

EXTRAORDINARY

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PART-I

GOVERNMENT OF SINDH

LAW DEPARTMENT

NOTIFICATION

Karachi, dated the 23rd March, 2023.

No.S.Legis:1(1)/2023:- The following Ordinance made by the Governor of Sindh is hereby published for general information:-

THE SINDH ESSENTIAL COMMODITIES PRICE CONTROL AND PREVENTION HOARDING (AMENDMENT) ORDINANCE, 2023

Sindh Ordinance No. I of 2023
(Here print as in the accompaniment)

AN ORDINANCE

to amend the Sindh Essential Commodities Price Control and Prevention of Profiteering and Hoarding Act, 2005.

WHEREAS it is expedient to amend the Sindh Essential Commodities Price Control and Prevention of Profiteering and Hoarding Act, 2005, in the manner hereinafter appearing. **Preamble.**

AND WHEREAS the Sindh Assembly is not in session and the Governor is satisfied that the circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred under clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, 1973, the Governor is pleased to make and promulgate the following Ordinance:-

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| <p>1. (1) This Ordinance may be called the Sindh Essential Commodities Price Control and Prevention of Profiteering and Hoarding (Amendment) Ordinance, 2023.</p> <p>(2) It shall come into force at once.</p> | <p>Short title and commencement.</p> |
| <p>2. In the Sindh Essential Commodities Price Control and Prevention of Profiteering and Hoarding Act, 2005, hereinafter referred to as the said Act, in section 2 –</p> <p>(i) after clause (a), the following new clause shall be inserted:-</p> <p>“(a-i) “authorized officer” means any officer authorized by Government under clauses (a) and (e) for carrying out the purpose of this Act;”;</p> <p>(ii) after clause (d), the following new clause shall be inserted:-</p> <p>“(d-i) “hoard” or “hoarding” means stocking or storing anything in excess of the maximum quantity of articles allowed to be held in stock or storage, in the manner as may be prescribed and/or where no maximum quantity of an article is prescribed, it shall mean the stocking or accumulation of articles without offering such articles for sale, despite there being a demand by consumers;”.</p> <p>(iii) for clause (e), the following shall be substituted:-</p> <p>“(e) “Inspector” means an officer authorized by Government to exercise the powers of Inspector under this Act within such local limits as may be specified in the notification;”.</p> | <p>Amendment of section 2 of Sindh Act No.IX of 2006.</p> |
| <p>3. In the said Act, in section 5, for the words “Deputy District Officer (Revenue)” and “District Officer (Revenue)”, the words “authorized officer” shall respectively be substituted.</p> | <p>Amendment of section 5 of Sindh Act No.IX of 2006.</p> |

4. In the said Act, after section 5, the following shall be inserted:-

Insertion of sections
5A, 5B, 5C, 5D, 5E,
5F and 5G in Sindh
Act No.IX of 2006.

“5A. Power to check price, search for, seizure of article and sealing the business place or premises.—(1) When any authorized officer has reasonable grounds to suspect, either upon receiving credible information or in his opinion that there has been a contravention of any of the provisions of this Act, he may, after recording in writing the grounds of his suspicion, enter and search, without any warrant, any place where a dealer keeps or is for the time being keeping any article, accounts, registers or any other related items or things.

(2) Upon entering into and searching a place under sub-section (1), if articles found at such place in contravention of any of the provisions of this Act, the authorized officer may impose fine under section 13 and/or seize the articles and prepare a detailed report of the articles and other relevant material found during the search.

(3) The accused person whose articles have been seized under sub-section (2), may file an appeal before the Special Magistrate appointed under section 14-A of the Code of Criminal Procedure, 1898 (Act No.V of 1898), hereinafter referred to as the Code.

(4) The authorized officer, in addition to the seizure of articles under sub-rule (3), may, if he deems appropriate and by recording the reasons in writing, seal such a place, shop or store for a period not exceeding thirty days.

(5) The dealer may file an application to the Director General, Bureau of Supply and Prices, Government of Sindh for de-sealing of such a place, shop or store sealed under sub-section (4), which may, upon reasonable assurance and correction of the offence by the dealer, pass such orders for de-sealing of such a place, shop or store, as the case may be:

Provided that in case of the subsequent offence, the offender shall be punished in accordance with section 8.

5B. Power to auction seized articles. (1) Notwithstanding anything contained in any other law, for the time being in force, and in addition to the prosecution under this Act, the articles seized under section 5A may be sold by an authorized officer through public auction on the spot at the notified price or according to the average market rate prevailing in the locality.

(2) The auction proceeds so collected under sub-section (1), shall be deposited in a profit bearing bank

