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GOVERNMENT OF THE PUNJAB
LAW AND PARLIAMENTARY AFFAIRS
DEPARTMENT

03 March 2024

No. Legis:13-11/2020.- The following Ordinance promulgated by Governor of the Punjab is hereby published for general information:

THE PUNJAB PRICE CONTROL OF ESSENTIAL COMMODITIES ORDINANCE 2023

(V OF 2024)

An
Ordinance

to provide for price control of essential commodities in the Punjab.

It is necessary to make provisions for providing effective mechanism for fixation of prices of essential commodities; to control artificial price hike and profiteering of essential commodities in the Punjab; and, for the matters ancillary thereto.

Provincial Assembly of the Punjab is not in session and Governor of the Punjab is satisfied that circumstances exist which render it necessary to take immediate action.

In exercise of the powers conferred under clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, Governor of the Punjab is pleased to make and promulgate the following Ordinance:

1. Short title, extent and commencement.- (1) This Ordinance may be cited as the Punjab Price Control of Essential Commodities Ordinance 2023.

(2) This Ordinance extends to the whole of the Punjab.

(3) This Ordinance shall come into force at once.

2. Definitions.- In the Ordinance:

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

(b) "Controller of Prices and Supplies" means the Deputy Commissioner of the relevant District;

(c) "Council" means the Price Control Council established under section 3 of the Ordinance;

(d) "District Price Control Committee" means the District Price Control Committee notified by the Controller of Prices and Supplies in his respective jurisdiction;

(e) "dealer" means a person carrying on, whether in conjunction with any other business or not, the business of selling any essential commodity, whether wholesale or retail;

(f) "essential commodity" means any of the commodities or classes of commodities mentioned in the Schedule;

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

(h) "importer" means a person importing into Pakistan, whether under an import licence granted by the Federal Government or otherwise, any essential commodity from outside Pakistan, but does not include a person importing any essential commodity as part of his personal baggage;

(i) "Ordinance" means the Punjab Price Control of Essential Commodities Ordinance 2023;

(j) "order" means an order issued under the Ordinance;

(k) "prescribed" means prescribed by the rules and regulations made or framed under the Ordinance;

(l) "producer" means a person engaged in the manufacture or production of any essential commodity;

(m) "Province" means the Province of the Punjab;

(n) "Provincial Controller General" means the Provincial Controller General as provided in section 5 of the Ordinance;

(o) "regulations" means the regulations made under the Ordinance;

(p) "rules" means the rules made under the Ordinance;

(q) "Schedule" means the Schedule appended to the Ordinance; and

(r) "Secretary" means the Secretary to the Government.

3. Establishment of Price Control Council.– (1) There shall be a Price Control Council comprising of:

(a)	Minister for Industries, Commerce, Investment and Skills Development;	Chairperson
(b)	Minister for Agriculture;	Member
(c)	Minister for Food;	Member
(d)	Chief Secretary, Punjab;	Member
(e)	Secretary, Home Department;	Member
(f)	Secretary, Industries, Commerce, Investment and Skills Development Department;	Member/ Secretary
(g)	Secretary, Agriculture Department;	Member
(h)	Secretary, Livestock and Dairy Development Department;	Member
(i)	Secretary, Food Department; and	Member
(j)	such other member as the Chairperson may deem fit.	Member

(2) The Council, in addition to the powers provided under section 4, shall:

(a) obtain information regarding prices of essential commodities prevailing in various markets;

(b) review the prices of essential commodities fixed under the Ordinance;

(c) monitor the action taken under the Ordinance for the purposes of price control; and

(d) issue directions and orders to ensure implementation of the provisions of the Ordinance.

4. Powers to make orders.– (1) The Council itself or through the Provincial Controller General, any authorized officer or Controller of Prices and Supplies, for specific essential commodities, so far as it appears to it to be necessary or expedient for securing equitable distribution of an essential commodity and its availability at fair prices, may, by an order, provide for regulating the prices, production, movement, transport, supply, distribution, disposal and sale of the essential commodity and for the price to be charged or paid for it at any stage of transaction therein.

(2) Without prejudice to the generality of the powers conferred by sub-section (1), an order may provide:

(a) for controlling the prices at which any essential commodity may be bought or sold in any area;

(b) for regulating the production, treatment and keeping of any essential commodity;

(c) for regulating, by licences, permits or otherwise, the transportation, movement and distribution in the Province of an essential commodity;

(d) for prohibiting the withholding of sale of an essential commodity ordinarily kept for sale;

(e) for requiring any person holding stock of essential commodity to sell in whole or a specified part of the stock at such price, to such persons or class of persons and under such conditions as may be specified in the order;

(f) for fixing the maximum quantity of any essential commodity which may at any time be possessed by a producer or dealer;

(g) for collecting any information or statistics with a view to regulating or prohibiting any of the matters aforesaid;

(h) for requiring persons engaged in any of the matters aforesaid in respect of any essential commodity to maintain and produce for inspection of such books, accounts and records relating to their business and to furnish such information relating thereto, as may be specified in the order;

(i) for requiring every importer, producer, dealer, wholesaler and retailer to mark the essential commodities with the sale prices and to exhibit on his premises a price list of the essential commodities held by him for sale;

(j) for any incidental and supplementary matters, including in particular the entering and search of premises, vehicles and vessels and seizure by a person authorized to make such search of any article in respect of which such person has reason to believe that a contravention of the order has been, is being or is about to be committed, or any record connected therewith, the grant or issue of licences, permits or other documents and the charging of fees therefor; and

(k) for seizure and forfeiture of stock of essential commodities and sealing of the business place or premises found in contravention of the provisions of the Ordinance subject to providing opportunity of being heard and recording reasons in writing: provided that the provisions of the Code shall not be applicable on search, seizure and forfeiture under the Ordinance.

5. Provincial Controller General, his powers and functions.– (1) The Secretary, Industries, Commerce, Investment and Skills Development Department shall be the Provincial Controller General for the purposes of the Ordinance.

(2) The Provincial Controller General may, by an order, authorize any officer of the Government to exercise his powers and functions within any specific area and with regard to any specific essential commodity or class of commodities, as he may deem fit.

(3) A Deputy Commissioner shall be the Controller of Prices and Supplies in his respective District and exercise the powers and functions of Provincial Controller General in his respective jurisdiction.

(4) For the purpose of exercising powers and performing functions under the Ordinance, the Provincial Controller General or any officer authorized by him or Controller of Prices and Supplies in consultation with the District Price Control Committee notified by him, in his respective jurisdiction, may:

(a) seek monthly or periodical statement or record from a producer, dealer, importer or their representatives as and when required;

(b) enter and search any premises of any trade association and verify the information provided by such association;

(c) seek documents or record from any source for the purposes of order under the Ordinance and such source shall provide the necessary assistance;

(d) fix the price of an essential commodity for any category or tier of available brands in the case of differentiated commodities, after completing the procedure as may be

required by the Provincial Controller General or any officer authorized by him or Controller of Prices and Supplies;

(e) seek record and assistance of any relevant organization either Federal or Provincial for the purpose of fixation of the price of essential commodities, if deems necessary; and

(f) search, seize and forfeit stock of essential commodities and seal the business place or premises found in contravention of the provisions of the Ordinance, subject to providing opportunity of being heard and recording reasons in writing: provided that the provisions of the Code shall not be applicable on search, seizure and forfeiture under the Ordinance.

6. Fixation of prices.– (1) Subject to such directions as may be passed by the Council, the Provincial Controller General or any officer authorized by him or Controller of Prices and Supplies, may by an order fix the specific maximum prices of essential commodities and different prices may be fixed for different localities or at different stages of transaction and the period for which it is being fixed for any essential commodity or classes of commodities.

(2) The Provincial Controller General or any officer authorized by him or Controller of Prices and Supplies may review the prices so fixed or extend the period of the order under sub-section (1) if the circumstances so demand, by recording reasons in writing.

7. Selling or re-selling of essential commodities.– No person shall sell or re-sell any essential commodity at a price higher than the maximum price so fixed and such person shall display a list of fixed prices of essential commodities at conspicuous place of his sale point.

8. Disposal of seized essential commodity.- (1) Notwithstanding anything contained in any other law for the time being in force and in addition to the prosecution under the Ordinance, the essential commodities seized under the Ordinance may be sold by an officer who seized the essential commodities, on the spot at the prices fixed for such essential commodities under the Ordinance.

(2) The sale proceeds so collected under sub-section (1) shall be deposited in a profit bearing bank account in any Scheduled Bank empowered to receive Government dues and if the accused person whose essential commodity is sold is:

(a) acquitted of an offence, the deposited amount shall be released to the said accused person; or

(b) convicted of an offence, the deposited amount shall be forfeited to the Government.

9. Supply of information.– Every dealer, importer, producer or seller shall supply to the Provincial Controller General or any officer authorized by him or Controller of Prices and Supplies such information regarding the production, import, purchase, stock, sale or distribution of any of the essential commodities as the Provincial

Controller General or any officer authorized by him or Controller of Prices and Supplies may, by an order in writing, require.

10. Penalties.– (1) Any person who contravenes any order made under the Ordinance shall be punishable with imprisonment for a term which may extend to three years but it shall not be less than twenty-four hours or with fine which may extend to one hundred thousand rupees or with both.

(2) Any person convicted for an offence punishable under the Ordinance, if convicted again for an offence under the Ordinance, shall be punishable with imprisonment not less than one month or with fine not less than forty-five thousand rupees or with both.

11. Cognizance of offences.- The offences under the Ordinance shall be cognizable and non-bailable.

12. Appeal.– (1) Any producer, dealer, importer, or seller if aggrieved by an order of the Controller of Prices and Supplies may prefer an appeal within seven working days of the passing of such order, to the relevant Divisional Commissioner and the order passed by such Divisional Commissioner shall be final.

(2) Any producer, dealer, importer, or seller if aggrieved by any order of the Provincial Controller General or any officer authorized by him, may prefer an appeal within fifteen working days of the passing of order, to the appellate committee constituted by the Council and the order passed by such appellate committee shall be final.

13. Attempts and abetments.– Any person who attempts to contravene, or abets a contravention of, any order made under the Ordinance shall be deemed to have contravened the order:

Provided that a person who buys an essential commodity for his personal consumption or use and not for sale, he shall not be deemed to have abetted the contravention of such order.

14. Offences by corporations.– If the person contravening an order made under the Ordinance is a company or other body corporate or a partnership or other body of individuals, every director, manager, secretary, member or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

15. False statement.– A person shall be punished with imprisonment for a term which may extend to three years or with fine, or with both, if he:

(a) when required by an order made under the Ordinance to make a statement or furnish any information makes any statement or furnishes any statement which is false in any material particular and which he knows or has reasonable cause to believe to be false, or does not believe to be true; or

(b) makes any statement as aforesaid in any book, account, record, declaration, return or other document which he is required by any such order to maintain.

16. Power to try offences.– (1) The offences punishable under the Ordinance shall be tried by a Special Magistrate appointed under section 14A of the Code either in a summary manner as provided in sections 262 to 265 of the Code or under Chapter XX of the Code.

(2) If a Special Magistrate has reason to believe that any offence punishable under the Ordinance has been committed by any person, he may enter the place or premises where the offence has been committed and try the offences as provided in sub-section (1).

17. Burden of proof in certain cases.– Where any person is prosecuted for contravening any order made under the Ordinance which prohibits him from doing an act or being in possession of a thing without lawful authority or without a permit, licence or other document, the burden of proving that he has such authority, permit, licence or other document shall be on him.

18. Protection of action taken under the Ordinance.– No suit, prosecution or other legal proceeding shall lie against Provincial Controller General or any officer authorized by him or Controller of Prices and Supplies for anything which is in good faith done or intended to be done in pursuance of any order made under the Ordinance.

19. Power to make rules.– The Government may, by notification in the official Gazette, make rules.

20. Power to make regulations.– The Council may, by notification in the official Gazette, frame regulations.

21. Power to amend Schedule.– The Council may, by notification in official Gazette, amend the Schedule.

22. Overriding effect.–Any order made under the Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than the Ordinance or any instrument having effect by virtue of any enactment other than the Ordinance.

(MUHAMMAD BALIGH-UR-REHMAN)
GOVERNOR OF THE PUNJAB

03/03/2024

(MUHAMMAD USMAN ANWAR)
Secretary
Government of the Punjab
Law and Parliamentary Affairs
Department

SCHEDULE

[see section 2(q)]

1. White sugar.
2. Wheat.
3. Atta or Maida and its products.
4. Gur.
5. Paddy.
6. Milk.
7. Curd or Yogurt.
8. Beef.
9. Mutton.
10. Chicken (Live & Meat).
11. Eggs.
12. Poultry feed.
13. Fish of all sorts.
14. Fruits and vegetables of all sorts.
15. Pulses of all sorts.
16. Spices of all sorts.
17. Red chilies.
18. Chemical fertilizer of all sorts.
19. Phutti (Seed cotton).
20. Corn.
21. Pulses as farm produce.
22. Gram (white and black) and its products.
23. Edible oil seeds.
24. Cotton (Lint).
25. Seeds of all sorts.
26. Pesticide, Fungicide, weedicide and herbicide.
27. Oxygen gas and cylinder.
28. LPG and LNG for domestic use.
29. Surgical gloves.
30. Face masks all sorts.
31. Sanitizers.
32. Surface cleaning products.
33. Isopropyl alcohol.
34. Edible oil and ghee of all sort.
35. Coal.
36. Bricks.
37. Cement.
38. Ordinary sand.
39. Crush bajri.
40. Mineral water and filtered water.
41. Salt.
42. Kerosene oil.
43. Firewood.
44. Ice.
45. Tea.
46. Naan Roti.
47. Bread (Double Roti).
48. Dates (Khajoor).
49. Samoosa.