

SINDH ACT NO.XII OF 2015

THE SINDH LOCAL GOVERNMENT (AMENDMENT) ACT, 2015

[2nd March, 2015]

An Act to amend the Sindh Local Government Act, 2013.

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

Preamble.

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Local Government (Amendment) Act, 2015.

Short title and commencement.

(2) It shall come into force at once.

2. In the Sindh Local Government Act, 2013, hereinafter referred to as the said Act, in section 8 -

Amendment of section 8 of Sindh Act No. XLII of 2013.

(a) in sub-section (2), in clause (a), for the words "and Union Committee", the comma and words "Union Committee and Ward" shall be substituted;

(b) in sub-section (3), for the words "and Union Committee", the comma and words "Union Committee and Ward" shall be substituted.

3. In the said Act, in section 9 -

Amendment of section 9 of Sindh Act No.XLII of 2013.

(a) in sub-section (1), after the words " limits of", the words " a council except a Union Council or Union Committee during the process of delimitation" shall be inserted;

(b) in sub-section (2), in clause (b), the full stop at the end shall be replaced by a colon and thereafter the following proviso shall be added:-

"Provided that the limits of a local area shall remain unchanged after announcement of election schedule by the Election Commission fill the notification of returned candidates of the election.".

4. In the said Act, for section 10, the following shall be substituted:-

Substitution of section 10 of Sindh Act No.XLII of 2013.

"10. Delimitation of Union Council, Union Committee and Ward. (1) Government shall, by notification in the Official Gazette, determine the number of Union

SINDH ACT NO.XII OF 2015

THE SINDH LOCAL GOVERNMENT (AMENDMENT) ACT, 2015

Councils, Union Committees and Wards in Municipal Committees and Town Committees in accordance with the First Schedule.

(2) After demarcation of the Councils under section 8 and determination of the number of Union Councils, Union Committees and Wards under sub-section (1), the Election Commission shall delimit the Union Councils, Union Committees and Wards.

(3) As far as possible -

- (a) the area of a Union Council, Union Committee or a Ward, as the case may be, shall be a territorial unity;
- (b) the population of the Union Councils, Union Committees or Wards, as the case may be, in a District shall be uniform;
- (c) the boundaries of a Union Council, Union Committee or a Ward shall not cross the limits of a revenue taluka or as the case may be, a Metropolitan Corporation, District Municipal Corporation, Municipal Corporation, Municipal Committee and Town Committee;
- (d) the principles laid down in the Delimitation of Constituencies Act, 1974 or any other law, for the time being in force, may be adhered to.

(4) A Union Council or Union Committee shall consist of four Wards for general members and shall be an area consisting of one or more revenue dehs or wards, or one or more census blocks, as determined for the purpose of the last preceding census, or a census block or a revenue deh, delimited and notified as such by the Election Commission.

(5) The Ward in an urban or rural area shall, as far as possible, consist of a census block or adjoining census blocks as determined for the purpose of the last preceding census or a census block or blocks and a revenue deh or dehs delimited and notified as such by the Election Commission.

SINDH ACT NO.XII OF 2015

THE SINDH LOCAL GOVERNMENT (AMENDMENT) ACT, 2015

5. In the said Act, in section 14, for sub-section (2), the following shall be substituted:- **Amendment of section 14 of Sindh Act No.XLII of 2013.**

“(2) Government may, after inviting objections from the residents of any Town Committee, Municipal Committee, Municipal Corporation or Metropolitan Corporation and hearing those from amongst them who wish to be heard in person, declare by notification the status of such council accordingly.”.

6. In the said Act, for section 17, the following shall be substituted:- **Substitution of section 17 of Sindh Act XLII of 2013.**

“17. Extension or alteration of area of a Council. Government may, after inviting objections from the residents of any Union Council, Union Committee, Town Committee, Municipal Committee, Municipal Corporation or Metropolitan Corporation, and hearing those from amongst them who wish to be heard, by notification after consulting concerned Council, extend, curtail or alter the limits of such Council, or declare that any such Council, shall from a specified date, cease to be Union Council, Union Committee, Town Committee, Municipal Committee, Municipal Corporation or Metropolitan Corporation.

Provided that nothing contained in this section shall apply to a Union Council and Union Committee, during the period of delimitation process.”.

7. In the said Act, in section 18 - **Amendment of section 18 in Sindh Act No.XLII of 2013.**
- (i) in sub-section (2), for clauses (a),(b),(c),(d), the following shall be substituted:-

- “(a) a Chairman and a Vice Chairman as joint candidates;
(b) four general members each elected from his respective ward;
(c) one woman member;
(d) one labourer or peasant member; and
(e) one non-Muslim member:

Provided that the Chairman of each Union Committee shall represent the Union Committee in Metropolitan Corporation or Municipal Corporation, as the case may be, and Vice Chairman shall represent the Union Committee in respective District Municipal Corporation;”;

SINDH ACT NO.XII OF 2015

THE SINDH LOCAL GOVERNMENT (AMENDMENT) ACT, 2015

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

“(3) **District Municipal Corporation:** There shall be a District Municipal Corporation for each district in a Metropolitan Corporation and shall comprise of the following members:-

- (a) all the elected Vice Chairmen of the Union Committees falling within that District;
- (b) reserved seats to the extent of 22% for women members, 5% for non-Muslim members and 5% for labourer or peasant members elected in the manner provided in section 18-A;
- (c) the District Municipal Corporation so constituted shall elect a Chairman and Vice Chairman respectively from amongst its members elected by “show of hands”.”.

- (iii) for sub-section (4), the following shall be substituted:-

“(4) **Metropolitan Corporation:** A Metropolitan Corporation shall comprise of the following members:-

- (a) all the elected Chairmen of the Union Committees of respective Districts;
- (b) reserved seats to the extent of 22% for women members, 5% for non-Muslim members and 5% for labourer or peasant member elected in the manner provided in section 18-A;
- (c) the Metropolitan Corporation so constituted shall elect a Mayor and Deputy Mayor from amongst its members elected by “show of hands”.”.

- (iv) in sub-section (5), for clauses (a), (b), (c), (d) and (e), the following shall be substituted:-

- “(a) a Chairman and a Vice Chairman as joint candidates;
- (b) four general members each elected from his respective ward;
- (c) one woman member;

SINDH ACT NO.XII OF 2015

THE SINDH LOCAL GOVERNMENT (AMENDMENT) ACT, 2015

- (d) one labourer or peasant member; and
- (e) one non-Muslim member.”;

(v) in sub-section (6), for clauses (a), (b) and (c), the following shall be substituted:-

“(a) All elected Chairmen of the Union Councils in respective districts;

- (c) reserved seats to the extent of 22% for women members, 5% for non-Muslim members and 5% for labourer or peasant members elected in the manner provided in section 18-A;

(c) the District Council so constituted shall elect a Chairman and a Vice Chairman as joint candidates from amongst its members by “show of hands”.”.

(vi) in sub-section (7), for clause (a), (b) and (c), the following shall be substituted:-

“(a) members elected by Union Committees;

(b) reserved seats to the extent of 22% for women members, 5% for non-Muslim members and 5% for labourer or peasant members elected in the manner provided in section 18-A of the Act;

(c) the Municipal Corporations so constituted shall elect a Mayor and Deputy Mayor respectively as joint candidates from amongst its members by “show of hands”.”.

(vii) for sub-section (8), the following shall be substituted:-

“(8) Municipal Committees: There shall be as many Municipal Committees consisting of single member wards as may be determined by Government and shall comprise of the following members:-

(a) each member elected from its respective ward;

(b) reserve seats to the extent of 22% for women members, 5% for non-Muslim members and

SINDH ACT NO.XII OF 2015

THE SINDH LOCAL GOVERNMENT (AMENDMENT) ACT, 2015

5% for labourer or peasant members elected in the manner provided in section 18-A;

(c) the Municipal Committees so constituted shall elect a Chairman and a Vice Chairman as joint candidates from amongst its members by "show of hands."

(viii) in sub-section (9), for clause (b) and (c), the following shall be substituted:-

"(b) one woman, one laborer or peasant member, and one non-Muslim member elected, in the manner provided in section 18-A;

(c) the Town Committees so constituted shall elect a Chairman and a Vice Chairman as joint candidates from amongst its members elected by "show of hands".

8. In the said Act, in section 21-

**Amendment of
section 21 in Sindh
Act No.XLII of 2013.**

(i) for sub-section (1), the following shall be substituted:-

"(1) Subject to the provisions of this Act, a council other than a Union Council and Union Committee shall after notification of Woman, Non-Muslim, Laborer and Peasant members in terms of Section 18(A), elect the Mayor and Deputy Mayor, Chairman and Vice Chairman, as joint candidates, as the case may be and a leader of the Opposition in the respective Council.";

(ii) in sub-section (2), after the word "less" the words "from the day of taking oath" shall be added;

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

"(3) On expiry of the term of office of the Council, Government shall immediately send a request to the Election Commission for holding fresh election within 120 days:

SINDH ACT NO.XII OF 2015

THE SINDH LOCAL GOVERNMENT (AMENDMENT) ACT, 2015

Provided that Government may appoint an Administrator to perform the functions of the Council until the elected Council assumes the office.”.

8-A. The ward will be basic electoral unit.

Insertion of new section 8-A in Sindh Act No.XLII of 2013.

9. In the said Act, for section 31-A, the following shall be substituted:-

Substitution of Sindh Act No.XLII of 2013.

“(1) For the purpose of Local Government Elections, the Election Commission shall delimit Councils, Committees and Wards in the manner as provided in this Act.”.

10. In Schedule-I, in Part-C, under the heading “Union Committee in Metropolitan Corporation”, for the figures “10000 to 50000”, the figures “40000 to 50000” shall be substituted.

Amendment of Schedule –I of Sindh Act No.XLII of 2013.