

PUNJAB SAAF PANI AUTHORITY ACT, 2024

An Act to provide for establishment of the Punjab Saaf Pani Authority.

[Gazette of the Punjab, Extraordinary, 17th October, 2024]

No. PAP/Legis-2(10)/2024/162., dated 17.10.2024--The Punjab Saaf Pani Authority Bill, 2024, having been passed by the Provincial Assembly of the Punjab on October 11, 2024, and assented to by the Governor of the Punjab on October 16, 2024, is hereby published as an Act of the Provincial Assembly of the Punjab.

It is necessary to re-constitute the Punjab Aab-e-Pak Authority as the Punjab Saaf Pani Authority to ensure the availability of safe drinking water for the people in the Punjab and the matters connected therewith and ancillary thereto.

Be it enacted by the Provincial Assembly of the Punjab as follows:

1. Short title, extent and commencement.--(1) This Act may be cited as the Punjab Saaf Pani Authority Act, 2024.

(2) It shall extend to the whole of the Punjab..

(3) It shall come into force at once.

2. Definitions.--In the Act:

(a) "Act" means the Punjab Saaf Pani Authority Act, 2024;

(b) "Authority" means the Punjab Saaf Pani Authority re-constituted under Section 3 of the Act;

(c) "Chairman" means the Chairman of the Authority;

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

(e) "employee" means an employee of the Authority;

(f) "facilities" means the premises, installation, equipment, storage, packaging, static or mobile, piped or otherwise supply network, material registered and licensed under the Act;

(g) "Fund" means the Fund of the Authority provided under the Act;

(h) "Government" means the Government of the Punjab;

(i) "local government" means a local government established under the law for the time being in force;

(j) "member" means the member of the Authority;

(k) "prescribed" means prescribed by the rules or the regulations;

(l) "province" means the province of the Punjab;

(m) "regulations" means the regulations framed under the Act; and

(n) "rules" means the rules made under the Act.

3. Re-constitution of the Authority.--(1) On the commencement of the Act, the Punjab. Aab-e-Pak Authority established under the Punjab Aab-e-Pak Authority Act, 2019 (XII of 2019) shall stand re-constituted as the Punjab Saaf Pani Authority.

(2) The Authority shall be a body corporate, with perpetual succession and a common seal, with powers, subject to the provisions of the Act, to acquire and hold property, both movable and immovable, and may, by the said name, sue and be sued.

(3) The Authority shall not dispose of its immovable property without prior approval of the Government.

(4) The Authority shall comprise of:

(a) A person to be appointed as Chairperson by the Government.	Chairperson
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(b) Secretary to the Government, Planning and Development Board.	Member
(c) Secretary to the Government, Finance Department.	Member
(d) Secretary to the Government, Housing, Urban Development and Public Health Engineering Department.	Member
(e) Secretary to the Government, Local Government and Community Development Department.	Member
(f) Chief Executive Officer.	Secretary/ Member
(g) Three non-official members to be appointed by the Government.	Members

(5) The non-official members, as provided under clause (g) of sub-section (4), shall hold office for a period of three years and shall be eligible for re-appointment for another term.

(6) A non-official member may resign by writing under his hand addressed to the Government through the Authority.

(7) The Government may remove a non-official member without assigning any reason.

(8) A non-official member shall cease to hold office if he absents himself from three consecutive meetings of the Authority.

(9) No act or proceedings of the Authority shall be invalid because of any vacancy or defect in its constitution.

4. Functions and powers of the Authority.--(1) The Authority shall:

- (a) provide safe drinking water to the people in the Punjab at suitable dispensing points;
- (b) undertake or engage in such activities as are necessary for sustainable, efficient and affordable safe drinking water;
- (c) conduct surveys, studies and research for provision of safe drinking water;
- (d) devise strategy, plan and actionable parameters for the survey of water contamination and for the provision of safe drinking water by installation of water filtration and purification plants;
- (e) reduce, suspend or disconnect the water supply in the event of contravention of the provisions of the Act or the rules or regulations made thereunder subject to affording an opportunity of hearing;
- (f) design, fabricate, construct, install, build, commission, test, operate and maintain or cause to design, fabricate, construct, install, build, commission, test, operate and maintain schemes and water filtration plants for drinking water;
- (g) develop or cause to develop infrastructure as needed to provide drinking water, including setting up of bottling plants and testing laboratories;
- (h) educate and involve the community in the development of filtration plants and water supply schemes to devise suitable arrangements for improving access to safe drinking water;
- (i) carry out Improvements, management. Administration, supervision, execution and control of works and projects for providing safe drinking water;
- (j) devise and develop a model of designing, supervising, monitoring and evaluating the execution of safe drinking water projects and their quality assurance system;
- (k) increase participation in international collaborative projects relating safe drinking water;
- (l) register and issue license to the drinking water filtrations, purification plants and facilities for provision of safe drinking water;

- (m) maintain or cause to maintain a record including an electronic database of all registrations, licenses, inspections, and matters related or ancillary thereto;
 - (n) prescribe standards for safe drinking water;
 - (o) provide drinking water-related sanitation services;
 - (p) impose, collect and enforce rates, fees and other charges regarding the services provided by it with the approval of the Government;
 - (q) regulate drinking water filtrations, purification plants and facilities, whether public or private;
 - (r) establish training institute relating to its functions and their regulation, governance and administration; and
 - (s) any other function as may be assigned by the Government.
- (2) Without prejudice to the foregoing functions, the Authority may also perform the following functions:
- (a) liaise on, coordinate and co-work with duly registered companies, bodies, associations, societies, corporations, authorities, agencies, trusts, charities, organizations, institutes, whether in Pakistan or elsewhere, engaged in safe drinking water activities;
 - (b) aid and benevolent charitable, national or other institutions which are engaged in providing safe drinking water and which, in the opinion of the Authority, warrant support;
 - (c) sale of safe drinking water subject to such fee and in the manners as may be prescribed;
 - (d) organize conferences, audio-visual programs or prepare, print, publish, broadcast and issue or cause to prepare, print, publish, broadcast and issue papers, surveys, journals, magazines, periodical reports, articles, bulletins, short message service, newsletters, materials, graphics, statistics, advisories for circulation and communication, through any appropriate means, including electronic means, for information, guidance, awareness, and education of the general public;
 - (e) provide a platform for research and development regarding the provision of safe drinking water;
 - (f) prepare or cause to prepare databank, spatial data infrastructure, and disruptive technologies' model for the transparency and optimization of service delivery in the discharge of its functions under the Act;
 - (g) execute specific drinking water supply projects of the Government or the concerned local governments, and
 - (h) capacity building of its human resource and partners to carry out its functions under the Act.

5. Meetings of the Authority.--(1) The meetings of the Authority shall be held at its head office situated in Lahore or at any other place as the Chairperson may decide.

(2) The meetings of the Authority shall be presided over by the Chairperson and in his absence, it shall be presided over by the member nominated by the Chairperson and if so not possible then by a member elected by the members present at a meeting

(3) Five members of the total members present or through video-link or tele-conference, shall constitute the quorum for the meetings of the Authority.

(4) Subject to the quorum, the decisions of the Authority shall be taken by a majority of the members present and voting and in case of tie, the Chairperson or the member presiding over the meeting, as the case may be, shall have a casting vote.

(5) The Secretary of the Authority shall maintain or cause to be maintained the record of each meeting of the Authority, including the minutes of the meetings.

6. Chairperson.--(1) The Chairperson of the Authority shall be appointed by the Government on such terms and conditions as may be determined by it.

(2) The Chairperson shall hold office for a non-extendable period of three years from the date of his appointment and shall not be eligible for re-appointment.

(3) Subject to the provisions of the Act, the Chairperson shall perform such functions as may be entrusted to him by the Authority.

(4) The Government may remove the Chairperson without assigning any reason subject to serving one month's notice or one month's salary in lieu thereof.

(5) The Chairperson may resign by writing under his hand and addressed to the Government subject to serving one month's notice or one month's salary in lieu thereof.

7. Chief Executive Officer.--(1) There shall be a Chief Executive Officer of the Authority who shall be appointed, on the recommendation of the Authority, by the Government on such terms and conditions as may be determined by the Government.

(2) The Chief Executive Officer shall have the general and active management of the business of the Authority and shall see that all orders and resolutions of the Authority are carried into effect.

(3) The Chief Executive Officer may, after approval of the Authority, execute contracts, deeds, and other instruments on behalf of the Authority in accordance with the prevailing financial rules of the Government of the Punjab.

(4) The Chief Executive Officer shall also exercise such powers and perform such functions as may be prescribed by regulations or assigned by the Authority.

(5) In addition to the powers and functions mentioned in sub-sections (2), (3) and (4), the Chief Executive Officer shall:

(a) prepare and submit to the Authority a strategic plan for the operation, management and functioning of the Authority and annual updates of the plan concerning the major functions and operations of the Authority;

(b) prepare and submit to the Authority proposals with respect to such grants and allotments, contracts, other financial assistance, and designation of positions as are necessary or appropriate to carry out the purposes of the Act;

(c) after receiving an approved proposal from the Authority, make such grants and allotments, enter into such contracts, award such other financial assistance, make such payments in lump sum or installments, and in advance or by way of reimbursement, and in the case of financial assistance otherwise authorized under the Act with necessary adjustments on account of overpayments and underpayments, and designate such positions as are necessary or appropriate to carry out the effective functioning of the Authority;

(d) prepare and submit to the Authority a proposal regarding, the regulations and such other standards, policies, procedures, programs, and initiatives as are necessary or appropriate for management and operations of the Authority, and after receiving and reviewing of an approved proposal shall establish and administer such standards, policies, procedures and programs as may be approved;

(e) prepare and submit to the Authority an annual report on actions taken to achieve the goals of the authority under the Act, including an assessment of the progress made toward achieving those goals and the actions to be taken in the coming year toward achieving those goal; and

(f) prepare and submit to the Authority an annual report, and such Interim reports as may be necessary, describing the major actions with respect to the officers of the Authority, and with respect to implemented standards, policies, procedures, programs, and initiatives.

8. Registration and licensing of drinking water filtrations, purification plants and facilities.--(1) The Authority may register and issue licenses for private drinking water filtrations, purification plants and facilities for such a fee, as may be approved by the Government, to ensure the provision of safe drinking water in such manner as may be prescribed by the Authority.

(2) A water filtration, purification plant and facility registered and licensed under sub-section (1) shall comply with the prescribed national and provincial water quality standards of safe drinking.

9. Transfer of public sector drinking water filtrations, purification plants and facilities to the Authority.--On the commencement of the Act, all public sector drinking water filtrations, purification plants and facilities owned by the Government, local government, public sector company or any entity owned or controlled by the Government shall stand transferred to the Authority.

10. Appointment of advisors and consultants.--The Authority may employ qualified advisors and consultants to transact any business or to do any act required to be transacted or done in the exercise of powers or performance of its functions under the Act on such terms and conditions as may be approved by the Authority.

11. Committees. (1) The Authority may constitute such committees as may be necessary for efficiently discharging its duties and performing its functions under the Act.

(2) The members of the Authority shall not be the members of the committee constituted under sub-section (1).

12. Appointments in the Authority.--(1) The Authority may appoint such officers and other employees as it may deem fit for the performance of its functions under the Act, on such terms and conditions as may be prescribed by the Government.

(2) The Government, if considered expedient, may make rules prescribing, service structure, welfare, training, regularization, pension and other matters connected therewith and ancillary thereto regarding the officers and other employees of the Authority.

(3) In case of grant of pension to the officers and other employees of the Authority, it shall be borne by the Authority.

(4) The Authority shall review the performance of its officers and other employees every year and may grant such increments and bonuses to them as may be approved in the Authority's annual budget.

13. Immunity.--(1) No suit or prosecution shall lie:

(a) against the Authority for any act which, in good faith, is done or purported to be done by the Authority under the Act; or

(b) against the Chairperson, a member of the Authority, officer, and other employee of the Authority for any act which, in good faith, is done or purported to be done by him under the Act

(2) Any expense incurred by such person as is referred to in sub-section (1) in any suit or prosecution brought against him before any court in respect of any act which is done by him under the Act or on the direction of the Authority shall, if the Court holds that the act was done in good faith, be paid out of the funds of the Authority.

14. Fund.--(1) There shall be a Fund to be known as the Punjab Saaf Pani Authority Fund which shall be administered and controlled by the Authority.

(2) The Fund shall consist of:

(a) budgetary releases from the Government;

(b) grants made by the Federal Government, the Government or any other authority or agency, including international or national agencies, development partners and donors;

(c) all such sums of money as may be determined from time to time by the Government;

(d) all such sums of money as may be received by the Authority in the exercise, discharge and performance of its powers, functions and duties, including fees and penalties or any other sum received under the Act;

(e) fee received through sale of safe drinking water;

(f) donations, if received from Pakistanis, including expatriate Pakistanis;

(g) any profits earned by the Authority; and

(h) income from any other source.

(3) The Fund shall be kept in such custody, utilized and regulated in such manner as may be prescribed by the Government.

(4) There shall be paid out of the Fund, all such sums of money required to defray the expenditure incurred by the Authority in the exercise, discharge and performance of its powers, functions and duties.

15. Budget, audit and accounts.--(1) The Authority shall prepare, in such form and at such time in each financial year, as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Authority.

(2) The Authority shall cause its accounts to be kept in such form and manner as may be prescribed by the Government.

(3) The books of accounts of the Authority shall be kept at the head office of the Authority.

(4) In addition to the requirement of the Government, the Authority shall also have its annual audit done by an independent chartered accountant to be appointed by the Authority.

16. Appointment of Inspectors.--(1) The Authority may appoint or designate as many Inspectors as may be necessary to carry out the purposes of the Act.

(2) An Inspector shall have such qualifications and experience as may be prescribed, but a person who has any financial interest in any matter regulated under the Act shall not be appointed or designated as the Inspector.

(3) The Inspectors shall perform such duties as may be assigned to it by the Authority.

17. Penalties.--(1) A person in charge of a registered and licensed drinking water filtration, purification plant or facility who contravenes any provision of the Act, the rules, the regulations or any order made under the Act by the Authority or any direction issued by the Government, shall, on conviction, be sentenced to imprisonment for a term which may extend to one year or with fine which may extend to two hundred thousand rupees or with both.

(2) A person who tampers with or damages any drinking water filtration plant or purification plant or facility owned by the Authority shall, on conviction, be sentenced to imprisonment for a term which may extend to one year or with a fine which may extend to two hundred thousand rupees or with both.

(3) If a drinking water filtration, purification plant and facility which contravenes any of the provisions of the Act is a company, every director, manager, secretary or other officer or agent of such company shall be deemed guilty of such contravention.

18. Cognizance of offences and trial. (1) An offence under the Act shall be cognizable and bailable.

(2) Notwithstanding anything contained in any other law for the time being in force, an offence under the Act shall be triable by the Magistrate of the First Class in the manners provided in Chapter XXII of the Code.

19. Bar of jurisdiction.--No order made in exercise of any power conferred by or under the Act shall be called in question in any Court except in the manners as may be prescribed by the Government.

20. Act to have overriding effect.--The provisions of the Act shall have effect notwithstanding anything contrary contained in any other law for the time being in force.

21. Annual report.--(1) The Authority shall submit an annual report of its activities to the Government at the end of each financial year.

(2) The Government shall lay the annual report of the Authority in the Provincial Assembly of the Punjab within ninety days of its receipt from the Authority.

22. Power to make rules.--Subject to the provisions of the Act, the Government may make rules for carrying out the purposes of the Act.

23. Power to frame regulations.--Subject to the provisions of the Act and the rules made thereunder, the Authority may make regulations as may be necessary for carrying out the purposes of the Act.

24. Transfer and vesting of assets and liabilities.--Any entity or authority of the Government or any company of the Government, having similar objects as that of the Authority, may, by adopting the method provided by its constituent law or articles of association, transfer its assets and assign its liabilities to the Authority, wholly or partially, which shall, upon acceptance by the Authority, vest in the Authority.

25. Removal of difficulties.--If any difficulty arises in giving effect to any provision of the Act, Government may make such order, not inconsistent with the provisions of the Act, as may appear to it to be necessary for the purpose of removing such difficulty.

26. Repeal and savings.--(1) The Punjab Aab-e-Pak Authority Act, 2019 (XII of 2019) is hereby repealed.

(2) On the commencement of the Act, all schemes, projects, or works started by the Punjab Aab-e-Pak Authority under the repealed Punjab Aab-e-Pak Authority Act, 2019 (XII of 2019) but not completed, shall stand transferred to the Authority and be executed under the provisions of the Act.

(3) Notwithstanding the repeal of the Punjab Aab-e-Pak Authority Act, 2019 (XII of 2019), all rules, regulations, appointments and orders made, notifications issued, land acquired, schemes prepared or executed, rates and fees imposed, penalties or other charges levied, contracts entered into, bank accounts opened or fixed deposits made, suits instituted by or against the Punjab Aab-e-Pak Authority or any other right accrued, or liability incurred or action taken or proceedings initiated, shall, so far as they are consistent with the provisions of the Act, continue in force and be

deemed to have been made, imposed, levied, entered into, opened, instituted, prepared, executed, accrued or incurred, taken and initiated by the Authority under the Act.
