

**CONFIDENTIAL**

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**PROVINCIAL ASSEMBLY OF THE PUNJAB  
REPORT OF THE STANDING COMMITTEE ON HOME AFFAIRS  
REGARDING THE PUNJAB MAINTENANCE OF PUBLIC ORDER  
(AMENDMENT) BILL 2016 (BILL NO. 16 OF 2016)**

The Punjab Maintenance of Public Order (Amendment) Bill 2016 (Bill No.16 of 2016) was referred to the Standing Committee on Home Affairs on 17 February 2016. The Committee considered the Bill in its meetings held on 15 & 16 March, 25 April, 10 May and 6 June 2016.

2. The following were present:—

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|-----|---|--------------------------|
| 1.  | Makdum Syed Muhammad Masood Alam, MPA (PP-285)  | Chairman                 |
| 2.  | Mehr Ijaz Ahmad Achalana, MPA (PP-265)/<br>Parliamentary Secretary for Home<br>(attended on 15 & 16 March 2016) | <i>ex-officio</i> Member |
| 3.  | Chaudhry Lal Hussain, MPA (PP-26)<br>(attended on 15 & 16 March and 10 May 2016)                                | Member                   |
| 4.  | Ch Rafaqat Hussain Gujjar, Advocate, MPA (PP-102)<br>(attended on 25 April, 10 May and 6 June 2016)             | Member                   |
| 5.  | Major (Retd) Moeen Nawaz Warraich, MPA (PP-109)   | Member                   |
| 6.  | Rana Muhammad Afzal, MPA (PP-128)<br>(attended on 15 & 16 March, 10 May and 6 June 2016)                        | Member                   |
| 7.  | Mr Ihsan ul Haq Bajwa, MPA (PP-281)<br>(attended on 10 May 2016)  | Member                   |
| 8.  | Mrs Kanwal Nauman, MPA (W-321)<br>(attended on 25 April, 10 May and 6 June 2016)                                | Member                   |
| 9.  | Mr Awais Qasim Khan, MPA (PP-132)<br>(attended on 15 March, 25 April, 10 May and 6 June 2016)                   | Member                   |
| 10. | Mr Muhammad Siddique Khan, MPA (PP-7)<br>(attended on 15 March, 25 April and 10 May 2016)                       | Member                   |
| 11. | Ch Aamar Sultan Cheema, MPA (PP-32)<br>(attended on 25 April, 10 May and 6 June 2016)                           | Member                   |

3. Dr Shoaib Akbar, Special Secretary, Home Department and Mr Mohsin Bukhari, Deputy Director, Law and Parliamentary Affairs Department represented their Departments. Hafiz Muhammad Shafiq Adil, Special Secretary, Provincial Assembly of the Punjab functioned as Secretary to the Committee.

4. Dr Shoaib Akbar, Special Secretary, Home Department apprised the Committee about the aims and objects of the Bill. He stated that it was necessary to amend the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960) to prevent increasing incidents of violence at health Institutions and other sensitive public places by prohibiting armed persons from entering such places.

He stated that Bill, if enacted, would provide that a person, armed with a firearm weapon, should not enter a hospital or health facility or a sensitive public place. He clarified that the 'public place' means any public place notified by the Government as such. He further stated that where a security guard had been deployed or hired for the security of a hospital or health facility or a sensitive public place, such security guard might enter the hospital or any health facility or sensitive public place with prior permission of, and in the manner specified by the authority appointing him as a security guard. He further explained that contravention of the prohibition would be liable to punishment of imprisonment which shall not be less than seven days but may be extended up to one year and fine which shall not be less than twenty five thousand rupees but shall not exceed two hundred thousand rupees. The offence shall be cognizable and non-bailable in terms of section 22 and should be tried summarily under section 21 of the 1960 Ordinance. He requested the Committee that the Bill, as introduced, may be recommended to be passed by the Assembly.

5. The Committee after hearing the Members, having the view point of the Administrative Department and discussing various points, unanimously decided to recommend that the Bill may be passed by the Assembly subject to the following amendments:-

#### AMENDMENTS IN THE BILL

##### (1) ADDITION OF NEW CLAUSE 2

after Clause 1, the following be added as new Clause 2, and the existing Clause 2, be re-numbered as Clause 3:-

**"2. Insertion of sub-section (e) of section 2 in Ordinance XXXI of 1960.-** In the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960), after section 2 (d), the following sub section (e) shall be inserted.

(e) "Sensitive Public Place" means a Public Place where public generally gathers for any social, economic, religious, recreational or political activities and includes all Government offices and Government buildings, educational institutions, hospitals and other medical institutions, courts, worship places, recreational and amusement places or any other public place notified by the Government in the official Gazette as a sensitive public place."

##### (2) RE-NUMBERED CLAUSE 3

- (i) in sub-clause (1) of the proposed clause 5A, the words "hospital or health facility or a" be omitted;
- (ii) in sub-clause (2), in line 2, the words "hospital or health facility or a" and the words "hospital or health facility or", occurring in line 3, be omitted; and
- (iii) sub-clause (4), be omitted.

6. A copy of the Bill as introduced in the Assembly is at Annexure-A and a copy of the Bill as recommended by the Committee is at Annexure-B.

**(MAKDUM SYED MUHAMMAD MASOOD ALAM)**

Chairman

*Standing Committee on Home Affairs*

Lahore

*6 June 2016*

*Mumtaz Hussain*

**(RAI MUMTAZ HUSSAIN BABAR)**

*Secretary*

Lahore

*6 June 2016*

(BILL AS INTRODUCED IN THE ASSEMBLY)

# PROVINCIAL ASSEMBLY OF THE PUNJAB

Bill No. 16 of 2016

## THE PUNJAB MAINTENANCE OF PUBLIC ORDER (AMENDMENT) BILL 2016

A  
BILL

*further to amend the Punjab Maintenance of Public Order Ordinance, 1960.*

It is necessary to amend the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960) to prevent increasing incidents of violence at health facilities and other sensitive public places by prohibiting armed persons from entering such places.

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 Maintenance of Public Order (Amendment) Act 2016.  
(2) It shall come into force at once.

2. **Insertion of section 5A in Ordinance XXXI of 1960.**— In the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960), after section 5, the following section 5A shall be inserted:

**“5A. Prohibition of entry of armed persons.**— (1) Subject to subsection (2), a person, armed with a firearm weapon, shall not enter a hospital or health facility or a sensitive public place.

(2) Where a security guard has been deployed or hired for the security of a hospital or health facility or a sensitive public place, such security guard may enter the hospital or health facility or sensitive public place with prior permission of, and in the manner specified by, the authority appointing him as a security guard.

(3) If a person contravenes subsection (1), he shall be liable to punishment of imprisonment which shall not be less than seven days but may extend up to one year and fine which shall not be less than twenty five thousand rupees but shall not exceed two hundred thousand rupees.

(4) In this section ‘sensitive public place’ means a public place notified by the Government in the official Gazette as a sensitive public place.”

### STATEMENT OF OBJECTS AND REASONS

This Bill, if enacted, will provide that a person, armed with a firearm weapon, shall not enter a hospital or health facility or a sensitive public place: the expression ‘sensitive public place’ means any public place notified by the Government as such.

Where a security guard has been deployed or hired for the security of a hospital or health facility or a sensitive public place, such security guard may enter

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the hospital or health facility or sensitive public place with prior permission of, and in the manner specified by, the authority appointing him as a security guard.

The contravention of the prohibition shall be liable to punishment of imprisonment which shall not be less than seven days but may extend up to one year and fine which shall not be less than twenty five thousand rupees but shall not exceed two hundred thousand rupees. The offence shall be cognizable and non-bailable in terms of section 22 and shall be tried summarily under section 21 of the 1960 Ordinance. Hence this Bill.

**MINISTER INCHARGE**

**Lahore:**  
**17 February 2016**

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**RAI MUMTAZ HUSSAIN BABAR**  
**Secretary**

ANNEXURE- B

(BILL AS RECOMMENDED BY THE  
STANDING COMMITTEE ON HOME AFFAIRS)

A  
BILL

Further to amend the Punjab Maintenance of Public Order Ordinance, 1960.

It is necessary to amend the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960) to prevent increasing incidents of violence at health facilities and other sensitive public places by prohibiting armed persons from entering such places.

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 Maintenance of Public Order (Amendment) Act 2016.

(2) It shall come into force at once.

2. Insertion of sub-section 2(e) in Ordinance XXXI of 1960.— In the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960), after section 2 (d), the following sub section (e) shall be inserted.

(e) "Sensitive Public Place" means a Public Place where public generally gathers for any social, economic, religious, recreational or political activities and includes all Government offices and Government buildings, educational institutions, hospitals and other medical institutions, courts, worship places, recreational and amusement places or any other public place notified by the Government in the official Gazette as a sensitive public place.

3. **Insertion of section 5A in Ordinance XXXI of 1960.**— In the Punjab Maintenance of Public Order Ordinance, 1960 (XXXI of 1960), after section 5, the following section 5A shall be inserted:

**"5A. Prohibition of entry of armed persons.**— (1) Subject to subsection (2), a person, armed with a firearm weapon, shall not enter a sensitive public place.

(2) Where a security guard has been deployed or hired for the security of a sensitive public place, such security guard may enter the sensitive public place with prior permission of, and in the manner specified by, the authority appointing him as a security guard.

(3) If a person contravenes subsection (1), he shall be liable to punishment of imprisonment which shall not be less than seven days but may extend up to one year and fine which shall not be less than twenty five thousand rupees but shall not exceed two hundred thousand rupees."

