

**THE PUNJAB AAB-E-PAK AUTHORITY ACT 2019**  
(Act XII of 2019)  
**C O N T E N T S**

<b>SECTION</b>	<b>HEADING</b>
1.	Short title, extent and commencement.
2.	Definitions.
3.	Establishment of the Authority.
4.	Functions and powers of the Authority.
5.	Governing Body.
6.	Business of the authority.
7.	Meetings of the Governing Body.
8.	Chairman.
9.	Removal of Chairman or member of the Governing Body.
10.	Chief Operating Officer.
11.	Secretary.
12.	Appointment of Advisors and Consultants.
13.	Committees.
14.	Transfer of water supply function to the Authority.
15.	Appointment of Officers of the Authority.
16.	Immunity of the Chairman and Employees of the Authority.
17.	Fund.
18.	Budget, Audit and Accounts.
19.	Report to be furnished to the Government.
20.	Rules.
21.	Regulations.
22.	Removal of difficulties.

**THE PUNJAB AAB-E-PAK AUTHORITY ACT 2019**  
(Act XII of 2019)

[25 April 2019]

*An Act to provide for the establishment of the Punjab Aab-e-Pak Authority.*

It is necessary to make provisions for the establishment of the Punjab Aab-e-Pak Authority and for the matters connected therewith and ancillary thereto.

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

**1. Short title, extent and commencement.**— (1) This Act may be cited as the Punjab Aab-e-Pak Authority Act 2019.

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

(3) It shall come into force at once.

**2. Definitions.**— In the Act:

- (a) “Act” means the Punjab Aab-e-Pak Authority Act 2019;
- (b) “advisor” means an advisor appointed to assist the Authority;
- (c) “Authority” means the Punjab Aab-e-Pak Authority established under section 3 of the Act;
- (d) “Chairman” means the Chairman of the Governing Body;
- (e) “employee” means an employee of the Authority;
- (f) “Fund” means the fund established under section 19 of the Act;
- (g) “Governing Body” means the Governing Body constituted under section 5 of the Act;
- (h) “Government” means 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 Governing Body and includes the Chairman;
- (k) “Patron in Chief” means Governor of the Punjab;
- (l) “prescribed” means prescribed by the rules or the regulations made under the Act;
- (m) “regulations” means the regulations framed under the Act; and
- (n) “rules” means the rules made under the Act.

**3. Establishment of the Authority.**– (1) The Government shall, by notification in the official Gazette, establish an Authority to be known as the Punjab Aab-e-Pak Authority.

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

**4. Functions and powers of the Authority.**– (1) The Authority shall perform the following functions with regard to one or more areas entrusted to it by the Government or the relevant local government with the agreement of the Authority:

- (i) to provide sustainable supply of clean drinking water to each and every individual;
- (ii) to undertake or engage in such activities as are necessary for sustainable efficient and affordable clean drinking water;
- (iii) to conduct surveys, studies and research;
- (iv) to devise strategy, plan and actionable parameters for survey of water contamination and for provision of clean drinking water by installation of water filtration and purification plants;
- (v) to 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;
- (vi) to design, fabricate, construct, install, commission, test, operate and maintain water supply schemes and water filtration plants;
- (vii) to develop an infrastructure as needed to provide clean drinking water including setting up of a bottling plant and testing laboratories;
- (viii) to safeguard human health including reduction in the mortality rate associated with lack of access of safe drinking water, inadequate

- sanitation and poor hygiene by improving the quality and access to clean drinking water which shall lead to reduction of water borne diseases;
- (ix) to educate and involve the community in the development of filtration plants and water supply schemes to devise suitable arrangements for improving access to clean drinking water;
  - (x) to carry out improvements, management, administration, supervision, execution and control of works and projects for providing clean drinking water;
  - (xi) to devise a plan of supervision, monitoring and evaluation of the execution of clean drinking water projects and to ensure a quality management system; and
  - (xii) to increase participation in international collaborative projects wherever necessary or desirable.
- (2) The Authority may also perform the following functions:
- (i) to liaise with companies, bodies, associations, societies, corporations, authorities, agencies, institutions whether in Pakistan or elsewhere, engaged in providing clean drinking water;
  - (ii) to aid, benevolent, charitable, national or other institutions or the objects which are engaged in providing clean drinking water and which in the opinion of the Authority warrants support;
  - (iii) to prepare, print and publish or cause to be published papers, journals, magazines, periodical reports articles, bulletins, newsletters or conferences for circulation and information for general public;
  - (iv) to provide a platform for research and development regarding provision of clean drinking water; and
  - (v) to execute specific drinking water supply projects by the government or the concerned local government with the agreement of the Authority.

**5. Governing Body.**—(1) The management and administration of the affairs of the Authority shall vest in the Governing Body.

(2) The Governing Body shall consist of nine members including the Chairman, and the members shall be appointed in the manner as may be prescribed and until so prescribed as may be determined by the Government.

(3) The Chairman shall be appointed by the Government in consultation with the Patron in Chief.

(4) The Governing Body shall have the following four ex-officio members.

- (a) Secretary to the Government, Planning and Development;
- (b) Secretary to the Government, Finance Department;
- (c) Secretary to the Government, Housing, Urban Development and Public Health Engineering Department; and
- (d) Secretary to the Government, Local Government and Community Development.

(5) A member of the Governing Body shall hold office for a period of three years and shall be eligible for re-appointment for another term.

(6) A member, other than an ex-officio member, may by writing under his hand, resign from his office.

(7) The Government may, if it considers expedient to do so, remove any non-official member of the Authority without assigning any reason.

(8) The member, other than an ex-officio member, shall cease to hold office if he absents himself from three consecutive meetings of the Governing Body or from all the meetings of the Governing Body for a continuous period of three months, whichever is longer.

**6. Business of the authority.**—(1) The meetings or the business of the Authority shall be conducted in such manner and procedure as may be prescribed.

(2) No act or proceedings of the Authority shall be invalid by reason of any vacancy or defect in the constitution of the Governing Body.

**7. Meetings of the Governing Body.**—(1) The Chairman, or in his absence a member elected by the members present, shall preside at the meetings of the Authority.

(2) The quorum for any meeting of the Governing Body shall be five members.

**8. Chairman.**—(1) The Chairman of the Authority shall be a person appointed by the Government from amongst the members of the Governing Body on such terms and conditions as may be determined by the Government.

(2) The Chairman shall hold office for a period of three years from the date of his appointment and shall be eligible for reappointment for another term.

(3) The Chairman shall perform such functions as may be provided in the Act or as may be prescribed or as may be entrusted to him by the Governing Body from time to time.

(4) The Chairman shall—

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

(b) prepare and submit to the Governing Body 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 objectives of the Authority; and

(c) after receiving an approved proposal from the Governing Body, 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 Governing Body 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 Governing body an annual report on actions taken to achieve the goal of the authority under the Act, including an assessment of the

progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal; and

- (f) prepare and submit to the Governing Body 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;

(5) The Chairman shall draw such salary or remuneration as the Government may determine.

**9. Removal of Chairman or member of the Governing Body.**— Notwithstanding anything contained in section 5, the Government shall remove the Chairman or an appointed member from office if he:

- (a) in the opinion of Government, fails to discharge his duties or becomes incapable of discharging his duties under the Act;
- (b) has become insolvent;
- (c) has been convicted of an offence involving moral turpitude;
- (d) has knowingly acquired or continued to hold without the permission in writing of the Government or the Patron in Chief directly or indirectly or through a partner, any share or interest in any contract or employment with or on behalf of Authority, in any land or property which in his knowledge, is likely to be beneficial for him as a result of operation of the Authority.

**10 Chief Operating Officer.**— (1) There shall be a Chief Operating Officer of the Authority, who shall be appointed by the Government on such terms and conditions as the Government may determine.

(2) Subject to the direction and control of the Chairman, the Chief Operating Officer shall have the general and active management of the business of the Authority and shall see that all orders and resolutions of the Governing Body are carried into effect.

(3) The Chief Operating Officer, may execute contracts, deeds and other instruments on behalf of the Authority as are necessary and appropriate, subject to approval of the Chairman.

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

(5) The Government shall determine the remuneration for the Chief Operating Officer.

**11 Secretary.**— (1) There shall be a Secretary of the Authority, who shall be appointed by the Government on such terms and conditions as the Government may determine.

(2) Subject to the general control of the Chairman, the Secretary shall exercise such powers and perform such functions as may be prescribed or assigned by the Authority.

**12. Appointment of Advisors and Consultants.**— The Authority may employ suitably qualified advisors and consultants to transact any business or to do any act required to be transacted or done in exercise of powers or performance of its functions under the Act.

**13. Committees.**— (1) Subject to the Act and the rules, the Authority may appoint such committees as may be necessary for the efficient discharge of its duties and performance of its functions under the Act.

(2) The Authority shall have the powers to co-opt as members of any committee appointed under subsection (1), such number of persons who are not members of the Governing Body as it may think fit and the person so co-opted shall have the right to attend the meetings of the committee, and take part in the proceedings of the committee.

**14. Transfer of water supply function to the Authority.**— (1) Where an area has been entrusted to the Authority for purposes of water supply, the respective local government shall not undertake drinking water supply functions for such period as the Government may notify:

provided that such period shall not exceed two years without permission of the relevant local government.

(2) Notwithstanding anything contained in subsection (1), the Authority shall be responsible to the respective local government or where no local government is present to the Government for the due discharge of its water supply functions.

(3) The Authority shall perform its functions in liaison with Housing, Urban Development and Public Health Engineering Department of the Government whenever and wherever required.

**15. Appointment of Officers of the Authority.**— (1) The officers of the Authority shall be appointed in the prescribed manner.

(2) Direct appointments in the Authority shall be made through open competition.

**16. Immunity of the Chairman and Employees of the Authority.**— (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 this Act; or
- (b) against the Chairman, member of the Governing Body, officer, servant, Employee or agent for any act which in good faith is done or purported to be done by him under the Act or on the direction of the Governing Body.

(2) Any expense incurred by such person as is referred to in subsection (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 Governing Body shall, if the court holds that the act was done in good faith, be paid out of the funds of the Authority.

**17. Fund.**— (1) The Authority shall have a Fund to be known as the Punjab Aab-e-Pak Authority Fund.

(2) The following shall be credited to the Fund:

- (a) all such sums of money as may be determined from time to time by the Government;
- (b) all such sums of money as may be received by the Authority in the exercise, discharge and performance of its powers, functions and duties;
- (c) donations, if received from international agencies and donors;
- (d) donations, if received from expatriate Pakistanis living outside Pakistan; and
- (e) money received through sale of the clean drinking water.

(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 of the Authority, 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.

**18. 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 determined 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.

**19. Report to be furnished to the Government.**— The Government may, from time to time, call for reports on the activities of the Authority which shall be duly furnished.

**20. Rules.**— The Government may make rules to carry out the purposes of the Act.

**21. Regulations.**— Subject to the provisions of the Act and the rules, the Authority may frame regulations as may be necessary, to carry out the purposes of this Act.

**22. Removal of difficulties.**— If any difficulty arises in giving effect to any provision of the Act, the Chairman may, with the approval of the Government, make such order, not inconsistent with the provisions of the Act, as may appear to him to be necessary for the purpose of removing such difficulty.

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<sup>11</sup>This Act was passed by the Punjab Assembly on 14 March 2019; assented to by the Governor of the Punjab on 23 April 2019; and was published in the Punjab Gazette (Extraordinary), dated 25 April 2019, pages 3027-32.