

THE SINDH SAFE CITIES AUTHORITY ACT, 2019
SINDH ACT NO. XXI OF 2020

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[12th August, 2020]

AN ACT to provide for establishment of an Authority known as the Sindh Safe Cities Authority.

WHEREAS it is expedient to provide for establishment of an Authority known as the Sindh Safe Cities Authority for the purposes of construction, development and maintenance of a city-wide integrated command, control and communications system in the cities of the Province of Sindh in order to ensure safety and security of the people of the Province, and to provide for matters ancillary thereto;

Preamble.

It is hereby enacted as follows:-

CHAPTER-I
PRELIMINARY

1. (1) This Act may be called the Sindh Safe Cities Authority Act, 2019. **Short title, extent, commencement and application.**
 - (2) It shall extend to the whole of the Province of Sindh.
 - (3) It shall come into force at once.
 - (4) It shall apply to the city of Karachi and such other cities as the Government may, from time to time, by notification in Gazette, specify.
2. (1) In this Act, unless there is anything repugnant in the subject or context- **Definitions.**
 - (a) “ancillary facilities” include the facilities and equipment provisioned or developed by the Authority including fences, cameras, poles, wiring antennas, surveillance system, control rooms, generators, lights, fans and other facilities;
 - (b) “asset” means moveable and immovable property owned or controlled by the Authority;
 - (c) “Authority” means Sindh Safe Cities Authority established under this Act;
 - (d) “Chairperson” means the Chairperson of the Authority;

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- (e) “Chief Operating Officer” means the Chief Operating Officer of the Authority;
- (f) “city” means the city of Karachi and includes such other cities of Province as Government may specify under sub-section (4) of section 1;
- (g) “Director General” means the Director General of the Authority;
- (h) “equipment” means all equipments operated by the Authority in the city;
- (i) “Fund” means the Fund established under this Act;
- (j) “Government” means the Government of Sindh;
- (k) “ICC” or “Integrated Command Control and Communication” means the Integrated Command Control and Communication Centre established and maintained by the Authority under this Act;
- (l) “Management Committee” means the Management Committee constituted under this Act;
- (m) “Member” means a Member of the Authority; and
- (n) “prescribed” means prescribed by the rules or regulations made under this Act;

(2) An expression but not defined used in this Act shall have same meaning as assigned to it under the law relating to Police, for the time being in force.

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CHAPTER-II
ESTABLISHMENT OF THE AUTHORITY

3. (1) Government shall, by notification in the official Gazette, establish an Authority to be called Sindh Safe Cities Authority. **Establishment of Authority.**

(2) The Authority shall consist of the following:-

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|-----|---|--------------------|
| (a) | Chief Minister of Sindh | Chairperson |
| (b) | Minister or Advisor for Home, as the case may be. | Member |
| (c) | Minister or advisor for information, Science & Technology, as the case may be. | Member |
| (d) | Three members of Provincial Assembly of the Sindh Member of whom at least one shall be a woman member of the Assembly to be nominated by the Speaker. | Members |
| (e) | Chief Secretary, Sindh. | Member |
| (f) | Chairman, Planning & Development Board. | Member |
| (g) | Inspector General of Police, Sindh. | Member |
| (h) | Secretary to Government, Home Department. | Member |
| (i) | Secretary to Government, Finance Department. | Member |
| (j) | Secretary to Government, Excise, Taxation & Narcotics Control Department. | Member |
| (k) | Secretary to Government, Local Government Department. | Member |
| (l) | Director General, Provincial Disaster Management Authority, Sindh. | Member |

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- (m) Three eminent persons including at least one woman from the civil society or academia, having knowledge of and exposure to law enforcement or other related information technology based projects to be nominated by the Chief Minister for specified period; **Members**

- (n) Director General **Member/
Secretary**

(3) There shall be a Vice-Chairperson of the Authority to be nominated by the Chief Minister amongst the any of the Cabinet Members.

(4) The Authority may co-opt any person as a member of the Authority but such person shall not have right of vote.

(5) 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.

(6) The headquarters of the Authority shall be at Karachi and it may establish its offices at such other place or places in the Province of Sindh as it may consider expedient.

4. (1) Subject to the provisions of this Act, the Authority shall have the following powers and functions:- **Powers and functions of the Authority.**
- (a) to establish and maintain the command, control and communication centers and other related facilities;
 - (b) to plan, construct and maintain ICC for future expansion;
 - (c) to develop strategies, policy and vision for the safe cities in the Province;
 - (d) to approve budget of the Authority;
 - (e) creation of wings, units, sections of the Authority by framing conduct of business and service structure of the Authority;

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- (f) to approve strategic and annual plans;
- (g) to incur all necessary expenditure for planning, construction and maintenance of ICC including administrative expenses;
- (h) to acquire, hold and dispose of property both movable or immovable in the prescribed manner;
- (i) to make adequate arrangement for effective security of equipment and other ancillary facilities;
- (j) to establish and maintain an effective oversight mechanism;
- (k) to give directions to any persons or agency for not interfering in any way with the infrastructure, facilities and smooth functioning of the Authority;
- (l) to monitor and enforce contracts including concession agreements, license or leases entered into or approved by the Authority;
- (m) to constitute a committee for performance of any of the functions of the Authority or to make recommendations to the Authority;
- (n) to enter into contracts, grant licenses, leases, make other arrangements and to perform all tasks necessary for efficient functioning of ICC;
- (o) to oversight the annual performance; and
- (p) to perform such other related functions as the Government may assign.

5. (1) The Chairperson shall preside over every meeting of the Authority, and in his absence the Vice Chairperson or in his absence of both, the member nominated by the Chairperson shall preside over the meeting. **Meetings of the Authority.**
- (2) One half of the total members shall constitute the quorum for a meeting of the Authority.
- (3) The Authority shall meet at-least once every three months on the date approved by the Chairperson.

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(4) The decisions of the Authority shall be taken by the majority of the votes of the members present at the meeting in case of a tie, the Chair shall have a casting vote.

6. (1) The Authority shall have management committee(s) consisting of the following: **Management Committee.**

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|--------|---|------------------------------|
| (i) | Secretary, Home Department. | Chairperson |
| (ii) | Inspector General of Police. | Member |
| (iii) | Commissioner (Concerned) | Member |
| (iv) | Secretary, Local Government Department. | Member |
| (v) | Heads of Police (Concerned Region/ Division) of the cities to which the Act applies. | Member |
| (vi) | A representative of Finance Department (not below BS-19). | Member |
| (vii) | A representative of the Information, Science & Technology Department (not below Bs-19). | Member |
| (viii) | A representative of Excise, Taxation & Narcotics Control Department (not below BS-19) | Member |
| (ix) | Chief Operating Officer | Member/
Secretary |

(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 including the following:-

- (a) to steer and monitor the projects undertaken by the Authority;
- (b) effective coordination with all other public sector agencies;

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- (c) to take appropriate action in the light of strategy, vision and policy guideline given by the Authority;
- (d) to ensure that the functions and targets assigned by the Authority are achieved; and
- (e) to perform such functions as may be delegated or assigned to it by the Authority.

7. (1) The Chief Minister shall appoint by transfer an officer (not below the rank of BS-20) as a Director General on such terms and conditions as may be determined by the Chief Minister. **Director General.**

(2) The Director General 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;
- (b) ensure that each ICC facility is ready and at the disposal of the Head of the Police (Concerned Division) for running Police operations in the areas of responsibility;
- (c) run day to day affairs of the Authority;
- (d) summon meeting of the Authority on direction of Chairperson of the Management Committee (s).

8. (1) The Authority may appoint by transfer any person as a Chief Operating Officer who shall be an officer not below the rank of BS-19, on such terms and conditions as may be determined. **Chief Operating Officer.**

(2) The Chief Operating Officer shall-

- (a) summon meeting of the Management Committee(s) on direction of Chairperson of the Management Committee (s); and
- (b) perform such functions as may be assigned to him by the Authority, Management Committee(s) or Director General.

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9. (1) The Authority may appoint such officers, experts, consultants and other employees as it consider necessary for efficient performance of its functions, in such manner and on such terms and conditions as may be prescribed. **Appointment of officers and employees.**

Provided that the authority may also utilize the services of existing employees of the Government with the approval of the Chief Minister.

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

10. (1) There shall be established a Fund to be known as the “ICC” (Integrated Command Control and Communications) 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 Act including the payment of salaries and remuneration of its employees. **Fund.**

(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 provincial 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 Government and on such terms and conditions as Government may specify;
- (d) proceeds of all charges and income from sale of assets, and any recovery made under the Act; and
- (e) such other sums as may be received by the Authority.

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

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12. 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. **Budget.**
13. (1) The accounts of the Board shall be audited once a year by one or more Auditors who are Chartered Accountants within the meaning of the Chartered Accountants Ordinance, 1960 (X of 1961) appointed by the Board or the accounts shall be audited by the Auditor to be nominated by the Authority in consultation with the Accountant General of Sindh. **Audit.**
- (2) The annual statement of the accounts and audit report thereon shall be submitted by the Auditor for consideration of the Authority for such action as deemed necessary.
14. (1) The employees of the Authority shall be deemed as public servants in terms of section 21 of the Pakistan Penal Code, 1860 (XLV of 1860). **Public Servants and Experts.**
- (2) An employee of 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).
- (3) Public servants of the Authority may be paid incentives as approved by the Government on the recommendations of the Authority.
15. The Authority may, subject to such conditions as it deems appropriate, delegate to the Chairperson, Vice Chairperson, Managing Committee(s), Chief Operating Officer or an officer of the Authority any of its functions under this Act, except the following functions:- **Delegation.**
- (a) Framing of regulations;
 - (b) approval of budget; and
 - (c) determination of terms and conditions, efficiency and discipline of employees of the Authority.

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16. No suit, prosecution or any other legal proceedings shall lie against the Authority, the Chairperson, Vice Chairperson, Director General, Chief Operating Officer, any Member, Officer, employee, expert or consultant of the Authority, in respect of anything done or intended to be done in good faith under this Act. **Indemnity.**

17. In the event of any conflict or inconsistency between this Act and any other law, the provisions of this Act shall, to the extent of such conflict or in consistency, prevail. **Over-riding effect.**

18. Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act. **Rules.**

19. Subject to this Act and the rules, the Authority may, by notification in the official Gazette, frame regulations for giving effect to the provisions of this Act. **Regulations.**

20. If any difficulty arises in giving effect to provisions of this Act, the Chief Minister may, by notification, not inconsistent with the provisions of this Act, remove such difficulty. **Power to remove difficulties.**