

## CONFIDENTIAL

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### PROVINCIAL ASSEMBLY OF THE PUNJAB REPORT OF THE STANDING COMMITTEE ON HOME AFFAIRS REGARDING THE PUNJAB VIGILANCE COMMITTEES BILL 2016 (BILL NO. 5 OF 2016)

The Punjab Vigilance Committees Bill 2016 (Bill No.5 of 2016) was referred to the Standing Committee on Home Affairs on 1<sup>st</sup> February 2016. The Committee considered the Bill in its meeting held on 9 March 2016.

2. The following were present:—

- |    |   |                          |
|----|---|--------------------------|
| 1. | Makdum Syed Muhammad Masood Alam, MPA (PP-285)                              | Chairman                 |
| 2. | Mehr Ijaz Ahmad Achalana, MPA (PP-265)/<br>Parliamentary Secretary for Home | <i>ex-officio</i> Member |
| 3. | Chaudhry Lal Hussain, MPA (PP-26)   | Member                   |
| 4. | Major (Retd) Moeen Nawaz Warraich, MPA (PP-109)                             | Member                   |
| 5. | Rana Muhammad Afzal, MPA (PP-128)   | Member                   |
| 6. | Mr Awais Qasim Khan, MPA (PP-132)   | Member                   |
| 7. | Ch Aamar Sultan Cheema, MPA (PP-32)   | Member                   |

3. Mr Kaiser Saleem, Additional Secretary, Home Department and Mr Mohsin Abbas Syed, Director, Law and Parliamentary Affairs Department represented their Departments. Mr Faiz-ul-Basit, Additional Secretary (Committees), Provincial Assembly of the Punjab functioned as Secretary to the Committee.

4. The Additional Secretary, Home Department apprised the Committee about the aims and objects of the Bill. He said that it was necessary to provide for the constitution of Vigilance Committees at District, Sub-divisional and Union Council level to ensure better and effective watch and ward system, and to deal with ancillary matters. 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) **CLAUSE 1**

the marginal heading be substituted as under

“Short title, extent, commencement and application”.

(2) **CLAUSE 2**

(i) in para (a), the figures “2015” be substituted by the figures “2016”;

*Contd...P/2*

- (ii) the following be added as new para (b) and subsequent paras be re-numbered accordingly:

“(b) “Cantonment” means a Cantonment Board constituted under the Cantonments Act, 1924 (II of 1924) or any other law;”

- (iii) in renumbered para (c), the word “this” be substituted by the word ‘the’;   
 (iv) in renumbered para (e), the word “this” be substituted by the word ‘the’; and   
 (v) in renumbered para (g), the brackets and figures “(III of 2001)” be substituted by the brackets and figures “(XIII of 2001)”.

**(3) CLAUSE 5**

- (1) in sub-clause (1):

(i) in para (a), after the word “Officer” the words “or head of district administration” be added;

(ii) para (b) be substituted as under:

“(b) head of district police;”

(iii) para (e) be substituted as under:

“(e) not less than two members of Provincial Assembly of the Punjab, including at least one female member, from the district to be nominated by the Government;”

- (2) in sub-clause (2), para (d) be substituted as under –

“(d) three members from general public including one female member for a term of three years;”

- (3) sub-clause (3) be substituted as under --

“(3) The District Vigilance Committee shall, for a term of three years, constitute a Local Vigilance Committee in each Union Council, Municipal Committee or Cantonment, consisting of the following members from the local area:

- (a) one retired judicial officer or retired Police Officer or retired officer from the Armed Forces of Pakistan or a retired public servant;   
 (b) one social worker or a head of educational or health institution;   
 (c) one representative of the traders; and   
 (d) one male member and one female member.”

(4) **CLAUSE 6**

in sub-clause (1), in para (a)

- (i) the word "at" occurring at line 1, be substituted by the words "for a"; and
- (ii) the word "level" occurring in line 2, be substituted by the words "and cantonment".

(5) **CLAUSE 7**

(i) in sub-clause (3), the word "Convener" occurring in line 2, be substituted by the words "convener and deputy convener" and the words "six months" occurring at the end of line 2, be substituted by the words "one year".

(ii) in sub-clause (4), the word "Convener" be substituted by the words "convener and deputy convener" be added.

(6) **CLAUSE 8**

in sub-clause (1), after the word "Committee", occurring in line 2, the words "or Cantonment" be added.

(7) **CLAUSE 13**

the word "this" occurring in line 4, be substituted by the word "the".

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.

Lahore  
9 March 2016

(MAKDUM SYED MUHAMMAD MASOOD ALAM)

Chairman  
Standing Committee on Home Affairs

Lahore  
9 March 2016

  
(RAI MUMTAZ HUSSAIN BABAR)  
Secretary

# PROVINCIAL ASSEMBLY OF THE PUNJAB

Bill No. 5 of 2016

## THE PUNJAB VIGILANCE COMMITTEES BILL 2016

A

Bill

*to provide for the constitution of Vigilance Committees.*

It is necessary to provide for the constitution of Vigilance Committees at District, Sub-divisional and Union Council level to ensure better and effective watch and ward system, and to deal with ancillary matters.

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 Vigilance Committees Act 2016.

- (2) It extends to whole of the Punjab.
- (3) It shall come into force at once.
- (4) The Government may, by notification, and for reasons to be recorded, exclude any area from the operation of any of the provisions of this Act.

**2. Definitions.**— In this Act:

- (a) "Act" means the Punjab Vigilance Committees Act 2015;
- (b) "Committee" means a District Vigilance Committee, Sub-divisional Vigilance Committee or Local Vigilance Committee constituted under this Act;
- (c) "Municipal Committee" means a Municipal Committee constituted under the Punjab Local Government Act 2013 (XVIII of 2013);
- (d) "prescribed" means prescribed by rules made under this Act;
- (e) "proscribed organization" means an organization which is proscribed under the Anti-Terrorism Act, 1997 (XXVII of 1997); and
- (f) "Union Council" means a Union Council constituted under the Punjab Local Government Act 2013 (XVIII of 2013) or a Union Administration constituted under the Punjab Local Government Ordinance, 2001 (III of 2001).

**3. Act to override other laws.**— The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law.

**4. Vigilance Committees.**— There shall be Vigilance Committees at District, Sub-divisional and Union Council or Municipal Committee level to be respectively named as District Vigilance Committees, Sub-divisional Vigilance Committees and Local Vigilance Committees.

**5. Constitution and composition of Vigilance Committees.**—(1) The Government shall, by notification, constitute a District Vigilance Committee consisting of the following members:

- (a) District Coordination Officer as Convener;
- (b) District Police Officer;
- (c) representative from Special Branch of the Punjab Police;
- (d) representative from Intelligence Bureau; and
- (e) two members of Provincial Assembly of the Punjab to be nominated by the Government.

(2) The Government shall constitute a Sub-divisional Vigilance Committee consisting of the following members:

- (a) Assistant Commissioner as Convener;
- (b) Sub-divisional Police Officer;
- (c) representative from Special Branch of the Punjab Police; and
- (d) one male member and one female member from the general public for a term of three years.

(3) The District Vigilance Committee shall constitute a Local Vigilance Committee in each Union Council consisting of the following members:

- (a) one retired judicial officer or retired Police officer or retired officer from the Armed Forces of Pakistan;
- (b) one social worker or a head of educational or health institution belonging to the Union Council;
- (c) one representative of the traders belonging to the Union Council; and
- (d) one male member and one female member from the local community for a term of three years.

**6. Functions of the Vigilance Committees.**— (1) A District Vigilance Committee shall:

- (a) constitute Local Vigilance Committees at Union Council or Municipal Committee level in the district within fifteen days of its constitution;
- (b) scrutinize the antecedents of a person to determine his eligibility to be a member of a Local Vigilance Committee;
- (c) accept resignation of a member of Local Vigilance Committee and nominate a new member to fill such vacancy;
- (d) arrange for training of members of Local Vigilance Committees by the Special Branch and Counter Terrorism Department of the Police; and
- (e) oversee the performance of Local Vigilance Committees and devise strategies to improve their performance.

(2) A Sub-divisional Vigilance Committee shall:

- (a) liaise between the District Vigilance Committee and Local Vigilance Committees falling within its jurisdiction;
- (b) monitor the performance of Local Vigilance Committees and submit reports about such performance to the District Vigilance Committee; and
- (c) ensure that Local Vigilance Committees perform their assigned functions efficiently and effectively.

(3) A Local Vigilance Committee shall:

- (a) collect information relating to the following activities in the local area and to submit report to the police and law enforcing agencies:
  - (i) presence and movement of subversive or dubious elements;
  - (ii) information relating to promotion or distribution of objectionable and hate literature inciting sectarianism or subversion;
  - (iii) wall chalking, brochures, pamphlets, audio, audio-videos likely to promote sectarianism or subversion;
  - (iv) collection of contribution or donation for promotion of proscribed organizations and unlawful associations;
  - (v) information relating to tenants within its jurisdiction; and
  - (vi) any other subversive or suspicious activity or movement of unknown persons.
- (b) report all matters pertaining to security and its recommendations to the Sub-divisional Vigilance Committee;
- (c) keep a close liaison with the Security Advisory Committee constituted under section 3 of the Punjab Security of Vulnerable Establishments Act 2015 (XIV of 2015) and provide information about any of the above activities to the Security Advisory Committee; and
- (d) perform such other tasks as may be assigned by the Government, District Vigilance Committee, Sub-divisional Vigilance Committee and Security Advisory Committee relating to safety and security in the prescribed manner.

**7. Meetings.**—(1) The District Vigilance Committees and the Sub-divisional Vigilance Committees shall meet at least once in a month.

(2) The Local Vigilance Committees shall meet at least twice in a month.

(3) A Local Vigilance Committee, in its first meeting, shall elect the Convener of the Committee from amongst its members for a period of six months.

(4) There shall be no bar to the re-election of the same member as Convener.

(5) The Assistant Commissioner and Sub-divisional Police Officer may attend a meeting of a Local Vigilance Committee.

**8. Logistic support.**— (1) Secretary of the Union Council or an officer of the Municipal Committee shall be the ex-officio Secretary of the Local Vigilance Committee.

(2) The office of the Union Council or Municipal Committee shall be the formal place for holding meetings of the Committee and the Union Council or Municipal Committee shall provide logistic support to the Committee.

**9. Remuneration.**— No remuneration shall be paid to the members of the Committees.

**10. Conduct of member.**— A person may be nominated as a member of a Local Vigilance Committee if he bears good character, is not a previous convict and has no

past or present affiliation with any dubious or sectarian group or any proscribed organization.

**11. Power of the Government.-** The Government may reconstitute a Committee, terminate membership of any member of a Committee.

**12. Power to make rules.-** The Government may, by notification, make rules for carrying out the purposes of this Act.

**13. Removal of difficulty.-**The Government may, within one year from the commencement of this Act, by order, not inconsistent with the provisions of this Act, provide for the removal of any difficulty which may arise in giving effect to the provisions of this Act.

**14. Repeal.-** The Punjab Vigilance Committees Ordinance, 2016 (I of 2016) is hereby repealed.

**MINISTER INCHARGE**

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Lahore:  
1<sup>st</sup> February 2016

**RAJ MUMTAZ HUSSAIN BABAR**  
Secretary

**ANNEXURE- B**

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

A

Bill

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(2) It extends to whole of the Punjab.

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(4) The Government may, by notification, and for reasons to be recorded, exclude any area from the operation of any of the provisions of this Act.

**2. Definitions.**— In this Act:

(a) “Act” means the Punjab Vigilance Committees Act 2016;

(b) “Cantonment” means a Cantonment Board constituted under the Cantonments Act, 1924 (II of 1924) or any other law;

(c) “Committee” means a District Vigilance Committee, Sub-divisional Vigilance Committee or Local Vigilance Committee constituted under the Act;

(d) “Municipal Committee” means a Municipal Committee constituted under the Punjab Local Government Act 2013 (XVIII of 2013);

(e) “prescribed” means prescribed by rules made under the Act;

(f) “proscribed organization” means an organization which is proscribed under the Anti-Terrorism Act, 1997 (XXVII of 1997); and

(g) “Union Council” means a Union Council constituted under the Punjab Local Government Act 2013 (XVIII of 2013) or a Union Administration constituted under the Punjab Local Government Ordinance, 2001 (XIII of 2001).

**3. Act to override other laws.**— The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law.

**4. Vigilance Committees.**— There shall be Vigilance Committees at District, Sub-divisional and Union Council or Municipal Committee level to be respectively named as District Vigilance Committees, Sub-divisional Vigilance Committees and Local Vigilance Committees.



**5. Constitution and composition of Vigilance Committees.**—(1) The Government shall, by notification, constitute a District Vigilance Committee consisting of the following members:

- (a) District Coordination Officer or head of district administration as Convener;
- (b) head of district police;
- (c) representative from Special Branch of the Punjab Police;
- (d) representative from Intelligence Bureau; and
- (e) not less than two members of Provincial Assembly of the Punjab, including at least one female member, from the district to be nominated by the Government;

(2) The Government shall constitute a Sub-divisional Vigilance Committee consisting of the following members:

- (a) Assistant Commissioner as Convener;
- (b) Sub-divisional Police Officer;
- (c) representative from Special Branch of the Punjab Police; and
- (d) three members from general public including one female member for a term of three years.

(3) The District Vigilance Committee shall, for a term of three years, constitute a Local Vigilance Committee in each Union Council, Municipal Committee or Cantonment, consisting of the following members from the local area:

- (a) one retired judicial officer or retired Police Officer or retired officer from the Armed Forces of Pakistan or a retired public servant;
- (b) one social worker or a head of educational or health institution;
- (c) one representative of the traders; and
- (d) one male member and one female member.

**6. Functions of the Vigilance Committees.**— (1) A District Vigilance Committee shall:

- (a) constitute Local Vigilance Committees for a Union Council or Municipal Committee and cantonment in the district within fifteen days of its constitution;
- (b) scrutinize the antecedents of a person to determine his eligibility to be a member of a Local Vigilance Committee;
- (c) accept resignation of a member of Local Vigilance Committee and nominate a new member to fill such vacancy;
- (d) arrange for training of members of Local Vigilance Committees by the Special Branch and Counter Terrorism Department of the Police; and
- (e) oversee the performance of Local Vigilance Committees and devise strategies to improve their performance.

(2) A Sub-divisional Vigilance Committee shall:

- (a) liaise between the District Vigilance Committee and Local Vigilance Committees falling within its jurisdiction;
- (b) monitor the performance of Local Vigilance Committees and submit reports about such performance to the District Vigilance Committee; and

- (c) ensure that Local Vigilance Committees perform their assigned functions efficiently and effectively.
- (3) A Local Vigilance Committee shall:
- (a) collect information relating to the following activities in the local area and to submit report to the police and law enforcing agencies:
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    - (iv) collection of contribution or donation for promotion of proscribed organizations and unlawful associations;
    - (v) information relating to tenants within its jurisdiction; and
    - (vi) any other subversive or suspicious activity or movement of unknown persons.
  - (b) report all matters pertaining to security and its recommendations to the Sub-divisional Vigilance Committee;
  - (c) keep a close liaison with the Security Advisory Committee constituted under section 3 of the Punjab Security of Vulnerable Establishments Act 2015 (XIV of 2015) and provide information about any of the above activities to the Security Advisory Committee; and
  - (d) perform such other tasks as may be assigned by the Government, District Vigilance Committee, Sub-divisional Vigilance Committee and Security Advisory Committee relating to safety and security in the prescribed manner.

**7. Meetings.**—(1) The District Vigilance Committees and the Sub-divisional Vigilance Committees shall meet at least once in a month.

(2) The Local Vigilance Committees shall meet at least twice in a month.

(3) A Local Vigilance Committee, in its first meeting, shall elect the convener and deputy convener of the Committee from amongst its members for a period of one year.

(4) There shall be no bar to the re-election of the same member as convener and deputy convener.

(5) The Assistant Commissioner and Sub-divisional Police Officer may attend a meeting of a Local Vigilance Committee.

**8. Logistic support.**— (1) Secretary of the Union Council or an officer of the Municipal Committee or Cantonment shall be the ex-officio Secretary of the Local Vigilance Committee.

(2) The office of the Union Council or Municipal Committee shall be the formal place for holding meetings of the Committee and the Union Council or Municipal Committee shall provide logistic support to the Committee.

**9. Remuneration.**— No remuneration shall be paid to the members of the Committees.

- 10. Conduct of member.**— A person may be nominated as a member of a Local Vigilance Committee if he bears good character, is not a previous convict and has no past or present affiliation with any dubious or sectarian group or any proscribed organization.
- 11. Power of the Government.**— The Government may reconstitute a Committee, terminate membership of any member of a Committee.
- 12. Power to make rules.**— The Government may, by notification, make rules for carrying out the purposes of this Act.
- 13. Removal of difficulty.**—The Government may, within one year from the commencement of this Act, by order, not inconsistent with the provisions of this Act, provide for the removal of any difficulty which may arise in giving effect to the provisions of the Act.
- 14. Repeal.**— The Punjab Vigilance Committees Ordinance, 2016 (I of 2016) is hereby repealed.
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