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PART-I

GOVERNMENT OF SINDH

LAW DEPARTMENT

NOTIFICATION

Karachi the 27th OCTOBER 2001

No. S.LEGIS: 1 (34)2001 The following Ordinance made by the Governor of Sindh is hereby published for general information:-

THE SINDH LOCAL GOVERNMENT

(SECOND AMENDMENT) ORDINANCE 2001

SINDH ORDINANCE NO. XXXIV OF 2001

**AN
ORDINANCE**

to amend the Sindh Local Government, 2001. Preamble.

WHEREAS it is expedient to amend the Sindh

local Government Ordinance, 2001, in the manner hereinafter appearing;

AND WHEREAS the Provincial Assembly stands dissolved in pursuance of the Proclamation of the fourteenth day of October, 1999 and the Provisional Constitution Order No. 1 of 1999;

AND WHEREAS the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action;

AND, THEREFORE, in pursuance of the aforesaid Proclamation and the Provisional Constitution Order read with Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of Sindh is pleased to make and promulgate the following Ordinance:-

Short title and commencement.

1. (1) This Ordinance may be called the Sindh local Government (Second Amendment) Ordinance, 2001.

(2) It shall come into force at once and shall be deemed always to have taken effect from 14th August, 2001.

Amendment of section 2 of Sindh Ordinance XXVII 2001.

2. In the Sindh local Government Ordinance, 2001, hereinafter referred to as the said Ordinance, in section 2, after clause (xxvii), the following new clause (xxvii-a) shall be inserted:-

"(xxvii-a) Provincial Director General

Audit means an officer of the Auditor General of Pakistan nominated for the purpose;".

3. In the said Ordinance, in section 26, in line 4, the word "District" before the word "Government" and after the words "set up by the" shall be omitted. Amendment of section 26 of Sindh Ordinance XXVII of 2001.
4. In the said Ordinance, in section 51, in line 2, after the word and comma "shall", the words, figures and comma "subject to sections 35 and 36", shall be inserted. Amendment of section 51 of Sindh Ordinance XXVII of 2001.
5. In the said Ordinance, in section 54, after clause(a), the following new clause shall be added:
 "(nn) organize cattle farms and cattle markets;". Amendment of section 54 of Sindh Ordinance XXVII of 2001.
6. In the said Ordinance, in section 66 -
 (i) in line 2, after word and comma "shall", the words, figures and comma "subject to section 40," be inserted. Amendment of section 66 of Sindh Ordinance XXVII of 2001.
 (ii) in line 3, after the word "reference" the word "to" shall be omitted and after the word "provisions" the word "to" shall be inserted.
7. In the said Ordinance, in section 76, clause(h) shall be omitted. Amendment of section 76 of Sindh Ordinance XXVII of 2001.
8. In the said Ordinance, in section 109, in sub-section (5), after the word sub-section (3), the words "and sub-section (12) shall be added. Amendment of section 109 of Sindh Ordinance XXVII of 2001.
9. In the said Ordinance, in section 115,
 (i) in sub-section(1), in line 1, after the word "annual" the word "internal" shall be inserted. Amendment of section 115 of Sindh Ordinance XXVII of 2001.

- (ii) in sub-section (3), in line 2, after the words "shall cause" and before the word "audit", for the word "the" the word "special" shall be substituted.

Amendment of section 119 of Sindh Ordinance XXVII of 2001.

10. In the said Ordinance, in section 119 -

- (i) the existing sub-section (1) shall be renumbered as (1-A) and before sub-section (1-A) the following new sub-section shall be inserted:-

"(1) The respective local government shall prescribe the classification of schemes to be under-taken exclusively under the provisions of this section.";

- (ii) in the (renumbered) sub-section (1-A) for the words "fifty percent" the words "eighty percent" shall be substituted;

- (iii) in the (renumbered) sub-section (2), for the words and the figure sub-section (1), the words and the figure sub-section (1-A) shall be substituted;

- (iv) for sub-section (3), the following shall be substituted:-

"(3) A cut-off date before the presentation of the budget, shall be announced by each local government for registration of all schemes proposed by Citizen Community Board.";

(v) the sub-section (7) shall be re-warded as follows:-

"(7) The statements referred to in sub-section (6) shall be approved by simple majority of the Zila Council, Taluka Council, Town Council or Union Council, as the case may be in special session to be held by the respective councils."; and

(vi) after the sub-section (8), a new sub-section (9), shall be added as follows:-

"(9) The District Accounts Officer of the concerned District shall release funds from the District and Taluka or Town provincial Accounts according to the schedule of expenditure as passed by the respective council under sub-section (8) subject to sub-section(2) of section 109."

11. In the said Ordinance in section 131, in sub-section (3), the words "Chairman and" shall be omitted.

Amendment of section 131 of Sindh Ordinance XXVII of 2001.

12. In the said Ordinance, in section 156, in sub-section (5), after the words "Town Nazim", the words, "Naib Taluka Nazim or Naib Town Nazim", shall be added.

Amendment of section 156 of Sindh Ordinance XXVII of 2001.

13. In the said Ordinance, in section 158, after full stop at the end, the following shall be added,-

Amendment of section 158 of Sindh Ordinance XXVII of 2001.

"Explanation. For the purpose of this section, a holder of an "elective office" means a person who has taken oath in accordance with the rules made under this Ordinance."

Amendment of section 186 of Sindh Ordinance XXVII of 2001.

14. In the said Ordinance, in section 186, after sub-section (1), the following shall be added as sub-section (1-A):-

"(1-A). Where local council has been validly constituted under sub-section (1), but seats of Nazim and Naib Nazim of the corresponding level have not been filled, the concerned council shall elect officiating Nazim and Naib Nazim from amongst its members until their seats are filled through by election."

Amendment of First Schedule of Sindh Ordinance XXVII of 2001.

15. In the said Ordinance, in the First Schedule, in part-C-Clause X shall be omitted.

MOHAMMEDILAH SOOMRO
GOVERNOR OF SINDH

Karachi,
Dated the 22nd October, 2001.

SAYED BHULAM NABI SHAH
SECRETARY TO GOVERNMENT OF SINDH
LAW DEPARTMENT