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SINDH ORDINANCE NO. XVI of 1994.

THE SINDH LOCAL GOVERNMENT (THIRD AMENDMENT) ORDINANCE, 1994.

[2nd August, 1994]

to amend the Sind Local Government Ordinance, 1979.

Preamble.

WHEREAS it is expedient to amend the Sind Local Government Ordinance, 1979, in the manner hereinafter appearing;

AND WHEREAS the Provincial Assembly is not in session and the Governor of Sind is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of Sind is pleased to make and promulgate the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Sind Local Government (Third Amendment) Ordinance, 1994.

(2) It shall come into force at once.

Amendment of Section 3 of Sind Ordinance No. XII of 1979.

2. In the Sind Local Government Ordinance, 1979, hereinafter referred to in the said Ordinance, in section 3, clause 83 shall be deleted.

Amendment of Section 10 of Sind Ordinance No. XII of 1979.

3. In the said Ordinance, in section 10---

(i) in sub-section (1), in clause (a), in sub-clause (iii), the proviso shall be deleted;

(ii) in sub-section (2), for the words "the Metropolitan Corporation or", the words "a district council" shall be substituted.

Amendment of Section 23 of Sind Ordinance No. XII of 1979.

4. In the said Ordinance, in section 23, for the words "mentioned in clause (a) of sub-section (1) of section 14, the words and comma "other than official members, if any" shall be substituted.

Amendment of Section 26 of Sind Ordinance No. XII of 1979.

5. In the said Ordinance, in section 26, sub-section (4), shall be deleted.

Amendment of Section 37of Sind Ordinance No. XII of 1979.

6. In the said Ordinance, in section37-----

(i) the words "use the name, flag, symbol or ticket of a

political party or its plat form or support; nor he" shall be deleted;

(ii) proviso shall be deleted.

7. In the said Ordinance, in section 38 the first proviso and the word "further" in the second proviso shall be deleted. **Amendment of Section 38 of Sind Ordinance No. XII of 1979.**

8. In the said Ordinance, in section 40, in sub-section (1)---- **Amendment of Section 40 of Sind Ordinance No. XII of 1979.**

(i) the words and comma "a Zonal Municipal Committee", shall be deleted;

(ii) in the first proviso, the words "or a Zonal Municipal Committee", shall be deleted;

(iii) the second proviso shall be deleted.

9. In the said Ordinance, in section 60--- **Amendment of Section 60 of Sind Ordinance No. XII of 1979.**

(i) the second and third provisos shall be deleted;

(ii) sub-section (2) shall be delete.

10. In the said Ordinance, in Schedule I----- **Amendment of Schedule-I of Sind Ordinance No. XII of 1979.**

(i) for serial No.1 and entry there against, the following shall be substituted:--

"1. Karachi Metropolitan Corporation.".

(ii) serial NO.1-A and entry there against shall be delete;

(iii) in entry against serial No.2, the words "other than the Zonal Municipal Committees" shall be deleted.

11. In the said Ordinance, in Schedule II---

(i) for part I, the following shall be substituted:---

"FUNCTIONS TO BE PERFORMED BY CORPORATIONS, MUNICIPAL COMMITTEES AND TOWN COMMITTEES COMPULSORY FUNCTIONS

PART I

FUNCTIONS TO BE PERFORMED BY THE METROPOLITAN CORPORATION ONLY.

1. Functions relating to maintenance of important public

health services:---

(a) Planning, development and maintenance of trunk sewerage system, sewerage treatment plant and sewerage farms.

(b) Planning, development and maintenance of refuse disposal plants.

(c) Planning, development and maintenance of abattoir cattle colonies.

(d) Planning and supervision of vector control.

(e) Planning, development and maintenance of food laboratories.

(f) Air and water pollution control.

2. Functions relating to planning, development and maintenance of public roads and storm water drains:---

(a) (Planning, development and maintenance of storm water drains.

(b) Construction and maintenance of roads and bridges.

3. Miscellaneous functions:---

(a) Planning, development and maintenance of work shops and press.

(b) Planning, development and maintenance of zoological gardens, aquaria, parks, gardens and playgrounds.

(c) Planning, development and maintenance of libraries, museums and art galleries.

(d) Procurement, allocation and regulation of grants, loans and other assistance.

(e) Planning, development and maintenance of public amenity projects such as recreation centres, beaches, and grave yards.

(f) Preservation of landscape.

(g) Planning, development and maintenance of fire fighting services".

(ii) Part I-A shall be deleted.

12. In the said Ordinance, in Schedule V---

(i) for part I, the following shall be substituted:---

"TAXES RATES, TOLLS AND FEES WHICH MAY BE LEVIED BY THE KARACHI METROPOLITAN CORPORATION. MUNICIPALITIES AND DISTRICT COUNCILS.

PART I

TAXES RATES, TOLLS AND FEES TO BE LEVIED BY KARACHI METROPOLITAN CORPORATION.

1. Tax on Motor vehicles and boats.

2. Drainage tax.

3. Development tax for specified periods for specific public benefit or public utility projects.

4. Rate for the bulk supply of water.

(ii) part I-A shall be deleted;

(iii) in part II, for the words "excluding", the word "including" shall be substituted.

Transitional

13. Notwithstanding anything contained in the Sindh Local Government Ordinance, 1979, on the coming into force of the Sindh Local Government (Third Amendment) Ordinance, 1994---

(i) all assets including movable and immovable property vesting in and all liabilities against the zonal municipal committees shall stand transferred to and vest in or as the case may be vest against the Karachi metropolitan Corporation;

(ii) the officers, and employees of the Zonal Municipal Committees shall stand transferred to the Karachi Corporation, Karachi.

14. Where any difficulties arises within twelve months of the coming into force of the Sindh Local Government (Third Amendment) Ordinance, 1994 as to the implementation of the provisions of the said ordinance Government may give appropriate directions for removal of such difficulty.