

THE BALOCHISTAN G
PUBLISHED BY AUTHORITY

NO. 151 QUETTA WEDNESDAY SEPTEMBER 26, 2001.

GOVERNMENT OF BALOCHISTAN
LAW DEPARTMENT.

NOTIFICATION.

Dated Quetta, the 26th September, 2001.

No. Legis: 2-42/Law/79-IV. The following Ordinance made by the Governor of R'schistan on 25th September, 2001 is hereby published for general information:-

BALOCHISTAN ORDINANCE NO. XXX OF 2001

THE BALOCHISTAN LOCAL GOVERNMENT (AMANDMENT)
ORDINANCE. 2001.

AN.
ORDINANCE

to amend the Balochistan Local Government Ordinance, 2001
(XVIII of 2001). :

Preamble 'WHEREAS, it is expedient to amend the Balochistan Local Government Ordinance, 2001, in the manner hereinafter appearing; .

AND WHEREAS, the Governor of Balochistan is satisfied that circumstances exist which render it necessary to take immediate action:

Printed by the Controller, Government Printing & Stationery Department Balochistan, Quetta.
D.No. 151-1500-Copies-10-2001.

www.ezqanoon.com

NOW THEREFORE, in pursuance of Article 4 of the Provisional Constitution (Amendment) Order. 1999 (Chief Executive's Order No. 9 of 1999) and in exercise of all powers enabling him in that behalf. the Governor of Balochistan is pleased to make and promulgate the following

Ordinance:-

Short title and 1. (1) This Ordinance may be called the Balochistan Local commencement. Government (Amendment) Ordinance, 2001.

N (2) It shall come into force at once.

Amendment of / a In the Balochistan Local Government Ordinance. 2001, hereinafter Section 2 of referred to as the said Ordinance, after clause (xxvii) of section 2, the Ordinance XVIII following shall be added namely:- of 2001.

"(xxvii-a)" Provincial Director General Audit" means an officer of the Auditor General of Pakistan nominated for the purpose."

Amendment of Si In the said Ordinance, in section 26, the word "District" appearing Section 26 of after the words "set up by the" and before the word "Government" shall be Ordinance X VII omitted.

of 2001, '

Amendment of 4. In the said Ordinance, in section 51, after the word and comma Section 51 of , "shail." the words, figures and comma "subject to sections 35 and 36," Ordinance XVIII a be inserted. of 2001.

Amendment of S. In the said Ordinance, in section 54, after clause (n) the followine,

Section 54 of / sat senee shall be added:-

Ordinance XVIII

of 2001. "(nn) organize cattle fairs and cattle markets:"

Amendment of / 6. In the said Ordinance, for section 66, the following shall be

Section 66 of substituted:-

Ordinance XVIH

of 2001. "66. Provisions of Tehsil Council apply to Town Council.- The

provisions relating to Tehsil Council shall subject to section 40, \\ mutatis mutandis, apply to Town Council and any reference in

these provisions to Tehsil Nazim, N-ib Tehsil Nazim or Tehsil Municipal Administration shall, respectively. be read as reference to Town Nazim. Naib TVown Nazim and Town Municipal

wy) Administration."

Amendment of va in the said Ordinance. clause (h) of section 76. shall be omitted.

Section 76 of

Ordinance XVIII

of 2001.

Amendment of 8.

Section 109 of L«

Ordinance XVIII

of 2001.

Amendment of

Section 111 of

Ordinance XVIII L,

of 2001.

Amendment of

Section 115 of

Ordinance XVIII

of 2001.

Amendment of

Section 119 of

Ordinance XVIII

of 2001.

(2)

)

In the said Ordinance, in sub section (5) of section 109, after the

tds and brackets "sub section (3)" the words and bracket "and sub-

section (12)" shall be added.

9.

In the said Ordinance, for sub section (4) of section 111. the

following shall be substituted:-

(4) Subject to sub-section (6). the District Government and Tehsil
Municipal Administration or Town Municipal Administration,
may use the expenditures relating to the Provincial
Account referred to in section 107. sub-section (4) intra
departmentally.~

10. In the said Ordinance. in sub section (3) of section 115, for the
words "shall cause the audit" the words "shall cause special audit" shall be
substituted.

Use In the said Ordinance, in section 119.-

(a) the existing sub section (1) shall be renumbered as sub section
(1A) of that section and before sub section (1A) as so
numbered the following new sub section (1). shall be
inserted:-

“(1) The respective Local government shall prescribe the classification of schemes to be undertaken exclusively under the provision of this section.”

(b) in sub section (1A) as so numbered. for the words “fifty percent” the words “eighty percent” shall be substituted.

(c) for sub section (2), the following shall be substituted:-

“(2) The matching grants referred to in sub section (1A) shall be spent from the reserved fifty percent of the development budget as provided in section 109.”

(d) 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 tur registration of all schemes proposed by Citizen Community Boards.”

(e) for sub section (7), the following shall be sobst! uted:

“(7) The statement referred to in sub section (6). shall be approved by simple majority of the Zila Council, Tehsil

Amendment of ~ 12.

4

Council, Town Council or Union Council, as the case may be, in special session to be held by the respective Council."

(f) after sub section (8), the following new sub section shall be added:-

~ (9) The District Accounts Officer of the concerned district shall release funds from the District and Tehsil or Town Provincial Accounts according to the schedule of expenditure as passed by the respective council under sub section (7) subject to sub section (12) of section 109.

In the said Ordinance, in sub section (3) of section 131, the words

Section 131 of "chairman and™ shall be omitted.

Ordinance XVII

of 2001.

Amendment of 13; In the said Ordinance, in sub section (5) of section 156, after the

Section 156 of words "Town Nazim", the words, ~Naib Tehsil Nazim or Naib Town

Ordinance XVIII] ~ Nazim:, shall be added.

of 2001.

Amendment of 14. In the said Ordinance, after section 158, the following Explanation

Section 158 of _ shall be added, namely:-

Ordinance XVIII

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 TS; In the said Ordinance, after sub section (1) of section 186, the

Section 186 of
Ordinance XVIII

of 2001.

Yi'
A/

asf be j

37

a

}

Dated Quetta,

the 25th September, 2001.

www.ezqanoon.com

following new sub section shall be inserted:-

“(1A) 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.”

‘ -

Justice (Rtd) Amir-ul-Mulk Mengal
Governor Balochistan.

IMTIAZ HUSSAIN,
SECRETARY LAW.