

CONFIDENTIAL

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PROVINCIAL ASSEMBLY OF THE PUNJAB REPORT OF THE STANDING COMMITTEE ON LOCAL GOVERNMENT AND RURAL DEVELOPMENT REGARDING THE PUNJAB LOCAL GOVERNMENT (THIRD AMENDMENT) BILL 2016 (BILL NO.17 OF 2016)

The Punjab Local Government (Third Amendment) Bill 2016 (Bill No.17 of 2016) was referred to the Standing Committee on Local Government and Rural Development on 17 February 2016. The Committee considered the Bill in its meeting held on 8 March 2016.

2. The following were present:-

1.	Ch Abdul Razzaq Dhillon, MPA (PP-33)	Chairman
2.	Mrs Gulnaz Shahzadi, MPA (W-329)	Member
3.	Ms Suriya Naseem, MPA (W-322)	Member
4.	Mr Ghazanfar Abbas Chheena, MPA (PP-49)	Member

3. Mr Muhammad Saqib Aziz, Secretary to Government of the Punjab, Local Government and Community Development and Mr Mohsin Abbas Syed, 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. The Secretary to Government of the Punjab, Local Government and Community Development Department apprised the Committee about the aims and objects of the bill. He said that it was necessary further to amend the Punjab Local Government Act, 2013 (XVIII of 2013) to ensure the provision of landfill site by the concerned local governments so as to eliminate the possibility of dumping of solid waste and refuse at a place other than landfill or dumping site, specified by the concerned local government and for ancillary matters. He stated that presently, dumping of solid waste and refuse at any place in the local government was not an offence under the Punjab Local Government Act, 2013 nor were the local governments empowered to provide landfill or to notify or designate a dumping site for proper disposal of solid waste and refuse under the Act *ibid*. Through this enactment, a local government was obliged to provide a landfill subject to the clearance by the Provincial Environmental Protection Agency, established under section 5 of the Punjab Environmental Protection Act, 1997 (XXXIV of 1997) for proper disposal of solid waste or refuse; and till the provision of such a place, to notify or designate a dumping site for proper disposal of solid waste and refuse. 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 points of the Administrative Department and discussing various points, unanimously decided to recommend that the Bill as introduced, may be passed by the Assembly.

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

Lahore
8 March 2016

(CH ABDUL RAZZAQ DHILLON)
Chairman
Standing Committee on Local Government
and Rural Development

Lahore
8 March 2016


(RAI MUMTAZ HUSSAIN BABAR)
Secretary

ANNEXURE

(BILL AS INTRODUCED IN THE ASSEMBLY AND RECOMMENDED
BY THE STANDING COMMITTEE ON LOCAL GOVERNMENT AND
RURAL DEVELOPMENT)

THE PUNJAB LOCAL GOVERNMENT (THIRD AMENDMENT) BILL 2016

Bill No. 17 of 2016

A
BILL

to amend the Punjab Local Government Act 2013.

It is necessary further to amend the Punjab Local Government Act 2013 (XVIII of 2013) to ensure the provision of landfill site by the concerned local government so as to eliminate the possibility of dumping of solid waste and refuse at a place other than landfill or dumping site, specified by the concerned local government and for ancillary matters.

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

1. Short title and commencement.— (1) This Act may be cited as the Punjab Local Government (Third Amendment) Act 2016.

(2) It shall come into force at once.

2. Amendment in section 132 of Act XVIII of 2013.— In the Punjab Local Government Act 2013 (XVIII of 2013), for brevity cited as 'the said Act', in section 132, after subsection (2), the following subsection (2A) shall be inserted:

"(2A) If an offence of illegal dumping of solid waste and refuse under Part-II of the Fourth Schedule is committed by a person for the first time, he shall be administered a warning in writing; and, in case he repeats the offence within one year from earlier commission, he shall be punished with imprisonment which may extend to three years but which shall not be less than seven days, and with fine which may extend to one hundred thousand rupees but which shall not be less than twenty thousand rupees; and, where an accused was directed in writing by the *Inspector for immediate discontinuance* of the offence, the Court may impose a further fine which may extend to ten thousand rupees for every day for the period the accused has persisted in the offence from the date of its commission."

3. Amendment in the Fourth Schedule of Act XVIII of 2013.— (1) In the said Act, in the Fourth Schedule, in Part-II, after the entry at Sr. No. 23, the following entry at Sr. No. 23A shall be added:

"23A.	Dumping of solid waste and refuse by any person or entity on a place other than landfill or dumping site, notified or designated by the concerned local government."
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4. Amendment in the Eighth Schedule of Act XVIII of 2013.— (1) In the said Act, in the Eighth Schedule, after article 82, the following article 82A shall be inserted:

"82A. Landfill.– (1) The concerned local government shall provide landfill, subject to the clearance by the Provincial Environmental Protection Agency, established under section 5 of the Punjab Environmental Protection Act, 1997 (XXXIV of 1997) for proper disposal of solid waste and refuse, and until a provision is made, such local government shall notify or designate a dumping site for the purpose.

(2) The concerned local government shall maintain landfill or dumping site, as the case may be, in such manner as the bylaws may provide."
