

CONFIDENTIAL

Not to be released for publication in the press before presentation to the Assembly

PROVINCIAL ASSEMBLY OF THE PUNJAB

REPORT OF THE COMMITTEE ON PRIVILEGES REGARDING PRIVILEGE MOTION NO. 22/2015 MOVED BY MIAN MEHMOOD-UR- RASHEED, MPA (PP-151)/LEADER OF OPPOSITION

Privilege Motion No. 22/2015 moved by Mian Mehmood-ur-Rasheed, MPA (PP-151)/Leader of Opposition (Annexed) was referred to the Committee on Privileges on 12 November 2015. The Committee considered the Privilege Motion in its meetings held on 26 November 2015, 02 June 2016, 10 August 2016 and 22 February 2017.

2. The following attended –

- | | | |
|-----|---|--------------|
| 1. | Chaudhary Muhammad Iqbal, MPA (PP-98) | Chairman |
| 2. | Ms Sameena Noor, MPA (PP-185)
(attended on 26 November 2015) | Member |
| 3. | Haji Ehsan-ud-Din Qureshi, MPA (PP-197)
(attended on 02 June 2016, 10 August 2016 and 22 February 2017) | Member |
| 4. | Mr Mehdi Abbas Khan, MPA (PP-205)
(attended on 02 June 2016, and 22 February 2017) | Member |
| 5. | Syed Hussain Jahania Gardezi, MPA (PP-213) | Member |
| 6. | Mr Muhammad Arshad Khan Lodhi, MPA (PP-223)
(attended on 26 November 2015 and 02 June 2016) | Member |
| 7. | Rais Muhammad Mehboob Ahmed, MPA (PP-289)
(attended on 02 June 2016 and 22 February 2017) | Member |
| 8. | Mr Ejaz Hussain Bukhari, MPA (PP-15) | Member |
| 9. | Mr Ahmed Khan Bhacher, MPA (PP-45)
(attended on 02 June 2016 and 22 February 2017) | Member |
| 10. | Mr Ahmad Shah Khagga, MPA (PP-229)
(attended on 26 November 2015) | Member |
| 11. | Mian Mehmood-ur-Rasheed, MPA (PP-151)/
Leader of Opposition
(attended on 26 November 2015 and 02 June 2016) | <i>Mover</i> |

3. Mr Muhammad Waris, Additional Secretary, Local Government and Community Development Department and Mr Mohsin Bukhari, Deputy Director, Law & Parliamentary Affairs Department, Punjab attended the meetings as Expert Advisors. Hafiz Muhammad Shafiq Adil, Special Secretary, Provincial Assembly of the Punjab functioned as Secretary to the Committee.

4. Mr Muhammad Waris, Additional Secretary, Local Government and Community Development Department apprised the Committee that the matter under discussion was a subjudice matter. Now the court had decided the matter vide order W.P.No. 35720/2015 dated 27-10-2016.

Contd...P/2

5. He stated that order of the court was as under.-

“Through this constitutional petition, petitioner is seeking direction against respondents to place audit reports before Public Accounts Committee of Punjab Assembly

2). *Learned Law Officer on instruction submits that in compliance of section 108 of Punjab Local Government Ordinance, 2013 (ordinance), respondents will place audit reports before Public Accounts Committee once the public representatives will take charge of local government.*

3). *Learned counsel for the petitioner is satisfied with the above statement.*

4). *This petition is accordingly disposed of with direction that respondents will comply with provision of Section 108 of the Ordinance in letter and spirit.”*

6. He stated that the Section 108 of Punjab Local Government Ordinance, 2013, was as under.-

108. Audit.— (1) *The Auditor-General of Pakistan shall, on the basis of such audit as he may consider appropriate or necessary, certify the accounts of a local government for each financial year.*

(2) *The Auditor-General shall audit the accounts of a local government in such form and manner as may be deemed appropriate.*

(3) *The audit report of the Auditor-General shall be considered by the Public Accounts Committee of the Provincial Assembly of the Punjab.*

(4) *If in the opinion of the Government, it is necessary in public interest to have a special audit of a local government, it may direct that such audit may be conducted either by the Provincial Director Local Fund Audit or any other audit agency.*

(5) *After the receipt of special audit report of a local government, the Government may, after enquiry by the Punjab Local Government Commission, take appropriate action on the recommendations of the Commission.*

7. He assured the Committee that in compliance of decision of the Lahore High Court, Lahore, Local Government and Community Development Department under section 108 of Punjab Local Government Act, 2013 would submit annual audit report of the Auditor -General before Public Accounts Committee of the Provincial Assembly of the Punjab.

8. He explained that the requisite reports mentioned in the subject Privilege Motion could not be dealt under the said decision of the Court as the Lahore High Court, Lahore had decided the issue of

submission and audit of annual reports of Local Government and Community Development Department under section 108 of Punjab Local Government Act, 2013 while the requisite reports were related to the years 2001 to 2014.

9. He requested the Committee to dispose of the Privilege Motion as the said decision of the Court had to no retrospective effect.

10. He further explained that according to Section 115-A of Punjab Local Government Ordinance, 2001 the audit of District Government and Tehsil Municipal Administration was conducted by an Internal Auditor. There was no provision of submission of annual audit report before Public Accounts Committee of the Provincial Assembly of the Punjab.

11. The Committee was satisfied with the explanation given by Mr Muhammad Waris, Additional Secretary, Local Government and Community Development Department in light of decision of the Lahore High Court, Lahore and unanimously decided to recommend to the Assembly that Privilege Motion may be treated as disposed of.

Lahore
22 February, 2017

CHAUDHARY MUHAMMAD IQBAL
Chairman
Committee on Privileges

Lahore
22 February, 2017

Mumtaz Hussain
(RAI MUMTAZ HUSSAIN BABAR)
Secretary

صوبائی اسمبلی پنجاب

تحریک استحقاق نمبر 22 بابت 2015

-1

میاں محمود الرشید:

میں حال ہی میں وقوع پذیر ہونے والے ایک اہم اور فوری مسئلہ کو زیر بحث لانے کیلئے تحریک استحقاق پیش کرتا ہوں جو اسمبلی کی فوری دخل اندازی کا متقاضی ہے۔ معاملہ یہ ہے کہ پنجاب میں 2001 سے لے کر 2014 تک ضلعی حکومتوں کی آڈٹ رپورٹس کے مطابق 200 ارب کی بے ضابطگیاں ہوئیں جبکہ اور 38 ارب روپے کی وصولیاں ہونی ہیں۔ آئینی طور پر یہ آڈٹ رپورٹس پنجاب اسمبلی میں پیش کی جانی تھیں لیکن آڈیٹر جنرل کی طرف سے اور اپوزیشن کی طرف سے بار بار توجہ دلانے کے باوجود اب تک یہ رپورٹس ایوان میں پیش نہیں کی گئیں۔ جس سے نہ صرف میرا بلکہ پورے ایوان کا استحقاق مجروح ہوا ہے۔ لہذا میری اس تحریک کو ایوان میں پیش کرنے کی اجازت دی جائے اور اسے باضابطہ قرار دیتے ہوئے مجلس استحقاقات کے سپرد کیا جائے۔

رائے ممتاز حسین بابر
سیکرٹری

لاہور

یکم اکتوبر 2015

8 اکتوبر 2015