

CONFIDENTIAL

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PROVINCIAL ASSEMBLY OF THE PUNJAB REPORT OF THE STANDING COMMITTEE ON HOUSING, URBAN DEVELOPMENT AND PUBLIC HEALTH ENGINEERING REGARDING THE PARKS AND HORTICULTURE AUTHORITY (AMENDMENT) BILL 2017 (BILL NO.19 OF 2017)

The Parks and Horticulture Authority (Amendment) Bill 2017 (Bill No.19 of 2017) was referred to the Standing Committee on Housing, Urban Development and Public Health Engineering on 13 September 2017. The Committee considered the Bill in its meeting held on 6 October 2017.

2. The following were present:—

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| 1. | Rana Abdul Rauf, MPA (PP-279) | Chairman |
| 2. | Mr Sajjad Haider Gujjar, MPA (PP-169) Parliamentary Secretary for Housing, Urban Development and Public Health Engineering | <i>ex-officio</i> Member |
| 3. | Syed Raza Ali Gillani, MPA (PP-187) Minister for Higher Education, Punjab | Member |
| 4. | Mr Faizan Khalid Virk, MPA (PP-166) | Member |
| 5. | Mr Ameer Muhammad Khan, MPA (PP-47) | Member |
| 6. | Syed Muhammad Sibtain Raza, MPA (PP-260) | Member |
| 7. | Mr Ahmad Ali Khan Dreshak, MPA (PP-243) | Member |
| 8. | Mr Mumtaz Ahmad Qaisrani (Bhutto Khan), MPA (PP-240) | Member |

3. Mr Khurram Agha, Secretary to Government of the Punjab, Housing, Urban Development and Public Health Engineering Department, Ms Naheed Gul Baloch, Additional Director General, Parks and Horticulture Authority and Mr Abid Raza, Deputy Secretary (Legislation), 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. Ms Naheed Gul Baloch, Additional Director General, Parks and Horticulture Authority apprised the Committee about the aims and objects of the Bill. She stated that it was necessary to further amend the Parks and Horticulture Authority Act 2012 (XLVII of 2012) for the purposes of harmonizing some of its provisions with the present day necessities and for incidental purposes. She requested the Committee that the Bill, as introduced, may be recommended to be passed by the Assembly.

(BILL AS INTRODUCED IN THE ASSEMBLY)

PROVINCIAL ASSEMBLY OF THE PUNJAB

Bill No. 19 of 2017

**THE PARKS AND HORTICULTURE AUTHORITY (AMENDMENT)
BILL 2017****A
Bill***further to amend the Parks and Horticulture Authority Act 2012.*

It is necessary further to amend the Parks and Horticulture Authority Act 2012 (XLVII of 2012) for purposes of harmonizing some of its provisions with the present day necessities and for incidental purposes.

Be it enacted by the Provincial Assembly of the Punjab as follows:

1. Short title and commencement.— (1) This Act may be cited as the Parks and Horticulture Authority (Amendment) Act 2017.

(2) It shall come into force at once.

2. Amendment in Section 2 of Act XLVII of 2012.— In the Parks and Horticulture Authority Act 2012 (XLVII of 2012), for brevity cited as the said Act, in section 2:

- (i) clause (b) shall be omitted; and
- (ii) after clause (o), the following clause (oa) shall be inserted:
“(oa) “person” includes a body owned or controlled by the Federal Government or the Government or any other Provincial Government, or a company, association or body of individuals, whether incorporated or not;”.

3. Amendment in section 10 Act XLVII of 2012.— In the Act, in section 10, for subsection (6), the following shall be substituted:

“(6) Notwithstanding anything contained in subsection (3) and subsection (4), the Authority may, for such initial or extended period and on payment of such fee as the Authority may prescribe, grant permission for the deployment of an allocated area of a public park for provision of food, playing facilities, sale of plants, horticultural equipment, books or for any other purpose if that activity does not adversely affect the ambience, character and outlook of the public park.”.

4. Amendment in Section 12 of Act XLVII of 2012.— In the Act, in section 12:

- (a) in subsection (4), for the words “twelve months”, the words “such period as the Authority may determine or as may be prescribed” shall be substituted;
- (b) in subsection (8), for the word “Government”, the word “Authority” shall be substituted; and
- (c) after subsection (8), as amended, the following new subsection (9) shall be inserted:

“(9) The Authority may lease, in the prescribed manner, any of its sites or poles, for outdoor advertisement, for such initial or extended period and on such terms and conditions as the Authority may determine or as may be prescribed.”.

5. The Committee after hearing the Members, having view point of the Administrative as well as Law and Parliamentary Affairs Departments 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 2

in the rider clause, the word "said" occurring in line 2, be omitted.

(2) CLAUSE 4

in sub-clause (a), for the words "twelve months", the words "a period of twelve months" be substituted.

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
6 October 2017

(RANA ABDUL RAUF)
Chairman
*Standing Committee on Housing, Urban
Development and Public Health Engineering*

Lahore
6 October 2017


(RAI MUMTAZ HUSSAIN BABAR)
Secretary

5. Repeal.— The Parks and Horticulture Authority (Amendment) Ordinance 2017 (IX of 2017) is hereby repealed.

MINISTER INCHARGE

Lahore:
13 September 2017

RAI MUMTAZ HUSSAIN BABAR
Secretary

ANNEXURE – B

**(BILL AS RECOMMENDED BY THE
STANDING COMMITTEE ON HOUSING, URBAN
DEVELOPMENT AND PUBLIC HEALTH ENGINEERING)**

**A
Bill**

further to amend the Parks and Horticulture Authority Act 2012.

It is necessary further to amend the Parks and Horticulture Authority Act 2012 (XLVII of 2012) for purposes of harmonizing some of its provisions with the present day necessities and for incidental purposes.

Be it enacted by the Provincial Assembly of the Punjab as follows:

1. Short title and commencement.– (1) This Act may be cited as the Parks and Horticulture Authority (Amendment) Act 2017.

(2) It shall come into force at once.

2. Amendment in Section 2 of Act XLVII of 2012.– In the Parks and Horticulture Authority Act 2012 (XLVII of 2012), for brevity cited as the Act, in section 2:

(i) clause (b) shall be omitted; and

(ii) after clause (o), the following clause (oa) shall be inserted:

“(oa) “person” includes a body owned or controlled by the Federal Government or the Government or any other Provincial Government, or a company, association or body of individuals, whether incorporated or not;”.

3. Amendment in section 10 Act XLVII of 2012.– In the Act, in section 10, for subsection (6), the following shall be substituted:

“(6) Notwithstanding anything contained in subsection (3) and subsection (4), the Authority may, for such initial or extended period and on payment of such fee as the Authority may prescribe, grant permission for the deployment of an allocated area of a public park for provision of food, playing facilities, sale of plants, horticultural equipment, books or for any other purpose if that activity does not adversely affect the ambience, character and outlook of the public park.”.

4. Amendment in Section 12 of Act XLVII of 2012.– In the Act, in section 12:

(a) in subsection (4), for the words “a period of twelve months”, the words “such period as the Authority may determine or as may be prescribed” shall be substituted;

(b) in subsection (8), for the word “Government”, the word “Authority” shall be substituted; and

(c) after subsection (8), as amended, the following new subsection (9) shall be inserted:

“(9) The Authority may lease, in the prescribed manner, any of its sites or poles, for outdoor advertisement, for such initial or extended period and on such terms and conditions as the Authority may determine or as may be prescribed.”.

5. Repeal.– The Parks and Horticulture Authority (Amendment) Ordinance 2017 (IX of 2017) is hereby repealed.
