

The Gasette

EXTRAORDINARY
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\ ISLAMABAD, THURSDAY, OCTOBER 8, 2020

PART-I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN

LAW AND PROSECUTION DEPARTMENT

(GILGIT-BALTISTAN SECRETARIAT)

Gilgit, the 17th June, 2020

(AcT No. XII OF 2020)

AN

ACT

to provide for the prevention of hoarding in respect of scheduled articles,
in the wake of an emergent situation resulting from the outbreak of the
Corona virus pandemic (COVID-19)

WHEREAS it is expedient to provide for the prevention of hoarding in respect
of scheduled articles in an emergent situation resulting: from the outbreak of the
Corona' virus pandemic CON -19) and for matters connected therewith and

a ancillary thereto;

\ WHEREAS Pakistan is a State Party to the International Health Regulations,

2005, issued by the World Health Organization, according to which Pakistan is under —

'a direct obligation to prevent, protect against, control and provide a public health
response to international diseases; » 3

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[6166(2020)/Ex. Gaz.]

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: "WHEREAS the World Health Organization has declared the Corona virus | 4
(COVID-19) to be a pandemic requiring multifaceted responses; : :

WHEREAS events of hoarding contribute to adversities, in geometric
progression, to..the people at large, especially in circumstances of partial or
complete lock-down;

WHEREAS it is expedient to make provisions for prevention and contro]
of infectious diseases in the Gilgit-Baltistan and matters ancillary and connected
thereto. The Gilgit-Baltistan Assembly under Article 60 of the Government of
GB Order, 2018 intends to enact "The Gilgit-Baltistan Covid-19 (Prevention of
Hoarding) Act 2020" to control the pandemic diseases in Gilgit-Baltistan.

: 1. . Short: title, extent and commencement.—(1) This Act shall be
called Gilgit-Baltistan COVID-19 (Prevention of Hoarding) Act, 2020.

(2) It extends to the Territory Gilgit-Baltistan.

(3) It shall come into force at once.

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

(a) "dealer" means any -person, trader, partnership, -firm, whether
registered or unregistered, an association or body of persons or
individuals, or a company, or their agents carrying on the business
of purchasing, selling or stocking of any scheduled article and
includes a manufacturer, producer, packager, importer, exporter,
wholesaler or retailer of such article;

(b) "Government" means the Government of Gilgit-Baltistan;

(c) "hoard" or "hoarding":

(i) means stocking or storing anything in excess of the maximum
quantity of scheduled articles allowed to be held in stock of
storage, in the manner as may be prescribed; or

(ii) Where no maximum quantity. of a scheduled article is
prescribed under sub-clause (i), "hoard" or "hoarding" shall
mean stocking or accumulation of scheduled articles without

offering such articles for sale, despite there being a demand
by consumers; :

(d).. "officer"? means the: Deputy: Commissioner, Special Magistrates

and' Police Officers not below: the rank of Inspector of the
'concerned district and such other officer as may be authorized by
Deputy Commissioner in this behalf;

() "prescribed" means prescribed by rules made pest this oe

~(f) "scheduled article" means any of the articles specified in the
schedule to this Act; ;

3. Offence of hoarding. —(1) Any dealer who is found to hoard any
scheduled article shall be guilty of an offence ' punishable with simple
imprisonment up to three (3) years and fine equivalent to fifty (50) percent of the
value of the scheduled articles involved J in the.case.

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(2) «The value of scheduled articles -for 'purposes. of sub-section (1)
shall be determined in the manner as may be pigseries

4: Power to search for and-seizure of scheduled article (0) 'When
an' officer fas reasonable grounds to. suspect, either upon: information from
anyone or.on- its: own; that there. has been a contravention of any of the
provisions of this Act, it may, after recording in writing the grounds of his
suspicion, enter and search, without any warrant, any place where a dealer keeps,
or is for the time being keeping, any scheduled article, accounts,: registers or any
other related items or things.

(2: Upon' entry in aiid search of a: premise under sub-section (1), if
scheduled articles are found at such premise in contravention of this Act, the
officer shall immediately seize the same and prepare a detailed report of the
scheduled articles and other relevant material found during the search.

(3) The provisions of the Code of Criminal Procedure, 1898 Cc Vv
of 1898) shall not be applicable on search and seizure re'under this Act.

5... Power to auction seized scheduled articteess:*(1) Notwithstanding
anything contained in any other law for the time being in force and in
addition to the prosecution under this Act, the officer may sell the
scheduled articles seized under section 4 by auction, in the manner as
may be prescribed.

(2) The proceeds collected under sub-section (1) shall be deposited 4 in
a profit bearing bank accountin the'National Bank of Pakistan, and ift—

(a) the accused person whose scheduled articles are auctioned { is acquitted
ote of an.offence: under: section 3, the deposited. amount alongwith iy
profit shall be released to the said accused; or wD

* (30) days. ee

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5) 'the accused' per : : {
ve convicted of an offerice under section 3, the deposited amount

along-with the profit shall be deposited into the GB Consolidateg
Fund Account.

Gis: Cognizance of- offence and arrest without warrant (|
Notwithstanding anything contained in the Code of Criminal Procedure, 1g9g

(V: of 1898), all offences punishable under this Act shall be cognizable ang —

non bail-able.

(2) The Special _Magistrate under section 8 shall take cognizance of an
offence under this Act, upon written information by the officer.

(3) An officer may arrest any person without warrant against whom
there is credible information that he has committed an offence under this Act.

7. Offences by corporations etc—If.an offence under this Act is
committed by a company or body corporate or a partnership or other association
or body of persons or individuals, every director, manager, secretary, member or
other officer, the principal, primary or beneficial owner or agents thereof shall,
unless he proves that the contravention took place without his knowledge or that
he exercised all due diligence to prevent such contravention, be deemed to be
guilty of such contravention and shall be liable to punishment under this Act.

8... Power to try offences summarily—(1) Offences punishable under
this Act shall be tried by a Special Magistrate appointed under section 14A of the
Code of Criminal Procedure, 1898 (Act V of 1898), in a summary manner as
provided in sections 262 to.265 of the said Code:

Provided that sub-section (2) of section 262 of the Code of Criminal
Procedure, 1898 (Act V of 1898) shall not apply. .

(2). Ifa Special Magistrate has reason. to suspect that any offence
punishable under this Act has been committed by any dealer or owner of a go down
or a storage place or its management or agent thereof, he may enter the place or
premises where the offence has been committed and try the offence on the spot.

(3) The trial under this Act shall be concluded within thirty (30) days.

9. Appeal.—(1) A person aggrieved by an order of conviction and
sentence under this Act may file an appeal before a Deputy Commissioner of the
concerned District within thirty (30) days of the said order. However, where the

punishment has been awarded by Deputy Commissioner then appeal shall lie to the Commissioner of concerned Division. ;

(2) An appeal under sub-section (1) shall be disposed of within thirty

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son whose scheduled 'articles are auctioned Fe \

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PART J] THE GAZETTE OF PAKISTAN, EXTRA., OCTOBER 8, 2020 667

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10. Reward for informers.—Anyone who provides an information to an officer with regard to: any act. or acts of hoarding, 'which: results -in -a © conviction and release of funds into the government exchequer, shall be entitled to an award equivalent to ten (10) percent of the amount released to the government exchequer, in the manner as may be prescribed. eee

11. Information and declarations—(1) Every dealer shall provide to a officer, such information regarding production, importation, exportation, purchase, stock, sale or distribution of any.of the scheduled articles as the officer may, by an order in writing, require. ' pee

(2) The officer. may direct the owners or manufactures of scheduled articles or owners and management of go downs or storage places or their agents to' declare stocks of any particular item, owned or managed by them at their premises, at any point in time or at such periodical intervals as may be deemed fit.

(3) The declaration to be made under sub-section (2), shall; inter alia, include, the quantity of stock, its value, date of purchase, copies of procurement invoices in any given time frame, along with details of any sale or sale

'agreements. :

(4) .. The officer may verify the stock as well as the books or documents in respect of the stock, purchase or sale, at any time, in respect of scheduled articles,

(5) "While carrying out the verification of stock in terms. of sub-section (4) or upon receipt of any information from whatever source, the officer may require the dealer, owner or manager of a go down or storage place to furnish the details

of persons, shops, firms or companies, etc. from whom the purchases have been

made and to whom the sales have been or are to be made.

12. Offences in-respect of false reporting and failure to' disclose information.—Any dealer or owner of a go down or a storage place or their management or agent, who fails to provide information or gives fake: or false information with regard to any of the items or details under section 11, or provides information of contracts, agreements or arrangements found to be fake or false, or.is otherwise found to be involved in speculative dealings or market. manipulation, creating artificial, false or misleading appearance with respect to the price-of; or

~ market for, the scheduled articles, shall be guilty of an offence punishable with

'simple imprisonment up to three (3) years and fine equivalent to Rs.1,000,000.

13. Protection of action taken under the. Act—(1) No suit,

'prosecution or other legal proceedings shall lie against any person for anything
_ done in good faith.

(2) Except as provided in this Act, no suit or other legal proceedings
shall lie to challenge any proceedings under this Act on any ground.

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ving effect to the provisions of this

—In

14. Action i in aid of an officer. gi id of law enforcement agencies,

Act, an officer, where he deems fit, may seek the at

— 15. Power to make rules.—The “Government may, by netfication 3 in the official Gazette, make rules to carry out the purpose of this Act.

16. Act to override other laws—The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force. ;

17. Power to amend schedule—The Government may, by notification in official Gazette, amend the schedule so as s to add to, or omit from it, any: commodity or class of commodities.

SCHEDULE

(see section 2)

1:|Tea” 19 | Drugs and Medicines

2 |Sugar ten 20 | Kerosene oil. .

3 |Milk 21|Rice.

4 |Powdered Milk “| 22 | Wheat, Flour all sorts

5_|Milk and food for infants 23 |Chemical fertilizers all sorts

6 |Edible oil, hydrogenated or 24 | Poultry food

otherwise

7 |Aerated water, fruits juices and | 25 | Surgical gloves
squashes \

8 |Salt he : 26 | Face masks

9 |Potatoes 27 | N95 masks

10 [Onions 28 | Sanitizers

11 |Pulses all sorts . 29 | Surface cleaning products

12 |Fish all sorts - 30.| Pesticides

13 |Beef ue » _-'|31 | Match sticks

14 |Mutton 32 | Isopropyl Alcohol

15 |Eggs fd cad 33 | Fodder as
is gut ev F fheartg 34 | LPG : 4

7 | Spices egetables - 3

. Rod HIG g iz Petroleum Proviicts : —

Speaker/Presiding Officer ©
Gilgit-Baltistan Assembly

RAJA JALAL HUSSAIN MAQPOON,
Hie WEN e oO ; .. Governor.
NHR DOION 216) cctsiuy ens Gilgit-Baltistan er

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In-the Geographical Indications
168 of the Gazette, after sub-se

Act, the following Schedule shall be inserted, namely:— .

} y Part I]__THE GAZETTE OF PAKISTAN, EXTRA., OCTOBER 8,2020. «6

NATIONAL ASSEMBLY SECRETARIAT |.
CORRIGENDUM °

{to the Gazette of Pakistan Extraord
2020, containing Act No. XVII of 2020]

“SCHEDULE
[Section 58(2)]

A non-exhaustive indicative list of prospective Geographical Indications.

Basmati Rice

Bahawalpur Chunri
Bhakkar Karna Oil

Chitrali Embroidery
Gujranwala Colored Pottery

. Gujranwala Metal Engravings
. Hala Colored Woodwork

. Hala Ki Ajrak

. Hala Colored Pottery

. Hama Peanut

. Hunza Apricot

. Hunza Peach

. Hunza Plum

. Hunza Ruby

. Hunza Walnut
. Hyderabad Rabri (Sweets)

i ‘Hyderabad Bengles

. Kamalia Khadar

. Kashmir Pashmina

. Kashmir Turmiline

. Multani Clay

. Multani Khussa

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Multani Sohn Halwa

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Khanpur Khoa (Sweet)

Khattak Dance

Khewra Pink Salt

Khaitpur Date

Khushab Dhodha (Sweets)

Khyber Guns

Kilash Dress

Kohat Shawl

Kohati Chappal

Hunza Apples

Kundri Red Chilli

Lahore Metal Work
Larkana Guava
Makran Dates.
Mansehra Tea

s

Mardan Paray (Sweets) *
Multan Blue Pottery
Multan Chounsa (Mango)
Multan Camel Skin Art
Multan Mango

Sukkur Dates

Sargodha Kinnow
Sharaqpur Guava

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inary, Part-I, dated the 31st March,

(Registration and Protection) Act, 2020 at page

ction (2) of section 58 occurring at the end of the

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S _ _ _ ' _

47. Multan Woven Cotton oe Sheets) '48. Shikarpur Pickles —
49. Namal Trout _ -. +50. Sialkot Sports Goods
_51. Okara Potato ee 52. Sialkot Surgical Goods
53. Patuki Floriculture ° _ 54. Silanwali Craft Work...
_55. Perry Dot Valley Perry Dot Stone . 56. Sindh Coastal Papaya
_ 57. Peshawar Chapli Kabab. __ 58. Sindhi Ajrak
59. Peshawar Chappal 9-60. Sindhi Topi (Cap)
~ 61. Peshawari Qahwah el te 62. Sindhri Mango
63. Phulkari ..,64.. Sundarkhawni Grapes
65. Potohar Stone Work : : 66. Swat Peaches
67. QasuriMethi 68. Swat Emerald
69. QasuriHaldi 70. Truck Art —
71. Quetta Onion pate 72. Wazirabad Cutlery Work
73. Quetta Red Pomegranates on 74. Wazirabad Metal Work
75. Rajar Sweets (Gur) 76. Ziarat Apples 7
71. Sahiwal Cattle 78. Skardu Aqua Marine

79. Skardu Topaz.”

TAHIR HUSSAIN,
Secretary.