**PROVINCIAL ASSEMBLY OF THE PUNJAB**

**Bill No. 30 of 2017**

**THE PUNJAB REGULATION OF PUBLIC INFRASTRUCTURE PROJECTS BILL 2017**

A

Bill

*to regulate and ensure the compliance of standards of quality control in relation to public infrastructure projects in the Province of Punjab,*

It is expedient to regulate and ensure the compliance of standards of quality control and to provide for punishment for non-compliance of these standards in public infrastructure projects in the Province of Punjab and for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

1. Short title, extent and commencement-(1) This Act may be cited as the Punjab Regulation of Public Infrastructure Projects Act, 2017,

(2) It extends to whole of the Province of Punjab.

(3) It shall come into force at once.

2. Definitions.- In this Act, unless there is anything repugnant in the subject or context,-

(a) “Authority” means Anti-Corruption Establishment as constituted under section 3 of Punjab Anti-Corruption Establishment Ordinance, 1961;

(b) ‘'Code” means the Building Code of Pakistan as devised by Pakistan Engineering Council r (PEC) in exercise of power conferred by section 25 of the Pakistan Engineering Council Act, 1975 (V of 1976);

(c) '‘Infrastructure” includes public buildings or civil structures, bridges, roads and related or incidental facilities;

(d) “Government” means Government of the Punjab;

(3) Regulation of public infrastructure projects.-Notwithstanding the provisions of any other law, no person shall be allowed to violate the provisions of building code and standards or criteria of quality control set and recognized by the concerned infrastructure control authorities in relation to the construction of public infrastructure projects.

(4) Punishment for violation of provisions of the code.- **(1)** Whoever, without lawful excuse fails or refuses to comply with the provisions of section 3 of this Act, shall be guilty of an offence punishable with imprisonment for a term which may extend to ten years but shall not be less than five years and with fine which shall in no case be less than the damage caused to the public infrastructure project.

(2) Any person who is guilty of an offence under sub-section (1) shall make good the damage to the satisfaction of the Authority at his cost and if he fails to do so, the Authority shall determine the cost involved in the restoration of the damage and the said person shall pay the amount so determined within the time specified by the Authority.

(3) If the person guilty of offence under sub-section (1) fails to pay the amount determined by the authority, such amount shall be recovered from him as arrears of land revenue

5. Cognizance of an Offence.- (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under this Act shall be triable under the provisions of the said Code, by concerned District & Sessions Judge, or any other Judge specially empowered in this behalf.

(2) The Authority shall undertake inquires or investigate into any violation of the provisions i of this Act, either on its own accord or upon complaint from any person or any organization.

(3) The Court under sub-section (1) shall not take cognizance of any offence under this Act except on an application made by concerned officer of the Authority.

(4) The offences under this Act shall be cognizable and non-bailable.

6. Act to over-ride other laws**.-** Notwithstanding the provisions for any other law for lime being in force, the provisions of this Act shall have an overriding effect.

7. Rules.- Government shall make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

In Pakistan, demolition of various public infrastructure projects before the period of their utility owe to the faulty structures, non-compliance of quality control standards, sub-standard construction material, non-implementation of building regulations and poor monitoring of building codes. Therefore this bill intends to regulate and ensure the compliance of standards of quality control and to provide for punishment for non-compliance of these standards in public infrastructure projects in the Province of Punjab. Further, it is the need of hour to save public exchequer from going into vain.

The Bill seeks to achieve to aforementioned objectives.

**MIAN MEHMOOD-UR-RASHEED**

**LEADER OF OPPOSITION**

**MEMBER INCHARGE**

**Lahore: RAI MUMTAZ HUSSAIN BABAR**

**24 October 2017 Secretary**