REGISTERED No. M - 302
L.-7646

The Gazette of Pakistan

EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, WEDNESDAY, APRIL 3, 2024

PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN
LAW AND PROSECUTION DEPARTMENT
GILGIT BALTISTAN SECRETARIAT

Gilgit, the 29th February, 2024

THE GILGIT-BALTISTAN FOOD BILL, 2022

(ACT NO. VII OF 2022)

AN

ACT

To provide safety and standards of food and to effect proper monitoring of food items in Gilgit-Baltistan

No. ALA-1(1)/2023-GBA.—Preamble: WHEREAS, it is expedient to protect public health, to provide for the safety and standards of food, to effect the fair and effective distribution of subsidized wheat and for other connected matters.

It is enacted as follows:—

Price: Rs. 60.00

[7488 (2024)/Ex. Gaz.]

CamScanner

CHAPTER-I
PRELIMINARY

1. **Short title, extent and commencement.**—(1) This Bill may be called "The Gilgit-Baltistan Food Act, 2022".

(2) It extends to whole of Gilgit-Baltistan.

(3) It shall come into force on such date as may notify by the Government.

2. **Definitions.**—In this Act

(1) "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, colored, powdered or coated with any other substance in contravention of the rules or the regulations framed under this Act;

iv. any constituent of which has been wholly or in part 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.

(2) "Advertisement" means any publicity, representation or pronouncement made by any means for purposes of promoting the sale or disposal of any food;

(3) "Consumer" means a person who receives or purchases food against a consideration or otherwise and includes an end user of the food items and all kind of drinks;

CamScanner

(4) "Chemical Examiner" means,—

(i) The Chemical Examiner to Government; and

(ii) Any other officer appointed by government to be Chemical Examiner for the purpose of this Act;

(iii) Chemical Examiner to whom samples are transmitted for examination in any other province;

(5) "Code" means the Code of Criminal Procedure, 1898 *(V of 1898)*;

(6) "Company" means a company as defined in Companies Act, 2017 or registered and regulated under Companies Act, 2017.

(7) "Court" means Court of Executive Magistrate First Class under the Code;

(8) "Cream" means the portion of the milk of Halal animal like cow or buffalo, sheep and goat which is rich in fat and rises to the surface of milk on standing, or which has been separated by skimming or otherwise;

(9) "Complaint" means the allegation made in writing to the Executive Magistrate with a view to his action under Code that some persons whether known or unknown, has committed an offence mentioned in chapter-V of the this Act, but does not include the report of a police officer;

(10) "Complainant" means an officer/official of Food Department, any consumer, any citizen, or any civil servant as the case may be;

(11) "Chakki" means a machine, producing one brand flour;

(12) "Dahi" means the product obtained by lactic acid fermentation of milk;

(13) "Director General" means the Director General Food Department GB;

(14) "Director" means the Director Food Department Gilgit-Baltistan;

(15) "Divisional Director" means the Director of the Division of Food Department;

CamScanner

(16) "District Food Controller" means the District head of Food Department;

(17) "Dealer" means an individual, firm, company and association appointed as authorized seller of wheat, flour or of any other food items as appointed by Food Department;

(18) "Federal Government" means the Government of Pakistan in the Ministry of Kashmir Affairs & Gilgit-Baltistan;

(19) "Food" means anything used as food drink or food supplement for human consumption other than drugs, as defined in DRUGS ACT, 1976 and includes—

(i) Any substance, which is intended for use in the preparation of food;

(ii) Any flavoring agent or condiment;

(iii) Any coloring 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).

(20) "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 to food affects the characteristics of the food;

(21) "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, trading, retailing and whole selling, distribution of food, import, export and includes food services, catering services, sale of food or food ingredients;

CamScanner

(22) "Food Operator" means a person who manufactures for saie, trading, retailing and whole selling transports, stores, sells, distributes, imports or exports food catering services;

(23) "Food Safety Officer" means Director General/Director Food Department GB or any other officer appointed/authorized by the Secretary Food or any other Officer of the Food department empowered by the Government from time to time under this Act;

(24) "Flour Mill" means roller flour mill which having a shifter to produce different brands of flour;

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

(26) "Ghee" means ghee prepared exclusively from milk;

(27) "Godown" means a place where articles of food are received or stored for sale or delivery to a customer or consignee;

(28) "Health Officer" means the District Health Officer or any other Medical Officer of Health Department under this Act;

(29) "Iodized salt" means edible common salt (namak) to which potassium iodine has been added, for fortifying or enriching it as a means of preventing lodging deficiency and disorder, in the manner and quantity as may be prescribed;

(30) "Import" means bringing into the territory of the Gilgit-Baltistan any article of food by any means including land, river, canal or air;

(31) "Inspector" means Food Inspector or any Inspector appointed under this Act from time to time;

(32) "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;

(33) "License" means a license granted under this Act;

(34) "Milk" means the normal, clean and pure secretion obtained from the udder of a healthy cow, buffalo, goat or sheep, whether boiled, pasteurized, homogenized or sterilized, and includes standardized and toned milk;

(35) "Misbranded food" means the food—

CamScanner

(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 colored, flavored, 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;

(36) "package" includes anything in which food / goods related to 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;

(37) "premises" include any shop, stall, hotel, restaurant, picnic point, food festivals, food exhibition, guest house, 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;

(38) "Occupier" means the person who has control of the affairs of a factory, shop or any other premises where food items are kept and includes the manager or managing agent or any other person authorized to represent the occupier;

(39) "Pre-packed" means packed or made up in advance ready for retail sale in a wrapper or container;

(40) "Prescribed" means prescribed by rules from time to time;

(41) "Prosecutor" means the person appointed by Food Safety Officer from time to time under this Act;

(42) "Public Analyst" means a Public Analyst appointed under this Act;

(43) "Publicity" means any act, which is intended for promotion and awareness of sale of food items through, seminars, symposiums, electronic media, print media, social media, and any other mean of communication;

(44) "Person" means any natural person or legal entity and includes an individual, a firm, body or association of persons, partnership, society, group, a company, corporation, cooperative society, trust,

CamScanner

non-governmental organization, community based organization, village development committee, village council, local council or local authority and women organization;

(45) "Powder" means dried solid food material that meets specific quality standards, such as moisture content, particle size and particulars;

(46) "Retail sale," means any sale to a person buying otherwise than for the purpose of re-sale;

(47) "Rules" means rules made under this Act;

(48) "Sale in relation to food" means a transfer of ownership either by way of barter or in exchange for a price paid, promised, or part paid and part promised;

(49) "Standardized Milk" means milk, which has been reduced to the prescribed level of milk fat by removal of fat;

(50) "Safe food" means an article of food, which is not unsafe;

(51) "Standard", in relation to any article of food, means the prescribed standard and includes the standard notified by the Food Department of Gilgit-Baltistan;

(52) "Subsidized wheat" means the wheat granted on subsidy to Gilgit-Baltistan;

(53) "Unsafe food" means the food whose nature, substance or quality is so affected by any means as to render it injurious to human health;

(54) "Trademarks" means a word, phrase, symbol, and/or design that identifies and distinguishes the source of food items/services of one party from those of others;

(55) "Warranty" means legally binding assurance in writing that a food item is fit for use as represented and free from defective material; and

CHAPTER-II

GENERAL PROVISIONS OF THE ACT

3. **False Warranty.**—No person shall in respect of any food sold by him or given by him for sale to an agent to give to the purchaser or his agent a false warranty in writing.

CamScanner

4. **Warranty.**—A food operator who is a manufacturer, distributor or dealer of a prescribed food shall not sell such food to any food vendor unless a written warranty or other written statement is given that the food complies with the provision of this Act, the rules and the regulation.

5. **Prohibition of mixing and selling mixed food.**—(1) No person shall mix, color, stain or powder or direct or permit any other person to mix, color, stain or powder any food with any matter or ingredient—

(a) in contravention of the prescribed rules; or

(b) so as to render the food injurious to health with intent that the same may be sold in that state.

(2) no person shall sell, offer, keep or store any food so mixed, colored, stained or powdered.

6. **Prohibition of sale, preparation, manufacture, import or export of unwholesome food intended for human consumption.**—No person shall, directly or indirectly, himself or by any other person—

(a) prepare, manufacture, keep or store for sale, or sell or offer to sell, any food which is unsound, unwholesome, injurious to health or unfit for human consumption; or

(b) import or export any food in such manner or in such condition as rendered or is likely to render it injurious to health.

7. **Prohibition of sale or manufacture for sale of food, which is adulterated or misbranded, or not of the nature, substance or quality demanded.**—(1) No person shall, directly or indirectly himself or by any other person, prepare, manufacture, keep or store for sale, or sell or offer to sell any food—

(a) which is adulterated;

(b) which is misbranded;

(c) which is not of the nature, substance or quality demanded, or which it purports or is represented to be; and

(d) for the sale of which a licence is required otherwise than in accordance with the conditions of the license.

(2) No person shall directly or indirectly, himself or by any other person manufacture, sell, offer to sell, keep or store for sale any food notified in this behalf by government, unless it is colored in the manner prescribed.

CamScanner

(3) Government may, by notification in the official Gazette, prohibit or regulate the keeping, in any factory or wholesale business premises in which such articles of food as are specified in the notification are manufactured or stored, of any substances likely to be used as adulterants.

(4) No person can deal in subsidized wheat and flour without authorized dealer/trademark duly appointed by Food Department.

(5) No person shall sell, offer, keep or store any subsidized wheat or flour with intention of black marketing unless authorized dealer and authorized trademark.

(6) No person shall be allowed inter-district movement of subsidized wheat and flour in Gilgit-Baltistan other than person authorized by the Food Department.

8. **Sale of pre-packed food.**—No person shall keep or store for sale or sell or offer to sell, any pre-packed food unless he has complied with this Act.

9. **Prohibition of sale of food without complying with rules.**—No person shall import, export, prepare, manufacture, keep or store for sale or sell any food unless the rules providing for the mode of its manufacture, processing or preparation, packaging, labeling, consignment, delivery, standard of quality or bill of containers have been complied with the Act.

10. **Sale of margarine, banaspati and charbi.**—(1) Banaspati, charbi and margarine shall be packed, labeled or marked in such manner as may be prescribed.

(2) No person shall sell, whether wholesale or retail, or transport by way of trade, any banaspati, charbi or margarine unless every package containing any such substance is durably marked or labelled in such manner as may be prescribed.

11. **Banaspati, margarine or charbi not to be sold loose.**—No person shall *sell banaspati*, margarine or [charbi] loose or from an open package:

Provided that *banaspati* may be sold under a licence and subject to such conditions as may be prescribed in this behalf.

12. **Licence for manufacture, storage and sale of food items and services.**—(1) No place shall be used—

(a) for the preparation, or the manufacturing, processing, blending, preserving, refrigerating, canning or bottling of any food;

CamScanner

(b) for the business of a wholesale dealer in banaspati, charbi, ghee, margarine, fish oil, mustard oil, cotton seed oil or other edible oils and such food as may be prescribed;

(c) as a creamery, dairy or bakery;

(d) as a hotel, restaurant or eating house; except under a licence to be granted in such manner and by such department as may be prescribed.

(2) The licence required under this section may be renewed annually by Food Safety Officer on payment of prescribed fee.

(3) The renewal of a licence may be refused, or a licence may be cancelled by the Food Department, if—

(i) The licensee fails to maintain the register referred to in Section 11, or is convicted of an offence under this Ordinance; or

(ii) The premises is not maintained in such condition as may be prescribed.

(4) No person shall keep or store for sale or sell or offer to sell any food for human consumption unless he is in possession of such identification permit as may be prescribed.

13. **Registration for manufacture and wholesale business.**—Every occupier of a place used for the preparation or manufacture for the purposes of trade of any such article of food as Government may, by notification in the Official Gazette, specify in this behalf, and every wholesale dealer or his agent who stores any such article, shall keep and maintain a register in such form as may be prescribed, and such register shall be opened to inspection, by the Inspector.

14. **Food poisoning.**—(1) If a Health Officer or a Food Inspector has reason to suspect that any food or any vessel or utensil which food may come in contact is likely to cause food poisoning (acute, chronic or cumulative) by chemical or bacteriological agents, he may take a sample of such food or the vessel or the utensil for analysis under this Act and, if he takes a sample, give notice to the person in charge of the food that, until the result of the analysis is known, the food or any specified portion thereof shall not be used and shall be kept or removed in the manner specified in the notice.

(2) If a Health Officer has reason to suspect that tuberculosis is likely to be caused by the consumption of milk supplied from any dairy or other source,

CamScanner

he may, by notice to the person in-charge of such dairy or source, prohibit the supply of milk from such dairy or source.

(3) A Health Officer may, by notice to any person handling articles of food in any hotel, restaurant, sweet/meat shop, or any other public eating place, require him to obtain and keep in his possession, a health certificate from an authorized Health Officer to the effect that he is free from communicable disease, and to get it renewed from year to year, till such time as he continues so to handle such articles.

(4) Every person to whom a notice under this section has been given shall comply with such notice.

CHAPTER-III

ANALYSIS OF FOOD

15. **Food Safety Officer.**—(1) The Director General/Director Food Department Gilgit-Baltistan shall act as Food Safety Officer for the territory of Gilgit-Baltistan.

(2) **Powers of Food Safety Officer:** A Food Safety Officer may—

(a) Take sample of any food or any substance, which appears to him to be intended for sale, or has been sold as food;

(b) Seize any food, apparatus or utensil, which appears to the Food Safety Officer to be in contravention of this Act, the rules or the regulations;

(c) enter or seal any premises where he believes any food is prepared, preserved, packaged, stored, conveyed, distributed or sold, examine any such food and examine anything that he believes is used, or capable of being used for such preparation, preservation, packaging, storing, conveying, distribution or sale;

(d) Open and examine any package, which, he believes to contain any food or unwanted food material;

(e) Examine any book or documents with respect to any food and make copies of or take extracts from the book or document;

(f) Demand the production of the identity card, the business registration certificate, license or any other relevant document from a "Food Operator";

CamScanner

(g) Mark, seal or otherwise secure, weigh, count or measure any food or appliance; and

(h) Search and seize any vehicle carrying food or involved in unauthorized business pertaining food or food items;

(i) Exercise the powers of Executive Magistrate.

(3) A Food Safety Officer shall prepare a statement describing the food, apparatus, utensil or vehicle seized and shall deliver a copy of the statement to the person from whom it is seized or, if such person is not present, send such copy to him by mail or available means of communication or registered post.

(4) A person claiming back anything seized under sub-section (1) may, within seven days of the seizure, apply to the Court and the Court may confirm such seizure, wholly or in part, or may order that it be restored to the claimant.

(5) If the Court confirms the seizure of the food, apparatus or utensil, it shall be forfeited to the Food Department or the Court may direct that such food, apparatus, utensil may be destroyed at the cost of the owner or person in whose possession it was found.

(6) If an application is not made within seven days under sub-section (3), the food, apparatus or utensil seized, shall be forfeited to the Food Department.

16. **Appointment of Inspectors.**—(1) Government may appoint Inspectors in respect of all or any specified food, and an Inspector so appointed shall have jurisdiction in such area as Government may direct.

(2) The Director General/Director Food Department Gilgit-Baltistan may exercise the powers and perform the functions of an Inspector under this Act or any other officer working under the Director General/Director Food Department Gilgit-Baltistan may exercise such powers and perform such functions of an Inspector within such area as the Director General/Director Food Department Gilgit-Baltistan may, by order in writing, direct.

17. **General powers of Inspectors.**—(1) An Inspector may detain and search any vehicle or package of any food intended for sale or in the course of delivery if he has reason to suspect that the food therein carried or contained may be injurious to health, unwholesome or unfit for human consumption or is not of the same nature, substance or quality which it purports to be:

(2) An Inspector may—

i. Enter any Flour Mill, dealer shop and cease any sort of activity that is using subsidized wheat/flour other than specified dealers.

CamScanner

ii. Enter into and inspect any market, godown, shop, stall or other place used for the sale of any food intended for human consumption or for the preparation, manufacture or storage of any such food for the purpose of trade or sale.

iii. Enter upon any premises for exercising the powers of purchasing or taking a sample and may in such premises inspect and examine any food and any apparatus, utensil or vessel used for preparing, manufacturing or containing such food.

iv. enter into and inspect any market, godown, shop, stall or other place used for the manufacture, storage or sale of any apparatus, utensil or vessel ordinarily used or intended to be used or likely to be used for preparing, manufacturing or containing any food.

(3) An Inspector may, instead of removing such food, apparatus, utensil or vessel seized, leave the same in the custody of the person from whose possession, custody or control, the same was seized or in such safe custody as he may deem fit.—

(a) When any food, apparatus, utensil or vessel is seized under sub-section 17(3), it may be destroyed by the officer making the seizure with the consent in writing of the owner or the person in whose possession, custody or control it was found.

(b) If any food seized under sub-section (3) is of a perishable nature and is, in the opinion of the Inspector, unsound, unwholesome or unfit for human consumption it may be destroyed without such consent but in the presence of two respectable witnesses.

(4) An Inspector shall prepare a statement describing the food, apparatus or utensil seized and shall deliver a copy thereof to the food committee and to the person from whose custody the food, apparatus or utensil was seized, or, if such person or his authorized agent is not present, send such copy to him or his authorized agent by registered post.

(5) Subject to the direction of the District Food Monitoring Committee, an Inspector may seal any premises where he believes that any food, which is adulterated or which is unsound, unwholesome, and injurious to health or unfit for human consumption, is prepared, manufactured, preserved, packaged, stored, conveyed, distributed or sold.

(6) While performing functions of entry, inspection, taking samples, seizure or sealing, the Inspector shall use or caused to be used electronic devices to generate electronic evidence of any of his actions under this Act.

CamScanner

(7) The Director General/Director Food Department Gilgit-Baltistan may exercise the powers and perform the function of an Inspector under this Act, and District Food Controller or any other officer working under the Director General/Director Food Department Gilgit-Baltistan may exercise such powers and perform such functions of an Inspector within such areas as the Director General/Director Food Department Gilgit-Baltistan may, by order in writing, direct.

18. **Purchase of samples, etc.**—(1) An Inspector may, for the purpose of analysis, purchase a sample of food.—

(a) in transit;

(b) sold, offered for sale, hawked about, kept or stored or received for the purpose of preparing therewith any food; or

(c) kept or stored in a market, godown, shop, stall, hotel, restaurant or eating house for the purpose of trade or sale or received therein for the purpose of preparing or manufacturing therewith any food.

(2) No person shall refuse to sell food to an Inspector intending to purchase for the purpose he deems necessary in such reasonable quantity and from such container as he may ask for.

Explanation.—The purchase or sale of a sample of any food for the purpose of analysis under this Act shall be deemed to be purchased or sold for human consumption or use; if the product is found to be according to standard, the owner shall be paid the market price of that sample. Otherwise, he shall not be entitled to claim the amount.

(3) If, in contravention of sub-section (2), any person refuses to sell the food to the Inspector, the Inspector may, without prejudice to any penalty to which such person may be liable for such contravention, seize such quantity of the food as may appear to him to be necessary, and shall give such person a certificate showing the price, nature and quantity of the food seized, the date, time and place of seizure, and on demand being made in that behalf, the price of the food seized.

(4) The Inspector shall prepare in such form as may be prescribed, a declaration in triplicate containing full particulars relating to the sample seized and such declaration shall be signed or marked both by the Inspector and the person from whose possession, custody or control the food has been seized, and a copy thereof shall be given to such person.

(5) When a sample is taken from the stock in possession of a commission agent, he shall be bound to give the name and such other particulars

CamScanner

of the person on whose behalf such stock is held by him as the Inspector may require.

19. **Right of private persons to have samples analyzed.**—(1) Any person may make an application in writing to an Inspector asking him to purchase a sample of such food and from such person as may be specified in the application and to submit such sample to the Public Analyst for analysis;

(2) The cost of the sample purchased and of the analysis done shall be payable by the person making the application:

Provided that, in case the sample is found by the Public Analyst to be adulterated, any amount paid by the applicant under this sub-section shall be refunded to him.

20. **Methods of taking samples.**—(1) An Inspector after purchasing, procuring, or seizing any food with the intention of submitting the same for analysis shall, forthwith, divide the food in three parts to be then and there separated and each part shall be marked, sealed or fastened in such manner as the nature of the case will permit; and the person from whom the sample is taken may, if he so desires, also affix his seal or mark on each of the three parts.

(2) An Inspector shall.—

(a) if required to do so, deliver one part to the person from whom the article is purchased or seized or the sample is taken;

(b) Retain one part for future comparison; and

(c) Submit one part to the Public Analyst:

Provided that where the sample is taken from any food which is about to be imported or is in transit or at the place of delivery to the purchaser, consumer or consignee or is unclaimed, the first-mentioned part of the sample shall be retained by Inspector, unless the name and address of the consignor appear on the container containing the article sampled, in which case he shall forward that part to the consignor by registered post or otherwise, together with a notice informing him that the sample would be analyzed by the Public Analyst.

21. **Public Analyst.**—(1) The Government may, by notification, appoint Public Analyst for such areas as it may assign to him.

(2) A public Analyst shall posses such qualifications as may be prescribed.

CamScanner

(3) The production in a trail of a certificate under the hand of a public analyst shall, until the contrary is proved, be sufficient proof of the facts contained in the certificate.

(4) The Court may, of its own accord or on request of the accused, cause any food or sample of food to be sent for analysis to the Public Analyst.

(5) Unless otherwise directed by the court, the accused, on whose request any food or sample of food is sent to the public analyst, shall bear its cost.

22. **Certificate of Analyst.**—(1) The Public Analyst upon receiving any food or a sample of food from the Inspector shall, as soon as possible, analyze the same and deliver or send to the Inspector forwarding the sample, on payment of such fee as may be prescribed, a certificate in the form specified by Food Department showing the result of the analysis.

(2) A copy of such certificate may be obtained from the Public Analyst by the person from whom the article so analyzed was purchased or obtained on payment of fee as may be prescribed under rules.

(3) No person shall display any such copy on his premises or use such copy as an advertisement.

CHAPTER-IV

ENFORCEMENT MECHANISM

23. **Authorized Officers.**—(1) The Director General Food Department Gilgit-Baltistan/Director Food HQ Gilgit-Baltistan shall act as Food Safety Officer for the territory of Gilgit-Baltistan.

(2) The Director Food Gilgit-Baltistan shall carry matters related to subsidized wheat, flour processing and shall carry the matters pertaining to food items under this Act.

(3) The Divisional Directors shall carry the matters of wheat and food items at divisional level and assist the Director Food HQ Gilgit Baltistan.

(4) District Heads of the Food Department Gilgit-Baltistan shall act as District Food Controller under this Act at district level.

24. **Provincial Monitoring and Evaluation Food Committee.**—(1) The Government may, by notification, constitute a Provincial Monitoring and Evaluation Food Committee under this Act.

CamScanner

(2) The Provincial Monitoring and Evaluation Food Committee shall consist of a Chairman/Chairperson and Minister/Advisor to CM/ Special Assistant to CM shall act as the Chairperson of the Committee and shall include:—

a.	The Secretary Food Gilgit-Baltistan.	*(Vice-Chair)*
b.	The Secretary Agriculture, Gilgit-Baltistan.	*(Member)*
c.	The Secretary Industries, Gilgit-Baltistan.	*(Member)*
d.	The Secretary Home & Prisons GB.	*(Member)*
e.	The Secretary Finance GB	*(Member)*
f.	The DG Food GB/Director Food GB	*(Secretary of the Committee for coordination)*
g.	The Secretary Law & Prosecution GB	*(Member)*
h.	The Secretary Health GB	*(Member)*
i.	And such other members as the Government may appoint.	*(Member)*

(3) Provincial Monitoring and Evaluation Food Committee within its area of jurisdiction shall:

a. implement policies of the Government for effective enforcement of this Act;

b. set targets with time lines to achieve them;

c. ensure that the provisions of this Act are enforced in a manner that the objectives of the Act are achieved;

d. meet quarterly basis in a fiscal year.

25. **Divisional Food Monitoring Committee.**—(1) The Government may, in each division, constitute a Divisional Food Monitoring Committee which shall be headed by the Commissioner of the Division and shall include:

a.	The Deputy Inspector General of Police of the Division.	*(Member)*
b.	The Regional Director Health.	*(Member)*

CamScanner

c. The Divisional Director Food. *(Secretary of the Committee for coordination)*

d. The Director Agriculture of the division. *(Member)*

e. The Director Industries of the division. *(Member)*

f. And any elected public representative nominated by the chairman. *(Member)*

(2) The Divisional Food Monitoring Committee shall;

a. ensure that the provisions of this Act are enforced in a manner that the objectives of the Act are achieved;

b. monitor working of the food related issues;

c. submit report to the Provincial Monitoring and Evaluation Food Committee on the performance of the enforcement machinery with reference to the implementation of the Act;

d. receive and redress public grievances by issuing directions to the Divisional Director Food;

e. Perform such other functions as the Government may assign.

f. Meet bimonthly basis.

26. **District Food Monitoring Committee.**—1. The Government shall, in each district, constitute a District Food Monitoring Committee which shall be headed by the Deputy Commissioner of the district and shall include:

a. The Superintendent of Police of the District. *(Member)*

b. The District Health Officer of the District. *(Member)*

c. The District Food Controller. *(Secretary of the Committee for coordination)*

d. And any elected public representative nominated by the chairman. *(Member)*

2. The District Food Monitoring Committee shall:

a. ensure that the provisions of this Act are enforced in a manner that the objectives of the Act are achieved;

CamScanner

b. monitor working of the food related issues;

c. submit report to the Divisional Food Monitoring Committee on the performance of the enforcement machinery with reference to the implementation of the Act;

d. receive and redress public grievances by issuing directions to the District Food Controller;

e. perform such other functions as the Government may assign; and

f. meet at least once in every month.

27. **Sub-Divisional Food Monitoring Committee.**—(1) The Sub-Divisional Food Monitoring Committee shall be headed by Assistant Commissioner of the sub-division and shall include:

a.	Deputy Superintendent of Police	*Member*
b.	Food Inspector	*Secretary of the Committee*
c.	Medical Officer	*Member*
d.	Food Expert and	*Member*
e.	other supporting staff	*Member*

(2) The Sub-Divisional Food Monitoring Committee shall:

a. ensure that the provisions of this Act are enforced in a manner that the objectives of the Act are achieved;

b. monitor working of the food related issues;

c. submit report to the District Food Monitoring Committee on the performance of the enforcement machinery with reference to the implementation of the Act;

d. receive and redress public grievances by issuing directions to the Food Inspector of the sub-division;

e. perform such other functions as the Government may assign; and

f. meet at least once in every month.

CamScanner

28. **Monthly Report.**—1 The District Food Monitoring Committee shall, at the end of each month, submit to the Divisional Food Monitoring Committee a report about the performance of the Food Committee, especially with respect to the protection of public health, of safety and standards of food during the month under report and the steps taken and likely to be taken to achieve the purposes of this Act.

2. The Divisional Food Monitoring Committee may, after considering the report, issue such directions to the District Food Monitoring Committee as may be necessary and shall also submit a report bimonthly to the Provincial Monitoring and Evaluation Food Committee regarding the performance of the Food Committee and the steps taken and likely to be taken to achieve the purposes of this Act.

3. The Provincial Monitoring and Evaluation Food Committee may, after considering the report, issue such directions to the Divisional Food Monitoring Committee as may be necessary for achieving the purposes of this Act.

29. **Monitoring and Evaluation.**—1 The Government shall, at least once in a year, conduct or cause to be conducted, the performance audit of the Provincial Monitoring and Evaluation Food Committee to assess and evaluate their performance in accomplishing the objectives of this Act.

2. The Government shall evaluate the report and shall, on the basis of the report, issue such directions to the Provincial Monitoring and Evaluation Food Committee as may be necessary for accomplishing the objectives of this Act and the Committee shall implement the directions accordingly.

30. **Licensing of Food Business.**—(1) Any person desirous of obtaining a license for using any places for Food Business or commencing any food business, shall apply to the Food Department Gilgit-Baltistan in such a manner and subject to such condition and on payment of such fee, payable for each year or otherwise as may be prescribed;

(2) The Food Department GB shall process each application in accordance with prescribed procedure and shall bound to decide the fate of the application either way within 45 days;

(3) The license granted under this section shall, unless sooner suspended or cancel, remain enforce for a period of three years from the date of issue and may thereafter be renewed on payment of such fee for another three years as may be prescribed;

CamScanner

(4) The Food Department may refuse to issue and renew the license, if it does not fulfill the requirements of this Act or the rules or regulation, in which case, reasons shall be recorded in writing and communicated to the applicant seeking for such license.

(5) Any person aggrieved from any order passed under sub-section (iv) may within fifteen days of the communication of the order, prefer an appeal against such order to the Chief Secretary Gilgit-Baltistan.

31. **Improvement notice.**—(1) If the Food Inspector has reasons to believe that any food operator has failed to comply with any provisions of this Act, the rules or the regulations, he may serve an improvement notice for 30 days to the food operator.—

(a) stating the grounds for believing that the food operator has failed to comply with any provisions of the Act or the rules or the regulations;

(b) specifying the matters which constitute the food operator's failure so to comply; and

(c) intimating the measures, which the food operator should take in order to secure compliance with the relevant provisions of the law.

(2) If the food operator fails to comply with the improvement notice within the prescribed time, the Food department may cancel or suspend the license or take such other action, as it deems appropriate under the law.

32. **Prohibition Orders.**—If any food operator is convicted of an offence under this Act and the Court is satisfied that the health risk exists with respect to the food business, the Court, may impose the following prohibitions:

(a) a prohibition on the use of a process, treatment, premises or equipment for purposes of the food business; or

(b) a prohibition, with or without specifying period of prohibition, on the food operator to conduct or operate the food business.

33. **Emergency prohibition orders.**—(1) If the Food inspector is satisfied that the health risk condition exists with respect to any food business, he may, after serving a notice on the food operator and for reasons to be recorded in writing, restrain him from carrying on the food business with or without specifying conditions or period of such restraint.

(2) The Food Inspector shall, within twenty-four hours of the action taken, report such action to the District head of Food Department, which may,

CamScanner

after serving a notice on the food operator and for reasons to be recorded in writing, confirm, modify or set aside the order of the Food Inspector in consultation with DG/Director Food GB.

34. **Notification of Food Poisoning.**—The Medical practitioners of the concerned local area shall report all occurrences of food poisoning to the concerned District head of Food Department in writing.

35. **Food Recall Procedures.**—(1) If the Director Food Gilgit-Baltistan has reasons to believe that some food is not in compliance with this Act, the rules or the regulations, he may, after recording reasons, order immediate withdrawal, removal, seizure or dispose of the said food from 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 Food Department.

(3) The Secretary Food department may, on its own motion or on the application of an aggrieved person, set-aside or modifies an order made under this Act.

36. **Establishment of Food Laboratories.**—(1) The Food Department shall establish a Food Laboratory for purposes of carrying out analysis of samples of any food or food related equipments or utensils.

(2) The Food Department may recognize or accredit a food laboratory for any of the purpose.

CHAPTER-V

OFFENCES AND PENALTIES

37. **Selling Food not in compliance with the Law.**—A person, who sells or offers for sale any adulterated food or food items, which does not comply with the provisions of this Act, shall be liable to imprisonment for a term which shall not be more than six months and fine which may extend up to one million rupees.

38. **Offence by Flour Mill Operators.**—(1) Any Flour Mill Owner or Mill Operator who contravenes the SOPs and rules framed by Food Department for Mill operations shall be liable to imprisonment for a term which shall not be more than two years or fine which may extend to one million rupees or both whichever is appropriate.

CamScanner

(2) Any Flour Mill Owner or Mill Operator found guilty of unlawful inter-district transportation of wheat and flour shall be liable to imprisonment for a term which shall not be more than six months or fine which may extend upto one million rupees.

39. **Offence by Flour Chakki Operators.**—Any Chakki Owner or Chakki Operator who contravenes the rules shall be liable to imprisonment for a term which shall not be more than three months or fine which may extend to thirty thousand rupees or both whichever is appropriate.

40. **Offence by Flour/Wheat Dealer.**—Any flour or wheat dealer appointed by Food Department who contravenes the rules shall be liable to imprisonment for a term which shall not be more than one month or fine which may extend to thirty thousand rupees or both whichever is appropriate along with the cancelation of dealership forever.

41. **Offense by Large Scale Manufacturers.**—If a person manufactures, keeps, transports, imports or exports adulterated food at large scale or large quantities for use or consumption, he shall be liable to imprisonment for a term, which may extend to two years or fine which may extend to one million rupees or both whichever is appropriate.

42. **Offences by Companies.**—(1) Where an offence under this Act has been committed by a Company, every person, who at the time of the commission of the offence, was in charge of the Company shall be liable to punishment for the offence and the Company shall also be liable to the punishment of fine or compensation specified for the offence.

(2) Notwithstanding anything contained in sub-section (1), where it is proved that the offence is attributable to any neglect on the part of the Secretary, Director, Manager, or other officer of the Company, such Secretary, Director, Manager, or other officer shall also be liable to punishment for the offence.

Explanation.—In this section, "Company" means a body corporate and includes a firm or any other association of persons.

43. **Unsafe Food.**—A food operator, who manufactures for sale, stores, sells, distributes, imports or exports any unsafe food, shall be liable:

(a) where the unsafe food does not result in injury to any person, to imprisonment for a term, which may extend to three months or fine, which may extend to fifty thousand rupees or both whichever is appropriate.

CamScanner

(b) Where such unsafe food results in injury to any person, to imprisonment for a term, which may extend to six months and fine, which may extend to one hundred thousand rupees.

44. **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 one year or fine which may extend to one hundred thousand rupees or both whichever is appropriate.

45. **Unhygienic or Unsanitary Conditions.**—Any person who manufactures or processes or keeps any food under unhygienic or unsanitary conditions shall be liable to imprisonment for a term which may extend to six months or fine which may extend to fifty thousand rupees or both whichever is appropriate.

46. **False Advertisement/Publication.**—(1) any person, who for purpose of effecting or promoting the sale of any food, publishes or causes to be published, any advertisement which.—

(a) falsely describes any food; or

(b) in contrary to any rules or regulations; or

(c) is likely to deceive a purchaser with regard to the character, nature, value, substance, quality, strength, purity, composition, merit or safety, weight, proportion, origin, age or effects of any food or of any ingredient or constituent of the food, shall be liable to imprisonment for a term which may extend to six months or fine which may extend to two hundred thousand rupees or both whichever is appropriate.

(2) Any person, who publishes or causes to be published an advertisement, which does not contain the true name of the person by whom the advertisement is published or the address of his place of business, shall be liable to imprisonment for a term which may extend to six months or fine which may extend to two hundred thousand rupees or both whichever is appropriate.

47. **False Labeling.**—(1) Any person, who prepares, packages, labels any food which does not comply with the prescribed standard, shall be liable to imprisonment for a term which may extend to three month or fine which may extend to two hundred thousand rupees or both whichever is appropriate.

(2) Any person, who labels any food in a manner which is false, misleading or deceptive as regards its character, nature, value, substance, quality,

CamScanner

composition, merit or safety, strength, purity, weight, origin, age or proportion shall be liable to imprisonment for a term which may extend to six months or fine which may extend to two hundred thousand rupees or both whichever is appropriate

48. **Failure to Comply with the Directions.**—If any person, without reasonable cause, fails to comply with any order or notice issued by the Food Department or Food Safety Officer, he shall be liable to imprisonment for a term which may extend to one month or fine which may extend to one hundred thousand rupees or both whichever is appropriate.

49. **False Information.**—If a person makes a false or misleading statement, provides false or misleading information or produces any false or misleading document before the Food Department or Food Safety Officer, he shall be liable to imprisonment for a term which may extend to one month or fine which may extend to twenty five thousand rupees or both whichever is appropriate.

50. **Obstructing the Activities of Food Department.**—(1) Any person, who obstructs activities of Food department or its Inspector in the performance of his duties, shall be liable to imprisonment for a term which may extend to one month or fine which may extend to twenty five thousand rupees or both whichever is appropriate.

(2) Any person, who unlawfully removes, alters or interferes, in any manner, with any food, equipment or vehicle seized or any premises sealed under this Act, shall be liable to imprisonment for a term which may extend to one month or fine which may extend to fifty thousand rupees or both whichever is appropriate.

51. **Business without License.**—If a food operator manufactures, sells, offers for sale, stores or distributes or imports any food without the prescribed registration or license, the business premises shall be sealed and the offender shall be liable to imprisonment for a term which may extend to six months or fine which may extend to two hundred thousand rupees or both whichever is appropriate.

52. **Warranty and false warranty.**—(1) A food operator who is a manufacturer, distributor or dealer of a prescribed food shall not sell such food to any food vendor unless a written warranty or other written statement is given that the food complies with the provisions of this Act, the rules and the regulations.

(2) Any person, who contravenes the provisions of sub-section (1), shall be liable to imprisonment for a term which may extend to one month or fine which may extend to one hundred thousand rupees or both whichever is appropriate.

CamScanner

(3) Any food vendor, who gives to the purchaser a warranty in writing which is false, shall be liable to imprisonment for a term, which may extend to one month or fine, which may extend to one hundred thousand rupees or both whichever is appropriate.

53. **Compensation in case of injury or death of a consumer.**—(1) In case of injury or death of a consumer due to unsafe food, the Court, in addition to any other penalty under this Act, shall direct the food operator to pay compensation to the consumer or, as the case may be, the legal heirs of the consumer, an amount which is.—

(a) not less than one million rupees in case of death; and

(b) not exceeding one hundred thousand rupees in case of injury.

(2) if the food operator fails to pay the compensation under this section, the Food department shall recover the compensation as arrears of land revenue and make payment of the recovered amount to the consumer or, as the case may be, the legal heirs of the consumer.

54. **Forfeiture of Food, etc.**—In case of a conviction under this Act, the Court may direct that any food, equipment, machinery, vehicle or any other thing, to which the conviction relates, shall be confiscated and shall vest in the Food Department.

55. **Publication in Newspapers.**—If a person is convicted of an offence and the conviction has attained finality, the Food Department shall, if so directed by the Court, publish the name of the person together with the name and place of his business; the nature of the offence and the fine, forfeiture, or other penalty imposed on him, in newspapers or in any other mode for information of the people and the convict shall be liable to pay the cost of such publication.

56. **Penalty for unprescribed Offences.**—If a person, who commits an offence unprescribed under the rules, for which no penalty has been provided in this Act, shall be liable to imprisonment up to six month or fine which may extend to one hundred thousand rupees or both whichever is appropriate.

57. **Punishment for Subsequent Offence.**—(1) If any person, after having been previously convicted of an offence under this Act, commits any offence under the Act, he shall be liable to.—

(a) Twice the punishment of imprisonment and fine, which is provided for the offence under this Act; and

(2) The license of the food operator mentioned in sub-section (1) shall be cancelled.

CamScanner

58. **Power to Trial.**—Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1898, any Executive Magistrate empowered by Government to try the offences specified in chapter 5 of the Food Act, 2022 and also offences specified in sub-section 1 of section 260 of the Code of Criminal Procedure through summary trial"

59. **Presumption.**—In every prosecution under this Act relating to any food the Court shall presume;

(a) that any food found in possession of any person, who is or has been habitually found manufacturing, selling, keeping, storing, offering or exposing for sale or hawking about such food, was being manufactured, sold, kept, stored, offered or exposed for sale or hawked about by such person;

(b) that any food commonly used for human consumption is sold, kept or stored for human consumption;

(c) that any food commonly used for the preparation or manufacture of such food, was intended to be prepared or manufactured for human consumption;

(d) that any substance capable of being used in the manufacture or preparation of any food commonly used for human consumption, which is found on premises in which such food is manufactured or prepared, was intended to be used in the manufacture or preparation of such food;

(e) that any food is not of the nature, substance or quality it purports to be, if it is deficient in any of its normal constituents to the extent specified in the rules made under this Act or if any extraneous matter has been added to it in contravention of such rules.

60. **Declaration under Section 17 to be Evidence.**—A declaration signed or marked under Section 17 may be produced as evidence of the fact contained therein in any enquiry, trial or other proceedings under this Act.

61. **Certificate of Public Analyst to be evidence of fact therein stated.**—(1) The production in any enquiry, trial or other proceedings under this Act of a certificate under the hand of a Public Analyst in the form specified in the schedule shall, until the contrary is proved, be sufficient evidence of the facts therein stated.

(2) When any person is accused of an offence under this Act, he may require the Court to summon as a witness the Public Analyst who analyzed the

CamScanner

food or sample of food in respect of which he is accused of having committed an offence and the Court may, and shall, in every case in which the accused deposits in the Court a sum of money in accordance with the sale prescribed, summon the Public Analyst and if such person is acquitted, any sum of money so deposited shall be refunded to him.

62. **Analysis by Chemical Examiner.**—(1) The Court may of its own accord or on the request of the accused cause any food or sample of food to be sent for analysis to the Chemical Examiner to Government who shall thereupon with all convenient analyze the same and report the result of the analysis to the Court in the form specified in the schedule, and the cost of such analysis shall be paid by the accused if the Court so directs.

(2) The certificate of the Chemical Examiner to Government shall, until the contrary is proved, be sufficient evidence of the facts therein stated, but if the Court considers it necessary in the interests of justice it may summon him to give evidence in connection with the certificate issued by him and in such case, the cost of summoning the Chemical Examiner to Court shall be paid by the accused or the Food Department as the Court may direct.

(3) The provisions of section 18, shall apply in respect of the report of the Chemical Examiner.

63. **What is or is not a good defence in a prosecution under this Act.**—(1) In any prosecution under this Act relating to any food it shall be no defence to allege.—

(a) That the accused was ignorant of the nature, substance or quality of the food; or

(b) That the purchaser having bought only for analysis was prejudiced.

(2) The seller shall not be deemed to have committed an offence under this Act if he proves:—

(a) That the food sold was purchased or obtained as agent by him as being of the same nature, substance or quality as that demanded by the purchaser and with written warranty to the effect that it was of such nature, substance, or quality;

(b) That he had no reason to believe at the time when he sold it that the food was not of such nature, substance or quality as required; and

(c) That he sold it in the same state in which he purchased it.

CamScanner

(3) No evidence of a warranty under clause (a) of sub-section (2) shall be admissible on behalf of the seller.—

(a) Unless the seller has on or before the first day of hearing of the case in the court against him sent to the Inspector a copy of the warranty (together with a translation thereof in English) with notice stating that he intends to rely on it and specifying the name and address of the person from whom he received it and has also sent a like notice of his intention to the person; and

(b) Unless such warranty is given by a person permanently residing or carrying on business in Pakistan.

(4) The Court shall summon the warrantor as a co-accused if it admits the warranty on behalf of the seller.

64. **Forfeiture of Food upon Conviction.**—In the case of any conviction under this Act, the convicting Magistrate may order that any food to which the conviction, relates, together with all packages or vessels containing the same, shall be confiscated to Government and be disposed of as the Magistrate may direct.

65. **Expenses of Analysis to be paid by Offenders on Conviction.**—When any person is convicted of an offence under this Act, the convicting Magistrate shall order that all fees and other expenses incidental to the analysis of any food in respect of which the conviction is made, which shall in no case be less than one thousand rupees, be paid by the person convicted, in addition to the fine, if any, which he may be sentenced to pay and the amount of such fees and expenses may be recovered as if it were a fine.

CHAPTER VI

JURISDICTION AND PROCEDURE

66. **Jurisdiction of the Food department.**—(1) A per information received from a Food Inspector or any other person, the Food Department 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

CamScanner

(d) Decide, if the circumstances so warrant, not to take any action on the information.

(2) If the Food department cancels 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 such Appellate Authority as the Government may specify by notification in the official Gazette.

(3) The Food department or the Appellate Authority shall not pass any order relating to suspension or cancellation of the license or imposition of fine without providing an opportunity of hearing to the food operator.

(4) An order of suspension of a licence under this section shall not be passed for a period exceeding seven days at a time and, unless sooner withdrawn or the licence is cancelled, shall cease to have effect on the expiry of the thirtieth day from the date of first such order.

67. **Jurisdiction of the Court.**—An offence punishable under this Act shall be tried by Executive Magistrate or an officer authorized by him.

68. **Cognizance of Offences.**—(1) Court shall not take cognizance of an offence under this Act except on a complaint made by or on behalf of the Food Department or any aggrieved person.

(2) If the offence causes death of, or injury to, a person, the aggrieved person may also file a complaint in the Court under Chapter XVI of the CrPC 1898 *(V of 1898)*.

69. **Time limit for Prosecutions.**—The prosecution for an offence under this Act shall not be allowed after expiry of three years from the date of the commission of the offence or one year from its discovery by the complainant, whichever is earlier.

70. **Recovery of Fines etc.**—(1) The Food Department shall recover the fine, fee or any other amount, imposed or levied, under this Act, the rules or the regulations, as arrears of land revenue and, for the purpose, authorize an officer to exercise the powers of Collector.

(2) The fine imposed or the fee charged under the Act, the rules or the regulations shall be deposited with the Food department and shall form part of the Food Department Fund.

71. **File an appeal.**—Being aggrieved by the order of an officer authorized by Executive Magistrate, the aggrieved party can file appeal before the District Magistrate of the concerned district within 30 days.

CamScanner

CHAPTER-VII

MISCELLANEOUS

72. The revenues/receipts under this act shall be deposited into GB Consolidated Fund Account and the Government shall provide the requisite funds under regular budget of the department to enforce the purposes of this act.

73. **Inspector to be deemed Public Servant.**—An Inspector while exercising any of the functions conferred upon him by or under this Act and all other persons assisting him in discharging such functions shall be deemed to be public servants within the meaning of Section 21 of the Pakistan Penal Code, 1860 (XLV of 1860).

74. **Power to make Rules.**—(1) Government may frame rules for carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, Government may frame rules.—

(a) Prescribing the qualifications of person who may be appointed Public Analysts for the purpose of this Act;

(b) Regulating the appointment and qualifications of persons to be appointed as Inspectors under this Act;

(c) Prescribing the methods of analysis to be followed by public Analysts for the analysis of any food;

(d) Fixing the fee to be paid in respect of the analysis of any food by a Public Analyst;

(e) Prohibiting the use of any particular matter or ingredient in the manufacture or preparation of any food;

(f) Specifying the conditions (which include the addition of a colour or any other substance) subject to which any food shall be manufactured, sold, kept, stored, offered or exposed for sale;

(g) Prohibiting to keep or storage of foods other than those approved under rules;

(h) Securing the cleanliness and free from contamination of any food in the course of its manufacture, preparation, storage, packing, carriage, delivery or exposure for sale, and securing the cleanliness of places, receptacles, packages, wrappings, appliances and

CamScanner

vehicles used in such manufacture, preparation, storage, carriage or delivery;

(i) Prescribing the method, in which labels shall be affixed, languages in which the labels shall be printed and symbols which shall be used for different kinds of food;

(j) Prescribing the manner in which, and the conditions subject to which a license is to be granted under relevant section.

(k) Prescribing the form, and the particulars to be entered in the register to be kept under relevant section.

(l) Authorizing a person taking a sample of milk or any other food for the purpose of analysis to add preservatives to such samples for maintaining it in a suitable condition for analysis and regulating the nature and method of addition of such preservative;

(m) Prohibiting the use or addition as a preservative of any article, material, or substance in the manufacture or preparation for sale of any food;

(n) Prescribing the fees which a local Authority may levy for the grant of a license; and

(o) Prescribing the fee to be deposited in Court for summoning a Public Analyst.

75. **Delegation of powers.**—The Food Department may delegate, subject to such conditions and restrictions as may be specified in the order, any of its functions to a body, committee or an officer, except the function to.—

(a) Frame or amend regulations;

(b) Formulate standards, procedures, processes and guidelines in relation to any aspect of food.

76. **Immunity.**—(i) Provided that any authority under command of Secretary/Director General Food if commits gross illegalities, while imposing fine or awarding punishment his act will be challenged by the aggrieved person before superior authorities of the department.

(ii) It is further provided that the final authority after examining review petitions against the punishment by any aggrieved person may sustain, reduce or pardon the punishment so awarded by its subordinate authority.

CamScanner

77. **Power to remove difficulties.**—The Government may, by notification, make such provisions not inconsistent with this Act, as may appear necessary for removing any difficulty or giving effect to the provisions of the Act.

78. **Repeal and savings.**—Gilgit-Baltistan Pure Food Act, 2011 is hereby repealed.

NAZIR AHMAD,
Speaker
Gilgit-Baltistan Assembly.

SYED MEHDI SHAH,
Governor
Gilgit-Baltistan.

CamScanner