

**BALUCHISTAN CONSUMER PROTECTION
RULES, 2007**

CONTENTS

RULES

Preamble.

1. Short title and commencement.
2. Definition.
3. Form of complaint.
4. Payment for tests.
5. Method of taking sample.
6. Certificate of analysis.
7. Constitution of Provincial Consumer Protection Council.
8. Annual Report of the Council.
9. Constitution of District Consumer Protection Councils.
10. Public disclosure.
11. Issuing of guidelines.

**‘BALOCHISTAN CONSUMER PROTECTION
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NOTIFICATION

[12th December, 2007]

No. SO-II (IND) 13-1/2007/722-23. In exercise of the powers conferred by Section 24 of the Balochistan Consumer Protection Act 2003², Provincial Government here by makes the following rules:—

1. **Short title and commencement.**— (1) The rules may be called Balochistan Consumer Protection Rules, 2007.

(2) They shall come into force at once.

2. **Definition.**— (1) In these rules, unless the context otherwise requires:

(a) “**Act**” means Balochistan Consumer Protection Act 2003²;

(b) “**Council**” means Provincial Consumer Protection Council.

(c) “**Fund**” means the Consumer Protection Fund established under section 9-A of the Act.

(d) “**Inspector**” means any of the officials or persons appointed under Section 9-A of the Act.

(e) “**Rules**” means Balochistan Consumer Protection Rules 2007.

(f) “**Government**” means Government of Balochistan.

(2) Terms and expressions used but not defined in these Rules shall have the same meaning as defined in the Act.

3. **Form of complaint.**— (1) A complaint, shall be made on solemn affirmation or oath and in writing on plain paper, contain summary particulars of the complaint, the case, and the claim. Any documentary evidence supporting the case shall be attached.

(2) The Council may lay down obligatory formats and procedures for filing complaints, including possible use of the internet.

(3) Anonymous or pseudonymous complaints shall not be entertained.

4. **Payment for tests.**— The Consumer Council, if it deems necessary, may pay for necessary analyses to be carried out from the Fund for any one or more cases.

5. **Method of taking samples.**— (1) The Inspector. When so directed on the date and time to be fixed by the Court, shall purchase three samples of the alleged defective good from

¹ These rules have been issued by Government of Balochistan, Industries and Commerce Department vide its notification No. SO-II (IND) 13-1/2007/722-23, dated 11th December, 2007; and published in the Balochistan Gazette (Extraordinary) No. 144, dated 12th December, 2007.

² This Act was passed by the Balochistan Assembly on 11th October, 2003: assented to by the Governor of Balochistan and published in the Balochistan Gazette (Extraordinary) No. 79 dated 30th October, 2003.

similar markets and mark, seal or fasten each sample as the nature of the case will permit. The person from whom the sample is taken and the complainant. If he is present may affix his seal or mark or signature or thumbprint on each of the three samples:

Provided that the complainant may, if the cost of foods is high, require only one sample to be taken.

(2) Where samples are to be sent to a recognized laboratory under sub-rule, the Court shall list specifications of the alleged defect or deficiency along with time to be taken for analysis and any other necessary direction, after receipt of payment of analysis fees, whichever is later.

(3) The complaints shall be required to be present during the process of taking samples unless he has communicated to the Court in advance, under intimation to the inspector, reasons for his possible absence.

(4) The manufacturer or the distributor or the retailer is bound to sell samples to the Inspector. In case of refusal to do so, the inspector can seek the help of police and seize three samples.

(5) Market price shall be charged for sale or purchase of required samples.

(6) The cost of buying sealing and mailing samples, as incurred under the circumstances, shall be borne by complainant.

6. **Certificate of analysis.**— (1) The designated laboratory, upon receiving any sample of goods from the Court shall, as soon as possible, analyze the same and deliver to the Court, the complainant, and the opposite party, a certificate in the specified form, showing the result of the analysis.

(2) If so ordered, Authority may investigate the matter on his own or he may direct an officer not below the rank of a District Officer to conduct the investigation and submit a report directly to the Court under intimation to the Authority concerned.

7. **Constitution of Provincial Consumer Protection Council.**— (1) The Provincial Consumer Protection Council shall be as follows:—

OFFICIAL MEMEBERS

(i)	Minister of Industries	Chairman
(ii)	Secretary, Industries Department	Member
(iii)	Secretary, Agriculture Department	Member
(iv)	Secretary, Health Department	Member
(v)	Secretary, Food Department	Member
(vi)	Secretary, Labor Department	Member
(vii)	Inspector General of Police, Balochistan	Member
(viii)	Additional/Deputy Secretary, Industries Department	Secretary

(2) **NON-OFFICIAL MEMBERS**

- (i) President, Quetta Chamber of Commerce and Industry
- (ii) Four nominees of the Chief Minister, Balochistan
- (iii) Head of three nonprofit organizations, preferably certified as nonprofit organizations by an authorized certification agency of the Central Board of Revenue, dealing with consumer protection to be nominated by the Industries department.
- (iv) Two female social workers to be nominated by the Social Welfare Department.

8. **Annual Report of the Council.**— (1) The Provincial Consumer Protection Council shall prepare a report of its activities in the last month of the calendar year and cause it to be presented before the Provincial Assembly. The District Consumer Protection Council shall prepare reports of their activities in the last month of the calendar year and cause it to be presented before the District Assembly. These reports shall include detailed budget of the council.

(2) All Councils, district or provincial, shall make every effort, including publishing on the internet to ease citizen access to their annual reports.

9. **Constitution of District Consumer Protection Councils.**— The District Consumer Protection Council shall be as follows:—

OFFICIAL MEMEBERS

- | | | |
|-----|-------------------------------|------------------|
| (a) | District Coordination Officer | Chairman |
| (b) | EDO, Finance and Planning | Member |
| (c) | EDO, Health | Member |
| (d) | EDO, Community Development | Member |
| (e) | District Police Officer | Member |
| (f) | EDO Agriculture | Member |
| (g) | One TMO nominated by the DCO | Member |
| (h) | District Officer | Member/Secretary |

NON-OFFICIAL MEMBERS

- (i) Two prominent citizens nominated by the DCO
- (ii) Two representatives of consumer welfare associations
- (iii) Head of local Chamber of Commerce and Industry (Community Development)

Expenditure on hiring of any regular staff, recurrent office expenses or buying of any moveable or immoveable property shall not exceed the government grant contribution into the fund.

10. **Public disclosure.**— (1) All documents filed in the court during the case by any party, including complaints, supporting documents, laboratory reports, finalized inquiry reports, shall be deemed public documents unless ordered otherwise, upon written application of one of the parties, by the Court for reasons to be recorded.

(2) Any person may inspect and obtain certified copies of any public documents upon payment of prescribed fee.

(3) The fee for provision of certified copies may be prescribed by the Council from time to time.

(4) The Council shall make every effort, including publishing on the internet to ensure easy access of the public to these documents.

11. **Issuing of guidelines.**— The Council may issue guidelines, with approval of government, not conflicting with the Ordinance or the Rules, to explain, clarify or supervise any process carried out under the Ordinance.

Secretary
Industries & Commerce
Department