

CONFIDENTIAL

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**PROVINCIAL ASSEMBLY OF THE PUNJAB
REPORT OF THE STANDING COMMITTEE ON LOCAL
GOVERNMENT AND COMMUNITY DEVELOPMENT
REGARDING THE PUNJAB LOCAL GOVERNMENT (THIRD
AMENDMENT) BILL 2016 (BILL NO. 35 OF 2016)**

The Punjab Local Government (Third Amendment) Bill 2016 (Bill No.35 of 2016) was referred to the Standing Committee on Local Government and Community Development on 24th August 2016. The Committee considered the Bill in its meetings held on 29 and 30 August 2016.

2. The following were present:-

- | | | |
|----|---|----------|
| 1. | Ch Abdul Razzaq Dhillon, MPA (PP-33) | Chairman |
| 2. | Mrs Gulnaz Shahzadi, MPA (W-329)
(attended on 29 August 2016) | Member |
| 3. | Ms Suriya Naseem, MPA (W-322)
(attended on 30 August 2016) | Member |
| 4. | Mr Ghazanfar Abbas Chheena, MPA (PP-49) | Member |
| 5. | Sardar Ali Raza Khan Dreshak, MPA (PP-247) | Member |
| 6. | Mian Muhammad Aslam Iqbal, MPA (PP-148)
(attended on 30 August 2016) | Member |

3. Mr Aslam Kamboh, 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. Mr Faiz-ul-Basit, Additional Secretary (Committees), 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 stated that it was necessary in public interest to amend the Punjab Local Government Act 2013 (XVIII of 2013) in the manner hereinafter appearing. 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 view point of the Administrative Department as well as the 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 amendment:-

AMENDMENT IN THE BILL

CLAUSE 1

in sub-clause (1), the word "Third" be substituted by the word "Fifth".

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
30 August 2016

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

Lahore
30 August 2016

Mumtaz Hussain
(RAI MUMTAZ HUSSAIN BABAR)
Secretary

ANNEXURE – A

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

Bill No. 35 of 2016

THE PUNJAB LOCAL GOVERNMENT (THIRD AMENDMENT) BILL 2016

A
BILL

further to amend the Punjab Local Government Act 2013.

It is necessary in public interest to amend the Punjab Local Government Act, 2013 (XVIII of 2013) in the manner hereinafter appearing.

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 Punjab Local Government (Third Amendment) Act 2016.

(2) It shall come into force at once.

2. Amendment of section 2 of Act XVIII of 2013.— In the Punjab Local Government Act 2013 (*XVIII of 2013*), for brevity cited as the Act, in section 2, for clause (eee), the following shall be substituted:

“(eee) “technocrat” means a person who is the holder of a degree requiring conclusion of sixteen years of education recognized by the Higher Education Commission and at least five years of experience in the relevant field;”.

3. Amendment in section 13 of Act XVIII of 2013.— In the Act, for section 13, the following shall be substituted:

“**13. Union Council.**— A Union Council shall consist of the directly elected Chairman and Vice Chairman, as joint candidates, six general members, one from each ward of the Union Council, and the following members indirectly elected on the reserved seats by the Chairman, Vice Chairman and the general members present and voting:

- (a) two women members;
- (b) one peasant member in a rural Union Council or one worker member in an urban Union Council;
- (c) one youth member; and
- (d) one non-Muslim member.”

4. Amendment in section 14 of Act XVIII of 2013.— In the Act, in section 14:

(1) in subsection (2):

- (i) for the expression “in the manner prescribed by or under this Act”, the words “by the Chairmen of the rural Union Councils present and voting” shall be substituted; and
- (ii) for clause (b), the following shall be substituted:
“(b) such peasant members, not exceeding three, as the Government may notify on the basis of the number of Union Councils in the District Council;” and
- (iii) for clause (c), the following shall be substituted:

- “(c) one technocrat member;” and
- (2) for subsection (3), the following shall be substituted:
- “(3) The members of a District Council shall, on the date specified by the Election Commission, elect, as joint candidates, from amongst the members of the District Council, the Chairman and the Vice Chairman or Vice Chairmen of the District Council mentioned in First Schedule, by majority of the members present and voting.”

5. Amendment in section 15 of Act XVIII of 2013.— In the Act, in section 15:

- (1) in subsection (1):
- (i) for the words “in the manner prescribed by or under this Act”, the words “by the Chairmen of the Union Councils present and voting” shall be substituted;
- (ii) for clause (b), the following shall be substituted:
“(b) five worker members;” and
- (iii) for clause (c), the following shall be substituted:
“(c) three technocrat members;”;
- (2) in subsection (2):
- (i) for the words “in the manner prescribed by or under this Act”, the words “by the Chairmen of the urban Union Councils present and voting” shall be substituted;
- (ii) for clause (b), the following shall be substituted:
“(b) two worker members;” and
- (iii) for clause (c), the following shall be substituted:
“(c) two technocrat members;”
- (3) in subsection (3), for the words “in the manner prescribed by or under this Act”, the words “by the directly elected members present and voting” shall be substituted; and
- (4) for subsections (4) and (5), the following shall be substituted:
- “(4) The members of a Municipal Committee shall, on the date specified by the Election Commission, elect, as joint candidates, from amongst the members of the Municipal Committee, the Chairman and the Vice Chairman of the Municipal Committee by majority of the members present and voting.
- (5) The members of the Metropolitan Corporation or a Municipal Corporation shall, on the date specified by the Election Commission, elect, as joint candidates, from amongst the members of the Metropolitan Corporation or the Municipal Corporation, the Mayor and the Deputy Mayor or Deputy Mayors mentioned in the First Schedule, by majority of the members present and voting.”

6. Omission of section 18A of Act XVIII of 2013.— In the Act, section 18A shall be omitted.

7. Amendment in section 78 of Act XVIII of 2013.— In the Act, in section 78:

- (i) for subsection (1A), the following shall be substituted:
“(1A) The Vice Chairman shall perform the functions of the Chairman when the Chairman is unable to perform his functions on account of absence or for any other reason.”; and

- (ii) after subsection (1A), the following subsection (1B) shall be inserted:

“(1B) In case of more than one Vice Chairman, the Vice Chairman, who is senior in age, shall perform the functions of the Chairman when the Chairman is unable to perform his functions on account of absence or for any other reason.”

8. Amendment in section 88 of Act XVIII of 2013.— In the Act, in section 88:

- (i) for subsection (2), the following shall be substituted:

“(2) The Deputy Mayor shall perform the functions of the Mayor when the Mayor is unable to perform his functions on account of absence or for any other reason.”

- (ii) after subsection (2), the following subsection (2A) shall be inserted:

“(2A) In case of more than one Deputy Mayor, the Deputy Mayor, who is senior in age, shall perform the functions of the Mayor when the Mayor is unable to perform his functions on account of absence or for any other reason.”

9. Amendment in the First Schedule of Act XVIII of 2013.— In the Act, in the First Schedule:

- (1) in PART-II, in column 3, under heading ‘Membership’:

(i) for the expression “A District Council having population of more than five hundred thousand shall have two Vice Chairmen and thereafter there shall be one additional Vice Chairman for each five hundred thousand of additional population”, the expression “A District Council having population of more than one million shall have two Vice Chairmen and thereafter there shall be one additional Vice Chairman for each one million of additional population” shall be substituted;

(ii) for the expression “Such number of peasant members, subject to the minimum of two and the maximum of ten members”, the expression “Such number of peasant members, not exceeding three members” shall be substituted; and

(iii) for the expression “Such number of technocrat members, subject to the minimum of two and the maximum of ten members, as the Government may, by notification, determine on the basis of the number of Union Councils in the District Council”, the expression “One technocrat member” shall be substituted;

- (2) in PART-IV, in column 3, under the heading ‘Membership’:

(i) for the expression “A Municipal Corporation having population up to one million shall have two Deputy Mayors, a Municipal Corporation having population of more than one million shall have four Deputy Mayors and thereafter there shall be two additional Deputy Mayors for each five hundred thousand of additional population”, the expression “A Municipal Corporation having population of more than one million shall have two Deputy Mayors and thereafter there

- shall be one additional Deputy Mayor for each one million of additional population" shall be substituted;
- (ii) for the expression "Such number of worker members, subject to the minimum of two and the maximum of ten members, as the Government may, by notification, determine on the basis of the number of Union Councils in a Municipal Corporation", the expression "Two worker members" shall be substituted; and
 - (iii) for the expression "Such number of technocrat members, subject to the minimum of two and the maximum of ten members, as the Government may, by notification, determine on the basis of the number of Union Councils in a Municipal Corporation", the expression "Two technocrat members" shall be substituted;
- (2) in PART-V, in column 3, under the heading 'Membership':
- (i) for the words "thirteen Deputy Mayors", the words "nine Deputy Mayors" shall be substituted;
 - (ii) for the words "Ten worker members", the words "Five worker members" shall be substituted; and
 - (iii) for the words "Ten technocrat members", the words "Three technocrat members" shall be substituted.

10. Repeal.— The Punjab Local Government (Third Amendment) Ordinance, 2016 (XV of 2016) is hereby repealed.

MINISTER INCHARGE

Lahore:
24 August 2016

RAI MUMTAZ HUSSAIN BABAR
Secretary

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

A
BILL

further to amend the Punjab Local Government Act 2013.

It is necessary in public interest to amend the Punjab Local Government Act, 2013 (XVIII of 2013) in the manner hereinafter appearing.

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 Punjab Local Government (Fifth Amendment) Act 2016.

(2) It shall come into force at once.

2. **Amendment of section 2 of Act XVIII of 2013.**– In the Punjab Local Government Act 2013 (*XVIII of 2013*), for brevity cited as the Act, in section 2, for clause (eee), the following shall be substituted:

“(eee) “technocrat” means a person who is the holder of a degree requiring conclusion of sixteen years of education recognized by the Higher Education Commission and at least five years of experience in the relevant field;”.

3. **Amendment in section 13 of Act XVIII of 2013.**– In the Act, for section 13, the following shall be substituted:

“13. **Union Council.**– A Union Council shall consist of the directly elected Chairman and Vice Chairman, as joint candidates, six general members, one from each ward of the Union Council, and the following members indirectly elected on the reserved seats by the Chairman, Vice Chairman and the general members present and voting:

- (a) two women members;
- (b) one peasant member in a rural Union Council or one worker member in an urban Union Council;
- (c) one youth member; and
- (d) one non-Muslim member.”

4. **Amendment in section 14 of Act XVIII of 2013.**– In the Act, in section 14:

(1) in subsection (2):

(i) for the expression “in the manner prescribed by or under this Act”, the words “by the Chairmen of the rural Union Councils present and voting” shall be substituted; and

(ii) for clause (b), the following shall be substituted:

“(b) such peasant members, not exceeding three, as the Government may notify on the basis of the number of Union Councils in the District Council;” and

(iii) for clause (c), the following shall be substituted:

“(c) one technocrat member;” and

(2) for subsection (3), the following shall be substituted:

“(3) The members of a District Council shall, on the date specified by the Election Commission, elect, as joint candidates, from amongst the members of the District Council, the Chairman and the Vice Chairman or Vice Chairmen of the

District Council mentioned in First Schedule, by majority of the members present and voting."

- 5. Amendment in section 15 of Act XVIII of 2013.**— In the Act, in section 15:
- (1) in subsection (1):
 - (i) for the words "in the manner prescribed by or under this Act", the words "by the Chairmen of the Union Councils present and voting" shall be substituted;
 - (ii) for clause (b), the following shall be substituted:
" (b) five worker members;" and
 - (iii) for clause (c), the following shall be substituted:
" (c) three technocrat members;"
 - (2) in subsection (2):
 - (i) for the words "in the manner prescribed by or under this Act", the words "by the Chairmen of the urban Union Councils present and voting" shall be substituted;
 - (ii) for clause (b), the following shall be substituted:
" (b) two worker members;" and
 - (iii) for clause (c), the following shall be substituted:
" (c) two technocrat members;"
 - (3) in subsection (3), for the words "in the manner prescribed by or under this Act", the words "by the directly elected members present and voting" shall be substituted; and
 - (4) for subsections (4) and (5), the following shall be substituted:
 - (4) The members of a Municipal Committee shall, on the date specified by the Election Commission, elect, as joint candidates, from amongst the members of the Municipal Committee, the Chairman and the Vice Chairman of the Municipal Committee by majority of the members present and voting.
 - (5) The members of the Metropolitan Corporation or a Municipal Corporation shall, on the date specified by the Election Commission, elect, as joint candidates, from amongst the members of the Metropolitan Corporation or the Municipal Corporation, the Mayor and the Deputy Mayor or Deputy Mayors mentioned in the First Schedule, by majority of the members present and voting."
- 6. Omission of section 18A of Act XVIII of 2013.**— In the Act, section 18A shall be omitted.
- 7. Amendment in section 78 of Act XVIII of 2013.**— In the Act, in section 78:
- (i) for subsection (1A), the following shall be substituted:
" (1A) The Vice Chairman shall perform the functions of the Chairman when the Chairman is unable to perform his functions on account of absence or for any other reason."; and
 - (ii) after subsection (1A), the following subsection (1B) shall be inserted:
" (1B) In case of more than one Vice Chairman, the Vice Chairman, who is senior in age, shall perform the functions of the Chairman when the Chairman is unable to perform his functions on account of absence or for any other reason."

- 8. Amendment in section 88 of Act XVIII of 2013.**— In the Act, in section 88:
- (i) for subsection (2), the following shall be substituted:

“(2) The Deputy Mayor shall perform the functions of the Mayor when the Mayor is unable to perform his functions on account of absence or for any other reason.”
 - (ii) after subsection (2), the following subsection (2A) shall be inserted:

“(2A) In case of more than one Deputy Mayor, the Deputy Mayor, who is senior in age, shall perform the functions of the Mayor when the Mayor is unable to perform his functions on account of absence or for any other reason.”
- 9. Amendment in the First Schedule of Act XVIII of 2013.**— In the Act, in the First Schedule:
- (1) in PART-II, in column 3, under heading ‘Membership’:
 - (i) for the expression “A District Council having population of more than five hundred thousand shall have two Vice Chairmen and thereafter there shall be one additional Vice Chairman for each five hundred thousand of additional population”, the expression “A District Council having population of more than one million shall have two Vice Chairmen and thereafter there shall be one additional Vice Chairman for each one million of additional population” shall be substituted;
 - (ii) for the expression “Such number of peasant members, subject to the minimum of two and the maximum of ten members”, the expression “Such number of peasant members, not exceeding three members” shall be substituted; and
 - (iii) for the expression “Such number of technocrat members, subject to the minimum of two and the maximum of ten members, as the Government may, by notification, determine on the basis of the number of Union Councils in the District Council”, the expression “One technocrat member” shall be substituted;
 - (2) in PART-IV, in column 3, under the heading ‘Membership’:
 - (i) for the expression “A Municipal Corporation having population up to one million shall have two Deputy Mayors, a Municipal Corporation having population of more than one million shall have four Deputy Mayors and thereafter there shall be two additional Deputy Mayors for each five hundred thousand of additional population”, the expression “A Municipal Corporation having population of more than one million shall have two Deputy Mayors and thereafter there shall be one additional Deputy Mayor for each one million of additional population” shall be substituted;
 - (ii) for the expression “Such number of worker members, subject to the minimum of two and the maximum of ten members, as the Government may, by notification, determine on the basis of the number of Union Councils in

- a Municipal Corporation", the expression "Two worker members" shall be substituted; and
- (iii) for the expression "Such number of technocrat members, subject to the minimum of two and the maximum of ten members, as the Government may, by notification, determine on the basis of the number of Union Councils in a Municipal Corporation", the expression "Two technocrat members" shall be substituted;
- (2) in PART-V, in column 3, under the heading 'Membership':
- (i) for the words "thirteen Deputy Mayors", the words "nine Deputy Mayors" shall be substituted;
- (ii) for the words "Ten worker members", the words "Five worker members" shall be substituted; and
- (iii) for the words "Ten technocrat members", the words "Three technocrat members" shall be substituted.

10. Repeal.— The Punjab Local Government (Third Amendment) Ordinance, 2016 (XV of 2016) is hereby repealed.
