 / 7177-78
The Balochistan Food Authority (Amendment) Bill, 2021 (Bill No.25 of 2021), having been passed by the Provincial Assembly of Balochistan on 27th November, 2021 and assented to by the Governor Balochistan, on 06th December, 2021 is hereby published as an Act of the Balochistan Provincial Assembly.

THE BALUCHISTAN FOOD AUTHORITY (AMENDMENT) ACT, 2021.
ACT No. XXVI of 2021.

**AN
ACT**

to further amend the Balochistan Food Authority Act, 2014 (Act No. VI of 2014)

Preamble WHEREAS, it is expedient to amend the Balochistan Food Authority Act, 2014 (Act No. VI of 2014), in the manner hereinafter appearing.

It is hereby enacted as follows;

Short title and commencement. 1. (1) This Act may be called the Balochistan Food Authority (Amendment) Act, 2021.
(2) It shall come into force at once.

Amendment of Section 2, Act of VI of 2014. 2. In the Balochistan Food Authority Act, 2014 (Act No. VI of 2014), hereinafter referred to as "the said Act", in section 2,

(a) after clause (c) the following new clause shall be inserted: -

(ca) "Appellate Committee" a committee constituted to address the grievances of a person aggrieved by any action taken under section (20) of the Act.

(b) after clause (n) the following new clause shall be inserted: -

(na) "Food Safety Team" comprising of two or more technical officers headed by a senior officer as Supervisor.

Amendment of Section 4, Act of VI of 2014. 3. In the said Act, in section 4, for sub-section (1), the following shall be substituted: -

(1) The Food Authority shall consist of the: -

(a) Provincial Minister/Advisor for Food Department. Chairperson.

(b) Secretary Government of Balochistan
Food Department. Member.

(c) Secretary Government of Balochistan
Finance Department. Member

(d) Secretary Government of Balochistan
Health Department. Member

- (e) Secretary Government of Balochistan & Department Industries & Commerce. Member
- (f) Secretary Government of Balochistan Agriculture Department. Member.
- (g) Secretary Government of Balochistan Livestock & Dairy Development Department. Member.
- (h) One member of the Provincial Assembly of Balochistan to be nominated by the Speaker, Assembly. Member.
- (i) One food technologists or scientists to be nominated by the Government. Member.
- (j) One representative of the Chambers of Commerce & Industry. Member.
- (k) Two representatives of Anjuman e Tajiran Balochistan Member.
- (l) Director General Balochistan Food Authority. Member/ Secretary

(2) In the said Act, for sub-section (8), the following shall be substituted:

“(8). The Food Authority shall meet at least twice in a year. The Director General, with the approval of Chairperson can call a special meeting of the Food Authority.”

Amendment of Section 9, Act VI of 2014.

4. In the said Act, in section 9 for sub-section (1), the following shall be substituted: -

“(1) The Food Authority may establish one or more Scientific Panels, which shall consist of the following—

- (a) Director General, Balochistan Food Authority (Convener);
- (b) a representative, having background of food science or technology, of an organization established for determining standards and quality of food;
- (c) a representative, having background of food science or technology, of an organization established for scientific or industrial research on food;
- (d) a food technologist or scientist;
- (e) a medical practitioner registered with Pakistan Medical Commission; and
- (f) a registered Nutritionist from Health Department Government, of Balochistan.

Amendment of Section 11, Act VI of 2014.

5. In the said Act, in section 11 for Sub-Section (1) following shall be substituted: -

“(1) The Food Authority after a competitive process may be constituted

**Amendment of
Section 12, Act
VI of 2014.**

6. In the said Act, for section 12, the following shall be substituted: -
- (2) The Food Authority after a competitive process may by notification, appoint Food Safety Officers through Balochistan Public Service Commission for such areas as it may assign to them.
 - (3) A Food Safety Officer shall possess such qualification as may be prescribed.
 - (4) The Director General shall constitute Food Safety Team or Teams comprising two or more Food Safety Officers Headed by a senior officer as supervisor.
 - (5) Notwithstanding anything herein above mentioned in sub section (2), the Director General in the public interest may confer the powers of a Food Safety Officer on a Government Servant.

**Amendment of
Section 16, Act
VI of 2014.**

7. In the said Act, in section 16, in sub-section (2), for the word "Food Authority" the word "Director General" shall be substituted.

**Amendment of
Section 18, Act
VI of 2014.**

8. In the said Act, in section 18,-
- (a) In sub-section (1) and (2) after the words "Food Safety Officer" wherever appearing the words "or the Food Safety Team" shall be inserted.
 - (b) In sub-section (2), for the words "Food Authority" the words "Director General" shall be substituted.

**Amendment of
Section 19, Act
VI of 2014.**

9. In the said Act, in Section-19, The word "Food Authority" appeared twice, the word "Director General" shall be substituted.

**Amendment of
Section 20, Act
VI of 2014.**

10. In the said Act, in Section 20,-
- (a) In sub-section (2), for the word "Food Authority" the words "Appellate Committee" comprising the following :-
 - (1) Secretary, Government of Balochistan,
Food Department. Chairman.
 - (2) Director Technical BFA. Member.
 - (3) Section Officer Food Department. Member.
- shall be substituted.:-
- (b) In Sub-Section (3), for the words "Food Authority", the words "Appellate Committee" shall be substituted

- Insertion of Section 20A, Act VI of 2014.**
11. In the said Act, after section 20, a new section 20A with marginal heading **“Power to ban the sale and purchase of food”** shall be inserted:
- 20A (1) If the Director General has reasons to believe that the health risk condition exists with respect to sale and purchase of any food or that some food is not in compliance with the Act, Rules or Regulations, he may, after recording reasons order immediate ban on sale and purchase of the said food in the market.
- (2) Any person who is aggrieved by any action taken under this section, may, in the prescribed manner, prefer an appeal to the Secretary Government of Balochistan, Food Department.
- (3) The Secretary, Government of Balochistan, Food Department on its own may accord on the application of an aggrieved person, set aside or modifies an order made under sub-section (1).”
- Amendment of Section 27, Act VI of 2014.**
12. In the said Act, for section 27, the following shall be substituted: -
“27. If any person, without reasonable cause fails to comply with any order or notice issued by the Food Authority, the Director General, the Food Safety Officer or Food Safety Team, he shall be liable to imprisonment for a term which may extend to six months and fine which may extend to five hundred thousand rupees.”
- Amendment of Section 30, Act VI of 2014.**
13. In the said Act, for section 30, the following shall be substituted: -
30. “If a person makes a false or misleading statement, provides false or misleading information or produces any false or misleading document before the Food Authority, the Director General the Food Safety Officer or a Food Safety Team, he shall be liable to imprisonment for a term which may extend to one year and fine which may extend to five hundred thousand rupees”.
- Amendment of Section 31, Act VI of 2014.**
14. In the said Act, in section 31, sub-section (1), after the word” Food Safety Officer”, the words” or Food Safety Team” shall be inserted.
- Amendment of Section 35, Act VI of 2014.**
15. In the said Act; in section 35, in sub-section (2), for the word “Food Authority” the word “Director General” shall be substituted.
- Amendment of**
16. In the said Act, in section 38, the words “Food Authority” the words

- Amendment of Section 39, Act VI of 2014.**
17. In the said Act; in section 39, for sub-section (1) and (2), the following shall be substituted: -
- (1) On information received from a Food Safety Officer, Food Safety Team or any other person, the Food Authority or the Director General if so authorized by the Food Authority may, for reasons to be recorded in writing,-
- (a) order prosecution of a person under this Act;
 - (b) suspend or cancel the license of the food operator;
 - (c) impose on the food operator fine which may extend to five hundred thousand rupees; or
 - (d) decide, if the circumstances so warrant, not to take any action on the information.
- (2) If the Food Authority or the Director General, as the case may be, cancel the license or imposes fine on a food operator, the food operator may, within fifteen days of the communication of the order prefer an appeal against such order to the Secretary Government of Balochistan Food Department.
- Amendment of Section 40, Act VI of 2014.**
18. In the said Act, in section 40, after the words “shall be” for the word “tried” the word “trialed” shall be substituted.
- Amendment of Section 43, Act VI of 2014.**
19. In the said Act, in section 43, in sub-section (1), for the word “try” the word “trial” shall be substituted.
- Amendment of Section 50, Act VI of 2014.**
20. In the said Act, in section 50, sub-section (3) shall be omitted.
- Amendment of Section 51, Act VI of 2014.**
21. In the said Act, for Section 51, the following shall be substituted: -
- “The Food Authority may delegate, subject to such conditions and restrictions as may be specified in the order, any of its functions to a committee constituted by the Food Authority, the Director General or any other officer of the Food Authority, except the function to—
- (a) frame or amend regulations;
 - (b) formulate standards, procedures, processes and guidelines in relation to any aspect of food; and
 - (c) approve the annual report, annual budget and audited accounts.
- Amendment of Section 52, Act VI of 2014.**
22. In the said Act, in Section 52, for the words “Food Authority” appearing before the words “may” the words “Director General” shall be substituted.
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No.PAB/Legis:V(25)/2021.

Dated Quetta, the 07th December, 2021.

A copy is forwarded to the Chief Controller, Government Printing Press, Balochistan, Quetta for favour of publication in next issue of Balochistan gazette. Before final printing a copy thereof be sent to this Secretariat for proof reading. After proof reading fifty copies of the said Act may please be provided to this Secretariat for record.

(ABDUL REHMAN)
Special Secretary (Legis:)

No.PAB/Legis:V(25)/2021.

Dated Quetta, the 07th December, 2021.

A copy is forwarded for information to:-

1. The Principal Secretary to Governor Balochistan, Quetta.
2. The Principal Secretary to Chief Minister Balochistan, Quetta.
3. The Secretary, Government of Balochistan, Food Department, Quetta.
4. The Secretary, Government of Balochistan, Law and Parliamentary Affairs Department, Quetta.
5. The Director General, Public Relations, Balochistan, Quetta.
6. The System Analyst, Balochistan Provincial Assembly.

(ABDUL REHMAN)
Special Secretary (Legis:)