

بلوچستان

صوبائی

اسمبلی

سیکرٹریٹ۔

بروز ہفتہ مورخہ 04 جنوری 2025ء بوقت سہ پہر 3:00 بجے منعقد ہونے والے بلوچستان صوبائی اسمبلی کے اجلاس کی

ترتیب کارروائی۔

(1) تلاوت قرآن پاک و ترجمہ

(2) توجہ دلاؤ نوٹس

(مورخہ 02 جنوری 2025 کی نشست میں موخر شدہ)

میرزا بدلی ریکی، رکن بلوچستان صوبائی اسمبلی

وزیر برائے محکمہ تعلیم کی توجہ ایک اہم مسئلہ کی جانب مبذول کروائینگے۔ کہ حکومت بلوچستان نے بجٹ سال 2024-25 میں ضلع واشک کے کالجوں کے قیام سے متعلق بسیمہ کالج، واشک کالج اور ماشکیل کالج کے لیے مختص شدہ بجٹ جاری کرنے کے متعلق کیا اقدامات اٹھائے ہیں۔ اگر بجٹ جاری نہیں کیا گیا ہے۔ تو ضلع واشک کے کالجوں کے قیام کے لیے بجٹ جاری نہ ہونے کی کیا وجوہات ہیں۔ مکمل تفصیل فراہم کی جائے۔

سرکاری کارروائی برائے قانون سازی

(3)

(1) وزیر برائے محکمہ خزانہ، بلوچستان سول سروسز کا (ترمیمی) مسودہ قانون مصدرہ 2025 (مسودہ قانون نمبر 09 مصدرہ 2025ء) ایوان میں پیش کریں گے۔

(2) (i) وزیر برائے محکمہ صنعت و تجارت، بلوچستان انڈسٹریل ڈویلپمنٹ اینڈ ریگولیشنز کا مسودہ قانون مصدرہ 2025 (مسودہ قانون نمبر 10 مصدرہ 2025ء) ایوان میں پیش کریں گے۔

(ii) وزیر برائے محکمہ صنعت و تجارت، تحریک پیش کریں گے کہ بلوچستان انڈسٹریل ڈویلپمنٹ اینڈ ریگولیشنز کا مسودہ قانون مصدرہ 2025 (مسودہ قانون نمبر 10 مصدرہ 2025ء) کو پیش کرنے کی بابت قاعدہ 84 اور (2) 85 کے تقاضوں کو Exempt قرار دیا جائے۔

(iii) وزیر برائے محکمہ صنعت و تجارت، تحریک پیش کریں گے کہ بلوچستان انڈسٹریل ڈویلپمنٹ اینڈ ریگولیشنز کا مسودہ قانون مصدرہ 2025 (مسودہ قانون نمبر 10 مصدرہ 2025ء) کو فی الفور زیر غور لایا جائے۔

(iv) وزیر برائے محکمہ صنعت و تجارت، تحریک پیش کریں گے کہ بلوچستان انڈسٹریل ڈویلپمنٹ اینڈ ریگولیشنز کا مسودہ قانون مصدرہ 2025 (مسودہ قانون نمبر 10 مصدرہ 2025ء) کو منظور کیا جائے۔

(3) وزیر برائے محکمہ مذہبی امور، بلوچستان زکوٰۃ و عشر کا (ترمیمی) مسودہ قانون مصدرہ 2025 (مسودہ قانون نمبر 11 مصدرہ 2025ء) ایوان میں پیش کریں گے۔

(جاری صفحہ -- 2)

قرارداد نمبر 36 منجانب :- سید ظفر علی آغا، رکن بلوچستان صوبائی اسمبلی

ہر گاہ کہ ضلع پشین میں منشیات کی بڑھتی ہوئی سمگلنگ کی وجہ سے علاقے میں منشیات میں مبتلا افراد کی تعداد میں دن بدن اضافہ ہوتا جا رہا ہے۔ اور ان منشیات کی وجہ سے معاشرے کے بیشتر نوجوان اس ناسور میں مبتلا ہو رہے ہیں جس کے باعث نہ صرف ان کا مستقبل تباہ ہو رہا ہے بلکہ ان کی زندگی تباہی کے دہانے پر پہنچ چکی ہے۔ اس کے علاوہ ان کی وجہ سے پورے صوبے میں وارداتوں، چوری اور ڈکیتیوں میں مسلسل اضافہ ہو رہا ہے۔ جس کا تدارک لازمی ہے۔

لہذا یہ ایوان صوبائی حکومت سے سفارش کرتا ہے کہ وہ ضلع پشین میں ایک منشیات تدارک سینٹر کے قیام کو یقینی بنائے۔ تاکہ اس میں منشیات میں مبتلا افراد کے تدارک منشیات کی بابت علاج و معالجہ ہو سکے۔

مشترکہ قرارداد نمبر 37 منجانب :- میر یونس عزیز زہری، قائد حزب اختلاف، نواب محمد اسلم خان ریسائی، سید ظفر علی آغا، جناب رحمت صالح بلوچ، میرزا بدلی ریکی، جناب خیر جان بلوچ، میر غلام دستگیر بادی، مولانا ہدایت الرحمن، جناب اصغر علی ترین اور محترمہ ام کلثوم اراکین بلوچستان اسمبلی۔

ہر گاہ کہ صوبہ کے قومی اور علاقائی فورس (لیویز فورس) کو بہتر انداز میں مضبوط کیا جائے۔ لیویز فورس امن و امان بحال کرنے میں صوبہ کے 85% رقبے میں تاریخی کردار ادا کر رہی ہے۔ وزیر اعلیٰ بلوچستان کے اعلانات اور حکم کے باوجود محکمہ داخلہ و قبائلی امور نے لیویز فورس کو جدید اسلحہ، بلٹ پروف گاڑیوں کی فراہمی اور ان کے لئے جدید طرز کے Trainings کی بابت کوئی خاطر خواہ اقدامات نہیں اٹھائے ہیں۔ لیکن اب شنید میں آیا ہے کہ صوبہ کے عوامی نمائندوں کو اعتماد میں لئے بغیر قومی فورس (لیویز فورس) کو ختم کر کے بی ایریا کو اے ایریا میں شامل کرنے کے اقدامات اٹھائے جا رہے ہیں۔ جس کی وجہ سے صوبہ کے عوام میں سخت تشویش پائی جا رہی ہے۔

لہذا یہ ایوان صوبائی حکومت سے مطالبہ کرتا ہے کہ ہماری قومی فورس (لیویز فورس) کو ختم کر کے بی ایریا کو اے ایریا میں شامل کرنے کو فوری طور پر روکنے کے لئے عملی اقدامات اٹھانے کو یقینی بنائے تاکہ صوبہ کے عوام میں پائی جانے والی بے چینی اور تشویش کا خاتمہ ممکن ہو سکے۔

(5) مورخہ 02 جنوری 2025 کی اسمبلی نشست میں باضابطہ شدہ تحریک التوا نمبر 1 پر بحیثیت مجموعی عام بحث۔

BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT
THE BALUCHISTAN CIVIL SERVANTS (AMENDMENT)
BILL, 2024 BILL NO. 9 OF 2024

A
Bill

to further amend the Balochistan Civil Servants Act, 1974 (Balochistan Act-IX of 1974).

Preamble

WHEREAS it is expedient to further amend the Balochistan Civil Servants Act, 1974 (Balochistan Act IX of 1974), for the purpose of introducing reforms in post retirement benefits for the Balochistan Civil Servants.

It is hereby enacted by the Provincial Assembly of Balochistan as follows:

Short title and commencement.

1. (1) This Act may be called the Balochistan Civil Servants (Amendment) Act, 2024.
- (2) It shall come into force at once and shall be deemed to have taken effect from 01st July, 2024.

Amendment of Section 19, Act of IX of 1974.

2. Section 19 of the Balochistan Civil Servants Act, 1974 shall be substituted:--

"19, Pension and gratuity; - (1) On retirement from service, a civil servant, appointed on regular basis in the prescribed manner, before the commencement of the Balochistan Civil Servants (Amendment) Act, 2024, shall be entitled to receive such pension or gratuity, as are admissible to him under the Balochistan Civil Servants Pension Rules, 1989, as amended from time to time.

(2) In the event of death of such a civil servant, as provided in sub-section (1), whether before or after retirement, his family shall be entitled to receive such pension or gratuity or both, as admissible under the said rules.

(3) No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two-thirds of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

Provided that a civil servant, referred to in sub-section (3), in case of dismissal or removal of a civil servant from service, may, in addition to his own contributions to the Contributory Provident Fund, be allowed, on account of such compassionate allowance, a sum not exceeding two-third of Government contributions in his account.

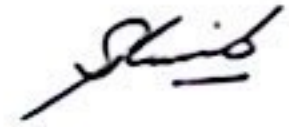
(4) A person, appointed against a civil post on regular basis on or after the commencement of the Balochistan Civil Servants (Amendment) Act, 2024, shall, for all intents and purposes, be a civil servant, except that he shall be instituted under the Balochistan Contributory Pension Scheme for the purpose of pension and gratuity. Such a civil servant shall be entitled to such retirement benefits as may be prescribed.

Provided that in the event of death of such a civil servant as provided in this sub-section, whether before or after retirement, his family shall be entitled to receive such benefits as may be prescribed under the Contributory Pension Scheme.

(5) If the determination of the amount of pension or gratuity, falling under the defined pension scheme or under the Contributory Pension scheme, as the case may be, admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be prescribed; and any overpayment consequent on such anticipatory pension shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

STATEMENT OF OBJECTS AND REASONS

This Bill is moved to make amendments in the Balochistan Civil Servants Act 1974, in order to introduce Balochistan Contributory Pension Scheme for all the new civil servants to be appointed/hired with effect from 01st July, 2024.



(MIR SHOAIB NOSHERWANI)
Minister Finance
Government of Balochistan

A
BILL

to make provision for matters connected with the development and regulation of all kinds of industries in the province of Balochistan

Preamble. – WHEREAS it is expedient to provide for effective facilitation, control, management and regulation of matters connected with the development of industries and matters ancillary there to;

CHAPTER-I
PRELIMINARY

- 1. Short title, extent and commencement.** – (1) This Act may be cited as the *Balochistan Industrial Development and Regulations Act 2024*.
- (2) It shall extend to the whole of Balochistan.
- (3) It shall come into force at once.
- (4) The Government may, by notification and for reasons to be recorded, exclude any area from the operation of any of the provisions of this Act or rules or regulations made under the Act.
- 2. Definitions.** – In this Act unless there is anything repugnant in the subject or context:
- (a) **“Appellate Authority”** means Director General, Industries and Commerce department, Government of Balochistan;
- (b) **“Boiler”** means the boiler defined under the Balochistan Boilers and Pressure Vessels Act 2015 (ACT NO. XVI OF 2015);;
- (c) **“Building plan”** means the plan, section, and elevation of every floor, clearly describing graphically the purpose for which the building is intended to be erected and access to and from different parts of the building and its appurtenances; the position, form, dimension and means of ventilation; the depth and nature of foundation, the proposed height of the plinth and super structure at the level of each floor together with the dimension and description of wall, floor, roof, column, beam, joint and girder to be used in the wall, floor and roof of such building;
- (d) **“Building”** means a permanent or temporary building or structure, a fitting, fixture, installation, sign board and display structure of the building or part of a building which shall include a town house, house, home, hall, shop, raft, bridge, tunnel, warehouse, office and other construction for utilization;
- (e) **“Chief Inspector” and “Inspector”** mean, respectively, an officer or officers of the directorate of Industries and Commerce designated to perform the tasks of Chief Inspector and an Inspector under this Act;
- (f) **“Company”** means a Company registered under the Companies Act, 2017;
- (g) **“Director General”** means Director General Industries and Commerce, Government of Balochistan;
- (h) **“Director”** means Director Industries and Commerce, Government of Balochistan;
- (i) **“Directorate”** means directorate of Industries and Commerce, Government of Balochistan;

“Erection of a building” means the construction of a new building and includes such material alterations of a building as enlargement of any wall, verandah, fixed platform, plinth or part of the building structural conversion of one or more places for human habitation

of one or more places for human habitation into a greater number of such places, addition of any room building substance or other structure to a building, reconstruction of whole or any part of the external walls of a building or the renewal of the parts or wooden building construction in a wall adjoining any street or land not belonging to the owner of the wall, of a door opening to such street or land, such alterations of the internal arrangements of a building as effects its drainage, ventilation or other sanitary arrangements or its security or stability;

- (k) **"Existing Industry"** means any Industrial Undertaking registered or incorporated or created before the commencement of this Act;
- (l) **"Factory"** means any premises, including the precincts thereof, whereon five or more workers are working, or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on or is ordinarily carried on with or without the aid of power, but does not include a mine, subject to the operation of the Mines Act, 1923 (IV of 1923);
- (m) **"Government"** means the Provincial Government of Balochistan;
- (n) **"Industry"** means any undertaking pertaining to an industry, except those mentioned in Schedule-I of the Act, carried on in one or more factories by any person or authority including the Government;
- (o) **"Industrial Undertaking"** means an undertaking pertaining to an industry (including any industry ancillary thereto) carried on or to be carried on, in any local area, at a place or premises, including precincts thereof, wherein twenty or more workers without the aid of power, or ten or more workers with the aid of power are employed to work for the manufacture or processing of goods or commodities;
- (p) **"Infrastructure"** means the services including road network, electricity, gas, water supply, telephone, drainage and sewerage system;
- (q) **"License"** means authorization issued under Section 8 of this Act;
- (r) **"Owner"** means in relation to an industrial undertaking, the person who, or the authority which, has the ultimate control over the affairs of the undertaking, and, where the said affairs are entrusted to a manager, managing director or managing agent, such manager, managing director or managing agent shall be deemed to be the owner of the undertaking;
- (s) **"Person"** means a sole proprietor, firm, association of persons, company or any other entity registered under the laws of Pakistan;
- (t) **"Prescribed"** means prescribed by the rules made or regulations framed under this Act;
- (u) **"Professional"** includes architect, builder, engineer, designer, industrial expert, or technician;
- (v) **"Regulations"** means the regulations framed under this Act;
- (w) **"Rules"** means the rules made under this Act;
- (x) **"Secretary"** means Secretary Industries and Commerce Department, Government of Balochistan;
- (y) **"Sponsor"** means a duly registered company which intends to develop a Private Industrial Estate or an entity that has developed an Industrial Estate after approval.

3. Act to override other laws: –The provisions of this Act shall have effect notwithstanding anything contrary contained in any other law for the time being in force.

4. Restrictions on establishment of industrial undertakings: – No person shall establish or cause to be established any industrial undertaking or enlarge or cause to

of one or more places for human habitation into a greater number of such places, addition of any room building substance or other structure to a building, reconstruction of whole or any part of the external walls of a building or the renewal of the parts or wooden building construction in a wall adjoining any street or land not belonging to the owner of the wall, of a door opening to such street or land, such alterations of the internal arrangements of a building as effects its drainage, ventilation or other sanitary arrangements or its security or stability;

- (k) **"Existing Industry"** means any Industrial Undertaking registered or incorporated or created before the commencement of this Act;
- (l) **"Factory"** means any premises, including the precincts thereof, whereon five or more workers are working, or were working on any day of the preceding twelve months, and in any part of which a manufacturing process is being carried on or is ordinarily carried on with or without the aid of power, but does not include a mine, subject to the operation of the Mines Act, 1923 (IV of 1923);
- (m) **"Government"** means the Provincial Government of Balochistan;
- (n) **"Industry"** means any undertaking pertaining to an industry, except those mentioned in Schedule-I of the Act, carried on in one or more factories by any person or authority including the Government;
- (o) **"Industrial Undertaking"** means an undertaking pertaining to an industry (including any industry ancillary thereto) carried on or to be carried on, in any local area, at a place or premises, including precincts thereof, wherein twenty or more workers without the aid of power, or ten or more workers with the aid of power are employed to work for the manufacture or processing of goods or commodities;
- (p) **"Infrastructure"** means the services including road network, electricity, gas, water supply, telephone, drainage and sewerage system;
- (q) **"License"** means authorization issued under Section 8 of this Act;
- (r) **"Owner"** means in relation to an industrial undertaking, the person who, or the authority which, has the ultimate control over the affairs of the undertaking, and, where the said affairs are entrusted to a manager, managing director or managing agent, such manager, managing director or managing agent shall be deemed to be the owner of the undertaking;
- (s) **"Person"** means a sole proprietor, firm, association of persons, company or any other entity registered under the laws of Pakistan;
- (t) **"Prescribed"** means prescribed by the rules made or regulations framed under this Act;
- (u) **"Professional"** includes architect, builder, engineer, designer, industrial expert, or technician;
- (v) **"Regulations"** means the regulations framed under this Act;
- (w) **"Rules"** means the rules made under this Act;
- (x) **"Secretary"** means Secretary Industries and Commerce Department, Government of Balochistan;
- (y) **"Sponsor"** means a duly registered company which intends to develop a Private Industrial Estate or an entity that has developed an Industrial Estate after approval.

3. Act to override other laws: –The provisions of this Act shall have effect notwithstanding anything contrary contained in any other law for the time being in force.

4. Restrictions on establishment of industrial undertakings: – No person shall establish or cause to be established any industrial undertaking or enlarge or cause to

be enlarged any existing industrial undertaking except with the previous permission in writing of the Government.

Provided that the application of any person for the grant of such permission shall not be rejected—

- (a) Without giving such person an opportunity of showing cause against it; or
- (b) Unless the Government is satisfied, on the basis of information available to it and after making such an inquiry as it may deem fit, that the grant of permission to such person will be prejudicial to the national interest, or injurious to the health of or a source of nuisance for the residents of the local area in which the industrial undertaking is proposed to be set up or, as the case may be, the industrial undertaking which is proposed to be enlarged is situated.

5. Check on unauthorized establishment or enlargement of industrial undertaking: — Where the establishment of a new industrial undertaking or enlargement of an existing industrial undertaking is likely to be commenced or has been commenced or has been completed in contravention of the provisions of this Act, the Government or the Director, after giving the person responsible therefor an opportunity of being heard, may by order require him—

- (a) to refrain from such establishment or enlargement; or
- (b) to stop further construction and to remove the unauthorized undertaking or part thereof, and the person concerned shall comply with the order within such period as may be specified.

CHAPTER-II

CHIEF INSPECTORS AND INSPECTORS

6. Chief Inspectors and Inspectors: — (1) The Secretary may authorize such officer or officers of the directorate not below the level of BPS-19 as it thinks fit to be Chief Inspectors for the purposes of this Act, and may define the local limits within which each Chief Inspector shall exercise the powers and perform the duties conferred upon Inspectors by or under this Act.

(2) The Director General may authorize such officer or officers of the directorate not below the level of BPS-17 as it thinks fit to be an Inspector for the purposes of this Act and may define the local limits within which each Inspector shall exercise the powers and perform the duties conferred and imposed on Inspectors by or under this Act.

7. General Powers of Inspectors: — (1) Subject to any rules made by the Government in this behalf, an Inspector may, within the local limits for which he is appointed—

- (a) enter with such assistants (if any), being persons in the service of the state or of any municipal or other public authority, as he thinks fit, any place which is or which he has reason to believe to be, used as a factory or capable of being declared to be a factory under the provisions of this Act;
- (b) make such examination of the premises and plant and of any prescribed registers, and take on-the-spot or otherwise such evidence of persons as he may deem necessary for carrying out the purposes of this Act;
- (c) exercise such other powers as may be necessary for carrying out the purposes of this Act,

provided that no one shall be required under this section to answer any question or give any evidence tending to criminate him.

(2) Subject to the provisions concerning occupational health and safety, an inspector shall make such examination and investigation as may in any

circumstance be necessary for the purposes of maintaining the factory premises in good working order by ensuring that health and safety standards set forth in the aforesaid chapter are fully complied with. In order to initiate legal action for violation of any standard or provision, he shall—

- (a) take such measures and photographs and make such recordings as he considers necessary to substantiate his examination or investigation;
- (b) take samples of any articles or substances in any premises which he has power to enter, and of the atmosphere in or in the vicinity of any such premises;
- (c) in the case of any article or substance found in any premises which he has power to enter, being an article or substance which appears to him to have caused or to be likely to cause danger to health or safety, to cause it to be dismantled or subjected to any process or test, but not so as to damage or destroy it unless this in the circumstances is necessary; for the purpose of carrying into effect any of the relevant statutory provisions within the field of responsibility of enforcing authority which appointed him, exercise the power vested in him to perform his functions and duties under this Act;
- (d) in the case of any such article or substance as is mentioned in the preceding paragraph, to take possession of it and detain it for so long as is necessary for all or any of the following purposes, namely, —
 - i. to examine it and do it anything which he has power to do under clause (c);
 - ii. to ensure that it is not tampered with before his examination of it is completed; and
 - iii. to ensure that it is available for use as evidence in any proceedings for an offence under any of the relevant statutory provisions.
- (e) to require any person whom, he has reasonable cause to believe to be able to give any information relevant to any examination or investigation as may in any circumstances be necessary for the purpose as aforesaid in clause (c) above to answer (in the absence of persons other than the person nominated by him to be present and any persons whom the Inspector may allow to be present) such questions as the Inspector thinks fit to ask and to sign a declaration of the truth of his answers;
- (f) to require the production of, inspect, and take copies of or of any entry in, —
 - i. any books or documents which by virtue of any of the relevant statutory provisions are required to be kept; and
 - ii. any other book or document which it is necessary for him to see for the purposes of any examination or investigation for purposes as aforesaid;
- (g) to require any person to afford him such facilities and assistance with respect to any matters or things within that person's control or in relation to which that person has responsibilities as are necessary to enable the Inspector to exercise any of the powers conferred on him by this section; and
- (h) any other power which is necessary for the purpose as aforesaid in clause (c) above.

(3) The Inspector shall exercise the powers conferred on him under sub-section (1) and sub-section (2) in accordance with procedure as may be prescribed in rules made by the Government under this Act.

CHAPTER III

REGISTRATION, RENEWAL AND REVOCATION

8. **Registration:** — (1) Before work begins in any factory after the commencement of this Act, or before work is begun in any seasonal factory each season, the occupier shall send to the Inspector a written notice containing;

- (a) the name of the factory and its situation;
- (b) the address to which communications relating to the factory should be sent;
- (c) the nature of the manufacturing processes to be carried on in the factory;
- (d) the nature and amount of the power to be used;
- (e) the name of the person who shall be the manager of the factory for the purposes of this Act; and
- (f) such other particulars as may be prescribed for the purposes of this Act.

(2) The owner of any Industrial undertaking which is not registered under the provisions of this Act may apply to the Directorate to have the industry registered. Every such application shall be accompanied by the prescribed fee.

(3) On receipt of an application under sub-section (1), the Inspector shall fix a date, within thirty days or such shorter period as may be prescribed from the date of the receipt, for the examination of the industry and shall give the owner thereof not less than ten days' notice of the date so fixed.

(4) On the said date the Inspector shall proceed to measure and examine the industry and to determine in the prescribed manner, if any, in which such Industry may carry its functions.

(5) The Inspector shall submit the report to the Chief Inspector.

(6) The Chief Inspector, on receipt of the report, may—

- (a) register the industry and issue a license thereto either forthwith or after satisfying himself that any structural alteration, addition or renewal which he may deem necessary;
- (b) refuse to register Industry:

Provided that where the Chief Inspector refuses to register an Industry, he shall forthwith communicate his refusal to the owner of the industry together with the reasons thereof.

(7) The Chief Inspector shall, on registering the industry, order the issue to the owner of a License in the prescribed form authorizing the use of the industry for a period not exceeding thirty-six months as he thinks fit and as in accordance with the regulations made under this Act.

(8) The Inspector shall forthwith convey to the owner of the industry the orders of the Chief Inspector and shall in accordance therewith issue to the owner any certificate of which the issue has been ordered and where the industry has been registered, the owner shall within the prescribed period cause the register number to be permanently marked thereon in the prescribed manner.

(9) The registration of every factory as defined in this Act is mandatory. Non-registration of a factory covered under this Act will be an offence that will include the closure of the factory premises with the permission of the court in addition to the fine that may be imposed under the Act by the court to which prosecution for non-observance of the requirement of the law has been filed by the Inspector after making necessary inquiry and inspection.

(10) The registration of the factory will be cancelled by the Chief Inspector and its name removed from the Register of registered factories if it is reported to him by the Inspector of the area that the factory no more is in existence or fails to meet the prescribed standards of a registered factory.

(11) If the registration under sections of this Act is cancelled, the Registration Certificate already issued shall be consigned to record after the same has been procured by the Inspector from the Occupier or Manager as the case may be.

9. Renewal of Certificate / License: - (1) A certificate authorizing the use of industry shall cease to be in force:

- (a) on the expiry of the period for which it was granted; or
- (b) when any accident occurs to the industry; or
- (c) when the industry is moved to some other location;
- (d) when any structural alteration, addition or renewal is made in or to the industry; or
- (e) if the Chief Inspector in any particular case so directs, when any structural alteration, addition or renewal is made in or to any steam-pipe attached to the boiler; or
- (f) on the communication to the owner of the industry or an order of the Chief Inspector or Inspector prohibiting its use on the ground that it or any steam-pipe attached thereto is in a dangerous condition.

(2) Where an order is made under clause (f) of sub-section (1), the grounds on which the order is made shall be communicated to the owner with the order.

(3) When a certificate ceases to be in force, the owner of the industry may apply to the Inspector for a renewal thereof, for such period not exceeding twelve months as he may specify in the application.

(4) An application under sub-section (3) shall be accompanied by the prescribed fee and on receipt thereof, the Inspector shall fix a date, within thirty days or such shorter period as may be prescribed from the date of the receipt, for the examination of the industry and shall give the owner thereof not less than ten days' notice of the date so fixed:

Provided that, where the certificate has ceased to be in force owing to the making of any structural alteration, addition or renewal, the Chief Inspector may dispense with the payment of any fee.

(5) On the said date the Inspector shall examine the industry in the prescribed manner, and if satisfied that the industry is in good condition shall issue a renewed certificate authorizing the use of the industry.

(6) The Chief Inspector, on receipt of a report under sub-section (5), may, subject to the provisions of this Act and of the regulations made hereunder, order the renewal of the certificate in such terms and on such conditions, if any, as he thinks fit, or may refuse to renew it:

Provided that where the Chief Inspector refuses to renew a certificate, he shall forthwith communicate his refusal to the owner of the industry, together with the reasons therefor.

(7) Nothing in this section shall be deemed to prevent an owner of industry from applying for a renewed certificate therefore at any time during the currency of a certificate.

10. Revocation and amendment of licenses in certain cases: — (1) If the Director General is satisfied, either on a reference made to it in this behalf or otherwise, that any person to whom or to which, a license has been issued under section 8, has, without reasonable cause, failed to establish or to take effective steps to establish the new industrial undertaking in respect of which the license has been issued within the time specified therefor or within such extended time as the Director General may think fit to grant in any case, it may revoke the license. Show cause notice subject to any rules

that may be made in this behalf, the Director General may also vary or amend any license issued under section 8.

Provided that no such power shall be exercised after effective steps have been taken to establish the new industrial undertaking in accordance with the license issued in that behalf.

11. Appeals to appellate Authority: - Any person considering himself aggrieved by an original order of the Inspector or Chief Inspector:

- (a) refusing to register industry or to grant or renew certificate in respect of industry; or
- (b) refusing to grant a certificate having validity for the full period applied for; or
- (c) withdrawing or revoking a certificate or provisional order; or
- (d) ordering any structural alteration, addition or renewal to be made in industry or refusing sanction to the making of any structural alteration, addition or renewal in or to industry;
- (e) may, within thirty days of the communication to him of such order, lodge an appeal to Director General.

- Provided that an appeal against the order of the Director General shall be made before the Secretary. The order of the Secretary shall be final.

CHAPTER IV

INSPECTION & MONITORING

12. Power to enter Industry: — An Inspector or an authorized officer on behalf of Director may, for the purposes of inspecting or examining any part of industry or of seeing that any provision of this Act or of any rule or regulation made hereunder has been or is being observed at all reasonable times enter any place or building within the limits of the area for which he has been appointed in which he has reason to believe that an industry is in use.

13. Duty of owner at Inspection: — (1) On any date fixed under this Act for the examination of industry the owner thereof shall be bound;

- (a) to afford to the Inspector all reasonable facilities for the examination and all such information as may reasonably be required of him;
- (b) to have the premises of industry properly prepared and ready for examination in the prescribed manner; and
- (c) in the case of an application for the registration of industry, to provide such drawings, specifications, certificates, and other particulars as may be prescribed.

(2) If the owner fails, without reasonable cause, to comply with the provision of sub-section (1), the Inspector shall refuse to make the examination and shall report the case to the Chief Inspector who shall, unless sufficient cause to the contrary is shown, require the owner to file a fresh application under section 8, 9 and 10 as the case may be, and may forbid him to operate the industry, notwithstanding anything contained during pendency of the registration.

14. Report of accidents: — (1) If any accident occurs to a boiler or steam-pipe or any industrial part the owner or person in charge thereof shall, within twenty-four hours of the accident, report the same in writing to the Inspector. Every such report shall contain a true description of the nature of the accident and of the injury, if any, caused thereby

to the boiler or to the steam-pipe or to any person, and shall be in sufficient detail to enable the Inspector to judge the gravity of the accident;

(2) Every person shall be obliged to answer truly to the best of his knowledge and ability every question put to him in writing by the Inspector as to the cause, nature, or extent of the accident.

CHAPTER-V

ENFORCEMENT AND PENALTIES

15. Enforcement and penalty: – If a person including an officer or employee of the Directorate, contravenes any provision of this Act, or any rule or regulation, if not specifically provided, he shall be punishable with simple imprisonment for a term which may extend to three years or fine which may extend to ten million rupees, or with both.

16. Cognizance of offence by courts. – The Court of Judicial Magistrate of First Class shall take cognizance of any offence punishable under this Act on receiving a complaint in writing made by an officer authorized for the purpose by the Directorate.

CHAPTER-VI

MISCELLANEOUS

17. Recovery of dues: – Any sum due to the Directorate from, or any sum wrongly paid by the Directorate to, any person under this Act, shall be recoverable as arrears of land revenue.

18. Regularization: – Notwithstanding anything contained in any law for the time being in force or judgment, order or decree of any Court, any industry established before the commencement of this Act in violation of the provisions of the Act, may be regularized in accordance with the provisions of rules and regulations and on payment of such fee and fine as may be prescribed.

19. Indemnity: – No suit, prosecution or any other legal proceedings shall lie against, any member, officer, servant, expert or consultant of the Directorate of anything done or intended to be done in good faith under this Act.

20. Power to make rules: – Subject to the provisions of this Act, the Government may make rules for carrying out the purposes of this Act.

21. Power to frame regulation: – (1) Subject to the provisions of this Act, and the rules framed there under, approval of the Government, the Directorate may make regulations as may be necessary to carry out the purposes of this Act.

22. Annual report: – The Directorate shall prepare for every year a report of its activities during that year and submit the report to the Government and in such form and on or before such date, as may be prescribed.

23. Removal of difficulties: – The Government may, by order, not inconsistent with the provisions of this Act, provide for the removal of any difficulty which may arise in giving effect to the provisions of this Act.

24. Repeal: The Balochistan Industries (Control on Establishment and Enlargement) Ordinance, 1963 hereby stands repealed.

(2) Save as otherwise provided, the repeal of law under sub-section (1) shall not affect:

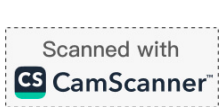
- (a) the previous operation of the law repealed under subsection (1), or anything duly done or made thereunder;
- (b) any right, privilege, obligation or liability acquired accrued or incurred under the repealed law;
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed under the repealed law; and
- (d) any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid and any such investigation, legal proceedings or remedy may be instituted, continued or enforced and any such penalty, forfeiture and punishment may be imposed as if previously repealed law has not been repealed.

ory and

(3) Notwithstanding its repeal, anything done or any action taken under repealed law, including:

- (a) every proceeding, appointment, notification, notice, license, rule, regulation, or direction issued, made or saved;
- (b) every tax, rent, fee, rate, or other charge or sums of money, collected or due to an establishment;
- (c) every scheme drawn up, contracted or executed; and
- (d) every instrument or contract executed;

which so far as is in force at the commencement of this Act, shall be deemed to have been done or taken under this Act unless previously altered, modified, cancelled, suspended, surrendered, withdrawn or superseded, as the case may be, under this Act.



Schedule I

(See Section 2 Clause (n))

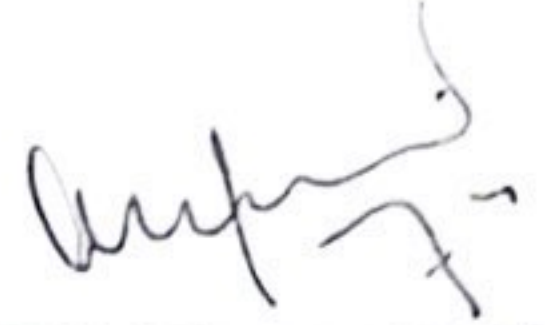
Negative list of industries, rather than positive list, so that it makes it facilitatory and easier for industrialists.

- i. Arms and ammunitions
- ii. Security printing and mint
- iii. High explosives
- iv. Radioactive substances
- v. Establishment of alcohol manufacturing units / Industrial alcohol

STATEMENT OF OBJECTS AND REASONS

In order to review and update the (existing national) Industries Control Ordinance, 1963 and develop and Act-2024 for the Balochistan from province by working closely with all relevant stakeholders from government, private sector, academia among others. The existing law provides for the organized and planned growth for industries in Pakistan (including Balochistan) including by providing control on the establishment and enlargement of industries. However, a lot has changed over time in terms of the dynamics of industries, accordingly, in order to assist the development of Industries in the province and to provide meaningful support, particularly to the small and medium enterprises, it is necessary to review the existing law and develop an upgraded draft law to cater for the needs of all stakeholders according to international best practices and comparable foreign economies.

Keeping in view the above, objects and reasons this Bill i.e. the Balochistan Industrial Development and Regulation Act-2024 is being presented for consideration and approval of the Assembly.



(MIR SARFARAZ AHMED BUGTI)
INCHARGE MINISTER FOR S&GAD

U.O.No.SO-COMM(IND)3-11/2024/PS/ 1523
Quetta, the 10th December 2024

BALUCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT

The Balochistan Zakat and Ushr (Amendment) Bill, 2024 (11)

to further amend the Balochistan Zakat and Ushr Act, 2012

Preamble.—Whereas, it is expedient to amend the Zakat and Ushr Act, 2012 (Act No. I of 2012), for the purposes hereinafter appearing;

It is hereby enacted follows:-

1. Short title, extent and Commencement

- (1) This Act may be called as the Balochistan Zakat and Ushr (Amendment) Act, 2024.
- (2) It shall come and into force at once.

2. Amendment of (Act 1 of 2012),

In the Balochistan Zakat and Ushr Act, 2012 Act 1 of 2012) hereinafter referred to as the said Act, for the words the "Religious and Inter Faith Harmony" wherever appearing, the words "Religious Affairs shall be substituted.

3. In the said Act, in section 2-

- (a) after clause (g), the following new clause (g-i) shall be inserted:-

"(g-i) Director Religious Affairs" means the Director, who shall be officer of BPS-19 appointed by the Government through notification in the official gazette and shall be responsible for monitoring the collection of Zakat from provincial, federal and foreign resources and the other functions as may be prescribed by the rules".

4. Amendment of Section 5 of Act 1 of 2012

In the said Act, in section 5, in sub-section 1, for the word "five" the word "ten" shall be substituted.

5. Amendment of Section 8 of Act 1 of 2012.

- In the said Act, in section 8;
- (a) in clause (c), sub-clause (ii) shall be omitted; and
 - (b) clause (f) and (g) shall be omitted.

6. Amendment of Section 9 of Act 1 of 2012.

In the said Act, in section 9, after sub-section (4), the following new section shall be added:-

"(5) the expenditure on the disbursement of Zakat shall be met by the Government.

7. Amendment of Section 12 of Act 1 of 2012.

- In the said Act, in section 12;
- (a) In sub-section (2)-,
 - (i) in clause (f), the word "and" shall be omitted;
 - (ii) in clause (g), the full stop shall be substituted with a semi colon;
 - (iii) after clause (g), the following new clauses shall be inserted.
 - (g-i) The Senior Member Board of Revenue, Revenue Department;
 - (g-ii) The Secretary to the Government in the Health Department; and
 - (iv) in clause (h), the full stop shall be substituted with a semicolon and thereafter the word "and" shall be inserted.
 - (v) after clause (h) the following new clause (i) shall be added:- "(i) Director Religious Affairs".

(b)

for sub-section (3), the following shall be substituted,

The Government shall appoint any person as Chairman of the Provincial Zakat Council who has the eligibility of membership of the Provincial Assembly / Parliament.

(c)

after sub-section 8, the following new sub-section shall be added:-“(9) The expenditure on the administrative organization of the Chief Administrator, the Provincial Council, and the District Committees shall be met by the Government”.

8. Amendment of

Section 14 of Act 1 of 2012.

In the said Act, in section 14-,

(a) after sub-section (6), the following new sub-section shall be inserted;

“(6A) No person shall be appointed as Chairman of the Zakat Committee for the second term.”

(b) after sub-section (11), the following new sub-sections shall be added:-

“(12) After the expiry of prescribed three (03) Years term of District Zakat Committee, the respective Deputy Commissioner of the District shall become cosignatory with District Zakat Officer till the constitution of new District Zakat Committee for the disbursement of Zakat to Local Zakat Committee and Institutions.”

“(13) The expenditure of the District Committee shall be met by the Government”.

9. Amendment of

Section 15 of Act 1 of 2012;

In the said Act, in section 15, after sub section (10), the following new sub-section shall be added:-

“(11) The expenditure on the Tehsil, Sub-divisional Zakat and Ushr Committee or Town Zakat and Ushr Committee shall be met by the Government”.

10. Amendment of

Section 16 of Act 1 of 2012.

In the said Act, in section 16, after sub-section (13), the following new sub-section shall be added:-

“(14) The expenditure on the Local Zakat and Ushr Committees shall be met by the Government”.

STATEMENT OF OBJECTIVES AND REASONS

As the department has been bifurcated in two departments i.e. the Religious Affairs and the Minority Affairs and certain modes of collections were to be specifically added and proper management and supervision of zakat collection and disbursement was needed. Further to address the extremely poor resources Khums was to be added particularly in accordance with the injunctions of Islam as the same was added in schedule but not mentioned in the body of act, hence, this amendment is proposed.



Chief Minister, Balochistan / (Minister Incharge, R.A)