



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FOOD SAFETY AND HALAL FOOD AUTHORITY**

Dated, 26/10/ 2017

**ORDER**

**Delegation of Powers**

No. DG (KP FSA&HFA)/Admin/2017/02. In exercise of the powers conferred by section 45 of the Khyber Pakhtunkhwa Food Safety and Halal Food Authority Act, 2014 (KP Act No. X of 2014), the Khyber Pakhtunkhwa Food Safety And Halal Food Authority is pleased to delegate its powers specified in column 1 of the table below in terms of provisions of the said Act to such of its officers or committees, as the case may be, specified there against in column 2 thereof and so exercised subject to such conditions and restrictions specified in column 3 of that table:

TABLE

Column 1	Column 2	Column 3
Provisions of the Act	Officers/Committees	Conditions/Restrictions
Section 3(2)	Director General	To enter into contract, acquire or dispose of Property and may, by its name, sue or be sued
Section 8 (1)	-DO-	To regulate and monitor food business
Section 8 (2)(a)	-DO-	To formulate or adopt standards, procedures, processes and guidelines in relation to any aspect of food including food business, food labeling, food additive and specify appropriate enforcement systems
Section 8(2)(b)	-DO-	To specify procedures and guidelines for setting up and accreditation of food laboratories
Section 8(2)(c)	-DO-	To formulate method of sampling, analysis of Samples and reporting of results

To specify licensing, prohibition orders, recall procedures, improvement notices and prosecution: **Section 8(2)(d)**

To determine terms and conditions of service of its employees: **Section 8(2)(e)**

To provide scientific advice and technical support to the Government in matters relating to all related aspects of food:

**Section 8(2)(f)**

To collect and analyze relevant scientific and technical data relating to food: **Section 8(2)(g)**

To establish a system of network of food operators and consumers to facilitate food safety, Halal Food Assurance and quality control:

**Section 8(2)(h)**

To organize training programs in food safety and standards: **section 8(2)(i)**

To promote general awareness about food safety and standards: **Section 8(2)(j)**


To levy fee for registration, licensing and other services: **Section 8(2)(k)**

To certify food for export (in cooperation with/Keeping in view ) other applicable certification systems of federal authorities : **Section 8(2)(l)**

Establish safe limits for processing Residues in the food: **Section 8(2)(m)**

To implement rules and regulations made under the Act: **Section 8(2)(n)**

To regulate matters relating to Halal food: **Section 8(2)(o)**

Prepare periodic technical reports/gazette on situation of food safety in the province: 

**Section 8(2)(p)**

Perform any other function,if any, assigned to it by authority or Government to carry out the objects of this act. **Section 8(2)(q)**

To appoint officer(s),official(s),consultant(s) and advisor(s), as per laid down procedure in Appointment & Conditions of Service regulations of the authority to discharge function of the Food Safety and Halal Food Authority. **Section 9**

To establish one or more Expert committees as per composition provided and to refer any matter of conflict relating to food to the expert Committees for guidance, advice or

recommendation under section:

**Section 10(1) (2)**

To determine terms and conditions, including tenure of members of Expert committees other than ex-officio members: **Section 10(3)**

To appoint duly qualified Public Analyst(s), by notification, for different areas:

**Section 12(1)**

To appoint duly qualified Food Safety Officer(s), by notification, for such areas as it may assign to them:

**Section 13(1)**

To confer powers of a Food Safety Officer on a Government Servant: **Section 13(3)**

To determine numbers, categories, rank and terms and conditions of other employees of the Authority: **Section 13(3)**


To notify duly registered medical practitioner in any local area requiring therein to report all occurrences of food poisoning to the Food Safety Officer Or the Food Authority:

**Section 20**

To establish, recognize or accredit professionally established, equipped and staffed food laboratory for analysis of samples of any food or food related equipment's or utensils:

**Section 22 (1) (2)**

To recover as arrears of land revenue compensation in case of injury or death of consumer: **Section 32(2)**

To order prosecution of a person found guilty under this act: 

**Section 16(1) (a)**

To suspend or cancel the license of the food operator violating the Act:


**Section 16(1)(b)**

To impose fine on the food operator violating the Act which may extend to fifty thousand rupees:

**Section 16(1)(c)**

To decide, if the circumstances so warrant, not to take any action: **Section 16(1)(d)**

Not to pass order of suspension or cancellation of the license or imposition of fine without providing opportunity of hearing to the food operator: **Section 16(3)**



File complaint of an offence before the Court: **Section 35(1)**

To recover the fine, fee or any other amount, imposed or levied under KPFS&HFA Act, 2014, the rules or the regulations, as an arrears of land revenue and, for the purpose, and hold defaulters license suspended till the penalty is paid. **Section 39**

To establish, administer and control Food Authority Fund. **Section 40(1)(2)**

To meet all expenses from Food Authority Fund. **Section 40(3)**

To open and maintain Bank Accounts in scheduled Banks. **Section 40(4)**

To submit annual performance report within three months of close of a financial year to the Government. **Section 44(1)**

To act as a Food Safety Officer

To register information of an offence under KPFS&HFA Act, 2014:

To make posting transfer from BS-01 to BS-18 in the KHYBER PAKHTUNKHWA FOOD SAFETY AND HALAL FOOD AUTHORITY and he may further delegate any of its power to any other officer under the KPFS&HFA Act to the extent as he may deem fit.

As per approved Budget, create and abolish posts between Grades 01 to 07 in the Authority.

As per approved Budget, create and abolish posts above BPS-07 with the prior approval of Chairman of the Authority.

To sanction all types of advances to employees in Grades 1 to 17 and above 17 with prior approval of Chairman of the Food Safety and Halal Food Authority.

To grant honoraria with the prior approval of Chairman, to employees in Grades 1 to 19 of the Authority subject to budget allocations.

To sanction all expenditures subject to Budget provisions & allocations.

To write off losses up to Rs. 100,000/ provided that there is no evidence on record which establish negligence or fraud on the part of any Officer/Official.

To declare surplus or unserviceable any store, vehicle, machinery, material, furniture or other movable property of the Food Authority if declared damaged or completed its useful life.

To sanction sales of surplus or unserviceable property, either through auction or by inviting sealed tenders, to the highest bidders, provided the highest prices received in the auction or tender are not less than the reserve prices.

To hire buildings for office use subject to Budget allocation.

To sanction residential telephones to officers of the Authority (as per provincial government policy) as the DG KPFS&HFA deems fit and necessary for efficient discharge of functions of the Food Authority.

To categorize Food business premises in the light of prescribed objective & criteria based on the level of adherence to the standards, established scientific principles and international best practices.

To periodically revise, in prescribed manner, the categories of premises

To create, by any means, general awareness about categorization of the premises:

To initiate, defend or withdraw from any legal proceedings under the KPFS&HFA Act, to compound any offence against the KPFS&HFA Act, to admit, compromise or withdraw any claim under the KPFS&HFA Act, and in respect of all these matters, to appoint counsel, hire services of Lawyers in special cases on such terms and conditions as may be settled and to obtain such legal advice and assistance as may be necessary, subject to the condition that where the Food Authority withdraws from any legal proceedings or admits, compromises or withdraws any claim, and loss admits, compromises or withdraws any claim, and loss of revenue or property rights is involved, reasons for the withdrawal, admittance or compromise shall be recorded in writing, and where the loss or value involved is more than Rs. 100,000/-. A summary of the case shall be submitted for the information to the Chairman Food Authority.

To issue office order(s), direction(s) and manual(s) of instructions to regulate the activities of the Food Safety and Halal Food Authority subject to the conditions that they are not inconsistent with the KPSF&HFA Act, the Rules or the Regulations.

To co-ordinate the policies, plans, programs, budgets, salary structures, staffing levels and other activities of the Food Safety and Halal Food Authority and in this behalf to do all things and exercise all powers to ensure such co-ordination.



DIRECTOR GENERAL

**KHYBER PAKHTUNKHWA FOOD SAFETY  
AND HALAL FOOD AUTHORITY**