

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 2016 (BILL NO.37 OF 2016)

The Parks and Horticulture Authority (Amendment) Bill 2016 (Bill No.37 of 2016) was referred to the Standing Committee on Housing Urban Development and Public Health Engineering on 24 August 2016. The Committee considered the Bill in its meetings held on 22 & 29 September and 21 November 2016.

2. The following were present:-

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| 1. | Rana Abdul Rauf, MPA (PP-279)
(attended on 22 & 29 September and 21 November 2016) | Chairman |
| 2. | Mr Sajjad Haider Gujjar, MPA (PP-169)
Parliamentary Secretary for Housing, Urban
Development and Public Health Engineering
(attended on 22 and 29 September 2016) | <i>ex-officio</i> Member |
| 3. | Mr Ameer Muhammad Khan, MPA (PP-47) | Member |
| 4. | Syed Muhammad Sibtain Raza, MPA (PP-260)
(attended on 29 September 2016) | Member |
| 5. | Syed Raza Ali Gillani, MPA (PP-187)
(attended on 29 September 2016) | Member |
| 6. | Mr Ahmad Ali Khan Dreshak, MPA (PP-243)
(attended on 21 November 2016) | Member |
| 7. | Ch Aamar Sultan Cheema, MPA (PP-32)
(attended on 29 September 2016) | Member |

3. Mr Muazzam Jamil, Deputy Secretary (Urban Development), Housing Urban Development and Public Health Engineering Department and Mr Abid Raza Khan, Deputy Secretary (Legislation), 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. Mr Muazzam Jamil, Deputy Secretary (Urban Development), Housing Urban Development and Public Health Engineering Department apprised the Committee about the aims and objects of the Bill. He stated that it was necessary further to amend the Parks and

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Horticulture Authority Act 2012 (XLVII of 2012) to preserve the trees at public land and to provide specific penalty of illegal cutting of trees. For the purpose, while permitting the necessary trimming, the illegal cutting of trees was proposed to be liable to punishment up to fifteen days of imprisonment but which would not be less than three days imprisonment and fine up to two hundred thousand rupees but which shall not less than twenty thousand rupees. Those measures were required amendments in the Parks and Horticulture Authority Act 2012. 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 & Law and Parliamentary Affairs 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) LONG TITLE

before the word "to" occurring in the beginning, the word "Further" be added.

(2) PREAMBLE

after the word "necessary" occurring in line 1, the word "further" be added.

(3) CLAUSE 3

(i) in section 23 of the Principal Act, in the proposed subsection (1), the word "fifteen" occurring in line 4, be substituted by the words "five hundred"; and the word "but" occurring in line 5 be omitted; *and*

(ii) in the proposed sub-section (1A), the word "but" occurring in line 3 and 5 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.

Lahore
21 November 2016

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

Lahore
21 November 2016


(RAI MUMTAZ HUSSAIN BABAR)
Secretary

(BILL AS INTRODUCED IN THE ASSEMBLY)
PROVINCIAL ASSEMBLY OF THE PUNJAB

**THE PARKS AND HORTICULTURE AUTHORITY (AMENDMENT)
BILL 2016**

Bill No. 37 of 2016

A
Bill

to amend the Parks and Horticulture Authority Act 2012.

It is necessary to amend the Parks and Horticulture Authority Act 2012 (XLVII of 2012) to preserve the trees at public land and to provide specific penalty for illegal cutting of trees.

Be it enacted by 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 2016.

(2) It shall come into force at once.

2. Amendment in section 21 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 21, for subsection (5), the following shall be substituted:

"(5) A person shall not cut, damage or remove any tree on public land or any place outside a private premises without prior permission in writing of the Authority, except the routine or reasonable trimming of a tree outside the private premises by the occupant himself or under intimation to him."

3. Amendment in section 23 of Act XLVII of 2012.— In the said Act, in section 23:

(a) for subsection (1), the following shall be substituted:

"(1) A person who contravenes any provision of the Act, for which no other punishment is provided, shall be liable to punishment of imprisonment which may extend to six months or fine which may extend to fifteen thousand rupees but which shall not be less than ten thousand rupees or with both."; and

(b) after subsection (1), the following subsection (1A) shall be inserted:

"(1A) A person who contravenes the provisions of subsection (5) of section 21, shall be liable to punishment of imprisonment which may extend to fifteen days but which shall not be less than three days and fine which may extend to two hundred thousand rupees but which shall not be less than twenty thousand rupees."

STATEMENT OF OBJECTS AND REASONS

It is necessary to preserve trees at public land. For the purpose, while permitting the necessary trimming, the illegal cutting of trees is proposed to be liable to punishment up to fifteen days of imprisonment but which shall not be less than three days imprisonment and fine up to two hundred thousand rupees but which shall not less than twenty thousand rupees. These measures require amendments in the Parks and Horticulture Authority Act 2012. Hence this Bill.

MINISTER INCHARGE

Lahore:
24 August 2016

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) to preserve the trees at public land and to provide specific penalty for illegal cutting of trees.

Be it enacted by 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 2016.

(2) It shall come into force at once.

2. Amendment in section 21 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 21, for subsection (5), the following shall be substituted:

“(5) A person shall not cut, damage or remove any tree on public land or any place outside a private premises without prior permission in writing of the Authority, except the routine or reasonable trimming of a tree outside the private premises by the occupant himself or under intimation to him.”

3. Amendment in section 23 of Act XLVII of 2012.– In the said Act, in section 23:

(a) for subsection (1), the following shall be substituted:

“(1) A person who contravenes any provision of the Act, for which no other punishment is provided, shall be liable to punishment of imprisonment which may extend to six months or fine which may extend to five hundred thousand rupees which shall not be less than ten thousand rupees or with both.”; and

(b) after subsection (1), the following subsection (1A) shall be inserted:

“(1A) A person who contravenes the provisions of subsection (5) of section 21, shall be liable to punishment of imprisonment which may extend to fifteen days which shall not be less than three days and fine which may extend to two hundred thousand rupees which shall not be less than twenty thousand rupees.”
