

REPORT 28 OF 2019



House of the Federation

SENATE SECRETARIAT

**REPORT OF THE  
SENATE STANDING COMMITTEE ON INTERIOR**

**ON**

**The Islamabad Pure Food Authority Bill, 2019**

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**PRESENTED BY**

**SENATOR A. REHMAN MALIK  
Chairman (Committee)**

SENATE SECRETARIAT

**Report of Senate Standing Committee on Interior on "The Islamabad Pure Food Authority Bill, 2019" introduced by Senator Sajjad Hussain Turi on 2<sup>nd</sup> September, 2019**

I, Senator A. Rehman Malik, Chairman, Senate Standing Committee on Interior, have the Honour to present the report on "The Islamabad Pure Food Authority Bill, 2019" introduced by Senator Sajjad Hussain Turi on 2<sup>nd</sup> September, 2019, and referred to the Committee for consideration and report.

2. The composition of the Standing Committee on Interior is as under: -

1.	Senator A. Rehman Malik	Chairman
2.	Senator Kalsoom Parveen	Member
3.	Senator Muhammad Javed Abbasi	Member
4.	Senator Muhammad Azam Khan Swati	Member
5.	Senator Muhammad Tahir Bizinjo	Member
6.	Senator Mian Muhammad Ateeq Shaikh	Member
7.	Senator Rana Maqbool Ahmad	Member
8.	Senator Muhammad Talha Mehmood	Member
9.	Senator Farooq Hamid Naek	Member
10.	Senator Kauda Babar	Member
11.	Senator Sardar Muhammad Shafiq Tareen	Member
12.	Senator Dr. Shahzad Waseem	Member
13.	Minister for Interior	Ex-Officio Member

3. The Committee considered and discussed the Bill in its meeting held on 9<sup>th</sup> December, 2019.

4. The following attended the meeting: -

1.	<b>Senator A. Rehman Malik</b>	<b>Chairman</b>
2.	Senator Kalsoom Parveen	Member
5.	Senator Mian Muhammad Ateeq Shaikh	Member / Mover
6.	Senator Sardar Muhammad Shafiq Tareen	Member
7.	Senator Dr. Shahzad Waseem	Member
8.	Senator Haji Momin Khan Afridi	Member
9.	Senator Muhammad Tahir Bizinjo	Member
10.	<u>Mr. Ijaz Ahmad Shah, Minister for Interior</u>	<u>Ex-Officio Member</u>
11.	Senator Sajjad Hussain Turi	Mover

## REPORT 28 OF 2019

5. Senator Sajjad Hussain Turi stated that Safe, secure and hygienic food is the basic right of every man and woman. Every state is duty bound to ensure the availability of safe, secure and hygienic food to its citizens. Safe and hygienic food is the first line of defence against diseases. In Pakistan, this is one of the most regrettable facts that our food lacks hygienic quality and adulterated by people who are manufacturing, preparing or selling food items for their illegal gains. It is again one of the most regrettable facts that our existing legal regime is too weak to control food adulteration and make sure the availability of hygienic food to the residents of Islamabad. Low punishment and lack of enforcement mechanism has encouraged the culprits to manufacture, prepare and sell unhygienic adulterated food. The Bill has sought to establish a Food Authority in Islamabad Capital Territory to ensure pure food to the people. A comprehensive mechanism for regulating and managing food items is provided in the Bill.

6. The Ministry of Interior presented the following amendments in the Bill: -

1. Section 2(e) of Islamabad Pure Food Authority 2019 bill may be replaced with: -  
**“Director Food Authority” means Officer appointed or nominated by the Competent Authority for the purposes of this Act;**
2. In section 2 of Islamabad Pure Food Authority 2019 bill the following proposal may be added:  
**“Fee means the amount prescribed by the rules”**
3. Section 2(m) may be replaced with: -  
**“Government means the Islamabad Capital Territory Administration”**
4. In section 2 of Islamabad Pure Food Authority 2019 bill the following proposal may be added:  
**“Ingredient means any substance, including a food additive used in processing, manufacturing, preparation etc of food to present its final food product either in modified form or otherwise”**
5. In chapter II of Islamabad Pure Food Authority 2019 bill the section 4 (Composition of Food Authority) may be replaced with:

### Establishment of the Food Authority: -

- (i). **The Government shall, by Notification, establish or nominate the ICT Food Authority to carry out purposes of this Act.**

(2) The Food Authority shall consist of a Board comprising a Chairperson and the following members: -

- |  |                  |
|--|------------------|
| (a) Chief Commissioner ICT;  | Chairperson      |
| (b) Representative of the Ministry of Interior not below BS-19;  | Member           |
| (c) Representative of the, Ministry of Health Services Regulation and Coordination not below BS-19;              | Member           |
| (d) Representative of the, Ministry of Food Security and Research not below BS-19;                               | Member           |
| (e) Two members of the National Assembly from the Islamabad Capital Territory to be nominated by the Government; | Member           |
| (f) Two food technologists or scientists to be nominated by the Government;                                      | Member           |
| (g) One representative of the Islamabad Chambers of Commerce & Industry to be nominated by the Government;       | Member           |
| (h) One representative of Food Industries Islamabad to be nominated by the ICT Administration;                   | Member           |
| (i) One representative of Food operators to be nominated by the Government;                                      | Member           |
| (j) Two representatives of consumers;  | Member           |
| (k) Director Food Authority;   | Member/Secretary |

(3). The members other than the *ex-officio* members shall be appointed in the manner and term as prescribed.

(4). The general directions and superintendence of the affairs of the Authority shall vest in Board who with the assistance of Director Food Authority, shall discharge its functions under the guidance and instructions of policy, matters by the Federal Government.

(5). The Board may, with the prior approval of the Chairperson, co-opt any other person as a member.

(6). The Chairperson and members, other than *ex-officio* members, shall be appointed in such manner as to ensure the highest standards of professional competence and experience.

*Chairman's*

- (7). A meeting of the Board shall be held in the manner provided by the regulations, and until so provided, as may be determined by the Board.
- (8). The Secretary of the Board shall, on the direction of the Chairperson, call a meeting of the Board.
- (9). The Board shall meet at least thrice in a year.
- (10). The Chairperson, and in his / her absence, any other member elected by the members present at a meeting, shall preside at the meeting of the Board.
- (11). The quorum for a meeting shall be one third of the total members the fraction being counted as one.
- (12). No act or proceedings of the Board shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the constitution of the Board.
6. The Section 10 of Islamabad Pure Food Authority 2019 bill may be replaced with:
- “Director of the Food Authority: -
- (1). The ICT Administration shall nominate or appoint the Director Food Authority on such terms and conditions as it may determine.
- (2). The Director Food Authority, who shall be the Chief Executive Officer of the Authority, shall be responsible for efficient implementation of the Act.
- (3). The Director Food Authority shall exercise such powers and functions as may be prescribed.
- (4). The Director Food Authority shall also have the powers of the Food Safety Officer for whole area of the ICT.”
7. In chapter 4 (Offences and Penalties) of Islamabad Pure Food Authority 2019 bill the following words “or both” may be added in the end of all sections where the words imprisonment or fine occur except section 31:

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REPORT 28 OF 2019

8. The Committee, as suggested by Chairman Committee, recommended that Section 22 of Islamabad Pure Food Authority, 2019 shall be substituted as under: -

**Selling food not in compliance of the Law.-** A person, who sells or offers for sale any adulterated food or food which is not in compliance with the provisions of this Act, the rules or the regulations, shall be liable to imprisonment for a term which may extend to three years or fine which may extend to one million rupees or both.”

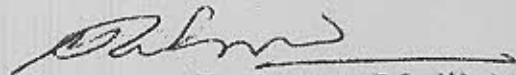
9. The Committee, as suggested by Chairman Committee, recommended that Section 23 of Islamabad Pure Food Authority, 2019 shall be substituted as under: -

**Substandard or misbranded food.-** Any person, who manufactures for sale, stores, sells, distributes, imports or exports any food which is not of standard or misbranded, shall be liable to imprisonment for a term which may extend to three years or fine which may extend to one million rupees or both.

7. The Committee recommended that the Bill may be passed as amended.

8. The Committee unanimously recommended that the Bill, as reported by the Committee may be passed and also granted approval for presentation of the report to the House.

9. The Bill, as reported by the Committee is at Annexure-A and the Bill, as introduced, is at Annexure-B.

  
(SENATOR A. REHMAN MALIK)  
Chairman (Committee)

  
(TANVIR AHMED)  
D.G./Secretary (Committee)

Islamabad, the  
9<sup>th</sup> December, 2019

[AS REPORTED BY THE COMMITTEE]

A

BILL

*further to amend the Islamabad Pure Food Authority Bill, 2019*

**WHEREAS** it is expedient to provide for the safety and standards of food and to establish the Islamabad the Islamabad Pure Food Authority so that to protect health of the people and for matters connected therewith and ancillary thereto;

It is enacted as follows: -

**CHAPTER I  
PRELIMINARY**

**1. Short title, extent and commencement:**— (1) This Act may be called the Islamabad Pure Food Authority Act, 2019.

- (2) It extends to the Islamabad Capital Territory.
- (3) It shall come into force at once.

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

(a) “Adulterated Food” means the food, -

- (i) Which is not of the nature, substance or quality which it purports or is represented to be; or
- (ii) Which contains any such extraneous substance as may adversely affect the nature, substance or quality of the food, or
- (iii) Which is processed, mixed, coloured, powdered or coated with any other substance in contravention of the rules or the regulations’ or
- (iv) Any constituent of which has been wholly or in art abstracted so as to affect injuriously its nature, substance or quality; or
- (v) Which contains any poisonous or other ingredient that may render it injurious to human health; or
- (vi) The quality or purity of which does not conform to the prescribed standards’ or
- (vii) Which has been prepared, packed or kept under unhygienic and insanitary conditions; or

- (viii) Which is contaminated or has become injurious to health;
- (b) "Advertisement" means any publicity, representation or pronouncement made by any means for purposes of promoting the sale or disposal of any food;
- (c) "Chairperson" means the Chairperson of the Food Authority;
- (d) "consumer" means a person who receives food against a consideration or otherwise and includes an end user of the food'
- (e) **"Director Food Authority" means Officer appointed or nominated by the Competent Authority for the purposes of this Act;**
- (f) "food" means anything used as food or drink for human consumption other than drugs, and includes,-
- (i) any substance which is intended for use in the preparation of food;
  - (ii) any flavouring agent or condiment;
  - (iii) any colouring matter intended for use in food;
  - (iv) chewing gum, confectionary and other products of like nature'
  - (v) water in any form including ice, intended for human consumption or for use in the composition or preparation of food; and
  - (vi) any other thing prescribed as food'

**Explanation-I.-** A thing shall not cease to be food by reason that it is also capable of being used as drugs.

**Explanation-II.-** In this clause, the word "drugs" has the same meaning as is assigned to it in the Drugs Act 1976 (XXXI of 1976).

- (g) "food additive" includes any substance not normally consumed as food by itself or used as a typical ingredient of food but the addition of which is food affects the characteristic of the food'
- (h) "Food Authority" means the Islamabad Pure Food Authority established under the Act'
- (i) "food business" means any undertaking, whether or not for profit, carrying out any of the activities related to any stage of manufacturing, processing, packaging storage, transportation, distribution of food, import, export and includes food services, catering services, sale of food or food ingredients;
- (j) "food laboratory" means any food laboratory or institute established or recognized by the Food Authority;



- (k) "food operator" means a person who manufactures for sale, transports, stores, sells, distributes, imports or exports food;
- (l) "Food Safety Officer" means a Food Safety Officer appointed under the Act;
- (m) **"Government means the Islamabad Capital Territory Administration"**
- (n) "import" means bringing into the Islamabad Capital Territory any article of food by any means including land, river, canal or air;
- (o) "label" includes any tag, brand, mark, pictorial or other descriptive matter, written, printed, stenciled, marked, painted, embossed or impressed on, or attached to or included in, belonging to, or accompanying any food;
- (p) "licence" means a licence granted under the Act or the rules or the regulations;
- (q) "member" means a member of the Food Authority;
- (r) "misbranded food" means the food,-
  - (i) which is an imitation of or resembles another food, in a manner that it is likely to deceive the consumer; or
  - (ii) which is so coloured, flavoured, coated, powdered or polished as to conceal the true nature of the food; or
  - (iii) which is contained in any package which, or the label of which, bears any statement, design or device regarding the ingredients or the substances contained in the food, that is false or misleading;
- (s) "package" includes anything in which food is wholly or partly cased, covered, contained, placed or otherwise packed in any manner and any such other receptacle of any kind whether opened or closed;
- (t) "premises" include any shop, stall, hotel, restaurant, airline services, canteens, place, vehicle, building or tent or any other structure and any adjoining land used in connection with it and any vehicle, conveyance, vessel or aircraft where any food is sold or manufactured or stored for sale;
- (u) "prescribed" means prescribed by the rules or the regulations;
- (v) "public analyst" means a public analyst appointed under the Act;
- (w) "regulations" means regulations made under this Act;
- (x) "rules" means rules made under this Act;

