

**THE PUNJAB SAFE CITIES AUTHORITY ORDINANCE 2015
(XVI OF 2015)**

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**THE PUNJAB SAFE CITIES AUTHORITY ORDINANCE 2015
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[7th July, 2015]

**AN
ORDINANCE**

to provide for the establishment of Punjab Safe Cities Authority.

It is necessary to establish Punjab Safe Cities Authority for purposes of construction, development and maintenance of a city-wide integrated command, control and communications (IC3) system in the major cities of the Punjab in order to ensure safety and security of the people, and for other purposes;

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 Safe Cities Authority Ordinance 2015.

(2) Subject to subsection (4), it shall extend to whole of the Punjab.

(3) It shall come into force at once.

(4) It shall apply to the city of Lahore and such other cities as the Government may, from time to time, by notification in the official Gazette, specify.

2. Definitions.— (1) In this Ordinance:

- (a) “ancillary facilities” include the facilities and equipment provisioned or developed by the Authority including fences, cameras, poles, wiring, antennas, surveillance systems, control rooms, generators, lights, fans and other facilities;
- (b) “asset” means moveable and immovable property owned or controlled by the Authority;
- (c) “Authority” means Punjab Safe Cities Authority established under the Ordinance;
- (d) “Chairperson” means the Chairperson of the Authority;
- (e) “city” means the city of Lahore and includes such other city as the Government may specify under subsection (4) of section 1;
- (f) “equipment” means all the equipment operated by the Authority throughout the city;
- (g) “Executive Committee” means the Executive Committee of the Authority;
- (h) “Fund” means the Fund established under the Ordinance;
- (i) “Government” means Government of the Punjab;
- (j) “IC3” means the Integrated Command, Control and Communication Centre established and operated by the Authority;
- (k) “Management Committee” means the Management Committee of the Authority; and
- (l) “prescribed” means prescribed by the rules or regulations made under this Ordinance.

(2) An expression used in this Ordinance but not defined shall have same meaning as assigned to it under the Police Order, 2002 (C.E. Order No.22 of 2002).

3. The Authority.— (1) The Government shall, by notification in the official Gazette, establish an Authority to be called Punjab Safe Cities Authority.

(2) The Authority shall consist of the following:

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|-----|--|--------------------|
| (a) | Chief Minister of the Punjab; | Chairperson |
| (b) | Vice Chairperson to be nominated by the Chief Minister; | Vice Chairperson |
| (c) | one member of National Assembly of Pakistan and three public representatives, including two members of Provincial Assembly of the Punjab of whom at least one shall be a woman member of the Assembly to be nominated by the Government; | Members |
| (d) | Chief Secretary, Punjab; | Member |
| (e) | Provincial Police Officer, Punjab; | Member |
| (f) | Secretary to the Government, Home Department or his nominee not below the rank of an Additional Secretary; | Member |
| (g) | Secretary to the Government, Finance Department or his nominee not below the rank of an Additional Secretary; | Member |
| (h) | Chairman, Punjab Information Technology Board; | Member |
| (i) | Heads of District Police of the cities to which the Ordinance applies; | Member(s) |
| (j) | three eminent persons including at least one woman from the general public or academia, having knowledge of and exposure to law enforcement or other related information technology based projects to be nominated by the Government for a specified period; and | Members |
| (k) | Managing Director of the Authority. | Secretary / Member |

(3) The Authority shall be a body corporate, having perpetual succession and a common seal with power to acquire, hold and dispose of property and may, by the said name, sue and be sued.

(4) The Authority shall not dispose of any asset without prior permission in writing of the Government.

(5) The Authority shall meet at such time and place and shall observe such procedure with regard to transaction of business at its meetings as may be prescribed, and until so prescribed, as may be directed by the Chairperson.

4. Powers and functions.— (1) Subject to the provisions of this Ordinance, the Authority may exercise such powers and perform such functions as may be necessary for carrying out the purposes of the Ordinance.

(2) In particular, the Authority shall perform the following functions:

- (a) to maintain and develop command, control and communication centers and other related facilities;
- (b) to plan, construct and maintain IC3 for future expansion;
- (c) to enter into contracts, grant licenses, leases, make other arrangements and to perform all tasks necessary for efficient functioning of IC3;
- (d) to incur all necessary expenditure for planning, construction and maintenance of IC3 including administrative expenses;
- (e) to acquire, hold and, subject to this Ordinance, dispose of property;
- (f) to make adequate arrangements for effective security of equipment and other ancillary facilities;
- (g) to establish and maintain an effective oversight mechanism;
- (h) to give directions to any person or agency for not interfering in any way with the infrastructure, facilities and smooth functioning of the Authority;
- (i) to monitor and enforce contracts including concession agreements, licenses or leases entered into or granted by the Authority; and
- (j) to perform such other related functions as the Government may assign.

5. Executive Committee.— (1) The Authority shall have an Executive Committee consisting of the following:

- (a) Chief Secretary, Punjab; Chairman
 - (b) Secretary to the Government, Home Department or his nominee not below the rank of an Additional Secretary; Member
 - (c) Provincial Police Officer, Punjab; Member
 - (d) Chairman Planning and Development Board, Punjab; Member
 - (e) Secretary to the Government, Finance Department or his nominee not below the rank of an Additional Secretary; Member
 - (f) Secretary to the Government, Communication and Works Department or his nominee not below the rank of an Additional Secretary; Member
 - (g) Chairman Punjab Information Technology Board; and Member
 - (h) Managing Director of the Authority. Secretary / Member
- (2) The Executive Committee shall perform the following functions:
- (a) to steer and monitor the projects undertaken by the Authority;
 - (b) to effect coordination between the Authority and other public sector agencies;
 - (c) to take appropriate decisions on proposals referred to it by the Management Committee and, if necessary, to refer the same to the Authority for consideration;
 - (d) to ensure that the functions and targets under the Ordinance are achieved; and
 - (e) to perform such functions as may be delegated or assigned to it by the Authority.

6. Management Committee.— (1) The Authority shall have a Management Committee consisting of the following:

- (a) Provincial Police Officer, Punjab; Chairman
- (b) Managing Director of the Authority; Member
- (c) Heads of District Police of the cities to which the Ordinance applies; Member
- (d) a representative of the Government, Home Department; Member
- (e) a representative of the Government, Finance Department; Member
- (f) a representative of the Government, Planning and Development Department; Member
- (g) a representative of the Government, Communication and Works Department; Member
- (h) a representative of Punjab Information Technology Board; and Member
- (i) any other member co-opted by the Chairman of the Management Committee. Member

(2) The Management Committee shall perform such functions and in such manner as may be prescribed and until so prescribed, as the Authority may assign or determine.

7. Managing Director.— (1) The Government shall appoint a police officer not below the rank of Deputy Inspector General of Police as Managing Director of the Authority on such terms and conditions as may be determined by the Government.

- (2) The Managing Director shall be the chief executive of the Authority and shall:
 - (a) perform such functions and exercise such powers as the Authority may assign or delegate; and
 - (b) ensure that each IC3 facility is ready and at the disposal of the Head of District Police for running police operations in the areas of responsibility.

8. Employees, etc.— (1) The Authority may appoint such officers, experts, consultants and other employees as it considers necessary for efficient performance of its functions, in such manner and on such terms and conditions as may be prescribed and, until so prescribed, as may be approved by the Government.

(2) The Authority may, by regulations, provide for efficiency, discipline and accountability of its employees or adapt any existing rules for the purpose, with such modifications as may be necessary.

9. Fund.— (1) There shall be established a fund to be known as the IC3 Fund, which shall vest in the Authority and shall be utilized by the Authority to meet all its expenses and charges in connection with the discharge of its functions and powers under this Ordinance, including the payment of salaries and remuneration to its employees.

(2) All monies credited in the Fund shall be deposited in an account with a Scheduled Bank approved by the Authority.

- (3) The Fund shall consist of:
 - (a) grants from the Government or Federal Government or any other body or organization;

- (b) foreign aid;
- (c) foreign loans raised by the Authority with the prior approval of the Government and on such terms and conditions the Government may specify;
- (d) proceeds of all charges and income from sale of assets, and any recovery made under the Ordinance; and
- (e) such other sums as may be received by the Authority.

10. Accounts.— The Authority shall maintain proper accounts and other relevant records and prepare annual statements of accounts in such form as may be prescribed.

11. Budget.— The Management Committee shall prepare, every year, a budget in respect of the next financial year showing the estimated receipts and expenditures of the Authority and shall submit the same to the Authority for approval in such form and at such time as may be prescribed.

12. Audit.— (1) The Auditor General of Pakistan shall audit the accounts of the Authority.

(2) The Managing Director shall, within six months of the close of the financial year, submit the annual statement of accounts along with the report of the auditor to the Authority.

13. Public servants and experts.— (1) The employees the Authority shall be deemed as public servants in terms of section 21 of the Pakistan Penal Code 1860 (XLV of 1860).

(2) An employee the Authority working with information technology related matters shall be deemed to be an expert within the meaning of Article 59 of the Qanun-e-Shahadat Order, 1984 (X of 1984), and shall be deemed to have been appointed under section 510 of the Code of Criminal Procedure, 1898 (V of 1898).

14. Delegation.— The Authority may, subject to such conditions as it deems appropriate, delegate to the Chairperson, Vice Chairperson, Executive Committee, Managing Committee, Managing Director or an officer of the Authority any of its functions under the Ordinance, except the following functions:

- (a) framing of regulations;
- (b) approval of budget; and
- (c) determination of terms and conditions, efficiency and discipline of employees of the Authority.

15. Immunity.— No suit, prosecution or any other legal proceedings shall lie against the Authority, the Chairperson, Vice Chairperson, Managing Director, Secretary, any member, officer, employee, expert or consultant of the Authority, in respect of anything done or intended to be done in good faith under the Ordinance.

16. Overriding effect.— In the event of any conflict or inconsistency between this Ordinance and any other law, the provisions of this Ordinance shall, to the extent of such conflict or inconsistency, prevail.

17. Rules.— The Government may, by notification in the official Gazette, make rules for carrying out the purposes of the Ordinance.

18. Regulations.— Subject to this Ordinance and the rules, the Authority may, by notification in the official Gazette, frame regulations for giving effect to the provisions of the Ordinance.

19. Power to remove difficulties.— If any difficulty arises in giving effect to the provisions of this Ordinance, the Government may, by notification, not inconsistent with the provisions of the Ordinance, remove the difficulty.