

THE BALOCHISTAN PROVINCIAL COUNCIL
ORDINANCE, 1980

(Baln Ordinance VII of 1980)

CONTENTS

SECTIONS

Preamble.

1. Short title, extent and commencement.
2. Definitions.
3. Constitution Composition.
4. Term of office.
5. Resignation of members and casual vacancy.
6. Reconstitution and dissolution of the Provincial Council.
7. Function of the Council.
8. Meetings.
9. Appointment of Committees.
10. Secretariat of the Council.

11. Framing of rules.

'THE BALOCHISTAN? PROVINCIAL COUNCIL

Preamble.

Short title, extent
and
commencement.

Definitions.

ORDINANCE, 1980

(Balochistan Ordinance VII of 1980)

[26" April, 1980]

An Ordinance to provide for the constitution of the
Provincial Council for the Province of Balochistan.

WHEREAS, it is expedient to provide for the
constitution of Provincial Council for the Province of
Balochistan;

AND WHEREAS, the Governor is_ satisfied that
circumstances exist which render it necessary to take immediate
action;

NOW, THEREFORE, in pursuance of the Proclamation
of the 5" day of July, 1977°, read with the Laws (Continuance in
Force) Order, 1977 (C.M.L.A. Order No.1 of 1977)* and in
exercise of all powers enabling him in that behalf, the Governor
of Balochistan is pleased to make and promulgate the following
Ordinance: —

1. (1) This Ordinance may be called the Balochistan
Provincial Council Ordinance, 1980.

(2) It extends to the whole of the Province of
Balochistan.

(3) It shall come into force at once and shall be
deemed to have taken effect from 10.4.1980.

2. (a) "Council" means the Balochistan Provincial
Council constituted under Section 3 of the
Ordinance;

(b) "Chairman" means Chairman of Provincial
Council;

(c) "Division" means a Revenue Division;

(d) "Governor" means the Governor of Balochistan;

This Ordinance was promulgated by the Governor of Balochistan on 20" April, 1980; published in Balochistan Gazette (Extraordinary) No. 85, dated 26" April, 1980. Saved and validated by Article 270-A of the Constitution of the Islamic Republic of Pakistan (1973).

Spelling of the word "Baluchistan", wherever it appears in this regulation, is corrected by insertion of letter "o" instead of "u"; a per Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

Proclamation of Martial Law, published in the Gazette of Pakistan, Extraordinary, Part I, dated 5" July, 1977.

Chief Martial Law Administrator Order I of 1977, published in the Gazette of Pakistan, Extraordinary, Part I, dated 5" July, 1977.

1

()

(f)

(g)

(h)

(i)

Constitution 3. (1)

"Government" means the Government of Balochistan;

"Member" means member elected or nominated for the Council;

"Ordinance" means the Balochistan Provincial Council Ordinance, 1980;

"Province" means the Province of Balochistan; and

"Secretary" means Secretary of the Council.

As soon as may be, a Provincial Council shall be

Composition. constituted for the Province of Balochistan.

12)

The Council may consist of: —

(i) All Mayors of Municipal Corporations;

(ii) All Chairman, District Councils;

Git) All Chairman, Municipal Committees;

(iv) One Chairman, Town Committee from each Division to be elected by all the Chairman to Town Committees in the Division;

(v) One representative of minorities to be elected by all the Local Councillors belonging to the minorities in the Province;

(vi) One representative of workers to be elected by all the Local Councillors representing the special interest group of workers in the Province;

(vii) One woman representative from each Division to be elected by all the Local Councillors representing woman, in the Division;

(viii) One peasant representative from each Division to be elected by the Local Councillors representing the special interest group of peasants;

(ix) | One representative of Trade and Industry

Substituted by Balochistan Ordinance II of 1984; published in the Balochistan Gazette (Extraordinary) dated 6" February, 1984

Term of office.

Resignation of
members and
casual
vacancy.

Reconstitution and
dissolution of
the Provincial
Council.

to be elected by the Balochistan Chamber
of Commerce and Industry;

(x) One representative of Press to be elected
by the members of Press representing
newspapers and periodicals in
Balochistan;

(xi) One representative of private Medical
Practitioners to be elected by the Pakistan
Medical Association, Balochistan Branch;

(xii) One representative of Advocates to be
elected by the members of the Balochistan
Bar Council;

(xii) One representative' of Sports
Organizations to be elected by different
Sports Organizations, registered with the
Government of Balochistan;

(xiv) Any other person nominated by the
Governor.]

(3) The Governor shall be the Chairman of the
Council.

(4) The Governor may increase or reduce the number
of member of the Council.

4. The term of office of the Council shall be as fixed by the
Government.

5. (1) A member may at any time resign from
membership by addressing a letter to the Governor and the
resignation shall take effect from the date on which it is accepted
by the Governor.

(2) A casual vacancy in the office of the member of
the Council may be filled in as prescribed under the rules.

6. (1) The Governor may at any time 'dissolve or reconstitute the Council.

(2) The Governor may remove a member of the Council, on any of the following grounds: —

(i) if he absents himself, without reasonable cause, from three consecutive meetings of

+ Balochistan Provincial Council dissolved by the Governor Balochistan with effect from 1st day of March, 1985; see Balochistan Gazette (Extraordinary) No. 82, dated 6th March, 1985.

www.ezqanoon.com

Function of the Council.

Meetings.

the Council;

(ii) if he acts in a manner prejudicial to the national interest;

(ii) if he uses his position as a member to assist in furthering the cause of any Political Party;

(iv) if he is guilty of abuse of power or misconduct [:]!

[Provided that no order of removal shall be passed against any member unless he has been given opportunity of showing cause and of being heard.]

Explanation: — The term misconduct shall include bribery, corruption, robbery, favouritism or nepotism or any attempt at or abetment thereof.

7. (1) The functions of the Council shall be: —

(a) to advise the Government on matters pertaining to Local Councils, Local Bodies and such other local authorities as may be prescribed;

(b) to advise on the co-ordination of the activities of Local Bodies and _ other authorities as aforesaid;

(c) to advise on grants to be made to such Councils, Bodies and authorities; and

(d) to undertake such other function as may be ?[determined by the Chairman].

(2) The Council shall conduct its business in accordance with the rules.

8. (1) 3[The Council shall ordinarily meet once in three

months unless the period is extended by the Chairman.]

(2) The meetings shall be held on such date and at such place and time as may be fixed by the Chairman.

Fullstop substituted by a colon and proviso added by Balochistan Ordinance XV of 1984; published in the Balochistan Gazette

(Extraordinary) dated 18" December, 1984.

Substituted for word "prescribed" by Balochistan Ordinance XV of 1980, taken effect from 20" April, 1980; published in the Balochistan Gazette (Extraordinary) No. 224, dated 30" October, 1980. Saved and Validated by Article 270-A of the Constitution of Islamic Republic of Pakistan, 1973.

Substituted by Balochistan Ordinance, XVIII of 1980, taken effect from 20" April, 1980; published in the Balochistan Gazette (Extraordinary) No. 234, dated 6" December, 1980. Saved and Validated by Article 270-A of the Constitution of Islamic Republic of Pakistan, 1973.

Appointment of
Committees.

Secretariat of the
Council.

Framing of rules.

(3) The meetings shall be presided over by the
Chairman:

Provided that if the Chairman, for any reason, is
unable to preside over the meeting of the Council, he may
nominate any other person to preside over such meeting.

(4) The Chairman may at any time adjourn the
meeting.

9. The Chairman may appoint any member of Committees
to facilitate the performance of the functions of the Council and
assign such functions as may be determined by the Chairman.

10. The Secretariat of the Provincial Assembly of
Balochistan will function as the Secretariat of the Council and
the Secretary of the Balochistan Assembly will act as Secretary
of the Council.

11. The Government may frame rules! for carrying out the
purpose of this Ordinance.

For rules see "The Balochistan Provincial council Rules, 1980"; published in Balochistan Gazette (Extraordinary) No. 90, dated
30" April, 1980, and "The Representation of Women, Workers, Peasant and Minorities in the Provincial Council (Election) Rule
1983"; published in Balochistan Gazette (Extraordinary) No. 25, dated 17" January, 1984.