

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 15TH OCTOBER, 2014.**

NO.PAS/Legis-B-25/2014-The following Bill is hereby published for general information as required by Rule 98 of Rules of Procedure of the Provincial Assembly of Sindh.

THE SINDH LOCAL GOVERNMENT (AMENDMENT) BILL, 2014.

SINDH BILL NO. 25 OF 2014.

**A
BILL**

to amend the Sindh Local Government Act, 2013.

AND WHEREAS it is expedient to amend the Sindh Local Government Act, 2013, in the manner hereinafter appearing;

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Local Government (Amendment) Act, 2014. **Short title and commencement.**
(2) It shall come into force at once.
2. The Sindh Local Government (Third Amendment) Ordinance, 2013 (Ordinance No.XV of 2013), shall stand repealed. **Repeal of Ordinance No.XV of 2013**
3. In the Sindh Local Government Act, 2013, hereinafter referred to as the said Act, in section 2, after clause (ii), the following shall be inserted:-
“(ii-a) "political party" means an association of citizens or a combination or groups of such associations formed with a view to propagate or influence political opinion and participate in elections for any elective public office or for membership of a legislative body or a council;”. **Amendment of section 2 of Sindh Act No.XLII of 2013.**
4. In the said Act, in section 10 - **Amendment of section 10 of Sindh Act No.XLII of 2013.**
 - (i) for the marginal note "Delimitation of Union Councils" the marginal note "Creation of Union Councils or Union Committees" shall be substituted;
 - (ii) in sub-section (1), after the words "Union Council" the words "or Union Committee" shall be inserted;
 - (iii) in sub-section (2), in clauses (a), (b) and (c) after words "Union Council" , the words "or Union Committee" shall be inserted.
5. In the said Act, section 11 shall be omitted. **Omission of Section 11 of Sindh Act No.XLII of 2013.**
6. In the said Act, in section 18, sub-section (10) and its provisos shall be omitted. **Amendment of section 18 of Sindh Act XLII of 2013.**

7. In the said Act, after section 18, the following shall be inserted:-

**Insertion of section
18-A in Sindh Act
No.XLII of 2013.**

"18-A. (1) For the purpose of election to the seats reserved for woman, peasant or labourer and non-muslim in a Council other than Union Council and Union Committee, the political party contesting election for such seats shall within the period fixed by the Commission for submission of nomination papers, file separate lists of their candidates in order of priority for seats reserved for woman, peasant or labourer and non-muslim with the District Returning Officer who shall also act as the Returning Officer for the aforementioned reserved seats in the District.

(2) The lists submitted under sub-section (1) with the Returning Officer shall be published forthwith for information of public at large.

(3) The parties' lists referred to in sub-section (1), may contain as many names of additional candidates as the political party may deem necessary for contesting seats reserved for woman, peasant or labourer and non-muslim to provide for any disqualification of candidates during scrutiny of nomination papers or for filling of any vacant seat during the term of Council concerned.

(4) Where a seat reserved for woman, peasant or labourer and non-muslim in a Council falls vacant due to death, resignation or disqualification of a member, it shall be filled in by the next person in order of precedent from the parties lists of the candidates submitted to the Returning Officer under sub-section (1).

(5) Every candidate contesting election on a seat reserved for woman, peasant or labourer and non-muslim shall, alongwith the nomination papers and other relevant documents submit to the Returning Officer appointed by the Commission in this behalf -

- (a) a copy of party list of the candidates' political party for such seat;
- (b) declaration and statements as required by law or rules in support of the nomination; and
- (c) the fee required under the law for the time being in force for filing nomination papers.

8. In the said Act, in Chapter-V, before section 32, the following new section 31-A shall be inserted:-

**Insertion of section
32 in Sindh Act
No.XLII of 2013.**

"31-A (1) The Election Commission, for the purpose of Local Government elections shall, in the prescribed manner, delimit Union Councils, Union Committees and Wards in Municipal Committees, Town Committees and Corporations.

(2) For the purposes of delimitation of an urban area, a ward shall, as far as possible, consist of a census block or adjoining census blocks.

(3) For the purpose of delimitation of a Union Council, Union Committee, a ward shall, as far as possible, consist of a whole or part of a deh, a census block or combination of adjoining villages or census blocks."

9. In the said Act, in section 32 -

**Amendment of
Section 32 of Sindh
Act No.XLII of 2013.**

(i) In clause (b), for the word "Government", the words "Election Commission" shall be substituted;

(ii) In clauses (b) and (c), after the words "Union Councils", the words "Union Committees" shall be inserted.

10. In the said Act, in section 36, after sub-section (1), the following shall be added:-

**Amendment of
Section 36 of Sindh
Act No.XLII of 2013.**

"(2) Whoever -

(a) is found by the Election Commission to have contravened the provisions of sub-section (1), shall stand disqualified from being a candidate for election to any office of a Council for a period of four years;

(b) having been elected as a member of a Council or is a holder of an elective office of the Council is found by the Election Commission to have contravened the provisions of sub-section (1) shall cease forthwith to be an elected member or to hold the office of such member and stand disqualified from being a candidate for election to a Council for a period of four years."

11. In the said Act, in section 39, in sub-section (3), for the words "the Councils" the words "respective Council" shall be substituted.

**Amendment of
section 39 of Sindh
Act XLII of 2013.**

STATEMENT OF OBJECTS AND REASONS

In its judgment, the Hon'ble Supreme Court of Pakistan observed that the certain provisions of the Sindh Local Government Act, 2013 may be amended. In order to implement the decision of the Hon'ble Supreme Court of Pakistan, it is expedient to amend the Sindh Local Government Act, 2013..

The Bill seeks to achieve the above object.

MEMBER-IN-CHARGE

G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH