

Compendium of Rules Framed under Sindh Local Government Act - 2013



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STIFTUNG **FÜR DIE FREIHEIT**

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Compendium of Rules Framed under Sindh Local Government Act - 2013

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INTRODUCTION

An important aspect of well-functioning democratic systems is openness and transparency in the functions of the departments of State. One way of ensuring this is to provide citizens with easy access to information about the functions of such state departments. The most critical pivot within the democratic framework is the tier of local government. This is because the functions normally associated with local government are those that find the most relevance in resolving the day to day affairs of the citizens.

Planning and management of cities, that includes the provision of water, disposal of sewage and solid waste, drainage and maintenance of public spaces are some of the important responsibilities associated with the agencies of local governance. It is therefore, extremely important that citizens are fully aware of the powers, functions and responsibilities of civic agencies and their work on ground and are therefore able to engage with their service providers in an informed and constructive way and hold them accountable to their actions or lack thereof.

The present publication aims to facilitate the access to such information for the citizens of the province of Sindh. It was realized that there is no central repository of information that the citizens can access and as such their knowledge and information base on local government functions is limited. This publication can now serve as a document that catalogues all the relevant policies, rules and legislations pertaining to the functions of the local government institutions in the province of Sindh including municipal services, housing, health, education and other government legislative instruments covering aspects of finance, budgeting, administration and regulation. As such, it is expected to find an interested audience among a varied profile of people and institutions - academics, researchers, youth, civil society groups, media and even government officials themselves.

It is expected that this publication will add significant value in facilitating greater transparency and openness and informed engagement between the citizens and service providers in the province of Sindh.

Mrs. Amber Alibhai
General Secretary
Shehri-CBE



The Sindh Government Gazette

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PART-I

LOCAL GOVERNMENT, RURAL DEVELOPMENT,
PUBLIC HEALTH ENGINEERING AND HOUSING
TOWN PLANNING DEPARTMENT

NOTIFICATION

Karachi dated the July, 2015

NO.RO(LG)/MISC/4(18)/2013:- In exercise of the powers conferred by section 138 read with entry 1 of Schedule-VII of the Sindh Local Government Act, 2013 and in supersession of this Department's Notification of even number dated 27th November, 2013, the Government of Sindh are pleased to make the following rules:-

CHAPTER-I PRELIMINARY

1. (1) These rules may be called the Sindh Local Councils (Election) Rules, 2015.

Short title and commencement.

(2) These shall come into force at once.

2. In these rules, unless there is anything repugnant in the subject or context -

Definitions.

- (1) "Act" means the Sindh Local Government Act, 2013;
- (2) "candidate" means a person proposed as a candidate for or seeking election as a member;
- (3) "contesting candidate" means a validly nominated candidate, who has not withdrawn his candidature;
- (4) "Council" means the Council as defined in the Act;
- (5) "Delimitation Officer" means a person appointed by Election Commission as required under the Act;
- (6) "District Returning Officer" means a District Returning Officer appointed under the Act;
- (7) "election" means an election to a Council;
- (8) "Election Commission" means Election Commission of Pakistan;
- (9) "election petition" means a petition filed under the Act;
- (10) "elector" means a person who is enrolled on the electoral roll for an electoral area;
- (11) "electoral roll" means an electoral roll prepared by the Election Commission;
- (12) "electoral unit" means an electoral unit delimited under the Act;
- (13) "Form" means a form appended to these rules or prescribed by the Election Commission;
- (14) "Government" means the Government of Sindh;
- (15) "Polling Officer" means a Polling Officer appointed under these rules;
- (16) "Polling Programme" means the programme announced by the Election Commission under the Act according to which polling is held;
- (17) "Polling Station" means the premises where arrangements are made for polling;
- (18) "Presiding Officer" means a presiding officer appointed under the Act for a polling station and includes an Assistant Presiding Officer;
- (19) "returned candidate" means a candidate who has been declared elected as a member under these rules;
- (20) "Returning Officer" means a Returning Officer appointed under the Act and includes an Assistant Returning Officer;
- (21) "section" means a section of the Act;
- (22) "Tribunal" means an Election Tribunal appointed under the Act for the trial of election petitions;
- (23) "withdrawal day" means a day appointed on or before which candidature may be withdrawn.

CHAPTER II ELECTION COMMISSION

3. The Election Commission shall exercise its powers and perform its functions in accordance with the Act and these rules including the power to review an order passed by any Officer and make such consequential orders as it may consider appropriate for ensuring fair election.

**Powers and
functions of
Election
Commission.**

4. Subject to the provisions of the Act, the Election Commission shall organize and conduct an election.

**Organization of
election.**

5. (1) In any matter requiring a decision of the Election Commission, the opinion of the majority shall prevail and the decision of the Election Commission shall be expressed in terms of the opinion of the majority.

**Decision by the
Election
Commission.**

(2) The Election Commission may exercise its powers and perform its functions notwithstanding that there is a vacancy in the office of any member or that any of its member is, for any reason, unable to attend any of its proceedings.

6. The Election Commission may authorize its Commissioner or any officer to exercise and perform all or any of its powers and functions under these rules.

**Delegation of
powers.**

7. (1) The Election Commission may require any person or authority to perform such functions or render such assistance in connection with an election as it may direct.

**Assistance to the
Election
Commission.**

(2) All executive authorities in the Province shall render such assistance to the Election Commission as may be required by it in the discharge of its functions.

CHAPTER-III DELIMITATION OF ELECTORAL UNITS

8. (1) The Election Commission shall notify the delimitation officers and appellate tribunals for the purpose of delimitation of electoral units.

**Delimitation of
electoral units.**

(2) For the purpose of election, a local area shall be divided into electoral units keeping in view the number of seats of the Council and the population of the local area.

(3) The electoral units within the area shall be delimited having regard to the territorial unity and as far as practicable, to distribution of population and public convenience.

(4) As many Delimitation Officers as deemed necessary shall be appointed to assist in the delimitation work.

Preliminary list of Units.

9. (1) The delimitation Officer shall arrange to have a preliminary list of electoral units delimited under rule 8, published in such manner as he deems fit, together with a notice inviting objections or suggestions within such time as may be specified by the Election Commission.

(2) Any person entitled to vote at an election may, within specified time, make a representation in respect of the delimitation of the electoral units to such Officer or authority, as Election Commission may appoint in this behalf.

Final list of units.

10. (1) The Appellate Tribunal or authority may, after considering the representation and hearing those who wish to be heard, make such amendments, alterations or modifications in the preliminary list published under rule 9 as it may deem fit:

Provided that an Officer or authority dealing with a representation may, if thinks appropriate, refer it to Election Commission for decision.

(2) The Appellate Tribunal may on a representation made to it, after hearing those who wish to be heard, revise the final lists of delimitation of a Council, by recording reasons thereof.

(3) After disposal of all representations made under sub-rule (1), the Election Commission shall arrange to have the final list of electoral units published in the Official Gazette and in case of urgency, in the manner as it deems fit.

Appointment of District Returning Officers and Returning Officers.

11. (1) For the purpose of an election, the Election Commission shall appoint any Officer not below the grade 17 as the District Returning Officer for district and Returning Officer for an electoral unit or group of election units.

(2) It shall be the duty of a Returning Officer to do all such acts and things as may be necessary for the efficient conduct of an election in accordance with the provisions of the Act and these rules.

(3) The Election Commission may appoint from amongst Officers in grade 16 or 17 as many Assistant Returning Officers as may be necessary.

(4) The Assistant Returning Officer shall assist the Returning Officer in the performance of the functions, and exercise and perform, under the control of the Returning Officer, the powers and functions of the Returning Officer.

CHAPTER-IV ELECTIONS

12. (1) The Election Commission shall make a programme for an election.

Election Program.

(2) The election programme under sub-rule (1) shall be published in the official Gazette and pasted at the Offices of the District Returning Officer, Returning Officer, Assistant Returning Officer, Commissioner, Deputy Commissioner, Assistant Commissioner or Mukhtiarkar, and at such other places as the Election Commission may direct.

13. (1) The Returning Officer shall before such time as the Election Commission may fix, submit to District Returning Officer a list of polling stations which he proposes to provide in an electoral unit for the purpose of election of a member or members for that unit.

Polling Stations.

(2) Subject to the directions of the Election Commission, the District Returning Officer may make such alteration in the list of polling stations submitted under sub-rule (1) as he deemed necessary and shall, at least fifteen days before the polling day, publish in the official Gazette the final list of polling stations specifying the electoral areas assigned to polling station.

(3) The Returning Officer shall provide each electoral unit with polling stations according to the final list published under sub-rule (2).

(4) No polling station shall be located in such premises which belongs to, or is under the control of, a candidate.

14.(1) The Returning Officer shall appoint for each polling station a Presiding Officer and such number of Assistant Presiding Officers and Polling Officers to assist the Presiding Officer as the Returning Officer may consider necessary:

**Presiding Officers
and Polling
Officers.**

Provided that a person who is, or has at any time been in the employment of a candidate, shall not be appointed as a Presiding Officer, Assistant Presiding Officer or Polling Officer.

(2) A list of such Presiding Officers, Assistant Presiding Officers and Polling Officers shall be submitted to the District Returning Officer for approval at least Fourteen days before the poll.

(3) A Presiding Officer shall conduct the poll in accordance with the provisions of the Act and these rules, and shall be responsible for maintaining the order at the polling station and shall report to the

Returning Officer any fact or incident which may, in his opinion, affect the fairness of the poll:

Provided that during the course of the poll, the Presiding Officer may entrust any of his functions as may be specified by him to any Assistant Presiding Officer and it shall be the duty of the Assistant Presiding Officer to perform the functions so entrusted.

(4) The Returning Officer shall authorize one of the Assistant Presiding Officers to act in place of the Presiding Officer, if the Presiding Officer is at any time during the poll, by reason of illness or other cause, not present at the polling station, or is unable to perform his functions and absence of the Presiding Officer, and the reasons therefor, shall as soon as possible after the close of the poll, be reported to the Returning Officer.

(5) The Returning Officer may, at any time during the poll, for reasons to be recorded in writing, suspend any Presiding Officer, Assistant Presiding Officer or Polling Officer and make such arrangements as he may consider necessary for the performance of the officer so suspended.

Supply of electoral rolls.

15. (1) The Election Commission shall provide the Returning Officer for each Council, copies of electoral rolls for all the electoral units within local area of that Council.

(2) The Returning Officer shall provide Presiding Officer of each polling station, copies of electoral rolls containing the names of the electors entitled to vote at that polling station.

Nominations for elections.

16. (1) The Returning Officer shall, as soon as may be after the publication of the election programme under sub-rule (2) of rule 12, give a public notice in Form-I inviting nominations and specifying the time before which and the place at which, the nomination papers shall be received by the Returning Officer.

(2) Any elector of an electoral unit may propose or second the name of any duly qualified person to be a member for that unit.

(3) Every proposal shall be made by a separate nomination paper in Form-II(English or Urdu or Sindhi), Form-III, Form-III(A) and Form-III(B), which shall be signed by the proposer and the seconder and shall contain -

- (a) a declaration signed by the candidate that he has consented to the nomination and that he is not subject to any disqualification for being elected as a member; and

- (b) a declaration signed by the proposer and the seconder that neither of them has subscribed to any other nomination paper either as proposer or seconder.

(4) Every nomination paper shall be delivered by the candidate or his proposer or his seconder to the Returning Officer who shall acknowledge the receipt of the nomination paper specifying the date and time of receipt.

(5) A person may be nominated in the same electoral unit by not more than five nomination papers.

(6) If any person subscribes to more than one nomination paper, all such nomination papers, except the one received first by the Returning Officer, shall be void.

(7) The Returning Officer shall assign a serial number to every nomination paper and endorse thereon the name of the person presenting it, and the date and time of its receipt, and inform such person of the time and place at which he shall hold scrutiny.

(8) The Returning Officer shall cause to be affixed at some conspicuous place in office a notice in Form-VI of every nomination paper received by him containing the particulars of each candidate and the names of the proposer and seconder as shown in the nomination paper for general information and inviting objections from the voters of the local area within such time as may be specified in the Election Programme.

(9) The representation, if any, received under sub-rule (8) shall be taken into consideration at the time of scrutiny of nomination papers.

17. (1) The nomination papers received under rule 16 shall not be accepted unless a non-refundable candidature fee in cash or a bank draft in favour of the Election Commission is paid by or on behalf of the candidate at the following rate:-

Candidature fee.

(a) Union Committees	....	Rs. 2000/-
(b) Ward	....	Rs. 2000/-
(c) Union Council	....	Rs. 2000/-
(d) Town Committee	....	Rs. 2000/-
(e) Municipal Committee	....	Rs. 3000/-
(f) District Council and Corporation	....	Rs. 5000/-
(g) Reserved Seats	....	Rs. 500/-

(2) The candidature fee as indicated in sub rule(1) against each category of local council shall be applicable to various categories of seats in particular council.

(3) The candidature fee for a particular seat shall be paid only once in the proper head of account prescribed by Election Commission.

(4) The receipt for the payment of the fee shall be issued and the particulars entered in the register in Form IV.

(5) The details of nomination fees received from the candidate shall be entered in Form-V.

(6) The head of account for the purpose of deposit at the branch of the State Bank of Pakistan or the National Bank of Pakistan or at a Government treasury or sub treasury shall be determined by the Election Commission.

Scrutiny.

18. (1) The candidates, their election agents, proposers and seconders, and one other person authorized in this behalf by each candidate and the person who made a representation against the nomination paper may attend the scrutiny of nomination papers, and the Returning Officer shall give them reasonable opportunity for examining all nomination papers delivered to him under rule 16.

(2) The Returning Officer shall in the presence of the persons attending the scrutiny under sub-rule (1), examine the nomination papers and decide any objection raised by any such person to any nomination.

(3) The Returning Officer, may either on his own motion or upon any objection, conduct such summary enquiry as he may think fit and reject a nomination paper if he is satisfied that-

- (a) the candidate is not qualified to be elected as a member;
- (b) the proposer or the seconder is not qualified to subscribe to the nomination paper;
- (c) any provision of rule 16 or rule 17 has not been complied with; or
- (d) the signature of the proposer or the seconder is not genuine:

Provided that -

- (i) the rejection of a nomination paper shall not

- invalidate the nomination of a candidate by any other valid nomination paper;
- (ii) the Returning Officer shall not reject a nomination paper on the ground of any defect which is not of a substantial nature and may allow such defect to be remedied forthwith;
- (iii) the Returning Officer shall not enquire into the correctness or validity of any entry in the electoral roll.

(4) The Returning Officer shall endorse on each nomination paper his decision accepting or rejecting it, and shall, in the case of rejection, record reasons therefor.

(5) An appeal against the decision under sub rule (4) shall lie to Appellate Authority appointed by the Election Commission and shall be filed and disposed of by the date specified in the election programme.

(6) An appeal shall be disposed of either summarily or after summary enquiry as the Appellate Authority may consider necessary.

(7) The orders passed under sub-rule (5) shall be final.

19. (1) The Returning Officer, shall after the scrutiny of nomination papers, prepare on Form VII, a list of validly nominated candidates and publish the same at some conspicuous place in his office.

Publication of the list of candidates.

(2) Where an appeal is accepted, the name of the appellant shall be entered in the list of validly nominated candidates and the list so revised shall be republished.

20. (1) Any validly nominated candidate may, by notice in writing signed by him and delivered on or before the withdrawal day to the Returning Officer, either by such candidate in person or by an agent authorized in this behalf in writing by such candidate, withdraw his candidature.

Withdrawal.

(2) On receiving a notice of withdrawal under sub-rule (1), the Returning Officer shall, if he is satisfied that the signature on the notice is that of the candidate, cause a copy of the notice to be affixed at some conspicuous place in his office.

(3) The Returning Officer shall on the day next following the withdrawal day, prepare in Form VIII, a list of contesting candidates in Urdu alphabetical order and affix the same at some conspicuous place in his office.

(4) Notwithstanding the rules framed under the Act, the list of contesting candidates finalized under sub-rule(3), the contesting candidate for a seat, may retire his candidature on the day not later than seventy two hours before the start of the poll.

(5) The Returning Officer shall delete the name of the candidate who has withdrawn his candidature under sub-rule(1) from the list of contesting candidates already prepared on Form VIII.

(6) The candidate who retires from contesting the election of Council under sub-rule (4), shall keep the concerned Returning Officer informed of his retirement.

**Death of candidate
after nomination.**

21. (1) If a contesting candidate who has not withdrawn his candidature dies before taking of the poll, the Returning Officer shall, by public notice, terminate the proceedings relating to that election.

(2) Where proceedings relating to an election have been terminated under sub-rule (1), fresh proceedings shall be commenced in accordance with the provisions of these rules as if for a new election.

**Postponement etc.
under certain
circumstances.**

22. Where the proceedings relating to nomination, scrutiny or withdrawal cannot, for reasons beyond the control of the Returning Officer, take place on the day appointed therefor, he may postpone or adjourn such proceedings and shall inform the District Returning Officer and Election Commission of his having done so, whereupon the Election Commission shall fix another day for the proceedings so postponed or adjourned and, if necessary, also the day or days for any subsequent proceedings.

**Uncontested
elections.**

23. (1) Where, after scrutiny under rule 18 only such number of persons remain as validly nominated candidates as are equal to the number of members to be elected from a unit or where after withdrawal under rule 20 only such number of persons is left as contesting candidates as are equal to the number of members to be elected from a unit, the Returning Officer shall, by public notice, declare such candidates to be elected to the seats:

Provided that if after scrutiny any candidate indicates that he intends to file an appeal under sub-rule (5) of rule 18 against the rejection of his nomination paper, no person shall be declared elected until the period for filing such appeal has expired and no such appeal has been filed or where an appeal is filed, until the disposal of such appeal.

(2) The Returning Officer shall submit to the Election Commission a return of the election in respect of which he has made a declaration under sub-rule (1).

(3) The Election Commission shall publish the names of the returned candidates in official Gazette.

24. (1) If there are more contesting candidates than the number of seats in respect of any electoral unit, the Returning Officer, shall -

**Contested election
and allocation of
symbols.**

- (a) allocate, subject to any direction of the Election Commission one of the symbols allocated by the Election Commission to the political parties and independent candidates;
- (b) publish the names of contesting candidates specifying against each the symbol allocated to him in Form VIII; and
- (c) give public notice as required in the Form VIII.

(2) The Returning Officer shall arrange to exhibit prominently at each polling station the name and symbol of each contesting candidate.

(3) The ballot paper shall be printed on the format of Form-VI as provided in Rule (11) of the Representation of the People (conduct of Election) Rules 1977.

25. (1) A candidate may appoint a person qualified to be elected as a member as election agent.

Election agent.

(2) The appointment of an election agent may, at any time, be revoked in writing by the candidate and, when it is so revoked or the election agent dies, another person may be appointed by the candidate to be his election agent.

(3) When an election agent is appointed, the candidate shall send to the Returning Officer a notice in writing of the appointment containing the name, father's name and address of the election agent.

(4) Where no appointment of an election agent is made under this rule, a candidate shall be deemed to be the election agent and shall so far as the circumstances permit, be subject to the provisions of these rules both as a candidate and election agent.

26. (1) The contesting candidate or election agent, may before the commencement of the poll, appoint under intimation to the Presiding Officer polling agents for each polling station; provided that the number of polling agents shall not, exceed the number of polling booths.

Polling agent.

(2) The appointment of a polling agent under sub-rule (1), may at any time be revoked by the candidate, panel or election agent and

when it is so revoked or the polling agent dies, another person may be appointed by the candidate or the election agent to be a polling agent; and a notice of such appointment shall be given to the Presiding Officer.

Absence of candidates etc. not to invalidate acts etc.

27. Where any act or thing is authorized by this Act to be done in the presence of the candidate, an election agent or a polling agent, the failure of such person to attend at the time and place appointed for the purpose shall not invalidate any act or thing otherwise validly done.

Hours of the poll.

28. The Election Commission shall fix the hours during which the poll shall be taken and the Returning Officer shall give a public notice of the hours so fixed.

Stopping of poll.

29. (1) The Presiding Officer of a polling station shall stop the poll and inform the Returning Officer that he has done so if -

- (a) the poll at the polling station is, at any time so interrupted or obstructed for reasons beyond the control of the Presiding Officer that it cannot be resumed during the polling hours fixed under rule 28; or
- (b) any ballot box used at the polling station is unlawfully taken out of the custody of the Presiding Officer, or is accidentally or intentionally destroyed or lost, or is damaged or tampered with to such an extent that the results of the poll at the polling station cannot be ascertained.

(2) Where a poll has been stopped under sub-rule (1), the Returning Officer shall immediately report the circumstances to the Election Commission through District Returning Officer and it shall direct a fresh poll at that polling station, unless it is satisfied that the result of the election has been determined by the polling that has already taken place at that polling station taken with the results of the polling at other polling stations in the same election unit.

(3) Where the Election Commission orders a fresh poll under sub-rule (2), the Returning Officer, shall with the approval of it the Election Commission -

- (a) appoint a day for a fresh poll and fix the place at which and the hours during which such fresh poll shall be taken; and
- (b) give public notice of the day so appointed and the place and hours so fixed.

(4) At a fresh poll taken under sub-rule (3) at allowed station, all electors entitled to vote thereto, shall be allowed to vote and no vote cast at the poll stopped under sub-rule (1) shall be counted; and the provisions of the act and these rules shall apply to such fresh poll.

30. Every elector shall cast his vote by inserting in accordance with the provisions of these rules in the ballot box, a ballot paper issued to him under sub-rule (1) of rule 35.

Election by secret ballot.

31. (1) The Returning Officer shall provide each Presiding Officer with such number of ballot boxes as may be necessary.

Ballot boxes.

(2) The ballot boxes shall be of such material and design as may be approved by the Election Commission.

(3) Not more than one ballot box shall be used at a time for the purpose of the poll at any polling station, or at any polling booth, where there are more than one polling booths at a polling station.

(4) At least half an hour before the time fixed for the commencement of the poll, the Presiding Officer shall -

- (a) ensure that every ballot box to be used is empty;
- (b) show the empty ballot box to the contesting candidates and their election agents and polling agents, whoever may be present;
- (c) after the ballot box has been shown to be empty, close and seal it; and
- (d) place the ballot box so as to be conveniently accessible to the electors, and at the same time within his view and within the view of such candidates or their election or polling agents as may be present.

(5) If one ballot box is full or cannot further be used for receiving ballot papers, the Presiding Officer shall seal that ballot box and keep it in a secure place and use another ballot box in the manner laid down in sub-rule (4).

(6) A Presiding Officer shall make such arrangements at the polling station that every elector may be able to mark his ballot paper in secret before the same is folded and inserted in the ballot box.

32. The Presiding Officer shall, subject to such instructions as the Election Commission may give in this behalf, regulate the number of electors to be admitted to the polling station at a time and exclude from the polling station all other persons except -

Admission to polling station.

- (a) any person on duty in connection with the election;
- (b) the contesting candidates, their election agents and polling agents; and
- (c) such other persons as may be specifically permitted by the Returning Officer.

Maintenance of order at the polling station.

33. (1) The Presiding Officer shall keep order at the polling station and may remove or cause to be removed any person who misconducts himself at the polling station or fails to obey any lawful orders of the Presiding Officer,

(2) Any person removed under sub-rule (1) from a polling station shall not, without the permission of the Presiding Officer, again enter the polling station during the poll and shall, if he is accused of an offence in a polling station, be liable to be arrested without warrant by a police officer.

(3) The powers under sub-rule (2) shall be so exercised not to deprive an elector of an opportunity to cast his vote at the polling station at which he is entitled to vote.

Voting procedure.

34. (1) Where an elector presents himself at the polling station to vote, the Assistant Presiding Officer shall issue ballot paper(s) to the elector after satisfying himself about the identity of the elector and shall, for that purpose, require the elector to produce his identity card as provided in the National Registration Act, 1973.

(2) Before a ballot paper is issued to an elector -

- (a) the number and name of the elector as entered in the electoral roll shall be called out;
- (b) the entry relating to the elector on the electoral roll shall be struck off and the thumb impression of elector be taken on the electoral roll;
- (c) he shall be required to receive a personal mark, made with indelible ink, on any finger of either hand as indicated by the Election Commission;
- (d) the ballot paper shall be stamped on its back with the official mark and signed by the Assistant Presiding Officer; and
- (e) the Assistant Presiding Officer shall record on the counterfoil of the ballot paper the number of the elector on the electoral roll, the number of CNIC of the elector, stamp it with the official mark, sign it and obtain on it the thumb impression of the elector.

(3) A ballot paper shall not be issued to a person who-

- (a) fails or refuses to produce his identity card as provided in the National Registration Act, 1973 or issued under the National Database and Registration Authority Ordinance, 2000;
- (b) refuses to put his thumb impression on the counterfoil or whose thumb bears traces of its having already been used for putting an impression; or
- (c) refuses to receive the personal mark with indelible ink or who already bears such a mark or traces of such a mark.

(4) If a contesting candidate or his election or polling agent alleges that an elector to whom a ballot paper is about to be issued, already has one or more ballots in his possession, the Presiding Officer may require the elector to satisfy him that he does not have any other ballot paper in his possession and may also take such measures as he thinks fit to ensure that such elector does not insert more than one ballot paper in the ballot box.

(5) On receiving the ballot paper, the elector shall -

- (a) forthwith proceed to the place reserved for marking the ballot paper;
- (b) put the mark with the marking stamp provided by Election Commission on the ballot paper at any place within the space containing the symbol of the contesting candidate for whom he wishes to vote; and
- (c) after he has so marked the ballot paper, fold and insert it in the ballot box.

(6) The elector shall vote without undue delay and shall leave the polling station immediately after he has inserted his ballot paper in the ballot box.

(7) Where an elector is blind or is otherwise incapacitated, that he cannot vote without the assistance of a companion, the Presiding Officer shall allow him such assistance and thereupon such elector may do with such assistance anything which an elector is required or permitted to do under these rules.

35. (1) If a person representing himself to be an elector applies for a ballot paper when another person has already represented himself to be that elector and has voted under the name of the person so applying, he shall be entitled, subject to the provisions of these rules, to receive a ballot paper hereinafter referred to as "tendered ballot paper" in the same manner as any other elector.

Tendered Ballot papers.

(2) A tendered ballot paper shall, instead of being put into the ballot box, be given to the Presiding Officer who shall endorse thereon the name and number in the electoral roll of the person applying for it and place it in a separate packet bearing the label "Tendered Ballot Paper".

(3) The name of the person applying for a ballot paper under sub-rule (1) and his number on the electoral roll shall be entered in a list (hereinafter referred to as the tendered votes list) to be prepared in Form-IX by the Presiding Officer.

Challenge of electors.

36. (1) If, at the time a person applies for a ballot paper for the purpose of voting, a candidate or polling agent declares to the Presiding Officer that he has reasonable cause to believe that, the person has already voted at the election, at the same or another polling station, or is not the person against whose name entered in the electoral roll he is seeking to vote, and undertakes to prove the charge in a court of law and deposits with the Presiding Officer in cash a sum of twenty rupees, the Presiding Officer may after warning the person of the consequences and obtaining his thumb impression and, if he is literate, also his signature on the counterfoil, issue a ballot paper hereinafter referred to as "challenged ballot paper" to that person.

(2) If the Presiding Officer issues a ballot paper under sub-rule (1) to such person, he shall enter the name and address of that person in a list to be prepared by him hereinafter referred to as the "challenged votes list" in Form X, and obtain thereon the thumb impression and, if he is literate, also the signature of that person.

(3) A ballot paper issued under sub-rule (1) shall, after it has been marked and folded by the elector, be placed in the same condition in a separate packet bearing the label "Challenged Ballot Papers", instead of being placed in the ballot box.

Spoilt ballot paper.

37. (1) An elector who has inadvertently so spoilt his ballot paper that it cannot be used as a valid ballot paper may, upon proving the fact of inadvertence to the satisfaction of the Presiding Officer and returning the ballot paper, cast his vote by such other ballot paper.

(2) The Presiding Officer shall forthwith cancel the ballot paper returned to him under sub-rule (1), make a note to that effect on the counterfoil over his own signature and sign the cancelled ballot paper and place it in a separate packet labelled "spoilt Ballot Papers".

38. No person shall be given any ballot paper or be permitted to vote after the hour fixed for the close of the poll, except the persons who at that hour are present within the building room, tent or enclosure in which the polling station is situated and have not voted but are waiting to vote.

Voting after close of poll.

39.(1) The Presiding Officer shall count the votes immediately after the close of the poll, in the presence of such of the contesting candidate selection agents and polling agents as may be present.

Proceedings at the close of poll.

(2) The Presiding Officer shall give such of the contesting candidates, election agents and polling agents as may be present, reasonable facility of observing the count and give them such information with respect thereto as can be given consistently with the orderly conduct of the count and the discharge of his duties in connection therewith.

(3) No person other than the Presiding Officer, the Polling Officer, any other person on duty in connection with the poll, the contesting candidates, their election agents and polling agents shall be present at the count.

(4) The Presiding Officer shall -

- (a) open the used ballot box or ballot boxes and count the entire lot of ballot papers taken out there from;
- (b) open the packet labeled "Challenged Ballot Papers" and count them;
- (c) count, in such manner as may be prescribed, the votes cast in favour of each contesting candidate excluding from the count the ballot papers which bear -
 - (i) no official mark or signature of Presiding Officer;
 - (ii) any writing or any mark other than the official mark and the signature of the Presiding Officer and the prescribed mark or to which a piece of paper or any other object of any kind has been attached;
 - (iii) no prescribed mark to indicate the contesting candidate for whom the elector has voted; or
 - (iv) any mark from which it is not clear for whom the elector has voted ;

(5) The Presiding Officer may recount the votes -

- (a) of his own motion if he considers it necessary; or

(b) upon the request of a contesting candidate or an election agent present, if, in his opinion, the request is not unreasonable.

(6) The valid ballot papers cast in favour of each contesting candidate shall be put in separate packets and each such packet shall be sealed and shall contain a certificate as to the number, both in letters and figures, of the ballot papers put in it and shall also indicate the nature of the contents thereof, specifying the name and symbol of the contesting candidate to whom the packet relates.

(7) The ballot papers excluded from the count shall be put in a separate packet indicating thereon the total number both in letters and figures of the ballot papers, contained therein.

(8) The packets mentioned in sub-rules (6) and (7) shall be put in a principal packet which shall be sealed by the Presiding Officer.

(9) The Presiding Officer shall, immediately after the count, prepare a statement of the count in Form XI, showing therein the number of valid votes polled by each contesting candidate and the ballot papers excluded from the count.

(10) The Presiding Officer shall also prepare in Form XII a ballot paper account showing separately -

- (a) the number of ballot papers entrusted to him;
- (b) the number of un-issued ballot papers;
- (c) the number of ballot papers taken out of the ballot box or boxes and counted;
- (d) the number of tendered ballot papers;
- (e) the number of challenged ballot papers;
- (f) the number of spoilt ballot papers.

(11) The Presiding Officer shall give a certified copy of the statement of the count and the ballot paper account to the candidates, their election agents or polling agents as may be present and obtain a receipt for such copy.

(12) The Presiding Officer shall seal in separate packets -

- (a) the un-issued ballot papers;
- (b) the spoilt ballot papers;
- (c) the tendered ballot papers;
- (d) the challenged ballot papers;
- (e) the marked copies of the electoral rolls;
- (f) the counterfoils of the used ballot papers;
- (g) the tendered votes list;

- (h) the challenged votes list; and
- (i) such other papers as the Returning Officer may direct.

(13) The Presiding Officer shall obtain on each statement and packet prepared under this rule, the signature of the contesting candidates or their election agents or polling agents who are present and if any such person refuses to sign, the Presiding Officer shall record that fact.

(14) A person required to sign a packet or statement under sub-rule (13), if he so desires, also affix his seal thereon.

(15) After the close of the proceedings under the foregoing sub-rules, the Presiding Officer shall, in compliance of such instructions as may be given by the Returning Officer in this behalf, cause the packets, the statement of the count and the ballot paper account prepared by him to be sent to the Returning Officer together with such other records as the Returning Officer may direct.

40. (1) The Returning Officer shall give the contesting candidates and their election agents a notice in writing of the day, time and place for the consolidation of the results, and, in presence of the contesting candidates and election agents as who may be present, consolidate in the prescribed manner, the results of the count furnished by the Presiding Officers.

Consolidation of results.

(2) The consolidation proceedings shall be held without any avoidable delay as soon as possible after the polling day.

(3) Before consolidating the results of the count, the Returning Officer shall examine the ballot papers excluded from the count by the Presiding Officer and if he finds that any such ballot paper should not have been so excluded, count it as a ballot paper cast in favour of the contesting candidate for whom the vote has been cast thereby.

(4) The Returning Officer may recount the ballot papers -

- (a) upon the request of, or challenge in writing made by, a contesting candidate or election agent, if the Returning Officer is satisfied that the request or the challenge is reasonable; or
- (b) if so directed by the Election Commission, in such case the recount shall be held in such manner and at such place as may be directed by the Election Commission.

(5) After consolidation of results the Returning Officer shall give to such contesting candidates and their election agents who are present during the consolidation proceedings, a copy of the result of the count notified to the Election Commission immediately against proper receipt and shall also post a copy thereof to the other candidates and election agents.

Equality of votes.

41. (1) Where, after consolidation of the results of the count under rule 40, it is found that there is equality of votes between two or more contesting candidates and the addition of one vote for one such candidate would entitle him to be declared elected, the Returning Officer shall forthwith draw a lot in respect of such candidates on whom the lot falls shall be deemed to have received the highest number of votes entitling him to be declared elected.

(2) The lot shall be drawn in the presence of such contesting candidates and their election agents who are present.

Declaration of results.

(3) The Returning Officer shall keep a record of the proceedings in writing and obtain thereon the signature of such candidate and election agents who have been witnesses to the proceedings, and if any such person refuses to sign, such fact shall be recorded.

42. (1) The Returning Officer shall, after obtaining the result of the count under rule 40, or of the drawl of the lot under rule 41, declare by public notice the names of such contesting candidates who have or deemed to have received the highest number of votes.

(2) The public notice shall, contain the names of and the total number of votes received by each contesting candidate.

(3) The Returning Officer shall, immediately after publication of the notice under sub-rule (1), submit a return of the election in Form XIII together with a copy of the consolidated statement to the Election Commission.

(4) Every returned candidate shall within ten days from the poll of an election, submit a return of election expenses in Form XV.

(5) The Election Commission shall arrange the names of the returned candidates of a Local Council published in the official Gazette:

Provided that the result of a return candidate shall not be published who fails to submit the return of expenses within specified period.

¹[42. (A) An independent candidate elected under the Act and these rules may join a political party within seven days of publication in the official gazette of the name of returned candidates of that category.]

Joining of a political party by Independent Returned Candidate

43. The Returning Officer shall -

Re-sealing of packets and supply of copies.

- (a) immediately after preparing the consolidated statement and the return of election, reseal the packets and statements opened by him for the purpose of consolidation, permitting such candidates and their election agents, who may be present to sign the packets and affix their seals to such packets if they so desire; and
- (b) supply duly attested copies of the consolidation statement and the return of election to such candidates and their election agents as may desire to have them.

44. (1) The Returning Officer shall send to the Election Commission or any officer authorized by it -

Documents to be sent to and retained by the Election Commission.

- (a) the packets containing the ballot papers each of which shall be sealed with the seal of the Presiding Officer, or, if opened by the Returning Officer, with the seal of the Returning Officer;
- (b) the packets containing the counterfoils of issued ballot papers;
- (c) the packets containing the marked copies of the electoral rolls;
- (d) the packets containing the ballot paper account;
- (e) a packet containing the tendered ballot papers, the challenged ballot papers, the tendered votes list and the challenged votes list; and
- (f) such other papers as the Election Commission may direct.

¹.Inserted by Notification No. RO(LG)/MISC/4(18)/2013, Dated 01.09.2015 amendment.

(2) The Returning Officer shall endorse on each packet forwarded under sub-rule (1), the description of its contents, the date of the election to which the contents relate and the name of the electoral unit for which the election was held.

(3) The Election Commission shall retain the documents contained in the packets received under sub-rule (1), for a period of one year from the date of their receipt, and thereafter shall, unless otherwise directed by the Tribunal, cause to be destroyed.

**Public inspection
of documents.**

45. The documents retained by the Election Commission under rule 44 except the ballot papers, shall be open to public inspection at such time and subject to such conditions as may be specified by the Election Commission and shall, upon an application made in this behalf and on payment of such fee and subject to such conditions as may be fixed by the Election Commission, furnish copies of, or extracts from those documents.

**Order for
production of
documents.**

46. (1) A Tribunal may order the opening of packets of counterfoils and certificates or the inspection of any counted ballot papers.

(2) An order under sub-rule (1) may be made subject to such conditions as to persons, time place and mode of inspection of documents and opening of packets as the Tribunal making the order may think expedient;

Provided that in making and carrying into effect an order for the inspection of counted ballot papers, care shall be taken that no vote shall be disclosed until it has been held by the Tribunal to be invalid.

(3) Where an order is made under sub-rule (1), the production of any document retained by the Election Commission in such manner as may be directed by the order shall be conclusive evidence that the document relates to the election specified in the order, and any endorsement or any packet of ballot paper so produced shall be prima facie evidence that the ballot papers or documents are what the endorsement states them to be.

(4) The production from proper custody of a ballot paper purporting to have been used at an election, and of a counterfoil, having a number, shall be prima facie evidence that the elector whose vote was given by that ballot paper was the elector who had on the electoral roll the same number as was written on the counterfoil.

(5) Save as in this rule provided, no person shall be allowed to inspect any rejected or counted ballot paper in the possession of the Election Commission.

CHAPTER-V

ELECTION OF MEMBERS TO THE RESERVED SEATS

47. The members of the Council specified in section 18 of the Act, hereinafter referred to as the "members of the electoral college" shall constitute the electoral college for the election of members to the seats reserved for women, ¹[youth], labourer or peasants and non-muslim.

Electoral college.

48. The Election Commission shall, by notification, appoint the Returning Officer to hold and conduct election to the reserved seats.

Directions to hold elections.

49. The Returning Officer appointed under rule 11, shall by notice invite nominations and fix the day or days for scrutiny of nominations, withdrawal of candidature, the place, date and time when the poll shall be held.

Fixation of days for various stages of election.

50. (1) Any member of the electoral college may nominate and any other such member may second any candidate whose name is entered in the electoral rolls and is eligible for the election to the reserved seat.

Nomination of candidate.

(2) The nomination shall be accompanied by a certificate signed by the candidate to the effect that the candidate has consented to the proposal and is not subject to any disqualification for being elected as a member of the Council.

(3) The nomination paper shall be delivered by the candidate, proposer or seconder to the Returning Officer at his office during office hours on or before the date and within the time fixed for the purpose.

(4) On the delivery to the Returning Officer of a nomination paper, he shall -

- (a) acknowledge in writing the receipt thereof;
- (b) satisfy himself that the name and other particulars of the proposer and seconder shown in the nomination paper are the members of the electoral college.

(5) The Returning Officer shall endorse on the nomination paper the name of the person presenting it and the time of its receipt and inform such person of time and place at which he shall hold scrutiny.

¹.After Word "woman" A new word "youth" is inserted by Notification No. RO(LG)/MISC./4(18)/2013
Date 01.09.2015 amendment

(6) The Returning Officer shall cause to be affixed at some conspicuous place in his office, a notice of every nomination paper received by him containing the particulars of the candidate, his proposer and seconder as are shown in the nomination paper.

Scrutiny of nomination papers.

51. (1) The candidates, their proposers and seconders and one other person authorized by each candidate, may attend the scrutiny of the nomination papers.

(2) The Returning Officer shall, in presence of such persons referred to in sub-rule (1) who wish to attend the scrutiny, examine the nomination papers and decide any objection made to any nomination.

(3) The Returning Officer may, either of his own motion or upon any objection, conduct such summary inquiry as he may think fit and reject any nomination paper if he is satisfied that -

- (a) the candidate is not qualified to be elected as a member;
 - (b) the proposer or the seconder is not qualified to subscribe to the nomination paper;
 - (c) any provision of rule 50 or rule 51 has not been complied with; or
 - (d) the signature of the proposer or the seconder is not genuine;
- Provided that-
- (i) the rejection of a nomination paper shall not invalidate the nomination of a candidate by any other valid nomination paper; and
 - (ii) the Returning Officer shall not reject a nomination paper on the ground of any defect which is not of a substantial nature, and may allow any such defect to be remedied forthwith.

(4) The Returning Officer shall endorse on every nomination paper his decision, accepting or rejecting it, and shall, in the case of rejection, record a brief statement of reasons therefor.

(5) Any candidate whose nomination paper has been rejected, may file an appeal to the Appellate authority to be appointed by the Election Commission before such time as may be specified by it. Such an appeal shall be disposed of before such time as may be specified by the Election Commission and any orders passed in this behalf shall be final.

Withdrawal.

52. Any validly nominated candidate may, by notice in writing signed by the candidate and delivered to the Returning Officer, either by such candidate in person or by an agent authorized in writing in this behalf by such candidate before the time fixed, withdraw his candidature. The notice of withdrawal shall not be open to recall or cancellation.

53. (1) Where, after scrutiny under rule 52, the number of validly nominated candidates is the same as the number of seats to which elections are being held, or, where, after any withdrawal under rule 52, the number of contesting candidates is equal to the number of seats to which elections are being held, the Returning Officer shall, by public notice, declare such candidate to have been elected and submit a return of the election to the Election Commission.

Uncontested election.

(2) The Election Commission shall publish in the official Gazette the name or, as the case may be, the names of the returned candidate or candidates.

54. (1) Before the time fixed for the commencement of the poll, the Returning Officer shall affix at a conspicuous place, where the poll is to be held, the names of the contesting candidates for each seat.

Poll.

(2) Each voter shall have only one vote for each category of reserved seats, irrespective of the number of seats to be filled.

(3) The Presiding Officer shall ensure in the presence of the voters present that the ballot boxes to be used are empty and shall then seal them.

(4) The ballot boxes shall be placed on the table of the Assistant Presiding Officer.

(5) The Presiding Officer shall ensure that every voter is able to mark his ballot paper in secret before it is folded and inserted in a ballot box.

(6) The Presiding Officer shall permit the contesting candidates or one person authorized in writing by each such candidate to be present at the place of poll.

55. The procedure on the close of poll laid down for the election to general seats including counting of votes, declaration of results, submission of returns, affidavits, forfeiture of deposits etc. shall mutatis mutandis apply to the election under this Chapter.

Procedure of general seats to apply.

¹[55. (A) The election of mayor and Deputy Mayor of Metropolitan Corporation and Municipal Corporations, Chairman and Vice Chairman of District Councils, Municipal committees and Town Committees shall be held on the same pattern as for elections to be held on the basis of secret ballots.]

Pattern for Election

¹.Added by Notification No. RO(LG)/MISC/4(18)/2013, Dated 01.09.2015 amendment.

CHAPTER-VI ELECTION EXPENSES

Definition of election expenses.

56. In this Chapter, "election expenses" means any expenditure incurred or payment made, whether by way of gift, loan, advance, deposit or otherwise, for the arrangement, conduct or benefit of, or in connection with, or incidental to, the election of a candidate, including the expenditure on account of issuing circulars or publications or otherwise presenting to the electors, the candidates or views, aims or objects.

Restriction on election expenses.

57. (1) No person shall, except to the extent provided in sub-rule (2), make any payment whatsoever towards the election expenses of a candidate except to the election agent of such candidate.
(2) No person other than the candidate shall incur any election expenses of such candidate.

Provided that any person may, if so authorized by a contesting candidate, in writing specifying a maximum amount, to the extent of such amount, make payment for stationery, postage, telegram and other petty expenses.

(3) The election expenses of a contesting candidates, shall not exceed rupees fifty thousand in case of Union Council, Union Committee, Town Committee and Municipal Committee and rupees one hundred thousand in case of District Council and Corporation, respectively.

(4) Any person incurring any expenditure or making any payment under sub-rule (2) shall, within ten days of the declaration of the result of the election, send to the candidate a statement of such expenditure or particulars of such payment.

(5) A candidate shall, by a bill stating the particulars and by a receipt, voucher for every payment made in respect of election expenses except where the amount is less than two hundred rupees.

Return of election expenses.

58. (1) Every contesting candidate shall, within thirty-five days after the name of the returned candidates is notified, submit to the Returning Officer, a return of election expenses in Form XV containing -

- (a) a statement of all payments made by the contesting candidate, together with all the bills and receipts.
- (b) a statement of the amount of personal expenditure, if any, incurred by the contesting candidates;
- (c) a statement of all disputed claims of which the contesting candidate;
- (d) a statement of all unpaid claims, if any, which the election agent or contesting candidate, is aware; and

- (e) a statement of all moneys, securities or equivalent of money received from any person for the purpose of election expenses specifying the name of every such person.

(2) The return submitted under sub-rule (1), shall be accompanied by an affidavit in Form XVI sworn by the contesting candidate.

¹[58-(A). (1) After the Notifications of the names of the returned candidates to the seats of Union Councils District Council and Union. Committees in Municipal Corporation and wards in Municipal Committees and Town Committees, they shall take oath of the office in Form XIX before such officer as the Election Commission may nominate.

Oath of Office

(2) After nominations of the Members elected against reserved seats of the Local Councils of Union Councils, Union Committees in Municipal Corporation and wards in Municipal Committees and Town Committees, they shall take oath of office in Form XX before such officer as the Election Commission may nominate.

(3) After Notification of election of the Mayor and Deputy Mayor of Metropolitan Corporation and Municipal Corporations, Chairman and Vice Chairman of District Councils, Municipal Committees and Town Committees, they shall take oath of office in Form XXI before such officer as the Election Commission may nominate.

(4) The concerned officer nominated to Administered to Administer oath shall notify to the Elected Members, Chairman, Vice Chairman, Mayor and Deputy Mayor of the concerned Council of the date, time and place of the oath.

(5) Any person who was unable to take oath under aforesaid sub rules, may take oath of office before such nominated officer on such date, time and place as may, be appointed by him

(6) After taking oath of office by every Member, Chairman, Vice Chairman, Mayor and Deputy Mayor he shall put his signature on the Form of Oath and is shall be verified and countersigned by the nominated officer.

(7) The officer administering oath shall forward to. the Secretary, Local Government Department and the Election Commission, as list of persons who have taken oath.

(8) All forms of the oath of office shall be kept on record of Local Government Department and copies thereof shall be forwarded to the Election Commission.]

¹.Added Rule (58-A) vide Notification No. RO(LG)/MISC./4(18)/2013, Dated 01.09.2015 amendment.

Inspection of returns etc.

59. (1) The return and documents submitted under rule 59 shall be kept by the Returning Officer in his office or at such other convenient place as he may think fit and shall, during one year from the date of their receipt by him, be open to inspection by any person on payment of fee as may from time to time be fixed by the Election Commission.

Election petitions.

(2) The Returning Officer shall, on an application made in this behalf and on payment of fee as may from time to time be fixed by the Election Commission give any person copies of any return or document kept under sub-rule (1) or any part thereof.

CHAPTER-VII ELECTION DISPUTES

60. (1) No election shall be called in question except by an election petition made by a candidate or panel for that election, hereinafter in this Chapter referred to as the "petitioner".

(2) An election petition shall be presented to the Tribunal within forty five days of the publication in the official Gazette, the names of the returned candidate and shall be accompanied by a receipt showing that the petitioner has deposited in a Scheduled Bank in favour of the Election Commission, a fee of rupees two thousand.

(3) An election petition shall be presented by a petitioner in the manner prescribed by the Election Commission and shall be deemed to have been presented-

- (a) when it is delivered in person to Tribunal as may be appointed by the Election Commission; or
- (b) when delivered by courier service or registered post to the Tribunal appointed by the Election Commission.

Parties to the petition.

61. The Petitioner shall join as respondents to his election petition-

- (a) all contesting candidates; and
- (b) any other person against whom any allegation, if any, of corrupt or illegal practice is made and shall serve personally or by courier service or registered post on each such respondent a copy of his petition.

Contents of Petition.

62. (1) Every election petition shall contain -

- (a) a precise statement of the material facts on which the petitioner relies;
- (b) full particulars of any corrupt or illegal practice or other illegal act alleged to have been committed, such corrupt or illegal practice or illegal act and the date and place of the commission of such practice or act; and
- (c) the relief claimed by the petitioner.

(2) A petitioner may claim as relief any of the following declarations, namely:-

- (a) that the election of the returned candidate is void and that the petitioner or some other person has been duly elected; or
- (b) that the election as a whole is void.

(3) Every election petition and every schedule or annexure to that petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil procedure, 1908, for the verification of pleadings.

63. (1) For the trial of election petitions under these rules, the Election Commission shall appoint as many Election Tribunals as may be necessary.

Election Tribunal.

(2) A Tribunal shall consist of a person who is or has been a District and Sessions Judge or Additional District and Sessions Judge.

64. If the Tribunal is satisfied that all or any of the preceding provisions have not been complied with, the petition shall be dismissed forthwith and submit its report to the Election Commission.

Procedure on receipt of petition by the Election Tribunal.

65. (1) The Election Commission either on its own motion or on an application made in this behalf by any of the parties may, at any stage, transfer an election petition from one Tribunal to another Tribunal and the Tribunal to which the election petition is so transferred, shall proceed with the trial of petition from the stage at which it is transferred:

Power to transfer election petition.

Provided that the Tribunal may, if it thinks fit, recall and examine any of the witnesses already examined.

66. The trial of an election petition shall be held at such place or places as the Tribunal may think fit.

Place of trial.

67. The District Attorney or District Public Prosecutor shall, if a Tribunal so requires, assist the Tribunal at the hearing of an election petition in such manner as it may require.

Government advocate to assist the Tribunal.

68. An appearance, application or act before a Tribunal may be made or done by a party in person or by an advocate or any other person entitled or allowed to plead in any Court and duly appointed to act on his behalf.

Appearance before Tribunal.

Provided that the Tribunal may, if it considers necessary, direct any party to appear in person.

Withdrawal of petition.

69. (1) An election petition may be withdrawn -

- (a) before a Tribunal has been appointed, by leave of the Election Commission; and
- (b) after a Tribunal has been appointed, by leave of the Tribunal.

(2) Where leave is granted by the Tribunal, the petitioner shall be ordered to pay the costs incurred by the respondents to the election petition or such portion thereof as the Tribunal may direct.

Supply of copies of decision on petitions.

70. (1) Copies of orders passed by the Tribunal on any election petition may be furnished to the parties to the petition by the Tribunal on application in writing.

(2) The fee for supply of copies under sub-rule(1) shall be prescribed by Election Commission.

(3) Every application for the supply of copies under sub-rule (1) shall be accompanied by court fee stamp of the requisite value.

Retention of the record.

71. The Tribunal shall, after an election petition has been disposed of, retain record for a period of five years from the date of its receipt and shall thereafter cause it to be destroyed subject to the directions of Election Commission.

CHAPTER-VIII BYE-ELECTIONS

Bye-elections etc.

72. When the seat of a member becomes vacant, the Election Commission shall subject to the Act, by notification in the official Gazette, call upon the electoral unit concerned to elect a person to fill the seat for such constituency before such date as may be specified in the notification, and thereupon the provisions of these rules shall apply, as far as may be, to the election to fill such seat:

Provided that, notwithstanding anything contained in these rules the days for the several stages of an election shall be such as may be specified in the aforesaid notification.

CHAPTER-IX ELECTION REPORTS

Report by the District Returning Officer.

73. Within a month of the holding of the election the District Returning Officer shall submit to the Election Commission a detailed report about the conduct of the election specifically indicating -

- (a) the arrangement made for the election;
- (b) total number of the voters and the actual number of votes cast;
- (c) such other information as may be required by the Election Commission.

74. The Election Commission shall draw up a report on the elections held in the Province and such report may be published in the official Gazette.

Report by Election Commission.

(IMRAN ATTA SOOMRO)
SECRETARY TO GOVERNMENT OF SINDH

Form-I

PUBLIC NOTICE

In pursuance of the provisions of Rule 16(1) of the Sindh Local Councils (Election Rules) 2015, I _____ Retuning Officer, do hereby give public notice that following dates have been appointed by the Election Commission for various activities mentioned below including receiving of nomination papers.

S.#	Activity	Date
1	Dates for filing of Nomination Papers	
2	Publication of Notice of all the nomination papers received on	
3	Objections to the nomination papers	
4	Scrutiny of nomination papers and publication of names of validly nominated candidates	
5	Appeal against acceptance/rejection of nomination papers to be filed	
6	Disposal of appeals	
7	Withdrawal of candidature	
8	Publication of list of contesting candidates with symbols allotted to them	
9	Polling day	

2. Notice is hereby given that the election to fill the seats in following local councils/wards:

- i. _____
- ii. _____
- iii. _____
- iv. _____
- v. _____

of Taluka _____ District _____.

3. The categories of seats to be filled in the above mentioned local councils / wards are as under:

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Woman Member
- iv. Youth Member
- v. Peasant and Labourer member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee

4. Notice is also hereby given that in pursuance of the aforesaid rules, the nomination papers shall be received by me in my office at _____ (place) between the hours of 09:00 am 04:00 pm on all working days from _____ to _____.

RETURNING OFFICER

Place: _____

Form-II**NOMINATION FORM**

(Election to the General Members (Ward-wise) for Union Councils/
Union Committees)

A. Details of Contesting Constituency:

1. Name and No. of Union Council/Union Committee _____
2. Name or No. of Ward _____
3. Name of District _____

B. Particulars of Candidate:

1. Name of Candidate _____
2. Father/Husband Name _____
3. CNIC No.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4. Sr. No. of Voters List with the Name of area _____
5. Census Block Code

--	--	--	--	--	--	--	--	--	--
6. Party Affiliation _____
7. Address _____

C. Declaration by the Proposer:

I, _____ (Name of Proposer) s/o,d/o,w/o
_____ having CNIC No. _____ registered
as an elector at serial number _____ of electoral area _____ falling for
Census Block Code No. _____ filling in _____ (Name and No. if
any of UC/Ward) of District _____ do hereby propose
_____ whose particulars are mentioned above and registered at
serial number _____ of electoral area _____ falling in
_____ (Name and No. if any of UC/Ward) of District _____ as a candidate
for election to _____ of _____
(Category of seat) (Name and No. if any of UC/Ward)

Signature of Proposer

D. Declaration by the Seconder:

I, _____ (Name of Seconder) s/o,d/o,w/o
 _____ having CNIC No. _____
 registered as an elector at serial number _____ of
 electoral area _____ for Census Block Code No. _____ falling
 in _____ (Name and No. if any of UC/Ward) of District
 _____ do hereby propose _____
 whose particulars are mentioned above and registered at serial number
 _____ of electoral area _____ falling in
 _____ (Name and No. if any UC/Ward) of District
 _____ as a candidate for election to
 _____ of _____
 (Category of seat) (Name and No. if any of UC/Ward)

 Signature of Seconder

E. Declaration and Oath by the Person Nominated:

I, solemnly swear that I believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace be upon him), the last of the Prophet and in any sense of the word or of any description whatsoever after Prophet Muhammad (Peace be upon him), and that I do not recognize such a claimant to be Prophet or a religious reformer, nor do I belong to the Qadiani group or the Lahori group or call myself an Ahmadi (For Muslims Candidates only).

 Signature of Candidate

I, _____ s/o,d/o,w/o _____
 declare on oath that I have consented to the above nomination and that I fulfil the qualifications specified in the Sindh Local Government Act- 2013 and I am not subject to any of the disqualifications specified in the said Act or any other law for the time being in force for being elected as a General Members (respective Ward No.) _____
 (Name and No. if any of UC/Ward)

I, hereby assure that I shall abide by the Code of Conduct issued by the Election Commission of Pakistan.

 Signature of Candidate

F. For Official Use Only:

Serial No. of Nomination Paper _____ Fee of
Rs: _____. The Nomination Form of Mr. / Miss / Mrs. _____
a Candidate for _____ was delivered to me at my office at _____
_____ (hours) on _____ (date) by _____

DECISION AFTER SCRUTINY

(in case o

Returing Officer

VERIFICATION

Name Of Council: _____
Election to the Seat: _____

اس بکس میں امیدوار اپنا صحیح اردو نام لکھیں جو بیلٹ پیپر پر چھپوانا مقصود ہو۔

Date: _____

Signature of Contesting Candidate

RECEIPT

(To be filled in by the Returning Officer)

Serial No. of Nomination Paper _____
The Nomination Paper of Mr. / Miss. / Mrs. _____ a
Candidate for election to the seat of _____ district _____
_____ Taluka _____ Union Council / Committee / Ward
_____ from _____ was delivered to
me at my office at _____ (hours) on _____ (date)
by _____ (person). All Nomination Papers will be taken up for
scrutiny at _____ on _____ at _____
(hours) (date) (place)

Date: _____

RETURNING OFFICER

DECLARATION OF ASSESTS

(To be filled in by General Members (Ward-wise) for Union Councils/Union Committee)

I, _____ s/o, d/o, w/o _____ candidate for _____ from _____ do hereby solemnly declare that no movable property or immovable land, house, apartment, shop, share certificates, securities, bonds, insurance policies, gold jewelry and motor vehicle are held by me or any member family dependent upon me except as below:-

S.#	Description of movable and immovable property and its location	Name of Owner	Relationship with Declarant	Value of Property	Date and manner of acquiring	Net yearly income from property	Remarks

Form-II "A"
NOMINATION FORM

(Election to the Chairman and Vice Chairman (Joint Candidate) for
Union Councils / Union Committees)

A. Details of Contesting Constituency:

1. Name and No. of Union Council/Union Committee _____
2. Name of No. of Ward _____
3. Name of District _____

B. Particulars of Candidate for Chairman :

1. Name of Candidate _____
2. Father/Husband Name _____
3. CNIC No.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4. Sr. No. of Voters List with the Name of area _____
5. Census Block Code

--	--	--	--	--	--	--	--	--	--
6. Party Affiliation _____
7. Address _____

B(I) Particulars of Candidate for Vice Chairman :

1. Name of Candidate _____
2. Father/Husband Name _____
3. CNIC No.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4. Sr. No. of Voters List with the Name of area _____
5. Census Block Code

--	--	--	--	--	--	--	--	--	--
6. Party Affiliation _____
7. Address _____

C. Declaration by the Proposor:

I, _____ (Name of Proposer) s/o, d/o, w/o
 _____ having CNIC No. _____
 registered as an elector at serial number _____ of electoral area
 _____ for Census Block Code No. _____ falling
 in _____ (Name and No. if any of UC/Ward) of
 District _____ do hereby propose _____
 and _____ whose particulars are mentioned above and
 registered at serial number _____ and _____ of electoral area
 _____ and _____ respectively as joint candidate falling in
 _____ (Name and No. If any of UC/Ward) of District
 _____ as joint candidates for election to
 _____ of _____
 (Category of Seat) (Name and Number, if any of UC/Ward)

2. I do hereby declare that I have not subscribed to any other Nomination Paper as Proposer and
 Secondar.

 Signature of Proposer

D. Declaration by the Secondar:

I, _____ (Name of Secondar) s/o, d/o, w/o
 _____ having CNIC No. _____
 _____ registered as an elector at serial number _____
 of electoral area _____ for Census Block Code No. _____
 falling in _____ (Name and No. if any of UC/Ward) of
 District _____ do hereby propose _____ and
 _____ whose particulars are mentioned above and registered
 at serial number _____ and _____ of electoral area
 _____ and _____ respectively as joint candidate falling
 in _____ (Name and No. If any of UC/Ward) of
 District _____ as joint candidates for election
 to _____ of _____
 (Category of Seat) (Name and Number, if any of UC/Ward)

2. I do hereby declare that I have not subscribed to any other Nomination Paper as Proposer and
 Secondar.

Date: _____

 Signature of Secondar

E. Declaration and Oath by the Person Nominated:

I, _____ s/o, d/o, w/o _____
 CNIC No. _____ and I, _____
 s/o, d/o, w/o _____ CNIC No. _____
 hereby solemnly swear that :-

We, believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace be upon him), the last of the Prophet and in any sense of the word or of any description whatsoever after Prophet Muhammad (Peace be upon him), and that we do not recognize such a claimate to be Prophet a religious reformer, nor do we belong to the Qadiani group or the Lahori group or call myself an Ahmadi (For Muslims Candidates only)

 Signature of Candidate (for Chairman)

 Signature of Candidate (for Vice Chairman)

I, _____ s/o, d/o, w/o _____
 CNIC No. _____ and I, _____
 s/o, d/o, w/o _____ CNIC No. _____
 hereby solemnly swear that :-

We, have consented to the above nomination and that we fulfill the qualifications specified in the Sindh Local Government Act, 2013 and we are not subject to any of the disqualifications specified in the said Act or any other law for the time being in force for being elected as a Chairman and Vice Chairman (Joint Candidates) _____
 (Name and No. if any of UC)

we, hereby assure that we shall abide by the Code of Conduct issued by the Election Commission of Pakistan.

 Signature of Candidate (for Chairman)

 Signature of Candidate (for Vice Chairman)

(Note : Determination at S. No. E, is applicable to Muslims Candidate only)

F. For Official Use Only:

Serial No. of Nomination Paper _____ Fee of
 Rs: _____ The Nomination Form of Mr. / Miss / Mrs. _____
 and _____ as joint Candidates for _____ was
 delivered to me at my office at _____ (hours) on _____ (date)
 by _____

DECISION AFTER SCRUTINY

(In ca

RETURNING OFFICER

VERIFICATION

Name Of Council: _____

Election to the Seat: _____

اس بکس میں امیدوار اپنا صحیح اردو نام لکھیں جو بیلٹ پیپر پر چھپوانا مقصود ہو۔

Chairman	
Vice Chariman	

Date: _____

Signature of Contesting Candidate (for Chairman)

Signature of Contesting Candidate (for Vice Chairman)

RECEIPT

(To be filled in by the Returing Officer)

Serial No. of Nomination Paper _____

The Nomination Paper of Mr. / Miss. / Mrs. _____

and _____ as joint Candidate for election to the seat of

_____ and _____

district _____ Taluka / Sub Division _____ Union

Council / Committee _____ from _____ was

delivered to me at my office at _____ (hours) on _____

(date) by _____ (person). All Nomination Papers will be taken up for

scrutiny at _____ on _____ at _____

(Hours)

(Date)

(Place)

Date: _____

RETURNING OFFICER

DECLARATION OF ASSESTS

(To be filled in by Chairman and Vice Chairman separately)

I, _____ s/o, d/o, w/o _____ candidate for _____
 from _____ do hereby solemnly declare that no movable property or immovable land, house, apartment, shop, share certificates, securities, bonds, insurance policies, gold jewelry and motor vehicle are held by me or any member family dependent upon me except as below:-

S.#	Description of movable and immovable property and its location	Name of Owner	Relationship with Declarant	Value of Property	Date and manner of acquiring	Net yearly income from property	Remarks

Form-II "B"
NOMINATION FORM

(Election to the Reserved seats for union Councils / Union Committees)

Women / Youth / Labourer or Peasant / Non Muslim Member

A. Details of Contesting Constituency:

1. Name and No. of Union Council/Union Committee _____
2. Name of No. of Ward _____
3. Name of District _____

B. Particulars of Candidate :

1. Name of Candidate _____
2. Father/Husband Name _____
3. CNIC No.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4. Sr. No. of Voters List with the Name of area _____
5. Census Block Code

--	--	--	--	--	--	--	--	--	--
6. Party Affiliation _____
7. Address _____

C. Declaration by the Proposor:

I, _____ (Name of Proposer) s/o, d/o, w/o
_____ having CNIC No. _____
registered as an elector at serial number _____ of electoral
area _____ for Census Block Code No. _____
falling in _____ (Name and No. if any of UC/Ward) of
District _____ do hereby propose _____
and _____ whose particulars are mentioned above and
registered at serial number _____ and _____ of electoral area
_____ and _____ respectively as joint candidate falling in
_____ (Name and No.
If any of UC/Ward) of District _____ as candidates for election
to _____ of _____
(Category of Seat) (Name and Number, if any of UC/Ward)

Signature of Proposer

D. Declaration by the Seconder:

I, _____ (Name of Seconder) s/o, d/o, w/o
 _____ having CNIC No. _____
 registered as an elector at serial number _____ of
 electoral area _____ for Census Block Code No. _____
 falling in _____ (Name and No. if any of UC/Ward) of
 District _____ do hereby second
 _____ whose particulars are
 mentioned above and registered at serial number _____
 _____ of electoral area _____
 falling in _____ (Name and No. If any
 UC/Ward) of District _____ as joint candidates
 for election to _____ of _____
 (Category of Seat) (Name and Number, if any of UC/Ward)

 Signature of Seconder

E. Declaration and Oath by the Person Nominated:

I, solemnly swear that I believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace be upon him), the last of the Prophet and in any sense of the word or of any description whatsoever after Prophet Muhammad (Peace be upon him), and that we do not recognize such a claimant to be Prophet a religious reformer, nor do we belong to the Qadiani group or the Lahori group or call myself an Ahmadi (For Muslims Candidates only)

 Signature of Candidate

I, _____ s/o, d/o, w/o _____
 declare on oath that I have consented to the above nomination and that I fulfill the qualifications specified in the Sindh Local Government Act, 2013 and I am not subject to any of the disqualifications specified in the said Act or any other law for the time being in force for being elected as a Women Member/Youth ?????? or Labour Member/ Non Muslim Member of _____
 (Name and No. if any of UC)

I, hereby assure that I shall abide by the Code of Conduct issued by the Election Commission of Pakistan.

 Signature of Candidate

F. For Official Use Only:

Serial No. of Nomination Paper _____ Fee of
Rs: _____ The Nomination Form of Mr. / Miss / Mrs. _____
a Candidates for _____ was delivered to me at my office at
_____ (hours) on _____ (date) by

DECISION AFTER SCRUTINY

(in c)

Returning Officer

VERIFICATION

Name Of Council: _____
Election to the Seat: _____

اس بکس میں امیدوار اپنا صحیح اردو نام لکھیں جو بیلٹ پیپر پر چھپوانا مقصود ہو۔

Date: _____

Signature of Contesting Candidate

RECEIPT

(To be filled in by the Returning Officer)

Serial No. of Nomination Paper _____
The Nomination Paper of Mr. / Miss. / Mrs. _____ a
Candidate for election to the seat of _____ district
_____ Taluka _____ Union
Council / Committee / Ward _____ from _____ was
delivered to me at my office at _____ (hours) on _____
(date) by _____ (person). All Nomination Papers will be taken up for
scrutiny at _____ on _____ at _____
(Hours) (Date) (Place)

Date: _____

RETURNING OFFICER

DECLARATION OF ASSESTS

(To be filled in by Reserved Seats for Union Councils/Union Committee Women/Youth/
Labour or Peasant / Non Muslim Member separately)

I, _____ s/o, d/o, w/o _____ candidate for _____
from _____ do hereby solemnly declare that no movable property or immovable land, house, apartment, shop, share certificates, securities, bonds, insurance policies, gold jewelry and motor vehicle are held by me or any member family dependent upon me except as below:-

S.#	Description of movable and immovable property and its location	Name of Owner	Relationship with Declarant	Value of Property	Date and manner of acquiring	Net yearly income from property	Remarks

SIGNATURE OF DECLARANT

Form-III

NOMINATION FORM

(Election to Member for District Council)

A. Details of Contesting Constituency:

1. Name and No. of Union Council/Union Committee _____
2. Name of District _____

B. Particulars of Candidate :

1. Name of Candidate _____
2. Father/Husband Name _____
3. CNIC No.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4. Sr. No. of Voters List with the Name of area _____
5. Census Block Code

--	--	--	--	--	--	--	--	--	--
6. Party Affiliation _____
7. Address _____

C. Declaration by the Proposer:

I, _____ (Name of Proposer) s/o, d/o, w/o
_____ having CNIC No. _____ registered as an
elector at serial number _____ of electoral area _____ for
Census Block Code No. _____ falling in _____ (Name and No. if
any of UC/Ward) of District _____ do hereby
propose _____ whose particulars are mentioned above and registered at
serial number _____ of electoral area _____ falling in
_____ (Name and No. If any of UC/Ward) of District
_____ as candidates for election to
_____ of _____
(Category of Seat) (Name and No. if any of UC/Ward)

Signature of Proposer

D. Declaration by the Secunder:

I, _____ (Name of Secunder) s/o, d/o, w/o
 _____ having CNIC No. _____ registered as an elector
 at serial number _____ of electoral area _____ for Census

Block Code No. _____ falling in _____ (Name and No. if any of UC) of
 District _____ do hereby second _____ whose particulars are
 mentioned above and registered at serial number _____ of electoral
 area _____ falling in _____ (Name and No. If
 any UC/Ward) of District _____ as a candidates for election to
 _____ of _____
 (Category of Seat) (Name and No, if any of UC/Ward)

 Signature of Secunder

E. Declaration and Oath by the Person Nominated:

I, solemnly swear that I believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace be upon him), the last of the Prophet and in any sense of the word or of any description whatsoever after Prophet Muhammad (Peace be upon him), and that we do not recognize such a claimate to be Prophet a religious reformer, nor do we belong to the Qadiani group or the Lahori group or call myself an Ahmadi (For Muslims Candidates only)

 Signature of Candidate

I, _____ s/o, d/o, w/o _____ declare on oath
 that I have consented to the above nomination and that I fulfill the qualifications specified in the Sindh
 Local Government Act- 2013 and I am not subject to any of the disqualifications specified in the said
 Act or any other law for the time being in force for being elected as a Member of District Council of

 (Name and No. if any of UC/Ward)

I, hereby assure that I shall abide by the Code of Conduct issued by the Election Commission of Pakistan.

 Signature of Candidate

ACKNOWLEDGMENT AND RECEIPT BY RETURNING OFFICER

(To be filled in by the Returning Officer)

Serial No. of Nomination Paper

The nomination paper was delivered to me at my office aton.....

(hours)

(date)

Date.....

RETURNING OFFICER

2. (Decision of Returning Officer accepting or rejecting the nomination paper on the day fixed for scrutiny)

I have examined this nomination paper and decide as follows :—

.....

Date.....

RETURNING OFFICER

VERIFICATION

Name Of Council:

Election to the Seat:

اس بکس میں امیدوار اپنا صحیح اردو نام لکھیں جو بیلٹ پیپر پر چھپوانا مقصود ہو۔

Date: _____

Signature of Contesting Candidate

.....

RECEIPT

(To be filled in by the Returning Officer)

Serial No. of Nomination Paper

The Nomination Paper of Mr. / Miss. / Mrs. a candidate for election to of

(Category of seat)

..... was delivered to me at my office at (hours)

on (date) by (person). All Nomination

Papers will be taken up for scrutiny at.....on.....at.....

(Place)

(Date)

(Hours)

Date

RETURNING OFFICER

DECLARATION OF ASSESTS

(To be filled in by Member of District Council)

I, _____ s/o, d/o, w/o _____ candidate for _____ from _____ do hereby solemnly declare that no movable property or immovable land, house, apartment, shop, share certificates, securities, bonds, insurance policies, gold jewelry and motor vehicle are held by me or any member family dependent upon me except as below :-

S.#	Description of movable and immovable property and its location	Name of Owner	Relationship with Declarant	Value of Property	Date and manner of acquiring	Net yearly income from property	Remarks

SIGNATURE OF DECLARANT

Form-III(A)

NOMINATION FORM

(Election to the Member of Ward in Municipal Committee / Town Committee)

Form-II "A"

NOMINATION FORM

A. Details of Contesting Constituency:

1. Name and No. of Municipal Committee/Town Committee _____
2. Name of No. of Ward _____
3. Name of District _____

B(I). Particulars of Candidate for Member of Ward in Municipal Committee :

1. Name of Candidate _____
2. Father/Husband Name _____
3. CNIC No.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4. Sr. No. of Voters List with the Name of area _____
5. Census Block Code

--	--	--	--	--	--	--	--	--	--
6. Party Affiliation _____
7. Address _____

B(II) Particulars of Candidate for Member of Ward in Town Committee :

1. Name of Candidate _____
2. Father/Husband Name _____
3. CNIC No.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4. Sr. No. of Voters List with the Name of area _____
5. Census Block Code

--	--	--	--	--	--	--	--	--	--
6. Party Affiliation _____
7. Address _____

C. Declaration by the Proposor:

I, _____ (Name of Proposer) s/o, d/o, w/o
 _____ having CNIC No. _____ registered as an
 elector at serial number _____ of electoral area _____ for Census
 Block Code No. _____ falling in _____ (Name and No. if any of Ward)
 of District _____ do hereby propose _____ whose
 particulars are mentioned above and registered at serial number _____ of electoral area
 _____ falling in _____ (Name and No. If any of Ward) of
 District _____ as candidates for election to
 _____ of _____
 (Category of seat) (Name and No. if any of Ward)

 Signature of Proposer

D. Declaration by the Seconder:

I, _____ (Name of Seconder) s/o, d/o, w/o
 _____ having CNIC No. _____ registered as an
 elector at serial number _____ of electoral area _____ for Census
 Block Code No. _____ falling in _____ (Name and No. if any of Ward)
 of District _____ do hereby second _____ whose
 particulars are mentioned above and registered at serial number _____ of electoral area
 _____ falling in _____ (Name and No. If any Ward) of
 District _____ as a candidates for election to
 _____ of _____
 (Category of seat) (Name and No, if any of Ward)

 Signature of Seconder

E. Declaration and Oath by the Person Nominated:

I, solemnly swear that I believe in the absolute and unqualified finality of the Prophethood of Muhammad (Peace be upon him), the last of the Prophet and in any sense of the word or of any description whatsoever after Prophot Muhammad (Peace be upon him), and that we do not recognize such a claimate to be Prophet or a religious reformer, nor do I belong to the Qadiani group or the Lahori group or call myself an Ahmadi (For Muslims Candidates only)

 Signature of Candidate

I, _____ s/o, d/o, w/o _____ declare on oath that I have consented to the above nomination and that I fulfill the qualifications specified in the Sindh Local Government Act- 2013 and I am not subject to any of the disqualifications specified in the said Act or any other law for the time being in force for being elected as a Member of Ward for Municipal Committee/Town Committee of _____

(Name and No. if any of MC/TC)

I, hereby assure that I shall abide by the Code of Conduct issued by the Election Commission of Pakistan.

Signature of Candidate

ACKNOWLEDGMENT AND RECEIPT BY RETURNING OFFICER

(To be filled in by the Returning Officer)

Serial No. of Nomination Paper

This nomination paper was delivered to me at my office aton.....

(hours)

(date)

by.....

Date.....

2. (Decision of Returning Officer accepting or rejecting the nomination paper on the day fixed for scrutiny)

I have examined this nomination paper and decide as follows :—

.....
.....
.....

Date.....

RETURNING OFFICER

VERIFICATION

Name Of Council:

Election to the Seat:

اس بکس میں امیدوار اپنا صحیح اردو نام لکھیں جو بیلٹ پیپر پر چھپوانا مقصود ہو۔

Date: _____

Signature of Contesting Candidate

.....

RECEIPT

(To be filled in by the Returning Officer)

Serial No. of Nomination Paper _____
The Nomination Paper of Mr. / Miss. / Mrs. _____ a
candidate for election to _____ of
(Category of seat)

_____ was delivered to me at my office at _____ (Hours)
on (date) by (person). All nomination
Papers will be taken up for scrutiny
at on at
(place) (date) (hours)

Date

RETURNING OFFICER

DECLARATION OF ASSESTS

(To be filled in by Member of Ward in Municipal Committee / Town Committee)

I, _____ s/o, d/o, w/o _____ candidate for _____ from _____ do hereby solemnly declare that no movable property or immovable land, house, apartment, shop, share certificates, securities, bonds, insurance policies, gold jewelry and motor vehicle are held by me or any member family dependent upon me except as below :-

S.#	Description of movable and immovable property and its location	Name of Owner	Relationship with Declarant	Value of Property	Date and manner of acquiring	Net yearly income from property	Remarks

SIGNATURE OF DECLARANT

FORM IV
NOMINATION FEE RECEIPT

COUNTERFOIL	RECEIPT
Sr. No. _____	Sr. No. _____
Name of Candidate _____ Number & Name of Local Council _____/Ward _____ Category of Seat _____ Amount Received _____ Date: _____	Received a sum of Rs. _____ (Rupees) _____ in cash from Mr./Ms. _____ a candidate for election of _____ in _____ (Category of Seat) Numer & Name of Local Council _____/Ward _____) and entered in the Deposit Register at Sr. No. _____ Date: _____
Signature of the Returning Officer	Signature and seal of the Returning Officer

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer of Peasant Member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Municipal Corporation

FORM V**REGISTER FOR PAYMENT OF CANDIDATURE FEE**

Election to the _____ of _____

(Number & Name of Local Council _____/Ward _____)

district _____

Province _____

PARTICULARS OF PAYMENT

S. #	Candidate's Name	Serial No. of nomination filed	Amount deposited	Particulars of the Bank Draft or cash, receipt issued in Form-IV	Signature of the Returning Officer	Treasury Challan No. date under which deposited in government account
1	2	3	4	5	6	7

Place: _____

Date: _____

RETURNING OFFICER

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer of Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Municipal Corporation

FORM-VI**NOTICE OF NOMINATION PAPERS RECEIVED**

Notice is hereby given that the persons whose particulars are given below have filed their nomination papers for elections as _____ of _____

(Number, if any & Name of Local Council/Ward)

district _____

Province _____

S. #	Name, parentage and address of the candidate	Party Affiliation	Name of the electoral area and candidate's serial number in the electoral roll	Name, parentage and address of the proposer	Name of the electoral area of proposer and his serial number in the electoral roll.	Name, parentage and address of the seconde	Name of the electoral area of seconder and his serial number in the electoral roll.
1	2	3	4	5	6	7	8

Place: _____

Date: _____

RETURNING OFFICER

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer of Peasant member
- vi. Non-Muslim Member
- vii. One Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee
- ix. Members elected from each Ward in case of Union Committee/Corporation

FORM - VII**LIST OF VALIDLY NOMINATED CANDIDATES**

Election to the _____ of _____

(Number, if any & Name of Local Council/Ward)

district _____

Province _____

Sr. No.	Name of Candidate	Name of father/husband	Party Affiliation	Address of candidate
1	2	3		4

Place

Date

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer of Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee/Corporation

FORM - VIII**LIST OF CONTESTING CANDIDATES**

Election to the _____ of _____

(Number, if any & Name of Local Council/Ward)

district _____

Province _____

Serial No.	Name of the contesting Candidate (in Urdu alphabetical order)	Address o the contesting candidate	category	symbol allocated
1	2	3	4	5
1.				
2.				
3.				
4.				
Etc.				

Notice is hereby given that the poll shall be taken between the hours
of on (date)

RETURNING OFFICER

Place

Date

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer of Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee

FORM - IX
TENDERED VOTES LIST

Election to the _____ of _____

(Number, if any & Name of Local Council/Ward)

District _____

Province _____

Name and Number of Poling Station

.....

Serial No. of tendered ballot paper	Name of the elector	Serial number of the elector in the electoral roll	Census Block Code and Name of electoral area	Address of the elector	Signature or thumb impression of the person tendering vote
1	2	3	4	5	6

Place

Date

SIGNATURE OF PRESIDING OFFICER

-
- i. Chairman and Vice Chairman (Joint Candidate)
 - ii. General Members (Ward-wise)
 - iii. Women Member
 - iv. Youth Member
 - v. Labourer of Peasant member
 - vi. Non-Muslim Member
 - vii. Members elected directly for District Council
 - viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee

FORM - X
CHALLENGED VOTES LIST

Election to the _____ of _____

(Number, if any & Name of Local Council/Ward)

District _____

Province _____

Name and Number of Poling Station

.....

Serial No. of entry	Name of the elector	Census Block Code and name of the electoral area in which the elector is enrolled	Serial No. of elector on the electoral roll	Signature or thumb impression of the person challenged	Address of the person challenged	Name of identifier if any	Name & Address of challenger	Order of the Presiding Officer
1	2	3	4	5	6	7	8	9

Certified that a sum of Rs..... has been received on account of challenged votes and the amount in question has been deposited with the Returning Officer.

Place

Date

SIGNATURE OF PRESIDING OFFICER

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer of Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee

FORM - XI**THE STATEMENT OF THE COUNT**

Election to the _____ of _____

(Number, if any & Name of Local Council/Ward)

District _____

Province _____

Name and Number of Poling Station

.....

Sr. No.	Name of Contesting Candidate	Symbol allotted to Contesting Candidate	Number of votes polled by each contesting candidate	Number of challenged votes polled by each contesting candidate	Total votes polled by each contesting candidate Cols (4) + (5)	Remarks
1	2	3	4	5	6	7

(i) Total number of votes polled by the contesting candidates (including challenged votes) male _____ female _____ Total _____

(ii) Total number of doubtful votes excluded from the count (including the doubtful challenged votes

(iii) Aggregate of (i) and

(ii).....

Place

Date

SIGNATURE OF PRESIDING OFFICER

Name and designation of the
 Presiding Officer and Thumb impression of the
 Presiding Officer

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer or Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee

FORM - XIV**RETURN OF ELECTION**

Election to the _____ of _____
 _____ (Number, if any & Name of Local
 Council/Ward)

District _____

Province _____

Sr. No.	Name of the contesting Candidate	Category of Seat	Name of Party	Symbol of Candidate	Number of valid votes polled
1					
2					
3					
4					
5					
Etc.					

Total Number of registered votes: male _____ female _____ Total _____

Total number of valid votes polled male _____ female _____ Total _____

Total number of rejected
 votes.....

Total number of tendered
 votes.....

I declare that the persons named above _____ have
 been duly elected /elected uncontested.

Place

Date

RETURNING OFFICER

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer of Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee

FORM - XV**RETURN OF ELECTION EXPENSES**

Election to the _____ of _____

(Number, if any & Name of Local Council/Union Committee/Ward)

District _____

Province _____

Name of the Candidate _____

Address of the Candidate _____

Part-A: Account of election expenses

Date of expenditure	Nature of expenditure	Amount of Expenditure			Date of payment	Name and address of the payee	Serial number of vouchers in case of amount paid	Serial no. of Bill if any in case of amount outstanding	Name and address of the person to whom payment is outstanding
		Amount paid (a)	Amount outstanding (b)	Total of (a) & (b)					
1	2	3	4	5	6	7	8	9	10

Part-B: Account of Disputed Claims

Date of Claim	Name and address of the claimant	Nature of Claim	Amount of claim	Ground on which the claim is disputed
1	2	3	4	5

FORM - XVII**DECLARATION OF ASSETS**

I, _____ S/O,D/O, W/O _____

CNIC No.

					-								-	
--	--	--	--	--	---	--	--	--	--	--	--	--	---	--

elected as _____ of _____ belong
to _____

(Category of Seat) (Number, if any & Name of Local Council/Ward)

do, hereby, solemnly declare that no movable property or immovable property, land, house, apartment, shop, share certificate, securities, bounds, insurance policies, gold jewelry and motor vehicle are held by me or any member of my family dependent upon me except as below:-

Sr. No	Description of moveable and immovable property and its location	Name of owner	Relationship with declarant	Value of Property	Date and manner of acquiring	Net yearly income from property	Remarks

Name & signature of the Declarant

Place _____

Date _____

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer of Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee

FORM - XVIII**NOTICE OF HOURS OF POLL**

Name of Council _____

Notice is hereby given that the poll shall be taken between _____
to _____ hours on _____ (date).

Place: _____

Date: _____

Returning Officer

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer or Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee

¹[FORM-XIX
[see rule 58-A(1)]

OATH OF OFFICE
Members

I, _____ s/o,w/o d/o, _____
elected as Member of _____ (Name of Local
Council) do hereby solemnly (in case of Muslims) swear, or (in case of Non-
Muslim) affirms;

That, I shall bear true faith and allegiance to Pakistan and
strengthen its ideology, integrity, solidarity and prosperity through discharge of
my duties and perform functions in accordance with the Sindh Local
Government, 2013, rules, by-laws and regulations honestly, efficaciously and
efficiently to the best of my ability.

That, I shall promote fiscal discipline and, to the best of my
ability, prevent misuse, misappropriation and pilferage of public money.

That, in all circumstances I shall do right to all people according
to law without fear or favour, ill will, or discrimination.

That, I shall not directly or indirectly communicate or reveal to
any person any matter which shall become known to me in my official
capacity, except as may be required for the due discharge of my duties.

SIGNATURE OF DECLARANT

COUNTERSIGNED

Place:

Date:

SIGNATURE AND SEAL OF PRESIDING OFFICER]

¹ Form XIX of rule 58-A (1) added vide Notification No. RO(LG)/MISC./4(18)/2013 Dated 01.09.2015

¹[FORM-XX

[see rule 58-A(2)]

OATH OF OFFICE**Reserved Seats****(Women/Youth/Labourer or Peasant / Non-Muslim)**

I, _____ s/o,w/o d/o, _____
elected as Member of _____ (Name of Local
Council) do hereby solemnly (in case of Muslims) swear, or (in case of Non-
Muslim) affirms;

That, I shall bear true faith and allegiance to Pakistan and
strength its ideology, integrity, solidarity and prosperity through discharge of
my duties and perform functions in accordance with the Sindh Local
Government, 2013, rules, by-laws and regulations honestly, efficaciously and
efficiently to the best of my ability.

That, I shall work in the interest of the people.

That, I shall promote fiscal discipline and, to the best of my
ability, prevent misuse, misappropriation and pilferage of public money.

That, in all circumstances I shall do right to all people according
to law without fear or favour, ill will, or discrimination.

That, I shall not directly or indirectly communicate or reveal to
any person any matter which shall become known to me in my official
capacity, except as may be required for the due discharge of my duties.

SIGNATURE OF DECLARANT**COUNTERSIGNED**

Place:

Date:

SIGNATURE AND SEAL OF PRESIDING OFFICER]

¹ Form XX of rule 58-A (2) added vide Notification No. RO(LG)/MISC./4(18)/2013 Dated 01.09.2015.

1[FORM-XXI (A)

[see rule 58-A(3)]

OATH OF OFFICE**Mayor and Chairman**

I, _____ s/o,w/o d/o, _____
 elected as Mayor / Chairman of _____ hereby
 solemnly (in case of Muslims) swear, or (in case of Non-Muslim) affirms;

That, I shall bear true faith and allegiance to Pakistan and strength its ideology, integrity, solidarity and prosperity through good governance, effect delivery or services, participatory and transparent discussion making.

That, I shall discharge my duties and functions under the Sindh Local Government, 2013, rules, by-laws and regulations honestly, efficaciously and efficiently to the best of my ability.

That, I shall act in accordance with the law and rules, and that as a Head of the Local Council, I shall ensure that the business of the Local Government within the scope of my responsibility it carried-out of lawfully, diligently and consistent with the policy goals of the Government.

That, I shall observe and obey all lawful directions given to me by the Government.

That, I shall not allow any person interest to influence my official conduct or my official decisions.

That, I shall promote fiscal discipline and, to the best of may ability, prevent misuse, misappropriation and pilferage of public money.

That, I shall not directly or indirectly communicate or reveal to any person any matter which shall become known to me in my official capacity, except as may be required for the due discharge of my duties.

SIGNATURE OF DECLARANT**COUNTERSIGNED**

Place:

Date:

SIGNATURE AND SEAL OF PRESIDING OFFICER]

¹ Form XX of rule 58-A (2) added vide Notification No. RO(LG)/MISC./4(18)/2013 Dated 01.09.2015

1[FORM-XXI (B)

[see rule 58-A(2)]

OATH OF OFFICE**Deputy Mayor and Vice Chairman**

I, _____ s/o,w/o d/o, _____
 elected as Deputy Mayor / Vice Chairman of _____
 hereby solemnly (in case of Muslims) swear, or (in case of Non-Muslim)
 affirms;

That, I shall bear true faith and allegiance to Pakistan and strength its ideology, integrity, solidarity and prosperity through discharge of my duties and perform functions in accordance with the Sindh Local Government, 2013, rules, by-laws and regulations honestly, efficaciously and efficiently to the best of my ability.

That, as Deputy Mayor / Vice Chairman of _____, and whenever I shall be called upon to act as Mayor / Chairman of _____ discharge my duties and functions under the Sindh Local Government Act, 2013, rules and bye-laws honestly, efficaciously and efficiently to the best of my ability.

That, I shall not allow my personal interest to influence my official conduct or absolute impartially.

That, I shall promote fiscal discipline and, to the best of my ability, prevent misuse, misappropriation and pilferage of public money.

That, I shall not directly or indirectly communicate or reveal to any person any matter which shall become known to me in my official capacity, except as may be required for the due discharge of my duties.

SIGNATURE OF DECLARANT**COUNTERSIGNED**

Place:

Date:

SIGNATURE AND SEAL OF PRESIDING OFFICER]

¹ Form XX of rule 58-A (2) added vide Notification No. RO(LG)/MISC./4(18)/2013 Dated 01.09.2015.

Appendix "A"

LOCAL COUNCIL ELECTIONS
FORM FOR COMMUNICATION OF RESULTS

Taluka and District _____

No. and Name of Council _____

Total Registered Voters _____ Male _____ Female _____

Total Votes Polled _____ Male _____ Female _____

Total Rejected Votes _____ Male _____ Female _____

Total Valid Votes _____ Male _____ Female _____

GENERAL MEMBERS				
Seats	Name of Returned candidates	Name of Party	Symbol	Votes Obtained
1				
2				
3				
4				

WOMAN MEMBER				
Seats	Name of Returned candidates	Party	Symbol	Votes Obtained
1				

PEASANT & LABOURER MEMBER				
Seats	Name of Returned candidates	Party	Symbol	Votes Obtained
1				

NON-MUSLIM MEMBER				
Seats	Name of Returned candidates	Party	Symbol	Votes Obtained
1				

DISTRICT COUNCIL MEMBER				
Seats	Name of Returned candidates	Party	Symbol	Votes Obtained
1				

MEMBER WARD (M.C./T.C)				
Seats	Name of Returned candidates	Party	Symbol	Votes Obtained
1				

Dated _____

Time _____

Signature of Returning Officer

INSTRUCTIONS:

1. Please fill in complete information for all categories (Write Un-opposed or Vacant (Bye-election) where applicable.
2. Please write in black ink using BOLD letters: You may use thin tipped marker.
3. Please send it to Provincial Election Commissioner with copy to DRO immediately after compilation of results.

Appendix "B"

**FORM FOR COMMUNICATION OF RESULTS BY
PRESIDING OFFICER TO
RETURNING OFFICERS ON TELEPHONE/WIRELESS/TELEFAX**

Category of seats _____

1. Number & Name of Council _____
2. Name of the Presiding Officer _____
3. No. and name of Polling Station _____
4. Total No. of voters assigned _____
to the Polling Station.
5. Total Votes Cast Male _____ Female _____ Total _____
6. No. of valid votes including challenged valid votes cast in favour of _____

S.#	NAME OF CANDIDATE	PARTY	SYMBOL	NO. OF VALID VOTES
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				

7. Total: No of Valid Votes _____
8. No. of votes excluded from the count _____
9. Total No. of votes polled (total of items No. 7 & 8) _____

Name & Signature of Presiding Officer _____

Thumb impression of Presiding Officer _____

CNIC Number _____

- i. Chairman and Vice Chairman (Joint Candidate)
- ii. General Members (Ward-wise)
- iii. Women Member
- iv. Youth Member
- v. Labourer or Peasant member
- vi. Non-Muslim Member
- vii. Members elected directly for District Council
- viii. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee

**VERIFIED BY
RETURNING OFFICER
LOCAL COUNCILS ELECTION**

No. _____ Date _____

OFFICE MEMORANDUM

In pursuance of the provisions of rule 14 of the Sindh Local Councils (Election) Rules, 2015, the following Appointments of Presiding Officers/Assistant Presiding Officers and Polling Officers are hereby made for _____ Polling Station(No. and Name) for election to Council.....(No. and Name) of Taluka.....of District of Provinceto be held on the.....

Name & Designation of Presiding Officer	Name & Designation of Asstt. Presiding Officer	Name & Designation of Polling Officer	Name of APO designated as Presiding Officer

Place: _____

Date: _____

Returning Officer

NOTIFICATION

In pursuance of the provisions of sub-rule_____ of rule_____ of the Sindh Local Councils (Election) Rules, 2015, the names of the candidates returned from the Category_____ of Council /Ward_____ of _____ Taluka_____ District _____ are published hereunder for information of the general public.

S.No	Name of Returned Candidate	Father's/Husband/s Name	Address
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Place: _____

Date: _____

DISTRICT RETURNING OFFICER

LOCAL COUNCILS ELECTIONS**PACKING INVOICE**

Name of Taluka _____ Name of District _____ Name of Province Sindh No. & Name of Council
 _____ No. & Name of Polling Station _____ No. of Booths
 assigned to the Polling Station : MALE _____ FEMALE _____ TOTAL: _____

CATEGORY-WISE DETAILS OF BALLOT PAPERS ETC. CONTAINED IN SEALED BAG

Category of Ballot Paper	Quantity	Details
i. General Member		From Sl.No. _____ To _____ No. of Books _____
ii. Woman Member		From Sl.No. _____ To _____ No. of Books _____
iii. Peasant and Labourer member		From Sl.No. _____ To _____ No. of Books _____
iv. Non-Muslim member		From Sl.No. _____ To _____ No. of Books _____
v. Members elected directly for District Council		
vi. Members elected from each Ward in case of Municipal Committee/Town Committee/Union Committee		From Sl.No. _____ To _____ No. of Books _____

DETAIL OF ELECTION MATERIAL

Official Code Mark Stamps (1)_____ (2)_____ (3)_____ (4)_____ (5)_____

(@ 2 per booth + 1 per Polling Station) Total_____

Other Items

Marking Aid Stamp (@ 3 per booth + 1 per
Polling Station) Total_____

1. Brass Seal (@ 1 per Polling
Station)

2. Small size Cloth bags (different colour
according to the requirement of the council
/committee)

PCSIR Stamp Pad (@ 6 per booth + 6 per
Polling Station) Total_____

3. Large size Cloth Bag (1 per
Polling Station)

4. Cloth Bag for retrieval of non-sensitive
Material
(1 per Polling Station)

Standard Stationery Pack (@ 1 per Polling
Station) Total_____

5. one set of photo Electoral
Rolls

Indelible Ink (@ 1 per booth + 2 per Polling
Station) Total_____

Received above items in sealed bag

Signature of Returning Officer_____

Signature of Presiding Officer_____

CNIC No._____

LIST OF POLLING STATIONS

Name of the Council/Committee or Ward.....

Taluka District

S.No	Name & location of the polling station	Village in case of Rural Areas With Census Block No.	Ward/Mohallah Street in case of Urban Area with Census Block No.	Sl.No of voters on the electoral roll in case Ward/Mohallah/Street of village is bifurcated	Number of voters assigned to polling station			Number of polling booths		
					Male	Female	Total	Male	Female	Total
1	2	3	4	5	6	7	8	9	10	11

LIST OF POLLING PERSONNEL

Name of the Council/Committee or Ward..... No. & Name of Polling Station.....

No. of Booth: (MALE)..... (FEMALE)..... (TOTAL).....

Name & Designation and office address of Presiding Officer	Name & Designation and office address of Asstt. Presiding Officer	Name & Designation and office address of Polling Officer	Name of Sr. Asstt. Presiding Officer Designated as Presiding Officer
--	---	--	--

1..... 1..... 1..... 1.....

2.....

3.....

RESERVE STAFF

1.....

1.....

2.....

(Assistant Presiding Officer)

3.....

1.....

1.....

(Polling Officer)

2.....

3.....



**GOVERNMENT OF SINDH
LOCAL GOVERNMENT AND
HOUSING TOWN PLANNING DEPARTMENT**

Karachi, dated the 6th May, 2016

N O T I F I C A T I O N

No. SOA/LG/4(34)2014. In exercise of the powers conferred by section 138 of the Sindh Local Government Act, 2013, read with sub-section (1) of section 96 and section 100 thereof and entry 20 of Schedule VII thereto, the Government of Sindh are pleased to make the following Rules:-

1. (1) These rules may be called The Sindh Councils (Imposition, Assessment, Collection and Administration of Taxes, Rates, Toll and Fees) Rules, 2016. **Short title and commencement.**

(2) They shall come into force at once.
2. In these rules, unless there is anything repugnant in the subject or context:- **Definitions.**
 - (a) "Act" means Sindh Local Government Act, 2013;
 - (b) "inhabitant" means any person ordinarily residing or carrying a business or owning or occupying immovable property in the local area and includes a person who is likely to be affected by a taxation proposal;
 - (c) "report" means the report of the committee or sub-committee prepared under sub-rule (3) of Rule ;
 - (d) "section" means the section of the Act;
 - (e) "sub-committee" means the sub-committee appointed under sub-rule (2) of Rule 5;
 - (f) "taxation proposal" means a proposal framed by a council for the imposition/abolition or suspension of tax, or an increase or reduction in rates of tax;
3. A council may at any time review its financial position and if in its opinion any position or change in the tax structure is called for it shall formulate or cause to be formulated a taxation proposal. **Preliminary taxation proposals.**

Provided that no taxation proposal shall be formulated in respect of a tax before the expiry of six months since its imposition, reduction, suspension or abolition.

(1) Every taxation proposal prepared under Rule 3 shall be published alongwith a noticefor inviting objections and suggestions thereon within fifteen days of publication of taxation proposal in the daily Leading Newspapers in Urdu, Sindhi and English Languages.

Publication of preliminary taxation proposal.

(2) The notice under sub-rule (1)---

(i) may specify-

- (a) the main features of taxation proposal;
- (b) the class of persons of description of property or both affected thereby;
- (c) the amount or rate of tax to be imposed and the previous amount or rate if any;
- (d) additional income likely to be raised by the imposition of tax or the incese in the tax and purpose for which this additional income is proposed to be spent;
- (e) the loss of income likely to be caused by the abolishing or suspension of the tax or reduction in the rate of the tax and the manner in which its shortfall income is proposed to be made up;
- (f) justification of taxation proposals; and
- (g) any other particular matter considered necessary for the information of thepublic.

(ii) shall accompany a taxation program specifying-

- (a) the date, which shall not be earlier than fifteen days from the publication of the notice, by which objections or suggestions received under this rule;
- (b) the date or dates fixed for the hearing of objections and suggestions received under this rule;
- (c) the dateby which the final taxation proposal shall be send to Government for sanction.

5. (1) All objections and suggestions received under rule 4, shall be entered in a register meaintained for the purpose.

Hearing of objections and suggestions to preliminary taxation proposal.

(2) The Finance Committee of the Council shall hear and examine the objections and suggestions under the Chairmanship of the Mayor or Chairman of the Council, as the case may be.

(3) On the date or dates fixed for the hearing of objections and suggestions, the Committee shall hear the same in public and shall afford all possible facilities to the persons making them to present their case.

(4) The Committee shall as early as possible after close of the hearing of objections and suggestions, draw up and furnish detailed report to the council.

(5) The report under sub-rule (4) shall specify-

- (a) the salient features of the taxation proposal;
- (b) the numbers and nature of objections and suggestions received within the specified period;
- (c) the manner in which the objections and suggestions were heard;
- (d) the findings of the committee in respect of each objection and suggestion heard by it;
- (e) the recommendations of the sub-committee with regard to the taxation proposal indicating whether the recommendations are, as nearly as possible in accordance with the model tax schedule, if any, framed by Government under section 6; and
- (f) financial implications involved in such recommendations.

6. (1) The Mayor or Chairman, as the case may be, shall present the report to the special meeting of the council convened for consideration of the taxation proposal.

Finalization of taxation proposals.

(2) The Council shall consider the report and for the reasons incorporated in its resolution-

- (a) approve it with or without modification, or
- (b) drop the taxation proposal;
- (c) if the Council approves the taxation proposal, with or without modifications, it shall be submitted to Government along with a copy each of the report of the committee and the resolution approving it.

7. (1) Where Government has sanctioned the taxation proposal, the order of Government shall be notified in the official Gazette and such order shall come into force on and from such date as may be specified in the notification.

Publication of the sanctioned taxation proposal.

(2) The Chief Executive of the respective cou
fifteen days of the publication of the taxation proposal send a
copy of the gazette notification to the Government for
information.

(NOOR MUHAMMAD LAGHARI)
SECRETARY TO GOVERNMENT OF SINDH

No.RD/PIH/EDU/() / 2016 On the basis of evidences/order issued by District officer Education Academic and Training Tando Allahyar produced by the applicant **Mr. Nazeer Ahmed father of Muhammad Yasir**, relating to correction in his name in the academic documents of his son. **The Director, Regional Directorate Inspection & Registration of Private Institutions Hyderabad Region, Hyderabad**, is pleased to accord his permission to make under noted correction.

The correct father's name of the student is **Nazeer Ahmed** (instead of **Muhammad Nazeer**).

No. RD/PIH/EDU/() / 2016 On the basis of evidences produced by the applicant **Mr. Ali Akbar F/O Sajid Ali**, relating to correction in his name in the academic documents of his son. **The Director, Regional Directorate Inspection & Registration of Private Institutions Hyderabad Region, Hyderabad**, is pleased to accord his permission to make under noted correction.

The correct father's name of the student is **Ali Akbar** (instead of **Akbar Ali**). Sajid Ali is Ex-Student of Happy Children Primary School Hyderabad.

QADIR BUX RING
DIRECTOR
(I & R) PRIVATE INSTITUTIONS
HYDERABAD REGION HYDERABAD

**LOCAL GOVERNMENT, RURAL
DEVELOPMENT AND HOUSING TOWN
PLANNING DEPARTMENT**

Karachi dated the August, 2016

NO.SOA(LG)/4(34)/2014: In exercise of the powers conferred by section-138 of the Sindh Local Government Act, 2013, read with section 83 thereof and entry 3 of Schedule VII thereto, the Government of Sindh are pleased to make the following Rules:

**CHAPTER-1
PRELIMINARY**

1. **Short title and commencement.**-(1) These rules may be called the Sindh Council (Conduct of Business) Rules, 2016.

(2) The shall come into force at once
2. **Definnitions.**-(1) In these rules, unless the context otherwise requires;
 - (a) "Act" means the Sindh Local Government Act, 2013;
 - (b) "agenda" means the list of business to be disposed of at a meeting;
 - (c) "business" means the business of a council under the aCt, rules of bye-laws;

- (d) "committee" or "sub-committee" means respectively a committee or sub-committee of a council;
 - (e) "meeting" means a meeting of a council called under the Act to dispose of the business of the Council, and includes the day to day sittings of such council excepting any holiday, unless the council decides to sit on such holiday;
 - (f) "motion" means a proposal made by a member relating to any matter which may be brought for consideration of the council;
 - (g) "Presiding Officer" means mayor, Deputy Mayor, Chairman, Vice Chairman or a member presiding over a meeting under section 83(2);
 - (g) "section" means a section of the Act;
 - (h) "sitting" means the part of a meeting which is held on any one day for any period as is fixed by the Mayor or Chairman, as the case may be.
- (2) The words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.

CHAPTER -II MEETINGS, THEIR AGENDA, QUORUM AND TRANSACTION OF BUSINESS

3. Meetings:-(1)There shall be -

- (i) Ordinary meetings, which may be convened by the Mayor or Chairman, as the case may be at any time as he deems fit;
- (ii) special meetings, which may be convened on the directions of Government or on receipt of a requisition in writing by at least one- third of the total number of members; and
- (iii) emergent meetings for disposal of any urgent business.

(2) Any ordinary meeting shall be convened by the Mayor or Chairman, as the case may be, at any time as he deems fit; provided that there shall be at least one such meeting in every month.

(3) A special meeting shall be convened by the Chief Executive, Town Officer or Secretary, as the case may be, as soon as may be, after the direction of Government or, as the case may be, the requisition of the members and the date for such meeting shall be fixed in consultation with the Mayor or Chairman.

(4) An emergent meeting may be called by the Mayor or Chairman, as the case may be, of his own or on the direction of Government or requisition of the members as in the case of a special meeting.

(5) An emergent meeting shall have priority over a special meeting and a special meeting shall have priority over any ordinary meeting.

(6) All meetings shall ordinarily be held at the office of the Council; provided that if for any good or sufficient reason it is not possible to hold a meeting at the office of the council, such meeting may, with the prior approval of Government, be held at any other place approved by Government or as the case may be, authorized person.

4. **Notice for meetings.**-(1)A meeting shall be held at such place, date and time as may be fixed by the Mayor or Chairman, as the case may be.

(2) Seven clear days' notice shall be given for an ordinary meeting, two clear days notice for a special meeting and one day notice or as the case may be for an emergent meeting.

(3) The Chief Executive, Town Officer or Secretary as the case may be, shall cause the notice to be served on the members and a copy thereof to be pasted at the office of the council.

(4) The notice shall inter-alia specify the place, date and time of the meeting and be accompanied by the agenda, if any.

5. **Agenda.**-(1) The agenda for a meeting shall be prepared by the Chief Executive, Town Officer or Secretary with the approval of the Mayor or Chairman, as the case may be.

(2) The agenda for an ordinary meeting shall be prepared in the following order:

- (a) confirmation of the minutes of the previous meeting, whether ordinary, special or emergent;
- (b) all the elections to be held and appointments to be made by the council under the Act, rules or bye-laws;
- (c) all matters deferred from previous meetings;
- (d) consideration of the directions of Government;
- (e) matters placed before the council by the Mayor or Chairman, as the case may be;
- (f) reports of the committees and sub-committees;
- (g) motions and questions of which notice have been given by the members and admitted by the Mayor or Chairman, as the case may be, (list of questions admitted shall be appended to the agenda);
- (h) details of documents to be laid on the table for the information of the members, such as -
 - (i) copies of Audit report, Inspecting Officer's report and answers;
 - (ii) Any information or material received from Government or other institutions;
 - (iii) any other matter which is useful to the council;

(3) The agenda for a special or emergent meeting shall be prepared in the following order; -

- (a) consideration of the matters for which the meeting has been convened;
- (b) questions asked by the members and admitted by the Mayor or Chairman, as the case may be;
- (c) any other business approved by the Mayor or Chairman, as the case may be;

(4) The questions, motions and resolutions notices whereof have been given and which are allowed, shall be included in the agenda for the particular day on which they are to be answered or, as the case may be, moved.

(5) Subject to the availability and the orders of the Mayor or Chairman, as the case may be, the members shall be provided copies of document or information relating to the matters on the agenda.

6. **Adjournment or post pavement of meeting.**-(1)Save as otherwise provided in these rule no meeting shall, be adjourned until the agenda thereof is disposed of or a resolution of adjournment is passed or the Presiding Officer, for any reason to be recorded in writing, makes such order, provided that the Presiding Officer shall not of his own adjourn an emergent meeting.

(2)In the case of grave disorder at any sitting the Presiding Officer may adjourn the sitting for the next day.

(3)No meeting shall, except with the prior permission of Government or any person authorized by it in this behalf be postponed on more than two occasions in a month.

7. **Quorum.**-(1)The quorum for an ordinary and special meeting shall respectively be one third and one half of the total number of members constituting the Council, fraction being counted as one; provided that the quorum shall not be necessary for an emergent meeting.

(2)The quorum shall be necessary throughout the meeting.

(3)A meeting other than an emergent meeting shall be adjourned for want of a quorum but no meeting shall be adjourned unless thirty minutes have elapsed since the commencement of the meeting.

(4)No quorum shall be necessary at a meeting adjourned for want of quorum.

(5)Except as provided in sub rule (4) any business transacted in the the order in which it is entered on the agenda, and once an item is included therein it shall not be removed there from without the permission of the Presiding Officer;

8. **Order of Business.**-(1)The business at a meeting shall be taken up in the order in which it is entered on the agenda, and once an item is included therein it shall not be removed there from without the permission of the presiding Officer:

Provided that the Presiding Officer may, with the consent of the majority of the members present at the meeting, vary such order.

(2)All business appointed for any day and not disposed of before the termination of the sitting shall be conducted on the next or subsequent days.

9. **Address by non-member.**-Any officer of Government or any other person may, by invitation or on the direction of Government, address a meeting of a Council.

10. **Presence and powers of the Chief Executive at meeting of the Council and Committees.** The Chief Executive, Town Officer or Secretary, as the case may be, shall have the same right of being present at a meeting of the Council or any committee or sub-committee thereof and of taking part in the discussions thereat as a member of the council or such committees, and may at any time make a statement or explanation of facts but he shall not vote upon any proposition at any such meeting.

11. **Decision by Vote.**-(1)When any matter is put to vote, the votes shall be counted by show of hands but no members shall be compelled to vote:

Provided that if at the time of declaration of the result of voting by show of hands a poll is demanded by the majority of the members, the Presiding Officer shall take votes again and declare the result and record the same in the Minute Book with the names of the members voting for and against the proposition.

(2) Where, in the case of equality of votes, the presiding officer does not exercise the casting vote, the consideration of the proposition and shall be deemed to have been deferred to the subsequent meeting.

(3) A member voting against a proposition may request that his dissent may be recorded in the Minute Book.

12. **Minutes.**-(1) After the minutes have been drawn up under section 83(6), a copy thereof shall be sent to the members within fifteen days of such meeting.

(2) A member who was present at a meeting may object to the confirmation of the minutes of that meeting by moving an amendment on the ground that any matter is not correctly recorded or expressed therein, and if the Presiding Officer of that meeting is satisfied that such corrections should be made, he shall make the corrections and finally authenticate the minutes.

(3) The minutes or any part thereof may be published in such manner as may be decided by the council.

(4) A separate page in the Minutes Book shall be provided for recording the attendance of the members at the meetings.

13. **Reconsideration of matter once disposed of.**-Unless Government otherwise directs or a requisition by not less than two thirds of the total number of members of the council is made, no matter finally disposed of by a council shall be reconsidered by it within three months of its disposal.

14. **Language.**-The proceedings of the meeting may be in Urdu, Sindhi or English.

15. **Leave of absence of members.**-Leave of absence in a calendar year may be granted to the members by the council for a period not exceeding forty-five days in case the member seeks to enjoy the leave within the country, and for a period not exceeding ninety days in case the member seeks to enjoy the leave outside the country; provided that in case of extension in leave the council may approve such extension.

Provided further that the period of leave of absence shall not ordinarily exceed 180 days in the entire term of office of the council.

CHAPTER-III QUESTIONS, MOTIONS AND RESOLUTIONS

16. **Questions.**-A question may be asked by a member from the Presiding Officer for the purpose of obtaining information on a matter of public concern within the cognizance of the council.

17. **Admissibility of questions.**-(1) The Presiding Officer may disallow the question which-

- (a) is not self-contained and intelligible;
- (b) relates to a matter which is subjudice;
- (c) is frivolous, offensive, or injurious to the interest of the council;
- (d) is outside the scope of the council;
- (e) asks for expression of an opinion;
- (f) contains arguments, inferences, ironical expressions or defamatory statements;
- (g) requires information contained in the documents ordinarily accessible to the public;
- (h) contains references to newspapers by name or asks whether statements in the Press or of private individuals or bodies are accurate;
- (i) asks for an expression of legal opinion or the solution of an abstract or hypothetical proposition.

- (j) refers to the character or conduct of any member or official of the council, except in his public or official capacity;
- (k) is excessive in length;
- (l) amounts in substance to suggestion for any particular action.

(2) The Presiding Officer may in his discretion amend the form of any question without changing the substance thereof.

(3) All questions and, where possible, the supplementary questions and gist of the replies shall be recorded in the minutes of the meeting.

18. Notice of question.-(1) A member desiring to ask a question in a meeting shall send it along with a notice to Chief Executive, Town Officer, or Secretary, as the case may be.

(2) A question shall, if admitted, be asked in the first meeting held after fourteen days of the receipt of notice under sub-rule (1) and shall be included in the agenda of the day fixed for answer thereof.

(3) The Mayor or Chairman, as the case may be, may notwithstanding the provisions of sub-rules (1) and (2) may admit any question for answer at any meeting and the question shall accordingly be answered.

(4) A member who desires an oral answer to his question may distinguish the question with an asterisk and such questions shall be arranged separately as starred questions and answers thereof shall be given on the day and time fixed for such answer; provided that lengthy answers to such questions may be placed on the table without being read.

(5) Unless otherwise directed by the Mayor or Chairman, as the case may be, not more than three starred questions by the same member may be included in the agenda for the same day.

(6) On the day and time fixed for a question, the Presiding Officer shall call out the name of the member, who has given notice of the question, and such member shall, if present, stand up and ask the question.

19. Supplementary questions.-(1) Any member may ask any supplementary questions in elucidation of the answer given to a starred question but the number of such questions asked by such member shall not exceed three.

(2) The Presiding officer may, on the principles stated in sub-rule (1) of rule 17 disallow any supplementary question.

20. Motion and Resolution.-(1) Any member, who desires to bring forward any business or to move a resolution at a meeting, shall along with the statement of such business or a copy of the resolution give a written notice thereof to the Chief Executive, Town Officer or Secretary, as the case may be, for at least ten days for bringing the same before an ordinary meeting and two days before a special or emergent meeting; provided that the Mayor or Chairman, as the case may be, may allow a motion or resolution at a shorter notice or without notice.

(2) All notices or motions and resolutions shall be dated and numbered as they are received and included in the agenda, and motions and resolutions allowed by Mayor or Chairman, as the case may be, shall, after the dispatch of the agenda for a particular day, be circulated among the members as soon as possible.

(3) The Mayor or Chairman, as the case may be, may refuse to allow any motion or resolution to be moved if he considers that-

- (a) it is not definite or is not clearly and precisely expressed;
- (b) it contains arguments, inferences, ironical expressions, or defamatory statement;
- (c) it refers to the conduct or character of a person except in his official or public capacity;
- (d) it relates to a matter which is not primarily the concern of the council or it contravenes the provisions of sub section (10) of section 83;
- (e) it is not otherwise suitable for discussion at a meeting.

(4) A member who wishes to move an amendment to a motion or resolution shall give at least one day's notice in writing; provided that the Mayor or Chairman, as the case may be, may allow such amendment to be moved at a shorter notice or without notice.

(5) An amendment must be relevant to the motion or resolution and may propose a variation thereof or any addition thereto or omission therefrom, but no amendment shall be a direct negation of the motion or resolution before the meeting, nor shall it be the same in substance as a motion on an amendment already negated at the same meeting.

(6) On the day and time fixed for a motion, resolution or amendment the Presiding Officer shall call out the name of the member seeking to move the said motion, resolution or amendment, and such a member shall, if present stand up and move the motion, resolution or amendment, and if the motion, resolution or amendment is not moved it shall be deemed to have been withdrawn.

(7) A motion, resolution or an amendment may not be moved in a form different from that in which it appears in the notice unless the Presiding Officer permits it to be moved in an altered form.

(8) At any time before the motion, resolution or amendment has been put to vote, it may be withdrawn by its mover with permission of the Presiding Officer and no discussion on withdrawn motion, resolution or amendment shall be held.

CHAPTER-IV DEBATE

21. **Speeches.**-(1) Except as otherwise provided in these rules, a member may speak on any matter before the meeting or raise a point of order.

(2) A member who desires to speak shall rise from his seat and address the Presiding Officer.

(3) After the member who moves a motion has spoken, other members may speak on the motion, resolution or amendment in such order as the Presiding Officer may call upon them, if more than one member should rise at the same time, the member whose name is called by the Presiding Officer shall be entitled to speak and the other member shall resume his seat.

22. **Procedure of debate.**-(1) A member while speaking shall not-

- (a) use the name of the Presiding Officer for the purpose of influencing the debate;
- (b) make a personal charge as against a member,
- (c) use his right for willfully obstructing the business of the meeting;
- (d) make a speech in contravention of the provisions of sub section (10) of section 83.

(2) A member shall not read his speech but may refresh his memory by reference to notice.

(3)Quotations from documents or reference may be read out and their originals shall, if required by the Presiding Officer, be placed on the table.

(4)The Presiding Officer may direct the member speaking to discontinue his speech if such member, after being warned by him persists in irrelevance or in repetition of his own argument or the arguments used by other members.

(5)Except in the exercise of a right of reply or otherwise provided by these rules, no member shall speak more than once on any motion save with the permission of the Presiding Officer and for the purpose

(6)The Presiding Officer may, wherever he deems fit, address the meeting on matters relating to procedure before putting any motion or resolution to vote and whenever the Presiding Officer addresses or rises to address the meeting, any other member rising to address or addressing shall at once resume his seat and postpone his address.

(7)A member shall not cross between the Presiding Officer and the member speaking, read out from any book, newspaper or letter except in connection with the business of the debate and except with the permission of the Presiding Officer, interrupt any member while he is speaking.

(8)When for the purpose of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question, from another member on any matter under consideration of the meeting, he shall ask question through the Presiding Officer;

23. Point of Order.- (1)Any member may, at any time raise a point of order calling in question only the propriety of the proceedings before the meeting for the decision of the Presiding Officer but in doing so he shall confine himself to stating the point.

(2)When the point of order has been raised, the member speaking shall resume his seat.

(3)No discussion on any point of order shall be allowed except with the consent of the Presiding Officer.

(4)The Presiding Officer shall decide all point of order and his decision shall be final.

(5)After a decision has been given under sub-rule (4), the member speaking before the point of order shall resume his speech.

24. Personal explanations.-Any member may, with the permission of the Presiding Officer, make a personal explanation although there may be no such question before the meeting.

Provided that such explanation, if permitted, shall be made at the earliest possible opportunity before the business for the day is entered upon, and shall be limited to the circumstances which are the subject of the explanation and no speech or debate thereon shall be allowed by the Presiding Officer.

25. Time-limit on speeches.-The Presiding Officer may at any time fix a limit for speeches, and no speech shall exceed the limit so fixed:

Provided that the mover of a motion, resolution or amendment when moving the same, may speak for such longer time as the Presiding Officer may permit.

26. **Closure.**-At any time after a motion or resolution has been moved the Presiding Officer may, of his own or on a motion of a member, put the motion or resolution to vote and the motion or resolution shall be decided accordingly without further amendment of debate"

27. **Preservation of order at the meeting.**-(1)The presiding Officer shall preserve order at the meeting and have all powers necessary for enforcing his decisions.

(2)The Presiding Officer may direct any member whose conduct, is, in his opinion, grossly disorderly to withdraw immediately and the member concerned shall do so forthwith and shall, unless, recalled by the Presiding Officer, absent himself during the remainder of the meeting.

(3) The Presiding Officer may cause to be summarily removed any member, who disobeys an order to withdraw.

CHAPTER-V COMMITTEES AND SUB-COMMITTEES

28. **Constitution of committees and sub-committees.**-(1)The number of committees and sub-committees under section 84 and members and co-opted members thereof shall be determined by the council.

(2) There shall be a Chairman of each committee or sub-committee of committees and sub-committees under section 84 from amongst themselves in such manner as they deem fit:

Provided that a member shall not be the Chairman of more than one committees including sub-committees.

(3) The election of the members of the committees and sub-committees shall be by secret ballot and by proportional representation:

Explanation.- For the purpose the proportional representation the election of all the candidates for one committee or sub-committee shall be held at one and the same time, one member having only one vote to be cast in favor of only one candidate, and the requisite number of the candidates receiving higher votes in descending order shall stand elected to the committee or sub-committee, as the case may be, and if there is a tie between two or more candidates in the lowest place the result shall be pronounced by drawing lot.

(4)Unless all the members have been elected to one or the other committee or sub-committee, no member shall be entitled to be elected to more than one committee.

(5)Where a committee or sub-committee for coordination under these rules is constituted, such committee shall notwithstanding sub-rule (2), be headed by the Mayor or Chairman, as the case may be.

(6)The members including the Chairman of a committee or sub-committee shall hold office for a period of one year.

Provided that Government may on its own motion or on representation made in this behalf by the council extend the period not exceeding six months at a time.

29. **Resignation and filling of casual vacancies.**-(1)Any member of a committee or sub-committee may resign from such committee by tendering his resignation in writing to the Mayor or Chairman, as the case may be, and such resignation shall take effect from the date of its acceptance by the council.

(2) A vacancy occurring in any committee or sub-committee shall be filled up in the same manner as provided in rule 28.

30. Functions of Committees and sub-committees.—The functions of a committee or sub-committee shall be only to advise the council on all or any of the matters specified in the Schedule and assigned to such committee and any advice tendered or recommendation made or resolution passed by such committee shall be given due regard but shall not be binding on the council.

31. Conduct of Business.—(1) The business of a committee or sub-committee shall be conducted in the meetings of such committee or sub-committee.

(2) The meetings of the committees or sub-committees shall be presided over by its respective Chairman and in his absence by the member chosen for the purpose by the members present.

(3) A committee or sub-committee may meet and adjourn as it thinks necessary.

(4) The quorum for a meeting of a committee or sub-committee shall be two or one third of its total number of members whichever is greater.

(5) The decisions shall be taken by the committee or sub-committee by majority of votes and in case of equality of votes, its Chairman shall have a casting vote.

32. Resolution of committees and sub-committees.—(1) Resolution passed by a committee or sub-committee shall be recorded in a Minute Book and signed by its Chairman, and a copy thereof shall be forwarded to the Mayor or Chairman, as the case may be, within three days of the passing of such resolutions.

(2) Such resolutions shall not be made public or disclosed to the Press without the prior approval of the Mayor, or Chairman, or the Council, as the case may be.

33. Channel of correspondence.—(1) All correspondence of the council with Government shall be conducted by the Chief Executive, Town Officer or Secretary, as the case may be—

- (a) directly in the case of Corporations; and
- (b) through—
 - (i) the Director, Local Government in the case of District Councils and Municipal Committees and Union Committees; and
 - (ii) the Assistant Director, Local Government in the case of Union Councils and Town Committees:

Provided that the Chairman may in any case of special importance address correspondence directly to Government through Secretary, Local Government Department and simultaneously endorsing a copy thereof to the Director or Assistant Director, as the case may be.

(2) The Director, Local Government or Assistant Director, Local Government shall have the powers to make such observations and recommendations in respect of the correspondence referred to in clause (b) of sub-rule (1) as he may consider necessary for the consideration of Government but he shall not have authority to withhold any such correspondence.

(3) A member may in relation to any matter connected with the affairs of the council make any reference to Government through the Mayor or Chairman, as the case may be, and the Mayor or Chairman shall forward the same to Government in accordance with the provisions of sub-rule (1).

Provided that a reference containing a complaint against the Mayor or Chairman may be made directly to the Secretary, Local Government Department.

34. Authentication of orders of council.-Every order of a council shall be signed by the Mayor or Chairman, as the case may be, or any, other Officer authorized by it in this behalf, and shall be sealed with the seal of the council, which shall be kept in the custody of the Chief Executive, Town Officer or Secretary, as the case may be.

CHAPTER - VI DISTRIBUTION OF BUSINESS

35. Organization of Councils into Department.-(1)For the purpose of financial and executive administration the activities of a council shall be deemed to have been organized into the Departments existing therein and more particularly into the following Departments that is to say:-

- (a) General Department;
- (b) Finance Department;
- (c) Taxation Department;
- (d) Education Department;
- (e) Social Welfare Department;
- (f) Health & Sanitation Department;
- (g) Medical Department;
- (h) Animal Husbandry Department;
- (i) Water Supply & Drainage Department;
- (j) Engineering Department;
- (k) Disaster Respond Department;

(2)In a council, having smaller Schedule of establishment, two or more departments may be merged into one department known by the combined name of the departments merged, and in a council having greater schedule of establishment any further department may be created with the approval of Government.

(3)Where a council does not have and it is not feasible to create any Departments, the Chief Executive shall be deemed to be the Head of the Department and the functions assigned to the Departments shall be performed by the office of the council.

36. General Department.-The General Department shall be responsible for-

- (a) general administration;
- (b) the administration of the Council Secretariat;
- (c) the administration of the service conditions of the employees of the council;
- (d) the coordination of the activities of various Departments of the council.

37. Finance Department.-(1) The Finance Department shall be responsible for-

- (a) the financial administration of the Council;
- (b) the administration of the local fund and any other fund created by or under the Act by or for the purposes of the council;
- (c) the maintenance of accounts, financial reporting to Local Government, Finance Department and Provincial Local Government Commission on quarterly basis;
- (d) the framing and enforcement of the budget; and
- (e) the enforcement of the principles of sound finance in the administration of various Departments.

(2) No Department shall, without previous consultation with the Finance Department, issue an order or take any action which either immediately or by repercussion is likely to affect the finances of the council by involving increased expenditure on any account, or a relinquishment of the revenue.

38. Taxation Department.- The Taxation Department shall be responsible for the collection and administration of all taxes, lees, charges, receipts and other revenues of the council.

39. Education Department.- The Education Department shall be responsible for-

- (a) the administration of educational institutions maintained by the council;
- (b) the payment of grants or contributions to educational institutions;
- (c) the award of scholarships;
- (d) the enforcement of compulsory education; and
- (e) the undertaking of other activities incidental or consequential to the promotion of education.

40. Social Welfare Department.- The Social Welfare Department shall be responsible for-

- (a) the organization of social welfare work;
- (b) the administration of welfare institutions maintained by the council;
- (c) the administration of community projects;
- (d) the co-ordination of the activities of welfare organization in the council;
- (e) the disbursement of grants for social welfare purposes;
- (f) publicity, dissemination of information and public relations;
- (g) libraries and other cultural institutions; and
- (h) the organization of sports;

41. Health and Sanitation Department.- The Health and Sanitation Department shall be responsible for-

- (a) sanitation;
- (b) the organization and administration of preventive measures for public health; and
- (c) promotion of public health including health education

42. Medical Department.- The Medical Department shall be responsible for-

- (a) the organization of medical relief;
- (b) the administration of medical institutions maintained by the council.

43. Animal Husbandry Department.- The Animal Husbandry Department shall be responsible for-

- (a) the administration of veterinary institutions maintained by the council;
- (b) the prevention of cruelty to animals;
- (c) the administration of cattle ponds maintained by the council;
- (d) the administration of slaughter-houses maintained by the council; and
- (e) the organization and administration of cattle fairs and shows.

44. Water Supply and Drainage Department.- The Water Supply and Drainage Department shall be responsible for-

- (a) the organization of water supply;
- (b) the administration of water works of the council;
- (c) fire-fighting;
- (d) street watering; and
- (e) drainage and disposal of water.

45. **Engineering and Works Department.**-The Engineering and Works Department shall be responsible for-

- (a) the maintenance of all roads and buildings of the council;
- (b) the execution of all council works;
- (c) gardens, parks and roadside trees.

46. **Disaster Respond Department.**-The Disaster respond Department shall be responsible for -

- (a) coordination with the Federal and Provincial Disaster Management Authorities and other allied authorities or departments;
- (b) planning to manage any disaster including natural calamity;
- (c) arranging trainings for the staff engaged in the disaster respond activities;
- (d) managing any disaster or calamity in order to prevent the loss of lives and properties and provide emergency relief;
- (e) sharing information with the respective councils timely; and
- (f) furnishing reports to Government regarding the management done.

47. **Branches specified by the Council.**-Every Department shall be organized into such branches as may be specified by the Council, from time to time.

48. **Head of a Department.**-A senior officer shall be the Head of a Department; provided that a Council may appoint the same Officer to be the Head of more than one Department.

49. **Designate of officials.**-A Council shall, from time to time, designate the officials who shall be in charge of the various Branches.

50. **Controlling Officer.**- The Mayor or, as the case may be, the Chairman shall be Controlling Officer for all Departments and all Heads of Departments shall be responsible to him.

CHAPTER-VII PASSING OF BUDGET

51. **Consideration by the Council.**-The Budget shall be presented to the Council on such date as may be fixed by the Mayor or, as the case may be, the Chairman; provided that such date shall not be later than the 15th day of June.

(2) The Budget shall be considered by the Council in three stages that is to say-

- (i) presentation;
- (ii) discussion; and
- (iii) voting.

(3) The Mayor or, as the case may be, the Chairman shall fix the period of stages and the period so fixed shall be specified in the agenda for the budget meeting.

52. **Presentation of Budget.**-At the presentation stage, the Mayor or, as the case may be, the Chairman shall present the Budget and explain its salient features in his Budget speecs.

53. **Discussion on Budget.**-At the discussion stage, the discussion shall be restricted to the Budget and the Mayor or, as the case may be, the Chairman may further explain any feature of the Budget and may reply at the end of the discussion to any points raised during the discussion.

54. **Voting on Budget.** At the stage, there shall be no voting on the estimates of Revenue, and the estimates of expenditure shall be presented to the Council in the form of Demands and shall be taken up for consideration in the order provided in the Budget.

55. Each Demand for a Grant shall be embodied in the form of a separate motion to be moved by the Mayor or, as the case may be, the Chairman and shall specify that a sum not exceeding that specified therein

56. **Motion.**-Any member may move a motion -

- (a) to omit or reduce any item, but not to increase the denomination of any grant; and
- (b) for a token cut.

57. **Notice of Motion.**- Notice of motions under rule 56 shall be given to the Mayor or, as the case may be, the Chairman at least two clear days before the day on which such grant or item comes up for discussion.

58. **Token cut.** Where a motion relates to a token cut, the specific purpose for which the token cut is made shall be specified.

59. No motion to omit or reduce any item, or a motion for a token cut shall be moved in respect of any item of expenditure charged on the Local Fund.

60. Where a motion is intended to limit the debate to a subject matter relating to an item, a notice of amendment shall be given to that particular item and not to the total grant.

61. Motions shall be arranged in such order as the Mayor or, as the case may be, Chairman may direct; provided that where several motions are moved to the same figures, priority shall be given to the motion proposing the greatest reduction and the other motions shall be arranged in the descending order of the amounts of reduction proposed.

62. **Time Limit for Speech.**The Mayor or, as the case may be, the Chairman may fix time limit for speeches during the debate or motions to omit or reduce any demand for grants.

63. A Council may assent or refuse to assent to any demand, or it may assent to any demand subject to such reduction as may be specified.

64. Where a token cut is passed, such cut shall be taken at its face value, and the demand shall be reduced accordingly.

65. The Mayor or, as the case may be, the Chairman shall amend the Budget in accordance with the decision of the Council.

66. The Chief Executive shall forward copies of the final Budget to Government by a date not later than the 30th day of June, and while forwarding the Budget, he may make such observations thereon for the consideration of Government as he deems necessary.

BAQAULLAH UNNAROF SINDH
SECRETARY TO GOVERNMENT

**SCHEDULE
(See rule 30)
FINANCE**

- (a) Scrutiny of Annual and Supplementary Reports;
- (b) Financial aspect of all development plans and new works proposed to be undertaken by the council;
- (c) Imposition, assessment, collection of taxes, rates and fees;
- (d) Grants loans and accounts.
- (e) Any other matter related to exchequer of the Council.

WORKS

- (a) Municipal works and establishment connected therewith;
- (b) Streets and street lighting;
- (c) Town Planning;
- (d) Building Control;
- (e) Traffic Control;
- (f) Water supply and drainage.

HEALTH

- (a) Preventive medicine;
- (b) Conservancy, slaughter houses, cow houses and stables;
- (c) Control of epidemic diseases;
- (d) Control of food supplies, markets and water supplies;
- (e) Disposal of sullage, rain water and control of flies, mosquitoes and other causes of diseases;
- (f) Burial of the dead;
- (g) Any Other matter related to preventive medicines and referred to by the council;
- (h) Curative medicine;
- (i) Maintenance of Hospitals, dispensaries, Health Centers;
- (k) Any other matter related to preventive medicine or curative medicine and referred to by the Council.

SOCIAL, CULTURAL AND SPORTS AFFAIRS

- (a) Establishment and maintenance of industrial homes;
- (b) Celebration and holding of symposiums, cultural gatherings, Mushairas, debates, discussion on national days.
- (c) Gardens, parks, zoo, stadiums, open air theatres and play grounds;
- (d) Deaf and dumb schools, blind schools and such other institutions including orphanages;
- (e) promotion of public participation in charitable and other activities essential for relief to poor and needy.

LAND CONTROL

- (a) Lease and sale of council or municipal lands except Katchhi Abadis;
- (b) Fixation of rates of lease money and cost of land;
- (c) Removal of encroachments.

PROPERTY MANAGEMENT

- (a) Council properties, shops, flats and buildings owned by the council;
- (b) Fixation of rents, and all other matters relating to council properties.

WATER AND SEWERAGE COMMITTEE

All matters relating to schemes of water and sewerage and their operation, maintenance, improvement or management.

INFORMATION AND PUBLIC RELATIONS

All matter relating to print & electronic media including complaints and grievances agitated in the media.

EDUCATION

Schools, libraries, reading rooms and such other institutions referred to by the Council.

**NAMING OF STREETS, INSTITUTIONS
AND OTHER PLACES**

All matters connected with the naming of streets, roads, institutions and other places.

FOOD AND AGRICULTURAL DEVELOPMENT

- (a) All matters relating to animal husbandry, zooids, cruelty to animals and stray animals;
- (b) Promotion of breeding of health cattle;
- (c) Matters relating to rationing and supply and distribution of eatables;
- (d) Price checking and control.

LEGAL AFFAIRS

All matters relating to legal affairs.

CO-ORDINATION AND SUPERVISION

- (a) to coordinate the functioning of the various sub-committees formed by the Council;

- (b) in case of any dispute arising between any of the established committees with regard to their respective powers and functions, to arbitrate and settle the same and the decision so reached by the committee shall be binding on the concerned committee

ESTBLISHMENT

All matters relating to staff and administration.

MISCELLANEOUS

Any other matter or function consistent with the Act and rules and assigned to the Council.



**GOVERNMENT OF SINDH
LOCAL GOVERNMENT AND HOUSING
TOWN PLANNING DEPARTMENT**

Karachi dated 4th October, 2016

NOTIFICATION

No.SOA/LG/4(34)/2014: In exercise of the powers conferred by section 138 of the Sindh Local Government Act, 2013, read with section 77 and entry 5 of Schedule VII thereof, the Government of Sindh are pleased to make the following Rules, namely:-

1. **Short title and commencement.-** (1) These rules may be called the Sindh Local Council (Contract) Rules, 2016.

(2) These rules shall come into force at once.

2. **Definitions.-** (1) In these rules, unless the subject or context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say-

- (a) "Act" means the Sindh Local Government Act; 2013;
- (b) "agreement" means any kind of undertaking expressed or implied, made between a Council and other person for consideration, for the purchase or supply of goods or materials, or for the acquisition, purchase or transfer by grant, gift, sale, mortgage, lease exchange or otherwise of any movable or immovable property or for the execution of work or for the performance of any service;
- (c) "Authority" means the Mayor or Chairman, as the case may be, and includes any other officer of the Council authorized by it;
- (d) "contract" means an agreement enforceable by law;
- (e) "Contractor" means a person, firm, company or organization which undertakes to execute work including services related thereto, other than consulting services, incidental to or required for the contract with the Council;
- (f) "form" means form appended to these rules;
- (g) "Schedule" means the Schedule annexed to these rules

(2) Words and expressions used but not defined in these rules shall have the same meanings respectively assigned to them in the Act.

3. **Councils not responsible for unauthorized contract.**- No contract shall be binding on a Council unless it is made in conformity with the provisions of these rules.

4. **Authority to make contract.**--(1) Subject to the provisions of the Act and rules made thereunder and the Sindh Public Procurement Regulatory Authority Act, 2009 and the rules framed thereunder, all contracts shall be made on behalf of a Council by the Authority.

(2) No contract exceeding the value specified in column 2 of the First Schedule against the Council specified in column 1 thereof shall be made without the prior approval of the Council.

5. **Manner of making contracts.**-- (1) A formal deed of contract shall be executed between the Authority and the contractor for every contract-

- (a) The performance whereof shall be subject to such conditions as may be specified by the Authority;
- (b) shall be made after inviting tender; or
- (c) for the acquisition, purchase, lease, sale or transfer of any immovable property or for any consideration.

(2) All contracts by or on behalf of a Council shall be signed by the Authority or any officer authorized by it in this behalf and attested by two witnesses and shall bear the seal of the Council and shall be executed in such form as would bind him if these were made on his own behalf .

(3) All agreement shall be written on a stamp paper of the appropriate value and shall, where necessary, be registered under the law for the time being in force for the registration of documents.

(4) All contracts shall be recorded in a Contract Register to be maintained in Form 'A' & 'B'.

6. **Personal responsibility of the person approving or making contract.**- The Authority shall be personally responsible for ensuring that-

- (i) The contract is made without coercion, undue influence, fraud or misrepresentation of parties;
- (ii) the parties are competent to make the contract;
- (iii) the contract does not involve any favoritism;
- (iv) no official or member of the Council is directly or indirectly interested in the contract;

- (v) the contract is in the best interest of the Council and in making it full advantage has been taken of the competitive rates prevailing in the market; and
- (vi) the contract is legally in order.

7. Procurement of Goods, Works and Related Services and invitation of tenders.- (1) In procurement of goods, works and services, the provisions of the Sindh Public Procurement Rules, 2010 shall be followed in letter and spirit.

(2) Subject to provisions of sub-rule (1), the Authority shall, at least seven days before entering into contract involving an expenditure specified in the First Schedule, give public notice in newspaper inviting tenders for such contract and may accept any of the tenders so made, which appears to be most advantageous.

(3) The Council may in cases where the question of securing competitive prices or rates is not involved, authorize the Authority to enter into a contract without inviting tenders.

(4) Subject to sub-rule (3), a public notice in respect of the tenders shall be pasted or affixed at a conspicuous place at the office of the Council.

8. Provisions as to tenders.- (1) No tender shall be deemed to be valid unless -

- (i) it is sealed;
- (ii) in the case of a tender submitted by a firm, it is signed by each member of the firm or a person holding a power of attorney on their behalf; and
- (iii) it is accompanied by an earnest-money equal to two percentum of the amount of the tender, in cash, or in any other manner specified by the Council; provided that the Council may, in special cases and for reasons to be recorded in writing, waive the condition of the earnest money.

(2) All tenders shall be opened by the Authority at time and place specified in the public notice issued under rule 7 in the presence of such contractors as may be present and the Authority shall affix his initials and date on every tender so opened.

9. Security for performance of contract.- (1) When a tender is accepted under the provisions of these rules and the Sindh Public Procurement Rules, 2010, a contract agreement shall be entered into between the contractor and the Council in accordance with those rules, and the contractor shall be required to deposit in the specified manner and within the time fixed, such sum together with the earnest money, if any, and will

make up sum equal to one-tenth of the amount of his tender, as security for the due performance of the contract.

(2) The security shall, on completion of the contract to the satisfaction of the Authority and after the maintenance period, if any, prescribed under the agreement, be refunded to the contractor.

10. **Appointment of Consultants.** Where the nature of works or schemes so requires, the Authority may, with the approval of the Council, appoint consultants in accordance with the procedure laid down in the Sindh Public Procurement Rules, 2010.

8. **Enforcement of contract.**-(1) The Authority shall take such steps as may be necessary to enforce the performance of contracts in accordance with the terms and conditions thereof and to the best interest of the Council.

(2) Where a contract is not performed according to its terms and conditions, the Authority shall take such action as may be necessary to invoke the penalty clause of the contract and to safeguard the interest of the Council.

(3) On the completion of the contract, the Authority shall record a certificate to that effect, and if the contract was made with the approval of the Council; a report regarding its completion in a prescribed proforma shall be submitted to the Council.

(BAQAULLAH UNNAR)
SECRETARY TO GOVERNMENT OF SINDH

A copy is forwarded for information and necessary action to:-

1. The Additional Chief Secretary,_____ (all), Government of Sindh, Karachi.
2. The Secretary of Governor Sindh, Karachi.
3. The Administrative Secretary_____ (all), Government of Sindh, Karachi.
4. The Commissioner_____ (all).
5. The Mayor/Municipal Commissioner, KMC/HMC/SMC and LMC.
6. The Chairman, District Municipal Corporation_____ (all), Karachi.
7. The Chairman/Chief Officer, District Council_____ (all).
8. The Director, Local Government_____ (all).
9. The Deputy Secretary (Staff) to Chief Secretary Sindh, Karachi.
10. The Chairman/Chief Municipal Officer, Municipal Committee,_____ (all).
11. The Chairman/Town Officer, Town Committee,_____ (all).
12. The Assistant Director, Local Government,_____ (all).
13. The Section Officer (Legislation), Law Department, Government of Sindh, Karachi, with reference to his letter No.S.REG.4(11)2016.178, dated 3rd October- 2016
14. PS to Minister, Local Government and Housing Town Planning.
15. PS to Secretary, Local Government and Housing Town Planning Department.

SECTION OFFICER (ADMN:)

FIRST SCHEDULE
[RULE 4 (1)]

Value of amount of contract which can be entered into by the Mayor or Chairman

1. Contract for the acquisition, purchase or transfer by grant, gift, sales mortgage, exchange or otherwise except that of a lease,, of immovable property or any interest taken on and right thereto-

S.No	Name of Council	Up to the value of -
1	Metropolitan corporation	Five million
2	Corporations	Two million
3	District Council	Two Million
4	Municipal Committee	One Million
5	Town Committee	Five hundred thousand rupees
6	Union Committee/ Council	Two hundred and fifty thousand rupees

2. Other contracts --

S.No	Name of Council	Up to the value of -
1	Metropolitan corporation	Five million
2	Corporations	Three million
3	District Council	Three Million
4	Municipal Committee	Two Million
5	Town Committee	One Million
6	Union Committee/ Council	Five hundred thousand rupees

FIRST SCHEDULE
FORM-A
{Rule 5(4)}

S.No.	Date of making Contract	Particulars of the Contract	No. and date of Council Resolution or letter of Authority approving or sanctioning the Contract	Name, parentage, caste, residential and office address of the Contractor	Date of reporting to the Council and reference of Council Resolution	Remarks
1	2	3	4	5	6	7

FORM-B
(Rule5(4))

S.No.	Date of making Contract	Particulars of the Contract	No. and date of Council Resolution or letter of Authority approving or sanctioning the Contract	Name, parentage, caste, residential and office address of the Contractor	Amount or value of the Contract	Bid Security deposited with date, amount and form of deposit
1	2	3	4	5	6	7

Performance Security details	Due date of Completion	Actual date of Completion	Details of payments made to the Contractor are deducted	Action taken on the default by the Contractor	Remarks
8	9	10	11	12	13



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KARACHI, THURSDAY NOVEMBER 3, 2016

PART-I

GOVERNMENT OF SINDH LOCAL GOVERNMENT AND HOUSING TOWN PLANNING DEPARTMENT

Karachi, dated the 20th September, 2016

No.SOA(LG)/4(34)/2014. In exercise of the powers conferred by section 138 of the Sindh Local Government Act, 2013, read with sub-section (1) of sections 96 and 100 thereof and entry 20 of Schedule VII thereto, the Government of Sindh are pleased to make the following Rules:-

CHAPTER-I

1. (1) These rules may be called the Sindh Local Councils (Auctioning of Collection Rights) Rules, 2016. **Short title and commencement.**
(2) They shall come into force at once.
2. (1) In these rules, unless the subject or context otherwise requires- **Definitions.**
 - (i) "Act" means the Sindh Local Government Act, 2013. (Sindh Act No. XLII of 2013);
 - (ii) "Contractor" means a person, firm or a company eligible to make contract with Local Council;
 - (iii) "income" means income from taxes, fees, tolls and other levies of Local Council but shall not include grants, contributions and deposit;

- (iv) "negotiation" means a processed deal with the person, eligible to make a contract, to fetch maximum income out of contract.

(2) words and expressions used herein but not defined in these rules shall have the same meanings as are assigned to them in the Act.

Provided that in case of an income introduced by a Local Council for the first time, the assessed and expected income as provided in the budget from that source shall be the reserve price for the income.

**Attempts to
award the
contract.**

10. At least three attempts shall be made to award the contract of collection rights of an income Council concerned before the commencement of auction has failed to fetch bid equal to the reserve price or more.

**Acceptance of
bid.**

11. (1) The bid received in open auction, if less than the reserve price shall be rejected by the officer incharge of the auction in all cases and the contract shall be re-auctioned in the manner, prescribed in rule-5;

(2) The highest bid, equal to reserve price or above, received in open auction shall be accepted by the officer incharge of the auction and place before the Local Council concerned within ten days or receipt of bid for confirmation; provided that bid so received was reasonable and there was no scope of its further enhancement in view of the concerned Local Council administration.

(3) The Council concerned shall have full powers to accept or reject the bid duly recommended by the Local Council administration for the reasons to be recorded in writing.

(4) In case, all attempts to fetch income equal to or more than reserve price as specified in rule 10 failed before commencement of financial year, the Chief Executive of respective Local Council shall report the matter to the Local Council concerned or decision whether the income be contracted out through negotiation be authorizing the Mayor or, as the case may be, the Chairman or by appointing a Negotiation committee or otherwise,

3. (1) Subject to sub-rule (2), a Local Council may collect an income through a contractor by awarding contract for collection rights for a period not exceeding one year. **Auction of collection rights.**
- (2) A Local Council shall not award contract for collection of an income including water rate, building fee, commercialization charges, sanitation fee, license fee and lighting rate or arrears of the income, demand for which can be raised against a specific person and its arrears can be carried forward.
4. No contract of collection rights of an income of Local Council shall be awarded to contract except in the manner hereinafter prescribed. **Prohibition.**

CHAPTER-II

5. (1) For the contract of awarding of collection rights of an income the following auction procedure shall be adopted:- **Auction procedure.**
- (i) a public notice for conduct of an auction, in not less than three widely circulated newspapers in Urdu, Sindh and English languages, shall be published by the Local Council, at least fifteen days before the date of auction;
 - (ii) a copy of the notice shall be placed on the notice board of the office of the Local council concerned and at other conspicuous places. Announcement of auction may also be made by FM Radio and other electronic methods as may be required.
 - (iii) the notice shall contain the date and time of auction specifying the major terms and conditions for participating in the auction;
 - (iv) providing a provision in the Tender Notice that in case of non-acceptance of the bid in the first attempt, the dates for second attempt or, if required, third attempt shall be specified; and
 - (v) the public notice shall contain the minimum reserve _____ for auction amount of bid security and period of contract with rates and details.

Statement of participants.

6. (1) On given date and time of auction a statement of participants, who are eligible to participate in the auction and have deposited the bid Security specified in the auction notice, shall be prepared and signed by the officer incharge of the auction and at least two participants of the auction.

(2) The name, address and identity card number of each participant shall be written, and attested copy of the participant's identity card shall be obtain and kept in the record.

Statement of bid or offer.

7. The auction shall be started after announcing and delivering the copy of terms and conditions of the contract to the intending participants. A statement of bids or offers shall be prepared in the presence of the participants of auction and it shall be signed by the Officer Incharge of the auction proceedings and signatures of three highest bidders shall also be obtained in a column against the amount of their bids.

CHAPTER-III**Manner of awarding contracts.**

8. The contract of collection rights of an income of a Local Council shall be awarded to a highest bidder through an open bid by adopting the procedure of auction as laid down in Chapter-II.

Reserve Price.

9. The reserve price for an income shall be the average of last proceeding three years' income of the respective income:

Provided that in case of an income introduced by a Local Council for the first time, the assessed and expected income as provided in the budget from that source shall be the reserve price for the income.

Attempts to award the contract.

10. At least three attempts shall be made to award the contract of collection rights of an income through open bid by the administration of Local Council concerned before the commencement of financial year, if the first and second attempt of auction has failed to fetch bid equal to the reserve price or more.

11. (1) The bid received in open auction, if less than the reserve price, shall be rejected by the officer incharge of the auction in all cases and the contract shall be re-auctioned in the manner, prescribed in rule-5;
- (2) The highest bid, equal to reserve price or above, received in open auction shall be accepted by the officer incharge of the auction and place before the Local Council concerned within ten days of receipt of bid for confirmation; provided that bid so received was reasonable and there was no scope of its further enhancement in view of the concerned Local Council administration.
- (3) The Council concerned shall have full powers to accept or reject the bid duly recommended by, the Local Council administration for the reasons to be recorded in writing.
- (4) In case, all attempts to fetch income equal to or more than reserve price as specified in rule 10 failed before commencement of financial year, the Chief Executive of respective Local Council shall report the matter to the Local Council concerned or decision whether the income be contracted out through negotiation by authorizing the Mayor or, as the case may be, the Chairman or by appointing a Negotiation committee or otherwise,
- (5) Subject to sub-rule (6) if the Council accepts, an officer or bid of a contract and enters into an agreement with the contractor, it may repudiate an agreement.
- (6) If the Government is satisfied that the auction has not been conducted in accordance with the rules or in a transparent manner, it may repudiate an agreement and the responsible officer may be proceeded against under the law.
- Acceptance of bid.**

Proceeding of negotiations.

12. (1) If a Council authorizes the Mayor or, as the case may be the Chairman or Negotiation Committee appointed by the Council to negotiate with the contractors so that the income be collected through a successful contractor at maximum amount, the person authorized for the negotiation shall invite at least three participants of preceding auctions who have offered maximum bid for the contract. Any other party may also be included in this process in order to get increase in offer from any of the parties.

(2) From all the invited parties a written offer shall be obtained separately and the maximum offer from a party if found reasonable, shall be entered and placed before the Council for acceptance.

Intimation of acceptance of bid.

13. (1) As soon as the confirmation from the Council about the acceptance of bid or offer is received, the Local Council administration shall communicate the acceptance of bid or offer to the contractor immediately by a letter through special messenger at his address provided by him at the time of participation in auction and direct him to enter into written agreement and fulfill his obligations in accordance with the terms and conditions of contract.

(2) The cost of written agreement shall be borne by the contractor.

(3) In case the contractor does not turn up to deposit dues recoverable from him in the light of terms and conditions of auction or does not enter into written agreement within the specified period mention in the communication, it shall be presumed that the contractor is no more interested in the contract and as such the contract shall automatically stand cancelled and the deposit made by the contractor shall stand forfeited. The income shall also be put to re-auction in such a case.

CHAPTER-IV

14. Among other conditions as a Local Council may decide the conditions laid down in this Chapter shall invariably be part of the terms and conditions of the contract **Terms and conditions of contract.**
15. Any person who— **Eligibility of contract.**
- (i) is defaulter in respect of any dues to a Local Council or any Federal or Provincial Department; or
 - (ii) has been blacklisted by a Local Council or any other Federal or Provincial Department; or
 - (iii) has been declared insolvent; or
 - (iv) is not competent to enter into an agreement under the law, shall not be eligible to be a contractor.
16. (1) Every contractor shall deposit at least two percent of reserve price of respective income as Bid Security in shape of Call deposit or Demand Draft or Pay Order for taking part in auction as contractor. **Bid Security.**
- (2) The Bid Security of successful bidder shall be retained by the Local Council administration as a security for successful completion of contract alongwith other dues described in the agreement.
- (3) The Bid Security of un-successful bidders shall be returned immediately after completion of auction.
17. (1) After receipt of communication of acceptance of bid or offer from the Local Council, the contractor shall immediately deposit at least one-_____ of the amount of offer or bid in the shape of Pay order Demand Draft or Bank Guarantee and enter into written agreement with the respective Local Council within three days. **Dues and deposit.**
- (2) The remaining amount of offer or bid shall be paid by the contractor to the Local Council in twelve equal monthly installments.
- (3) The installments shall be paid by the contractor in advance by the fifth day of each month.
18. (1) The contractor shall deposit other _____ as rent of buildings under his possession _____

books, stationery, furniture and fixtures or any other assets or property provided by the Local Council for use of collection of income, in the funds of Local Council in advance by the fifth day of each month.

(2) The Contractor shall be responsible for deposit of salaries, pension contribution, premium of group insurance, leave salary, all allowances and other fringe benefits permissible to the employees of a Local Council handed over to him for administration and collection of respective income.

(3) Income tax, sales tax, professional tax or any other levies enforced by law or instructions issued from time to time shall also be recovered from the contractor.

(4) Any other deposit agreed upon between the Local Council and the contractor shall be recovered accordingly.

Maintenance of accounts and official record.

19. (1) A contractor shall keep the record relating to accounts of the income as well as other documents in proper order as provided in the respective rules, bye-laws and procedures.

(2) All such record shall be the property of respective Local Council. The contractor may have an attested copy thereof from the respective Local Council.

(3) The Mayor or, as the case may be, the Chairman or any other person authorized by him and officers or officials of Taxation Department of respective Local Council may inspect such record.

Properties and assets.

20. (1) The contractor shall keep the properties and assets of Local Council, given to him at the beginning of contract, in the same condition as those were received by him and he shall be responsible for any material loss caused to such properties and assets due to his negligence during the contract.

(2) The contractor shall deliver all assets and properties received by him back to the Local Council after completion of contract and get certificate from the Local Council of such delivery.

21. (1) The complete set of procedures of collection of taxes, fees, toll or and other levies of Local Council alongwith respective rules, notifications and bye-laws of a Local Council shall be the part of terms and conditions of the contract and contractor shall be bound by the said procedures, rules and bye-laws of respective Local Council in collection of taxes.
- (2) The contractor shall have no right to interpret any law or bye-laws; provided that in case a need arises for interpretation he shall refer the matter to the Local Council concerned for interpretation.
22. (1) The contractor shall not be involved in overcharging either by himself or through any person.
- (2) In case of violation of sub-rule (1), action shall be taken against the contractor or his agent or any other person involved in overcharging, and his contract shall be cancelled, and all deposits made by him shall be forfeited forthwith.
23. (1) The contractor shall be responsible to abide by the terms and conditions of the contract.
- (2) The contractor shall be responsible to collect income in accordance with the provisions of law, rules, bye-laws and notifications, etc.
- (3) The contractor shall be entitled to receive all amount collected as income related to the contract after making proper entry into the relevant books of accounts as a token that he has received such amount.
- (4) The contractor shall be entitled to supervise, monitor and control the collection staff entrusted to him for the purpose of collection of relevant income.
- (5) The contractor shall not be authorized to monitor and control the collection of income. All collections shall be carried out by him through the staff of Local Council concerned assigned to him for this purpose.
24. (1) In case of any dispute arising between the contractor and Local Council regarding contract, or any other matter arising out of contract, the contractor and the Local Council shall have a right to resolve the dispute through arbitration under the Arbitration Act, 1940.
- Implementation of collection procedure and bye-laws.**
- Over charging.**
- Rights and responsibilities of the contractor.**
- Disputes.**

(2) The arbitrator shall decide the dispute within one month.

(3) The decision of the arbitrator shall be final and binding on the parties concerned.

(4) The disputes between public and the contractor shall be settled by the head of Taxation Department of Local Council concerned within a week.

(5) The arbitrators shall be appointed by Government through notification in the official Gazette.

Sureties and Guarantees.

25. (1) The contractor shall provide at least two sureties and a guarantor of contract. The sureties and guarantor shall be personally responsible for payment of dues recoverable from the contractor in case of default.

(2) The Local Council shall be entitled to recover all dues from the sureties and guarantor in case of default on the part of contractor due to any reason whatsoever. All cost and consequential costs of legal proceedings shall also be recoverable from them.

Cancellation of contract.

26. The contract shall stand automatically cancelled if a contractor—

- (i) fails to abide by any term and condition of the contract; or
- (ii) fails to pay any dues on proper date and time; or
- (iii) involves in overcharging and circumventing rules, bye-laws and notifications related to collection of respective income; or
- (iv) violates any other condition which the Local Council administration may deem fit to impose in the public interest.

Provided that the contract shall not be cancelled without providing an opportunity of being heard to the contractor by the concerned Local Council.

(2) After cancellation of contract the Local Council may choose to re-auction the income for the remaining period of contract or may make departmental collection and in any case if the income so received is found less than the contractual amount, the difference shall be recovered from the contractor as arrears of land revenue as provided in section-100(2) of the Act.

27. The contractor shall not be entitled to rebate on any ground whatsoever. **Rebates.**
28. No extension in a contract shall be granted on any ground whatsoever. **Extension of Contract.**

SECRETARY TO GOVERNMENT OF SINDH

SECTION OFFICER (ADMN)

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KARACHI MONDAY JANUARY 30, 2017

PART-I

LOCAL GOVERNMENT AND HOUSING TOWN PLANNING DEPARTMENT

Karachi, dated the 24th January, 2017

No.RO(LG)/MISC:4(74)/2016: In exercise of the powers conferred by Section 138 of the Sindh Local Government Act, 2013, read with Section-120 and entry 22 of Schedule VII thereo, the Government of Sindh are pleased to make the following Rules:-

CHAPTER-I PRELIMINARY

1. (1) These rules may be called the Provincial Local Government Commission (Conduct of Business) Rules, 2017. **Short title and commencement.**
- (2) They shall come into force at once.
2. (1) In these Rules, unless the subject or context otherwise requires **Definitions.**
 - (i) "Act" means the Sindh Local Government Act, 2013;
 - (ii) "Audit Officer" means a person appointed by the Commission to conduct special audit of a Local Council;
 - (iii) "business" means all work done by the Commission in pursuance of the provisions of the Act and the rules framed there under;
 - (iv) "Chairperson" means the Chairperson of the Commission;
 - (v) "Commission" means the Provincial Local Government Commission;
 - (vi) "Inspection" means the inspection of all the Local Councils conducted under these Rules;
 - (vii) "Inspecting officer" means the Chairperson the member or the Secretary of the Commission or any Officer authorized or appointed by the Commission for the purpose of inspection of Local Council;
 - (viii) "Member" means the member of the Commission;

(ix) "Province" means the province of Sindh;

(x) "Secretary" means the Secretary of the Commission; and

(xi) "special audit" means the special audit of the Local Councils ordered by the Commission.

(2) The Words and expressions used herein but not defined in these Rules shall have the same meanings as are assigned to them in the Act.

CHAPTER - II

CONDUCT OF BUSINESS OF THE COMMISSION

Conduct of business of the Commission.

3. (1) The business of the Commission shall be conducted in its ordinary meeting:

Provided that the Chairperson may call a special meeting to consider any urgent matter or special items.

(2) An ordinary meeting of the Commission shall be held at least once in every month on the date and time fixed by the Chairperson;

Provided that, after recording reasons, the Chairperson may not hold an ordinary meeting for a particular month.

(3) The meeting shall be presided over by the Chairperson and in his/her absence by a member chosen for that purpose by the members present in the meeting.

(4) Intimation for the date and time of an ordinary meeting and a special meeting shall be sent to the members of the Commission at least seven days before an ordinary meeting and three days before special meeting.

(5) The Commission shall not be restrained from holding meeting and transacting its business merely because of a vacancy in the membership of the Commission:

Provided that at least one half of the existing members are present in the meeting.

(6) All decisions shall be taken by the majority of votes of the members present and voting:

Provided that in case of equality of votes the Chairperson shall have a casting vote.

(7) The minutes of a meeting shall be confirmed by the Commission in the subsequent meeting.

Agenda.

4. (1) The agenda of the meeting shall be issued by the Secretary with the approval of the Chairperson.

(2) The disposal of business shall be undertaken by the Commission in order as given in the agenda.

(3) Any member desirous of bringing any matter before the Commission for its consideration may, subject to approval by the Chairperson, get such matter included in the agenda by giving a prior notice of at least three days in case of an ordinary meeting and two days in case of a special meeting.

Division of business.

5. The Chairperson may distribute the business of the Commission regarding inspections, special audits and inquiries among the members of the Commission with regard to territorial or functional jurisdiction.

Executive authority.

6. (1) The executive authority of the Commission shall be exercised by the Chairperson through the Secretary.

(2) The correspondence on behalf of the Commission shall be authenticated under the signature of the Secretary or an officer authorized by him.

7. (1) The Commission, any of its members, an inquiry officer or an inspecting officer duly appointed by the Commission while conducting an inspection or holding an inquiry shall have the power of civil court under section 27 of the Code of Civil Procedure, 1908 (Act V of 1908) in respect of the following matters; -
- Powers of the Commission.**
- (i) summoning and enforcing the attendance of any person and examining him on oath;
 - (ii) requiring the discovery and production of any document;
 - (iii) receiving evidence on affidavits; and
 - (iv) issuing commissions for the examination of witnesses or documents.
- (2) The Commission, any of its members, an inquiry officer or inspecting officer duly appointed by the Commission shall information as may be useful for the subject matter of the inquiry or inspection.
- (3) Any member, any officer authorized by the Commission, an inquiry officer or inspecting officer duly appointed by the Commission, may enter into any building for inspection, survey of immovable property, any work in progress under the supervision of local Government or place where there is reason to believe that any article, books of accounts or other documents relating to subject matter of inspection or inquiry are found and such officer or member shall take into custody or seal such article, things, books of accounts, documents or take extracts or copies from such books or documents.
- (4) The proceedings under these Rules shall be deemed to be judicial proceedings within the meaning of section 193 and 228 of the Pakistan Penal Code, 1860 (XLV to 1860).
- (5) The Government, its departments and agencies shall aid and assist the Commission in performance of its functions.
- (6) The Government may, after serving a notice in leading daily newspaper and giving opportunity of hearing, remove a member of the Commission after recording reasons.
8. The annual budget of the Commission shall be within the authorized appropriation and control of the Secretary who shall, for this purpose exercise all the financial and administrative powers as are delegated to Administrative Secretary of Principal Accounting Officer of a department.
- Finances.**
9. (1) The Local Government, Housing and Town Planning Department shall establish a separate secretariat of the Commission and shall render assistance in the proper functioning of the Commission.
- Secretariat.**
- (2) Without prejudice to the generality of this provision, the Secretariat shall be responsible for -
- (i) the proper functioning of the Commission and shall provide all assistance to the members and Chairperson of the Commission;
 - (ii) preparation of working paper and its circulation amongst the member and recording minutes of the meeting of the Commission;
 - (iii) implementation and monitoring of the decision of the Commission;
 - (iv) preparation of annual reports about the performance of the Local Councils at District level;

- (v) preparation of drafts, reports or summaries and other assignments to be presented to the Chief Executive of the Province with the approval of the Chairperson; and
- (vi) any other assignment given by the Chairperson of the Commission or by the Chief Executive of the province.

CHAPTER - III INSPECTIONS

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| Regular annual inspection of Local Councils. | 10. The working of the Local Councils shall be inspected at least once every financial year by the inspecting officer or such other officers as may be appointed by the Commission for this purpose. |
| Special inspection. | 11. The special inspection of a Local Council may be undertaken by the Commission when the Commission considers it necessary or when a direction is received from Chief Executive of the Province. |
| Manner of inspection. | <p>12. (1) The Commission shall draw and approve a schedule of regular annual inspection for each month.</p> <p>(2) The dates of inspection shall be communicated by the respective inspecting officer appointed by the Commission to the concerned Local Council in shape of letter or memo at least fifteen days before the inspection.</p> <p>(3) As soon as the letter of inspection issued under sub rule (2) is received by the respective Local Councils, the concerned Mayor or, as the case may be, the Chairperson shall circulate the letter so received to all officers responsible for keeping the record.</p> <p>(4) A notice shall also be affixed at conspicuous places by the concerned Mayor or, as the case may be, the Chairperson for information of general public that the inspecting officer named in this behalf is undertaking inspection of Local Council on given dates, so that any citizen, registered voter or tax-payer of Local Council may make complaint or representation to the inspecting officer during inspection.</p> |
| inspection report. | <p>13. (1) The inspection report shall be discussed by the inspecting officer with the Mayor or, as the case may be, the Chairperson concerned in a meeting and both of them shall affix their signature on the report as a token of discussion. The inspection report shall be submitted by the inspecting officer to the Commission within thirty days after inspection of a Local Council.</p> <p>(2) The inspection report so received shall be examined and evaluated by the members of Commission in the ensuing meeting of the Commission.</p> <p>(3) A copy of the inspection report shall be sent to the Local Council council concerned with the recommendations and orders of the Commission, if any, for immediate necessary action.</p> |
| Action on inspection report | <p>14. (1) On receipt of inspection report from the Commission, the concerned Mayor or, as the case may be, the Chairperson of Local Council shall take immediate steps to act upon the recommendations of the Commission.</p> <p>(2) After attending to the observation of the inspection report and implementing the recommendations of the Commission, the Mayor, or, as the case may be, the Chairperson of the respective Local Council shall send compliance report to the Commission within thirty days.</p> |

CHAPTER - IV DISPUTE AND INQUIRIES

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| <p>15. The Commission shall be responsible for the settlement of disputes between any department of the Government and the Local Council and between two Local Council.</p> | <p>Settlement of dispute.</p> |
| <p>16. (1) When two or more Local Councils are unable to settle their dispute amicably, the aggrieved Local Council shall refer the matter of dispute to the Commission for settlement.</p> <p>(2) The formal request to the Commission by a Local Council shall be made in writing in shape of memorandum containing the details of dispute and the matter containing the claim of Local Council.</p> <p>(3) On receipt of memorandum or request of settlement of claim or dispute, the Commission shall discuss the matter in its meeting and may appoint an officer or committee for inquiring into the dispute, if deemed necessary.</p> <p>(4) The Commission, inquiry officer or the inquiry committee, as the case may be, shall examine the record and hear the representatives of concerned Local Councils and may also make such inspections as are considered necessary in settling the disputes.</p> <p>(5) After completion of hearing and inspection, the inquiry officer or the inquiry committee shall send the inquiry report along with recommendations to the Commission within thirty days of the orders of such inquiry.</p> <p>(6) The Commission shall discuss the inquiry report on the dispute and pass an appropriate order which shall be binding on the parties in dispute.</p> | <p>Manner of settling the dispute.</p> |
| <p>17. The Commission may conduct inquiry into any matter concerning a Local Council on its own initiative or whenever it is directed by the Chief Executive of the Province</p> | <p>Inquiries.</p> |
| <p>18. The inquiries may be initiated by the Commission in the following instances:-</p> <p style="margin-left: 40px;">(i) on receipt of direction from the Chief Executive of the Province or on such other grounds upon which the Commission itself comes to the conclusion that an inquiry is necessary into the affairs of a Local Council;</p> <p style="margin-left: 40px;">(ii) on the directions of the Chief Minister under Section-120 of the Act, where the performance of a Chief Executive of a Local Council is reported by the concerned Mayor or, as the case may be, the Chairperson to be unsatisfactory, and the Government considers that an inquiry into the matter is necessary;</p> <p style="margin-left: 40px;">(iii) on the report of Chief Executive under section-120 of the Act, where in the opinion of the Chief Executive an order of Mayor or, as the case may be, the Chairperson is motivated or unlawful, and he seeks recourse in writing to the Commission; and</p> <p style="margin-left: 40px;">(iv) in case of dispute between two or more Local Councils and a department of the Government, when recourse is sought to the Commission in writing for settling the dispute.</p> | <p>Instances of inquiries.</p> |
| <p>19. (1) The Commission shall look into the material available to it for the purpose of initiating inquiry proceedings into the affairs of a Local Council and frame the issues containing points to be determined and shall decide whether the inquiry is to be</p> | <p>Procedure and manner of inquiry.</p> |

conducted by the Commission itself or through administrative department of the Local Councils.

(2) In case the Commission decides to refer the matter to the administrative department for inquiry, the issues framed under sub rule (1) shall be sent to the Secretary to Government of administrative department concerned for initiating inquiry proceedings and sending his report within thirty days.

(3) Where the Commission decides to hold the inquiry by itself, it may appoint inquiry officer or inquiry committee to proceed further into the matter.

(4) The inquiry officer or inquiry committee shall complete inquiry within thirty days. In case inquiry is not completed within the prescribed time, inquiry officer or the inquiry committee, as the case may be, may seek the extension of time by giving reasons in writing to the Commission.

(5) The inquiry officer or the inquiry committee, as the case may be, shall inquire into the charges and may examine such oral and documentary evidence as may be necessary.

(6) The inquiry officer or inquiry committee, as the case may be, shall send the inquiry report with recommendations, within seven days of the completion of inquiry, to the Commission.

Action on the inquiry report.

20. (1) On receipt of inquiry report by the Commission from the inquiry officer or inquiry committee, it shall be examined by the Commission or member concerned who shall evaluate it and send the matter for discussion in the meeting of the Commission.

(2) The inquiry report along-with recommendations of the members of the Commission shall be reviewed in meeting of the Commission and final recommendations shall be prepared and approved by the Commission for onward transmission to the quarter concerned as mentioned under Rule 18 which ordered or requested the inquiry for further necessary action.

(3) The findings, recommendations and orders of the Commission related to the disputes or other matters concerning the Local Council shall be sent to the parties concerned and the respective administrative department.

Acts done in good faith.

21. No suit, prosecution or other legal proceedings shall lie against any member of the Commission for any thing done or action taken under these Rules in good faith.

**-MUHAMMAD RAMZAN AWAN-
SECRETARY TO GOVERNMENT OF SINDH**



**GOVERNMENT OF SINDH
LOCAL GOVERNMENT AND
HOUSING TOWN PLANNING DEPARTMENT**

Karachi, dated the 17th February- 2017

N O T I F I C A T I O N

No.Ro(LG)/MISC:/4(74)/2016: In exercise of the powers conferred by Section 138 of the Sindh Local Government Act, 2013, read with entry 12 of Schedule VII thereto, the Government of Sindh are pleased to make the following rules :-

1. **Short title, commencement and application.** (1) These rules may be called the Sindh Local Council Servants (Medical Attendant) Rules, 2017.

(2) They shall come into force at once.

(3) Subject to anyother provisions of these rules or directions issued by Government, these rules shall apply to all servants of the Councils, Members of the Sindh Councils Unified Grades Service and Employees of the Sindh Local Government Board.

2. **Definitions.** (1) In these Rules, unless there is anything repugnant in the subject or context:-

- (a) “authorised medical attendant“ means –
 - (i) in the case of servants in BPS-16 and above, Civil surgeons/Medical Superintendents, Medical Colleges Hospitals and District Health Officers or Town Health Officers, as the case may be;
 - (ii) in the case of servants in BPS-1 to BPS-15 Medical Officer Women Medical Officer of Government/Local Council Hospital, Dispensary Clinics and Health Centre or Units, as the case may be.
- (b) “Charges” means any authorized amount paid by the servant on account of authorized medical treatment, under the rules;
- (c) “District” means the revenue district in which the servant is employed or falls ill;
- (d) “family” means parents, apouse, legitimate children and step children of servant’s parents, sisters and minor brothers residing with and wholly dependent upon him or her;

Explanation:- Where the wife of the servant is also an employee the husband shall be entitled to claim any benefit admissible to him under these rules in respect of the wife if she does not claim the benefit in her own right as the employee.

- (e) "Government" means Government of Sindh;
- (f) "hospital" means a hospital, a healthcare centre or unit, M.C.H. Centre/Dispensary, a dental hospital or clinic maintained by Government or Local Council in the District wherein the arrangements have been made by the Local Council or Sindh Local Government Board for the treatment of servants;
- (g) "medical attendance" means -
 - (i) in respect of a servant specified in sub-clause (i) of clause (a), an attendance in hospital or at the residence of the servant, in case of illness which compels the patient to confine to his or her residence including such pathological, bacteriological, radiological or other methods of examination for the purpose of diagnosis as are available in any Local Council or Government hospital in the District, and are considered necessary by the authorized medical attendant, and such consultation with a specialist or other medical officer in the service of the Government or Local Council stationed in the District or Province as the authorized medical attendant certifies to be necessary to such extent and in such manner as the specialist or medical officer may, in consultation with the authorized medical attendant, determine;
 - (ii) in respect of any other servant in BPS-1 to BPS-15, attendance at the hospital or in case of illness which compels the patient to be confined to his residence, including such methods of examination for purposes of diagnosis as are available in the nearest Government or Local Councils hospital and such consultation with a specialist or other medical officer of the Government or Local Councils stationed in the District as an authorized medical attendant, certifies to be necessary to such extent and in such manner as the specialist or medical officer may in consultation with the authorized medical attendant, determine;
- (h) "patient" means a servant or any eligible member of his or her family to whom these rules apply and who has fallen ill;

- (i) “servant” means a person who is an employee of a Local Council Member of Sindh Councils unified Grades Service or employee Sindh Local Government Board but does not include -
 - (i) a person who is on deputation from the Federation of Sindh Province or Authority; or
 - (ii) a person who is employed temporarily on contract, or on work charged basis, or who is paid from contingencies or
 - (iii) a person who is a “ worker” as defined in the Sindh Factories Act, 2015 (Sindh Act XIII of XXV of 2016);
- (j) “treatment” means the use of all medical and surgical facilities available at the hospital in which a servant is treated and includes-
 - (i) the employment of such pathological, bacteriological, radiological or other methods as are considers necessary by the authorized medical attendant,
 - (ii) the supply of such medicines, vaccines, sera or other pherapeutic substances as are ordinarily available in the hospital;
 - (iii) the supply of such medicines, vaccines, sera or other therapeutic substances not ordinarily so available as the outhorized medical attendant may certify in writing to be essential for the recovery of the servral;
 - (iv) such accommodation as is ordinaril provided in the hospital and is suited to his status;
 - (v) such nursing a is ordinarily provided to patient by the hospital;
 - (vi) the specialist consultation described in clause (h) of rule 2, but does not include provision of the request of the servant of accommodation superior to that specified by Government;
 - (vii) “dental treatment” includes treatment of alveolar (gum and jaw bone) disease, extraction of teeth, treatment for dental caries, gingivitis, pyrrhea and filling (temporary or permanent) of dental cavities including root canal treatment, scaling, but does not include dental implants, orthodontic appliances, bridging crowning and provision of dentures;
 - (viii) the provison of artificial limbs, joints and implants;
 - (ix) the facility of circumcision.

3. **Free Medical Treatment.** (1) A servant and his family shall be entitled. free of charge to medical attendance by the authorized medical attendant.

(2) Where a servant is entitled under sub-rule (1), free of charge to receive medical attendance, any amount paid by him or her on account of such treatment shall on production of a certificate in writing by the authorized medical attendant in this behalf and after necessary verification, be reimbursed to him or her.

4. **Travelling Allowance.** (1) When the place at which a patient falls ill is not the headquarters of the authorized medical attendant,

- (a) the patient shall be entitled to travelling allowance at tour rates for the journey to and from such headquarters;
- (b) if the patient is too ill to travel, the authorized medical attendant shall be entitled to travelling allowance at tour rates for the journey to and from the place where the patient is.

(2) Applications for travelling allowance under clause (a) of sub-rule (1) shall be accompanied by a certificate in writing by the authorized medical attendant stating that the treatment was necessary, and if the application is under clause (b) that the patient was too ill to travel.

5. **Referral of Patient in case of serious conditions or non-availability of Medical Attendant.** If the authorized medical attendant is of opinion that the case of a patient is of such serious or special nature as to require medical attendance by some person other than him or her and such attendance or treatment which is not available at the place where the patient has fallen ill or that the patient requires specialized treatment, he may with the approval of the Medical Superintendent of the hospital (which shall be obtained before hand unless the delay involved entails danger to the health of the patient) -

- (a) send the patient to the nearest specialist or other medical officer as provided in clause (g) of rule 2, by whom in his or her opinion; medical attendance is required for the patient or in case of specialized treatment to the place in the province where such treatment is available;
- (b) if the patient is too ill to travel, call such specialist or other medical officer to attend the patient.

(2) A patient sent under clause (a) of sub-rule (1) shall on production of a certificate in writing by the authorized medical attendant in this behalf, be entitled to travelling allowance for him or her and his or her attendant at tour rates for the journey to and from the headquarters of the specialist or other medical officer or the place where he is sent for treatment.

(3) A specialist or other medical officer called under class (b) of sub-rule (2) shall, on production of a certificate in writing by the authorized medical attendant in this behalf, be entitled to traveling allowance at tour rates for the journey to and from the place where the patient is.

6. Re-imbursement of Medical Charges. (1) If a servant is treated in a hospital maintained by the Government or a council or in any other hospital where he or she is to pay for treatment, he or she shall make the payment in the first instance and recover the amount afterwards from Government or Council as the case may be.

(2) Before claiming reimbursement, he or she shall obtain from the hospital authority a copy of the printed tariff of the hospital, a bill in full details and also a duly signed receipt in token of having made the payment, and present them to the head of his or her office. The head of the office shall check the bill with the tariff and after which the hospital bill and the receipt will form the vouchers. The amount shall then be disbursed to the servant.

(3) The procedure for re-imbursement of medical charges incurred on the treatment of chronic diseases shall be such as applicable to the civil servants of Government.

7. Medical Attendance of Retired Servants and their Family. All retired servants and their families shall be entitled to -

- i) medical attendance and treatment at Government or Local Councils Hospitals, free of charge;
- ii) the facilities of medical attendance at their residence in case of illness which compels the patients to be confined to their residence;
- iii) medical treatment, free of charge, from any private hospital/clinic in emergency, if necessary, on the opinion of the authorized medical attendant;
- iv) any amount paid by retired servant and family of the deceased servant on account of medical treatment, shall on production of certificate in writing by the Authorized Medical Attendant as specified in Rule 2, in that behalf, after necessary verification, be reimbursed by the Local Council concerned.

8. Treatment Abroad.

The Treatment of servants at abroad shall be regulated in accordance with the policy of Government.

9. Relaxation of Rules.

Government may relax any of the provision of these Rules in special cases of hardship.

**MUHAMMAD RAMZAN AWAN-
SECRETARY TO GOVERNMENT OF SINDH**

No.RO(LG)/MISC:/4(74)2016.

Karachi, dated the 17th February-2017.

A copy is forwarded for information and necessary action to:-

1. The Additional Chief Secretary,_____ (all), Government of Sindh, Karachi.
2. The Secretary to Governor Sindh, Karachi.
3. The Administrative Secretary_____ (all), Government of Sindh, Karachi.
4. The Member-I/II, Provincial Local Government Commission, Karachi.
5. The Director General, Sindh Civil Services * Local Govt: Academy, Tandojam.
6. The Commissioner_____ (all).
7. The Mayor/Municipal Commissioner, KMC/HMC/SMC and LMC.
8. The Chairman, District Municipal Corporation_____ (all), Karachi
9. The Chairman/Chief Officer, District Council_____ (all).
10. The Director, Local Government_____ (all).
11. The Deputy Secretary (Staff) to Chief Secretary Sindh, Karachi.
12. The Chairman/Chief Municipal Officer, Municipal Committee,_____ (all).
13. The Chairman/Town Officer, Town Committee,_____ (all).
14. The Assistant Director, Local Government,_____ (all).
15. The Superintendent, Sindh Government Printing Press, Karachi with a request to kindly publish the same in extraordinary gazette and furnish 500 copies thereof to this Department.
16. The Section Officer (Legislation), Law Department, Government of Sindh, Karachi, with reference to his letter No.S.REG.4(06)2016/25, dated 13th February-2017.
17. PS to Minister, Local Government and Housing Town Planning.
18. PS to Secretary, Local Government and Housing Town Planning Department.
19. PA to Additional Secretary (LG), Local Government Department.

**(AKHLAQUE KHAN YOUSUF ZAI)
RESEARCH OFFICER**

Name of Council _____

Department/Office/Branch _____

MEDICAL REIMBURSEMENT CLAIM

P R O F O R M A

NAME OF EMPLOYEE : _____
DESIGNATION : _____
GRADE (BPS) : _____
CONTACT NO. : _____
C.N.I.C NO. : _____
DATE OF APPOINTMENT : _____
PRESENT POSTING : _____
P.P.NO (Retired Employee) : _____
PATIENT NAME : _____
RELATION WITH EMPLOYEE: _____
C.N.I.C. No. : _____ (copy enclosed)
NATURE OF DISEASES : _____
PREVIOUS MRC DETAILS
(Current financial year) : Rs: _____

This is to certify that the above information is correct and enclosed bills amounting to Rs: _____ (in words) (Rupees _____ only) are correct and genuine.

**Note: Signature & Stamp of
HOD / DDO (Concerned)
Authority**



GOVERNMENT OF SINDH LOCAL GOVERNMENT AND HOUSING TOWN PLANNING DEPARTMENT

Karachi, dated the 17th February- 2017

N O T I F I C A T I O N

No.RO(LG)/MISC:/4(74)2016: In exercise of the powers conferred by section 138 read with section 31 of the Sindh Local Government Act, 2013, Government of Sindh are pleased to make the following Rules:-

1. (1) These rules may be called the Sindh Councils Mayor, Deputy Mayor, Chairman and Vice Chairman (Honoraria and Privileges) Rules, 2017. **Short title and commencement.**

(2) They shall come into force at once.

2. (1) In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, namely:- **Definitions.**

(i) "Act" means the Sindh Local Government Act, 2013;

(ii) "Government" means the Government of Sindh.

(2) The words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. A Mayor, Deputy Mayor, Chairman and Vice Chairman of Councils shall be paid Honoraria as shown in the table below:- **Honoraria**

S.#	POSITION	Metropolitan Corporation	COUNCIL				
			District Municipal Corporation / Municipal Corporations	District Councils	Municipal Committees	Town Committees	Union Committees/ Union Council
1	Mayor	Rs: 50,000/- p.m.	Rs: 40,000/- p.m.	--	--	--	--
2	Deputy Mayor	Rs:40,000/- p.m.	Rs:30,000/- p.m.	--	--	--	--
3	Chairman	--	Rs: 40,000/- p.m.	Rs:40,000/- p.m.	Rs:20,000/ p.m.	Rs: 15,000/- p.m.	Rs: 10,000/- p.m.
4	Vice Chairman	--	Rs: 30,000/- p.m.	Rs: 30,000/- p.m.	Rs: 15,000/- p.m.	Rs: 10,000/- p.m.	Rs: 8,000/- p.m.

4. All Mayors, Deputy Mayors, Chairmen, Vice Chairmen are eligible for Official residential accommodation subject to availability and being the property of concerned Council. **Official residence.**

5. A Mayor of Metropolitan Corporation, Municipal Corporations, Chairman of a District Municipal Corporation and Chairman of a District Council, Municipal Committee and Town Committee shall be entitled official vehicle maintained at the concerned Local Government's expenses, allocated for the purpose in the budget, subject to entitlement as may be determined by Government. **Use of Official Vehicle.**

6. (1) A Mayor, Deputy Mayor, Chairman, Vice Chairman and members of Councils travelling on duty, shall be entitled, subject to availability of a provision in the budget, to the Traveling and Daily allowance as are admissible to officers of the BS indicated against each:- **TA & Da**

i)	Mayor of Metropolitan Corporation	BS-21
ii)	Mayor of Corporations, Deputy Mayor of Metropolitan Corporation and Chairman of District Municipal Corporation	BS-20
iii)	Chairman, District Council & Municipal Committee and Vice Chairman of District Municipal Corporation.	BS-19
iv)	Vice Chairman of District Council, Municipal Committee and Chairman of Town Committee.	BS-18
v)	Vice Chairman, Town Committee, Chairman of Union Committee and Union Council.	BS-17
vi)	Other Members of Councils	BS-16

- (2) i) Members will be allowed air fare if called to attend official meetings/training courses outside the Province in addition to the above D.A..
- ii) The respective council shall be controlling authority adjudicating AT & DA, proceeding on training and official meetings etc.
- iii) The respective Mayor or Chairman shall be the controlling officer for the purpose of AT & DA of officers.

7. A Mayor, Deputy Mayor of Metropolitan Corporation, Corporations, Chairman of District Council and Municipal Committees and Town Committees shall be entitled to the facility of One STD telephone at his residence and two STD telephones, including telephone connection for fax machine at his office, at the expenses of Local Government upto the limit fixed by the respective Council. **Telephone**

8. A Mayor, Deputy Mayor of Metropolitan Corporation, Corporations, Chairman of District Council and Municipal Committees shall be entitled to medical facilities subject to rules and policy prescribed by Government. **Medical Facility**

9. A Mayor, Deputy Mayor of Metropolitan Corporation, Municipal Corporations, Chairman & Vice Chairman of District Municipal Corporation, District Council, Municipal Committee, Town Committee, Union Council/ Committee shall be entitled to office accommodation within the precincts of Council/Administration. He shall also be entitled to such office personal staff as approved in the respective schedule of establishment.
- Office
Accommodation
& Staff**

**-MUHAMMAD RAMZAN AWAN-
SECRETARY TO GOVERNMENT OF SINDH**

No.RO(LG)MISC:/4(74)2016.

Karachi, dated the 17th February 2017.

A copy is forwarded for information and necessary action to:-

1. The Additional Chief Secretary,_____(all), Government of Sindh, Karachi.
2. The Secreatry to Governor Sindh, Karachi.
3. The Administrative Secretary_____(all), Government of Sindh, Karchi.
4. The Member-I/II, Provincial Local Government Commission, Karachi.
5. The Director General, Sindh Civil Services & Local Govt: Academy, Trandojam.
6. The Commissioner_____(all).
7. The Mayor/Municipal Cimmissioner, KMC/HMC/SMC and LMC.
8. The Chairman, Distrct Municipal Corporation_____(all), Karchi.
9. The Chairman/Chief Officer, Distrct Council_____(all).
10. The Director, Local Government_____(all).
11. The Deputy Secretary (Staff) to Chief Secetary Sindh, Karachi.
12. The Chairman/Chief Municipal Officer, Municipal Committee,_____(all).
13. The Chairman/Town Office, Town Committee,_____(all).
14. The Assistant Director, Local Government,_____(all).
15. The Superintendent, Sindh Government Printing Press, Karachi with a request to kindly publish the same in extraordinary gazette and furnish 500 copies thereof to this Department.
16. The Section Officer (Legislation), Law Department, Government of Sindh, Karachi. with reference to his letter No.S.REG.4(06)2016/25, dated 13th February- 2017
17. PS to Minister, Local Government and Housing Town Planning.
18. PS to Secretary, Local Government and Housing Town Planning Department.
19. PA to Additional Secretary (LG), Local Government Department.

**(AKHLAQUE KHAN YOUSUFZAI)
RESEARCH OFFICER**



GOVERNMENT OF SINDH
LOCAL GOVERNMENT AND
HOUSING TOWN PLANNING
DEPARTMENT

Karachi, dated the 28th February, 2017

NOTIFICATION

No.RO(LG)/MISC:/4(74)/2016: In exercise of the power conferred by section 138 of the Sindh Local Government Act, 2013, read with section 117 and entry 8 of schedule VII thereto, the Government of Sindh are pleased to make the following rules:-

**CHAPTER-I
PRELIMINARY**

1. **Short title and commencement.** (1) These rules may be called the Sindh Local Councils (Property) Rules, 2017.

(2) These Rules shall come into force at once.

2. **Definition.** (1) In these rules, unless the context otherwise requires -

(a) "Act" means the Sindh Local Government Act, 2013;

(b) "property" means the property both movable and immovable vesting in the Council;

(c) "Officer Incharge" means the Head of a Department or any officer of the Council authorized by it to be the Officer Incharge of the property placed under his management;

(d) "Department" means any department of the Council;

(2) The words and expressions used but not defined in these rules shall have the same meaning as assigned to them under the Act.

**CHAPTER-II
MANAGEMENT AND MAINTENANCE OF PROPERTY**

3. **Management and maintenance of property,--**(1) The Mayor or Chairman, as the case may be, shall take such steps as may be necessary to ensure that the property vested in the Council is managed and maintained in the best interest of the public for the purposes of the Act, the rules and the bye laws made thereunder.

(2) The Mayor or Chairman, as the case may be, from time to time, specify the property to be placed under the management of the Officer incharge.

(3) Notwithstanding the provision contained in the sub-rule (2), the over-all responsibility for the proper management and maintenance of the property shall continue to be the responsibility of the Mayor or Chairman, as the case may be.

4. Responsibility of the Officer Incharge.—The Officer Incharge shall -

- (a) take care of the property entrusted to him as a man of ordinary prudence would, under similar circumstances, take of his own property of like nature;
- (b) take steps to ensure that property meant for use of the public is actually used to the maximum benefit of the public;
- (c) ensure that the rented property fetches the maximum rent;
- (d) prevent the impairment of the value and utility of the rented property;
- (e) prevent the use of property for the purpose and in the manner other than specified by the Council;
- (f) take necessary steps for repairs of all buildings properly;
- (g) keep all title deeds and other documents relating to the property, with duplicate copies of such title deeds and other documents, in safe custody;
- (h) have the boundaries of all lands of the Council demarcated;
- (i) ensure the maintenance of prescribed register;
- (j) be vigilant about and check encroachments or wrongful occupation on property and in case there is any encroachment or wrongful occupation, take necessary steps for the removal thereof;
- (k) prevent the property against nuisance, damage or misuse; and
- (l) be responsible to the Council for any loss destruction or deterioration of the property, if such loss, destruction or deterioration has occurred because of the default.

5. **Maintenance of registers.** (1) The various registers mentioned in the Schedule shall be maintained in the prescribed form in respect of all the property of Council.

(2) A Council shall provide at least 10% of its development budget for the maintenance and repairs of its immovable property regularly.

6. **Map of the Local area.** (1) The Council shall maintain a map of the local area showing, among other things, the immovable property vesting in the Council.

(2) A copy of the map shall be kept at the office of the Council for inspection by the public during office hours.

(3) The map shall form a supplementary volume to the register of immovable property maintained under rule 5.

7. **Verification and stock taking of property.** The Officer incharge shall -

- (a) take stock of the movable property under his charge;
- (b) verify the immovable property under his charge; and
- (c) submit a report to the concerned Council showing the result of such stock taking and verification including -
 - (i) particulars of unserviceable articles;
 - (ii) losses and wastage, if any;
 - (iii) cases of defalcation of accounts or misappropriation of property, if any; and
 - (iv) proposal for development and improvement, if any.

(2) The Mayor or Chairman, as the case may be, once in every year on a date fixed by him, check and verify the stock of movable and immovable property of the concerned Council.

CHAPTER-III

UNSERVICEABLE ARTICLES AND WRITING OFF

8. **Unserviceable articles.** (1) The Mayor or, as the case may be, the Chairman may declare any property or articles as unserviceable and the articles so declared may be written off in the manner and to the extent mentioned in rule 9.

9. **Writing off the unserviceable articles and losses.** Any loss of property or any articles which have been declared as unserviceable under rule 8 may be written off -

- (a) by the Mayor or, as the case may be, the Chairman of the -
 - (i) Karachi Metropolitan Corporation, if the amount involved does not exceed one hundred thousand rupees;
 - (ii) District Municipal Corporation, Municipal Corporation, Municipal Committee or a District Council, if the amount involved does not exceed fifty thousand rupees;
 - (iii) Townn Committee, if the amount involved does not exceed ten thousand rupees;
 - (iv) Union Committee or Union Council if the amount involved does not exceed five thousand rupees;
- (b) by te Council -
 - (i) in the case of a Metropolitan Corporation, if the amount does not exceed two hundred thousand rupees;
 - (ii) District Municipal Corporation, Municipal Corporation, Municipal Committee or a District Council, if the amount involved does not exceed one hundred thousand rupees;
 - (iii) in the case of a Town Committee, if the amount involved does not exceed twenty thousand rupees;
 - (iv) in the case of a Union Committee or Union Council, if the amount involved does not exceed ten thousand rupees.
- (c) by the Government, in any other case.

10. **Acquisition of Property.** (1) Whenever any land or other immovable property is required by a Council for any of the purposes of the Act, the Mayor or Chairman , as the case may be, may take such steps as may be necessary to acquire the same by an agreement with the owner in the manner provided in the Sindh Local Councils (Contract) Rules, 2016.

(2) If any land or other immovable property cannot be acquired by an agreement under sub-rule (1), the Council may move for the acquisition of such land or immovable property under the Land Acquisition Act, 1894.

CHAPTER-III
DISPOSAL OF MOVABLE PROPERTY

11. Disposal of movable property. (1) Any movable property of a Council may be disposed of by sale or otherwise by the authority competent to do so under the Sindh Local Council (Contract) Rules, 2016.

(2) A list of the property sold or disposed of under Sub-Rule (1) shall be laid before the Council, from time to time, for information.

12. Alienation of immovable property. No immovable property of a Council shall be alienated by way of a sale or otherwise except through an open auction and with the sanction of Government.

13. Lease of Immovable Property. Any immovable property may be leased out by the Mayor or, as the case may be, the Chairman, Subject to the provisions of the Sindh Local Councils (Contract Rules, 2016 -

- (a) with the sanction of the Council, if the period of lease does not exceed one year;
- (b) with the sanction of Government, if the period of lease exceeds one year.

14. Use of Council Property. (1) A Council may specify -

- (a) the properties, movable or immovable, the use whereof may be permitted to the public or which may be let on hire; and
- (b) the terms and conditions including the charges to be levied for such use on hire.

15. Property Development Schemes. A Council may prepare Property Development Schemes which may among other matters contain -

- (a) particulars of property;
- (b) proposals for development;
- (c) Proposals for improvement in the organization for management of property;
- (d) proposals for development of land not constructed upon;
- (e) proposals for construction of shops and other commercial buildings;
- (f) the financial implications of the proposals;

- (g) the manner in which the scheme shall be financed;
- (h) acquisition of land and other immovable property; and
- (i) such other particulars as may be necessary.

MUHAMMAD RAMZAN AWAN-
SECRETARY TO GOVERNMENT OF SINDH

No.RO(LG)/MISC:/4(74)/2016. Karachi, dated the 28th February-2017

A copy is forwarded for information and necessary action to:-

1. The Additional Chief Secretary,____(all), Government of Sindh, Karachi.
2. The Secretary to Governor Sindh, Karachi.
3. The Administrative Secretary_____(all), Government of Sindh, Karachi.
4. The Member-I/II, Provincial Local Government Commission, Karachi.
5. The Director General, Sindh Civil Service & Local Govt: Academy, Tandojam.
6. The Commissioner _____ (all).
7. The Mayor/Municipal Commissioner, KMC/HMC/SMC and LMC.
8. The Chairman, District Municipal Corporation_____(all), Karachi.
9. The Chairman/Chief Officer, District Council_____(all).
10. The Director, Local Government _____(all).
11. The Deputy Secretary (Staff) to chief Secretary Sindh, Karachi.
12. The Chairman/Chief Municipal Officer, Municipal Committee,_____(all).
13. The Chairman/Town Officer, Town Committee,_____(all).
14. The Assistant Director, Local Government,_____(all).
15. The Superintendent, Sindh Government Printing Press, Karachi with a request to kindly publish the same in extraordinary gazette and furnish 500 copies thereof to this Department.
16. The Section Officer (Legislation), Law Department, Government of Sindh, Karachi, with reference to his letter No.S.REG.4(12)2016/32, dated 23rd February-2017.
17. PS to Minister, Local Government and Housing Town Planning.
18. PS to Secretary, Local Government and Housing Town Planning Department.

(AKHLAQUE KHAN YOUSUFZAI)
RESEARCH OFFICER

SCHEDULE
(see rule 5)

- (1) Register of immovable property in Form P-I
- (2) Register of Nazul Property in Form P-II
- (3) Register of Rent Demand and collection in Form P-III
- (4) Register of Arrears demand and collection in Form P-IV
- (5) Register of public roads and streets in Form P-V
- (6) Register of encroachments in Form P-VI
- (7) Register of un-authorized occupants of land or buildings in Form P-VII
- (8) Register of Maintenance of Buildings in form P-VIII.
- (9) Register of Maintenance of Road and Streets in Form P-IX
- (10) Register of agricultural land in Form P-X
- (11) Register of road side-trees, in Form-XI
- (12) Register of trees on land of the Council in Form P—XII
- (13) Register of fruit bearing trees in Form P-XIII
- (14) Register of movable property in Form P- XIV
- (15) Register of furniture and fixture in Form P- XV
- (16) Register of vehicles in Form P-XVI
- (17) Register of of machinery in Form P-XVII
- (18) Register of street light points and Lamp posts in Form P-XVIII
- (19) Register of water stand posts in Form P-XIX
- (20) Property Distraint Register in Form P-XX
- (21) Register of losses in Form P-XXI



**GOVERNMENT OF SINDH
LOCAL GOVERNMENT AND
HOUSING TOWN PLANNING
DEPARTMENT**

Karachi, dated the 28th February, 2017

NOTIFICATION

No.RO(LG)/MISC:4(74)/2016: In exercise of the power conferred by section 138 read with sub-section (6) of section 109 of the Sindh Local Government Act, 2013, and item No.14 of Schedule VII thereof, the Government of Sindh are pleased to make the following rules:-

**CHAPTER-I
PRELIMINARY**

1. Short title and commencement.

- (1) These rules may be called the Sindh Councils (Budget) Rules, 2017.
- (2) They shall come into force at once.

2. Definition. (1) In these rules, unless the context otherwise requires, the following expression shall have the meanings hereby respectively assigned to them, that is to say -

- (a) “Act” means Sindh Local Government Act, 2013;
- (b) “appropriation” means the amount of the budget grant for a particular unit;
- (c) “Department” means a Department of the Council under the Sindh Councils (Conduct of Business) Rules, 2016.
- (d) “Form” means a form appended to these rules;
- (e) “Head” means a Head of Expenditure referred to in sub-rule (2) of rule 6;
- (f) “Schedule” means a Schedule of the Budget;
- (g) “Sub-Head” and “Unit” respectively means a sub-head or unit or expenditure referred to in sub-rule; (2) of rule 6;

- (h) “unforeseen expenditure” shall include expenditure for which no specific head of expenditure is provided in the budget:
- (i) “volum” means a volume of the budget’
- (j) “revised estimates” means estimate of the receipts and expenditure for the current financial year based on the transactions already undertaken and anticipations for the remaining period of the financial year.

(2) The words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. **Volume of the budget.-** (1) The budget shall extend over two volumes, namely Volume I and Volume II.

(2) Volume-I shall comprise -

- (a) Estimates of Revenue;
- (b) Estimates of Expenditure;
- (c) Statement of the Demands for Grants;
- (d) financial abstract;
- (e) Schedule of New Expenditure;
- (f) Schedule of Development Expenditure;
- (g) Schedule of Charged Expenditure;
- (h) Schedule of Establishment;
- (i) Schedule of Contingencies;
- (j) Schedule of Works;
- (k) Schedule of Liabilities;
- (l) Schedule of Arrears;
- (m) Schedule of Miscellaneous Funds; and
- (n) Schedule of Taxes.

5. **Estimates of Revenue -** (1) The Estimates of Receipts shall be in Form B-1 and shall provide for the budget estimates for the ensuing year, the revised estimates for the current year, the sanctioned estimate for the current year and the actual figures for the preceding year,

(2) The items of income specified in Form B-I may be adopted, modified, replaced, or new item introduced according to the requirements of the Council.

6. **Estimates of Expenditure.** (1) The Estimates of Expenditure shall be form B-2 and shall provide for the budget estimates for the ensuing year, the revised estimates for the current year, the sanctioned estimates for the current year, and the actual figures for the preceding year.

(2) Every Department shall form a Head of the budget, and every Head shall be divided into a number of sub-Heads and every sub-Head into Units as shown in Form B-2, or in such other manner as may be specified by the Council to suit its requirements.

(3) A provision shall be made in the estimates of expenditure against each Unit and such provision shall be referred to as an appropriation.

7. **Statement of demands for Grant.** The Statement of the Demands for grant shall be in Form B-3, wherein a demand for grant shall be raised for each sub-Head.

8. **Financial Abstract:** The Financial Abstract shall be in Form B-4 and shall contain such statistical data as the Council may, from time to time, specify with a view to giving a clear picture of the financial operations and principal activities of the Council.

9. **Schedule of New Expenditure.** The Schedule of New Expenditure shall be in Form B-5 and shall provide for the details about each item of new expenditure included in the budget.

10. **Schedule of Development Expenditure.** The Schedule of Development Expenditure shall be in Form B-6, and shall provide for the details about each item of development expenditure in the context of the development plan of the Council included in the budget.

11. **Schedule of Charged Expenditure.** The Schedule of Charged Expenditure shall be in Form B-7 and shall provide for the detail about each item of charged expenditure included in the budget.

12. **Schedule of Establishment.** The Schedule of Establishment shall be in Form B-8 and shall furnish the necessary particulars about the establishment and establishment charges under various sub-heads.

13. **Schedule of Contingencies.** The Schedule of Contingenncies shall be in Form B-9, and shall contain a detailed break-up of the estimates of contingencies under various sub-Heads.

14. Schedule of Works. The Schedule of Works shall be in Form B-10, and shall contain a detailed break-up of various works provided for under various sub-heads, and it shall be divided into two sections, the first section containing necessary particulars about the works pertaining to repairs and maintenance and the second section containing necessary particulars about all original works pertaining to repairs and maintenance.

15. Schedule of Liabilities. The Schedule of Liabilities shall be in Form B-11 and shall contain estimates of the liabilities of the previous years proposed to be met out during the ensuing year.

16. Schedule of Arrears. The Schedule of Arrears shall be in Form B-12 and shall furnish full particulars about the arrears under various item of income and the estimates of revenue under various item likely to be realized on account of arrears, and included in the estimates of income.

17. Schedule of Miscellaneous funds. The Schedule of Miscellaneous funds shall be in Form B-13, and shall furnish particulars about opening balance, income expenditure and closing balance with regard to suspense accounts, depreciation funds, provident fund accounts, investments and other funds maintained by a Council.

18. Schedule of Taxes: The Schedule of Taxes shall be in Form B-14 and shall contain a digest of the various taxation proposals prepared in accordance with the Sindh Councils (Imposition, Assessment, Collection and Administration of Taxes, Rates, Toll and Fees) Rules, 2016.

19. Volume II. Volume II shall consist of the Explanatory Memorandum to explain the provisions contained in the Estimates and the Schedules.

20. Explanatory Memorandum. The Explanatory Memorandum shall be divided into parts and each part shall deal with one estimate, statement or schedule.

21. Explanation of Estimates of Revenue. While explaining various provisions in the estimates or revenue, the Explanatory Memorandum shall review the various sources of income, how far such sources are productive or otherwise, to what extent such sources have been exploited, and can still be exploited, and the problem arising with regard to each item of income, and the manner in which such problems are proposed to be tackled.

22. Explanation of Estimates of Expenditure. While explaining various provisions in the Estimates of Expenditure, the Explanatory Memorandum shall among other matters review the Principal activities of the Council under various fields indicating the performance targets already achieved and proposed to be achieved in the ensuing year.

23. **Explanation of the Statement of Demand for Grants.** While explaining the statement of the Demands for grants such points as need special notice of the Council shall be indicated and explained.

24. **Explanation of the Financial Abstracts.** While explaining the Financial abstracts, the Explanatory Memorandum shall contain a general review of the finances of the Council and this may include such graphs, charts and diagrams as may be necessary to illustrate the Council.

25. **Explanation of the Schedule of New Expenditure.** While explaining the provisions in the Schedule of New Expenditure, each item of new expenditure shall be numbered, and full particulars shall be given about the history of the case, the expenditure involved the justification for the proposed expenditure, and the receipts, if any.

26. **Explanation of the Schedule of Development Expenditure.** While explaining the provisions in the Schedule of Development Expenditure, the explanatory memorandum shall review the development plan of the Council the extent to which such plan has already been executed and the extent to which it is proposed to be executed in the ensuing year.

27. **Explanation of the charged Expenditure.** While explaining the provisions in the Schedule of Charged Expenditure, each item of Charged Expenditure shall be numbered, and full details shall be furnished about each item.

28. **Explanation of the schedule of Establishment.** While explaining the provisions in the schedule of Establishments, full details shall be furnished about the staff employed under various branches and where new establishment is proposed to be employed during the ensuing year full justification there for shall be given.

29. **Explanation of the contingencies.** While explaining the provision in the Schedule of Contingencies, full details shall be furnished in justification of expenditure on various items of contingencies with particular reference to new items and such items on which expenditure is proposed to be increased.

30. **Explanation of Schedule of Works.** While explaining the provisions in the Schedule of Works, each work shall be numbered, and full particulars shall be furnished about the justification for each work, the probable cost, the period during which it shall be executed, the manner in which it shall be financed, the agency through which it shall be executed, and the likely benefits to accrue from the execution of the works.

31. **Explanation of the Schedule of Liabilities.** While explaining the provisions in the Schedule of Liabilities, each item shall be numbered, and full details shall be furnished about each item.

32. **Explanation of the Schedule of Arrears.** While explaining the provisions in Schedule of Arrears, each item shall be numbered and full details shall be furnished for each item including the reasons for the accumulation of arrears, and the steps proposed to be taken for recovery of the arrears.

33. **Explanation of the Schedule of Miscellaneous funds.** While explaining the provisions in Schedule of Miscellaneous funds, each fund shall be numbered, and full details shall be furnished about each fund.

34. **Explanation of the Schedule of taxes.** While explaining the Schedule of Taxes, each tax shall be numbered, and full particulars shall be furnished about each tax and the financial implications thereof.

CHAPTER II PRINCIPLES OF BUDGETING

35. **Basis of preparation of estimates of revenue.** (1) Estimates of Revenue in the budget shall be as accurate as possible, and shall neither be inflated nor under-pitched.

(2) In preparing the estimates the receipts during the preceding years, the receipts during the current year, the various economic factors regulating such receipts and other relevant facts shall be given due consideration.

36. **Receipts on account of Government Grants or other contributions:.** No. fresh receipt on account of Government grant or contribution by any other authority shall be shown in the estimates on the revenue side unless a definite communication in writing or undertaking the authority concerned, as the case may be.

37. **Receipts on account of tax, fee etc.** No receipt shall be shown in the estimates on the revenue side on account of any tax, fee, loan charge or other levy unless such tax, fee, loan, charge or other levy has been sanctioned by the competent authority.

38. **Revenue Margin.** Revenue Income during any year shall be the total income excluding the income from capital receipts and the receipts from arrears.

39. **Capital receipts.** Capital receipt shall mean the income from -

- (a) the sale of immovable property;
- (b) the disposal of capital assets;
- (c) the sale of investments;
- (d) the loans, arrears; and
- (e) the Grants and other receipts of a non-recurring nature.

40. **Revenue Expenditure.** (1) Revenue Expenditure during any year shall be the total expenditure excluding the development expenditure, the capital expenditure not included in the development expenditure and the expenditure to meet liabilities.

(2) The rise in Revenue Expenditure during any year shall not exceed the corresponding rise in revenue income, and additional liabilities on account of revenue expenditure shall not be undertaken unless the sources of income are developed in the first instance to meet such expenditure.

41. **Capital Expenditure.** Capital Expenditure shall mean the expenditure for -

- (a) acquisition of immovable property;
- (b) execution of original works;
- (c) purchase of investments;
- (d) acquisition of capital assets; and
- (e) any grant or contribution of a non-recurring nature.

42. **Prohibition to divert Capital receipts.** Except with the sanction of Government no capital receipt shall be diverted to meet expenditure on revenue account.

43. **Earmarking of receipts on Government instructions:** A Council may, and if required by Government, shall earmark any receipts for expenditure on specified items, and if any items are earmarked, the receipts there for shall not be diverted to meet expenditure on any items other than the items for which such receipts are earmarked.

44. **Allocation of percentage of revenue income.** (1) A Council may, from time to time, and if required by Government shall specify the percentage of the revenue income which shall be allocated to various Departments for the purposes of revenue expenditure, and where such percentage has been fixed the estimates of revenue expenditure shall be based on such percentage.

(2) A Council may from time to time, and if required by Government, shall fix the percentage of the revenue income beyond which the total expenditure on establishment on revenue account shall not exceed and where such percentage has been fixed, the expenditure on establishment on revenue account shall not exceed such percentage.

45. Earmarking of revenue income for development expenditure. A Council may, from time to time, fix the percentage of the revenue income which shall be earmarked for development, and the allocation cut of the revenue income for development expenditure shall not fall below such percentage.

46. Commercial Service. A Council may, from time to time, and if required by Government, shall declare any service to be a commercial service and where a service is so declared the revenue expenditure for such service shall not exceed the revenue receipts there from.

47. Development Expenditure. (1) Development Expenditure shall mean -

- (a) The expenditure on a development plan;
- (b) the expenditure for an original work;
- (c) any expenditure declared by Government to be development expenditure; and
- (d) the expenditure for new Service or an expansion in an existing service.

(2) Where a Development Plan has been sanctioned development expenditure shall be provided in accordance with the provisions of the Development Plan and no development expenditure shall be provided in the Budget which is not provided in the Development Plan.

48. Maintaining accuracy in estimates. (1) The estimates of expenditure shall be framed as accurately as possible and shall, as far possible, be based on the principle of certainty and not on the principle of probability.

(2) All time of expenditure that can be foreseen shall be provided for taking care and that the amount of provisions is restricted to the absolute minimum requirements.

(3) The estimates shall be based on the revised estimates of the current year after scrutinizing fully and carefully in the context of all relevant factors.

(4) No item for expenditure shall be included in the estimates without proper consideration and an exhortation of foresight under sub-rule (2) shall not be construed as an invitation to provide for new items of expenditure without proper consideration.

(5) All items of expenditure shall at the time of framing of the estimates be reviewed, and such economy as may be possible shall be made.

49. Balanced or deficit budget. (1) The surplus potential of the Council for a year shall be the excess of revenue income over revenue expenditure, and where there is no surplus potential the budget will not be balanced.

(2) The budget of a Council shall as far as possible be balanced and the revenue and development expenditure shall not exceed the revenue and capital receipts of the Council, but where a deficit budget is unavoidable, the fact shall be brought to the notice of Government by the 1st day of May.

(3) Where the revenue budget of a Council cannot be balanced, Government may direct a special study of the finances of the Council and as a consequence of such study require the Council to take such action for the improvement of its finances as may be specified.

50. Performance Budget. The budget shall as far as possible be a performance budget and it shall make due provision to ensure that the standard of performance in the various activities of the Council rises progressively and is not allowed to fall or deteriorate.

51. New Expenditure. (1) The schedule of new expenditure shall provide for the following types of expenditure that is to say-

- (a) expenditure relating to a new service;
- (b) increased expenditure as a consequence of the re-organization or addition to any existing service;
- (c) expenditure on grants and contributions to be made for the first time;
- (d) any increase in any existing grant or contribution exceeding,
- (e) expenditure on original works; and
- (f) any other expenditure which is declared by Government to be New Expenditure for the purposes of these rules.

(2) All items of new expenditure shall be scrutinized with due care before they are included in the schedule of new expenditure, and in scrutinizing the following principles shall be kept in view that is to say -

- (a) the Council shall concentrate on the performance of compulsory functions and additional liabilities on account of optional functions shall, as far as possible, be avoided;
- (b) the proposals for new expenditure shall be formulated on the basis of priority after taking stock of the overall requirements of the Council in various departments;

(c) preference shall be given to development requirements and new expenditure on revenue account shall as far as possible be kept at the minimum possible level; and

(d) with reference to development projects, preference shall be given to such projects, which do not involve a recurring cost.

(3) When providing for a piece of new expenditure, administrative difficulties and delays shall be kept in mind and only such amount shall be provided which is likely to be spent during the course of the year.

52. **Charged Expenditure.** The schedule of charged expenditure shall comprise of all items of expenditure as are specified in sub-section (1) of section 108 of the Act.

53. **Expenditure for Establishment.** (1) For the purpose of the Schedule of Establishment, the establishment provided for under a sub-head shall be divided into categories and each category shall comprise officials in the same grade of pay.

(2) The estimates shall be prepared for each category and shall specify the number of posts in each category, and the scales of pay and other particulars about the officials included in the category, and the manner in which the estimates are worked out shall be explained in the explanatory memorandum.

(3) In framing estimates for the sanctioned establishment, whether permanent or temporary, the pay including increments and allowances which is likely to be drawn by persons on duty during the year shall be provided for, but no provision shall be made for appointments to be held in abeyance or for those who are on deputation or absent in other way and are unlikely to return to the strength within the year.

(4) The expenditure for the establishment working in various departments shall be provided department-wise and branch-wise under the sub-head "Council Secretariat" under the Head "General Department", and the establishment for field services shall be provided for under the respective departments.

54. **Charges for Contingencies.** (1) The estimates under contingencies, shall, unless otherwise provided, include all charges for establishment and the charges for execution of works.

(2) Estimates for fluctuating items of expenditure under contingencies shall be based on the allotment for the current year viewed in the light of the average of the past three years actual and allowances made for causes likely to modify the figure, and any excess over the current budget shall be explained in the explanatory memorandum.

55. **Expenditure for Works.** (1) No Original work shall be included in the estimates unless such work has been administratively approved by the competent authority.

(2) While giving particulars about original works in the Schedule of works, the works in progress shall be distinguished from the new works and in estimating the amount required for works in progress during the ensuing year, due allowance shall be made to ensure that there is no rush of expenditure during the last month of the current year and the unspent grant for such works are carried forward to the next year.

56. **Prohibition for lump-sum provision without explanation.** No lump-sum provisions, the details whereof cannot be explained, shall be made in the estimates nor shall any provisions be made for an item which cannot be classified.

57. **Rounding off.** All estimates on the income and expenditure side shall be rounded to the nearest hundred, and the figures below rupees fifty shall be disregarded and figures of rupees fifty or above shall be entered as a hundred.

CHAPTER-III PREPARATION, AUTHENTICATION AND PUBLICATION OF THE BUDGET

58. **Preparation of Budget Proposals.** (1) The Finance Department of the Council shall be responsible for the preparation of the budget and for the enforcement of the provisions of these rules.

(2) On or before the first day of February each year, the Heads of Departments shall forward their budget proposals to the Finance Department.

(3) The budget proposals shall, subject to such adjustment as may be necessary to suit the requirements of the department, be in the forms specified in Chapter-II

(4) The budget proposals shall be based on the actual of the first six months of the current year, and shall be formulated in accordance with the principles laid down in Chapter-II, and such instructions as the Finance specified in Chapter-II

59. **Scrutinizing, modification and printing of budget estimates.** (1) All budget proposals received under rule 58 shall be scrutinized by the Finance Department, and forwarded to the sub-committee of Finance Department.

(2) The budget proposals shall be presented to the Finance Sub-Committee in the month of March every year which may make such recommendations for their Modification as it may deem necessary.

(3) As soon as the Second Statement of Excess and Surrenders has been received from the Departments under clause (b) to sub-rule (1) of rule 77, the Finance Department shall review the estimates and formulate such proposals for the modification of the estimates as may be necessary in the light of such excesses and surrenders.

(4) As soon as may be after the meeting of the sub-Committee of Finance Department, the Mayor or, as the case may be, the Chairman shall consider -

- (a) the recommendations of the Finance Sub-Committee;
- (b) proposals for the modification of the estimates formulated by the Finance department and pass such orders for the modification of the estimates as may be necessary.

(5) As soon as may be after the passing of the orders under sub-rule (4), the Finance Department shall modify the estimates and the notes in explanatory memorandum in accordance with such orders.

(6) The budget as modified and completed under sub-rule (5) shall, unless otherwise directed by the Council be printed.

60. Copy of the Budget to be furnished to members. Copies of the budget as prepared under Rule 59 shall be forwarded to all members of the Council in accordance with the Sindh Councils (Conduct of Business) Rules, 2016, for consideration of the budget.

61. Forwarding a copy of the budet to Government. (1) The Chief Executive of the Council shall forward a copy of the budget as approved by the Council to Government within seven days of its approval for consideration under section 110 of the Act.

(2) If for any unavoidable circumstances, the budget cannot be forwarded to Government within the stipulated period of seven days, the Council may apply for extension of time as may be necessary.

(3) If the budget is not received by Government by the 30th day of June, Government may have the necessary budget prepared under sub-section (2) of section 110 of the Act, and certify it on its own authority.

(4) If in the opinion of Government, the budget prepared and sanctioned by the Council is in violation of provisions of the Act, Government may, by order, modify it, and budget so modified under sub-section (3) of section 110 shall be deemed to be the sanctioned budget of the Council.

62. Action on Receipt of modifications made by Government. On receiving an order of modification under sub-section (3) of section 110 of the Act, the Mayor or, as the case may be, the Chairman shall amend the budget in accordance with such order and authenticate under his signatures a copy of the budget so amended, and the budget so amended, and the budget, and thus authenticated shall be the authorized budget.

63. **Consideration of observations made by Government after authentication.** If any observations are received from Government after the budget has been approved or sanctioned under rule 62, the Council shall consider such observations, and may take such action as it deems necessary.

64. **Budget to be public document.** The Sanctioned budget shall be treated as a public document and shall be made available for public inspection and publication of its extracts in the national newspapers.

65. **Power to Government to consolidate the budgets of the Councils.** Government may consolidate the budget of all Councils in the Province, and publish them in such manner as may be necessary.

66. **Collecting Officer and Assistant Collecting Officers.** (1) The Head of the Taxation Department shall be the Collecting Officer for the purpose of all items of revenue.

(2) A Council may, from time to time, specify the Assistant Collecting Officers for the purposes of various items of income, and where an Assistant Collecting Officer is not under the administrative control of the Taxation Department, he shall be responsible to the Head of the Taxation Department through the Head of his Administrative Department for the purposes of such collection.

67. **Disbursing Officer and Assistant Disbursing Officer.** (1) Every Head of Department shall be the Disbursing Officer for the purposes of the grants sanctioned for his Department.

(2) A Council may, from time to time, declare any Officer to be an Assistant Disbursing Officer for the purposes of the grant sanctioned for a sub-head, and every Assistant Disbursing Officer shall be responsible to the head of his Department for the purposes of all disbursements.

(3) A Disbursing Officer or any Assistant Disbursing Officer may, with the approval of the Mayor or, as the case may be, the Chairman delegate his powers under these Rules to any officer subordinate to him.

CHAPTER-IV

ENFORCEMENT OF THE BUDGET AND PREPARATION OF SUPPLEMENTARY GRANTS

68. **Communication of the Estimates of income to the Collecting Officers.** The Finance Department of the Council shall, by the first day of July, communicate to the Collecting Officers and Assistant Collecting Officers, the estimates of the income under various items of receipts of the budget authenticated under Rule 62 and if the budget is not so authenticated by the 30th day of June, the estimates of the budget sanctioned and forwarded to Government under rule 61 shall be communicated and modifications, if any, made by Government, shall be communicated thereafter.

69. **Revenue Collection Programme.** The Head of the Taxation Department may, from time to time and with the approval of the Mayor, or, as the case may be, the Chairman frame a revenue collection programme in Form B-15, set up the targets for collection during specified periods and the Assistant Collection Officers shall, as far as possible, follow the programme.

70. **Duties of the Assistant Collecting Officers and the Head of the Taxation Department.** It shall be the duty of the Assistant Collecting Officers and the Head of the Taxation Department to see that -

- (a) all income claimable is claimed, realized and credited to the local fund;
- (b) all work of collection proceeds is in accordance with the revenue collection programme under Rule 69, if any,

71. **Revenue Collection Statement.** (1) The Head of the Taxation Department shall forward to the Finance Department of the Council by the seventh day of every month, a revenue collection statement in Form B-16.

(2) All revenue collection statements received under sub-rule (1) shall be scrutinized by the Finance Department of the Council which may, with the approval of the Mayor, or as the case may be, the Chairman, make such observations thereon as may be necessary.

72. **Communication of the sanctioned Demands.** the Finance Department shall, by the first day of July, communicate to the Head of Departments and the Disbursing Officers, the sanctioned Demands for Grants under various sub-heads, and the appropriations for various units under each sub-head as in the authenticated budget or, if the budget is not authenticated under rule 62 by the 30th day of June due to any circumstances, the budget sanctioned by the Council shall be forwarded and the modifications if any made by Government shall be communicated thereafter.

73. **Reserve and other specified items.** The provision against the Reserve and against such other items as may be specified by the Mayor, or, as the case may be, the Chairman shall be kept at the disposal of the Finance Department.

74. **Appropriation.** (1) An appropriation against each item shall cover all the charges including the liabilities of past years to be paid during the year and to be adjusted in the accounts of the year.

(2) An appropriation against an item shall be operative until the close of the financial year and any unspent balance shall lapse and shall not be available for utilization in the following year.

75. **Responsibility of Disbursing Officers.** (1) Every Disbursing Officer shall be responsible for watching expenditure incurred against supply communicated to him.

(2) No expenditure shall be incurred without necessary appropriation or in excess of the sanctioned appropriation.

(3) No money shall be spent hastily or in any ill-considered manner simply because it is available.

(4) Expenditure shall be watched and controlled not with a view to adapting the appropriations to the expenditure but the expenditure to appropriations.

76. **Statement of Disbursement.** (1) Every Head of Department shall forward to the Finance Department by the seventh day of every month a statement of Disbursements in Form B-17.

(2) All statements of disbursements shall be scrutinized by the Finance Department, which may, with the approval of the Mayor, or as the case may be, the Chairman, communicate such observations thereon as may be necessary, to the Department concerned.

77. **Statement of Excesses and Surrenders.** (1) Every Head of Department shall forward to the Finance Department in Form B-18 -

(a) The first statement of Excesses and Surrenders by the seventh day of January; and

(b) the Second statement of Excesses and Surrenders by the seventh day of March.

(2) When owing to unforeseen causes or due to over-budgeting it is not possible to utilize in full or in part the provision included in the estimates for a specific object, the amount involved shall be surrendered through the Statement of Excesses and Surrenders.

(3) Application for the allotment of additional funds shown as excess in the Statement of Excesses and Surrenders shall be made to the Finance Department by the respective Departments in Form B-19.

(4) The Finance Department shall scrutinize the Statement of Excesses and Surrenders, and where an amount is surrendered the Finance Department shall, with the approval of the Mayor or, as the case may be, the Chairman, incorporate such reduction in the Statement of Appropriation and Supplementary Grants under rule 80.

(5) When an excess is indicated in the Statement of Excesses and Surrenders, the Finance Department shall scrutinize the applications and may with the approval of the Mayor or, as the case may be, the Chairman -

- (a) for reasons to be specified, refuse to allot the additional funds; or
- (b) agree to the allotment of additional funds to such extent as may be specified.

78. **Proposals for inclusion of surrendered amount in the budget.** If the Head of Department concerned desires the whole or a part of the amount surrendered under sub rule (2) of rule 77, shall be passed in the form of a grant in the estimates of the following year, he shall include such provision in the budget proposals as have already been forwarded and a supplementary proposal shall be forwarded to the Finance Department, which shall not be later than the 7th day of March.

79. **Consequence of refusal.** Where the Finance Department refuses to allot additional funds under rule 77, such refusal shall be communicated to the Department concerned, who shall take steps to ensure that the expenditure against the item in question does not exceed the original allotment.

80. **Re-appropriation and Supplementary grants.** (1) Additional funds to meet an excess may be provided by -

- (a) re-appropriation; or
- (b) supplementary grant, if the necessary funds cannot be found by re-appropriation.

(2) Re-appropriation means transfer of funds from one unit to another to meet excess expenditure anticipated under a Unit.

(3) Supplementary grant means additional funds provided under a Unit or a sub-Head by process other than that of re-appropriation.

(4) As soon as may be after the scrutiny of the first Statment of Excesses and Surrenders, the Mayor or, as the case may be, Chairman shall present to the council a statement of Appropriations and Supplementary Grants in Form B-20.

(5) Any re-appropriation or supplementary grant shall be made during the course of the financial year and not after its expiry, and shall be considered by the Council in the same manner as the budget.

(6) Whenever any Statement of Appropriations and Supplementary Grants is sanctioned, the Mayor or, as the case may be, the Chairman shall cause the budget to be amended in the light of such Statement, and the modified provisions shall be communicated to the Departments concerned.

CHAPTER-V
BUDGET REVISION AND BUDGET CONTROL

81. Review and Reports by Finance Committee. (1) The Finance Committee of the Council shall, from time to time, review the operations of the budget and bring to the notice of the Mayor or, as the case may be, the Chairman and the Council, such financial irregularities in the administration of the budget as may come to its notice.

(2) All reports made by the finance Sub-Committee shall be considered by the Mayor, or as the case may be, the Chairman who shall take steps as may be necessary to remedy the financial irregularities, if any.

82. Audit and review by Audit Authority. When the accounts of a Council are audited, the audit authority shall, among other matters, review the operation of the budget for the period of audit and point out the financial irregularities, if any, in the administration of the budget.

83. Financial Irregularities. (1) For the purposes of this Chapter, a financial irregularity shall include -

- (a) any expenditure incurred without sanction;
- (b) any expenditure incurred without sufficient appropriation;
- (c) any expenditure incurred without proper justification;
- (d) any extravagance or waste of fund of the Council;
- (e) any case of loss of money due to fraud, neglect or misappropriation;
- (f) any case of over budgeting or under-budgeting, and
- (g) any breach of the provisions of these Rules.

(2) The Council shall take such steps as may be necessary to remedy the financial irregularities pointed out under this Chapter.

(3) Where due to the lapse of time or any other unavoidable cause, any financial irregularity cannot be remedied, Government may, for reasons to be recorded, condone such financial irregularity.

84. Relaxation of Rules. Government may relax any of the provisions of these rules with reference to all or any of the Councils.

-MUHAMMAD RAMZAN AWAN-
SECRETARY TO GOVERNMENT OF SINDH

A copy is forwarded for information and necessary action to:-

1. The Additional Chief Secretary, _____ (all), Government of Sindh, Karachi.
2. The Secretary to Governor Sindh, Karachi.
3. The Administrative Secretary _____ (all), Government of Sindh, Karachi.
4. The Member-I/II, Provincial Local Government Commission, Karachi.
5. The Director General, Sindh Civil Services & Local Govt: Academy, Tandojam.
6. The Commissioner _____ (all).
7. The Mayor / Municipal Commissioner, KMC/HMC/SMC and LMC.
8. The Chairman, District Municipal Corporation _____ (all), Karachi.
9. The Chairman/Chief Officer, District Council _____ (all).
10. The Director, Local Government _____ (all).
11. The Deputy Secretary (Staff) to Chief Secretary Sindh, Karachi.
12. The Chairman/Chief Municipal Officer, Municipal Committee, _____ (all).
13. The Chairman/Town Officer, Town Committee, _____ (all).
14. The Assistant Director, Local Government, _____ (all).
15. The Superintendent, Sindh Government Printing Press, Karachi with a request to kindly publish the same in extraordinary gazette and furnish 500 copies thereof to this Department.
16. The Section Officer (Legislation), Law Department, Government of Sindh, Karachi, with reference to his letter No.S.REG.4(14)2016/31, dated 23rd February- 2017.
17. PS to Minister, Local Government and Housing Town Planning.
18. PS to Secretary, Local Government and Housing Town Planning Department.

(AKHLAQUE KHAN YOUSUFZAI)
RESEARCH OFFICER

FORM B-1
(See Rule 5)
ESTIMATES OF RECEIPTS

Serial No.	Head of Account	Budget estimated	Revised Estimates of the current year	Sanctioned Budget Estimates for the current year	Actual of the preceding year
1	2	3	4	5	6

REVENUE

	A- OZT Share	-	-	-	-
	B- Taxes				
(1)	Tax on building and lands	-	-	-	-
(2)	Tax on the transfer of immovable property	-	-	-	-
(3)	Toll Tax	-	-	-	-
(4)	Tax on profession/trade and callings	-	-	-	-
(5)	Tax on births/ Marriages, adoptions and feasts	-	-	-	-
(6)	Tax on advertisements	-	-	-	-
(7)	Tax on animals	-	-	-	-
(8)	Tax on vehicles	-	-	-	-
(9)	Tax on cinemas and and Entertainments	-	-	-	-
(10)	Share of taxes received From Government	-	-	-	-
	(i) Property tax				
	(ii) Betterment tax	-	-	-	-
	(iii) Surface materials	-	-	-	-
	(iv) Local cess	-	-	-	-
(11)	Other Taxes-	-	-	-	-
	Total	-	-	-	-

C- Rates

(1)	Local rate	-	-	-	-
(2)	Water rate	-	-	-	-
(3)	Fire rate	-	-	-	-
(4)	Lighting rate	-	-	-	-
(5)	Conservancy rate	-	-	-	-
(6)	Drainage rate	-	-	-	-
(7)	Rate for the execution of public utility	-	-	-	-
Total		-	-	-	-

D- Fees

(1)	Licence fees for animals	-	-	-	-
(2)	Licence fees for vehicles	-	-	-	-
(3)	Licence fees for articles of food and drink	-	-	-	-
(4)	Licence fees for dangerous and offensive trades	-	-	-	-
(5)	Licence fees for encroachments	-	-	-	-
(6)	Licence fees for Tehbazaari	-	-	-	-
(7)	Other Licence fees	-	-	-	-
(8)	Fees for Educational institutions	-	-	-	-
(9)	Fees for markets	-	-	-	-
(10)	Fees for fairs/agricultural shows/ industrial exhibitions/tournaments & Public gathering	-	-	-	-
(11)	Fees for slaughtering of animals	-	-	-	-
(12)	Fees for medical institutions	-	-	-	-
(13)	Vaccination fees	-	-	-	-
(14)	Fees for veterinary institutions	-	-	-	-
(15)	fees for fire brigade	-	-	-	-
(16)	Copying fees	-	-	-	-
(17)	Share of cotton fees received From Government.	-	-	-	-
(18)	Share of Paddy fees received From Govt.	-	-	-	-
(19)	Other fees	-	-	-	-
Total		-	-	-	-

E- Rent

(1)	Rents of Councils Property	-	-	-	-
(2)	Rent of Nazul Property	-	-	-	-
(3)	Other rents	-	-	-	-
Total		-	-	-	-

F- Other Receipts

(1)	Receipts on account of sale of sullage water	-	-	-	-
(2)	Receipts on account of the sale of refuse	-	-	-	-
(3)	Receipts on account of the sale of stock and stores	-	-	-	-
(4)	Receipts on account of the sale of trees and plants	-	-	-	-
(5)	Receipt on account of the sale of land and other immovable	-	-	-	-
(6)	return on investments	-	-	-	-
(7)	Share from magisterial fine	-	-	-	-
(8)	Miscellaneous receipts	-	-	-	-
Total		-	-	-	-

G- Grants

(1)	Grants for educational institutions	-	-	-	-
(2)	Grants for libraries	-	-	-	-
(3)	Grants for community projects	-	-	-	-
(4)	Grants for welfare institutions	-	-	-	-
(5)	Grant for medical institutions	-	-	-	-
(6)	Grant for public Health institutions	-	-	-	-
(7)	Donations	-	-	-	-
Total		-	-	-	-

CAPITAL

(1)	Grants for Drainage	-	-	-	-
(2)	Grants for water supply	-	-	-	-
(3)	Grant for roads	-	-	-	-
(4)	Grant for sanitation	-	-	-	-
(5)	Grant for work	-	-	-	-
(6)	Grant for cattle ponds	-	-	-	-
(7)	Grant of ferries	-	-	-	-
(8)	Special grant for development works	-	-	-	-
(9)	Grant of other purposes	-	-	-	-
(10)	Contributions from other Local Bodies	-	-	-	-
(11)	Contributions from the public	-	-	-	-
(12)	Investment	-	-	-	-
(13)	Return on Investments	-	-	-	-
(14)	Recovery of Loans	-	-	-	-
(15)	Share from magisterial fines	-	-	-	-
(16)	Cess on any tax levied by Govt.	-	-	-	-
(17)	Sale of immovable property	-	-	-	-
(18)	Disposal of capital assets	-	-	-	-
(19)	Sale of investments	-	-	-	-
(20)	Gants and receipts of non- Recurring	-	-	-	-
(21)	Other capital receipts	-	-	-	-
(22)	Recovery of arrears	-	-	-	-
(23)	Miscellaneous	-	-	-	-
	Sub-Total	-	-	-	-
	Security deposits	-	-	-	-
	Grand Total	-	-	-	-

FORM B-2
(See Rule 6)
ESTIMATES OF EXPENDITURE

Serial No.	Head of Account	Budget estimated	Revised Estimates of the current year	Sanctioned Budget Estimates for the current year	Actual of the preceding year
1	2	3	4	5	6

REVENUE

A- Establishment Expenditure

Name of the Department

(a) Pay of Officer (s)

(i) Salary	-	-	-	-
(ii) Allowances	-	-	-	-
(iii) Honoraria	-	-	-	-
Total	-	-	-	-

(b) Pay of Staff

(i) Salary	-	-	-	-
(ii) Allowances	-	-	-	-
(iii) Honoraria	-	-	-	-
Total	-	-	-	-

B- Contingencies

(a) Revenue (Services)	-	-	-	-
(b) capital (Commodities)	-	-	-	-
Total	-	-	-	-

C- Development Works

(a) Buildings	-	-	-	-
(b) Roads	-	-	-	-
(c) Parks	-	-	-	-
(d) Water Supply	-	-	-	-
Total	-	-	-	-

D- Charged Expenditure

(a)	Audit fees	-	-	-	-
(b)	Contribution towards	-	-	-	-
	Maintenance of Sindh	-	-	-	-
	Councils Unified Grades	-	-	-	-
	Services and Local				
	Councils Accounts				
	Committees	-	-	-	-
	Other committees	-	-	-	-
(c)	Contribution for				
	Maintenance of				
	divisional				
	and district				
	coordination				
	Committees	-	-	-	-
(d)	Other charged	-	-	-	-
	expenditure and amount				
	payable to Government				
(c)	Share of export tax				
	payable to Union				
	Councils				
		-	-	-	-
	Total	-	-	-	-

CAPITAL**A- Loans**

(a)	Re-payments of	-	-	-	-
	Principal amount				
(b)	Payment of interests	-	-	-	-
	(returns)				
	Total	-	-	-	-

B- Investments

(a)	Earmarked investments	-	-	-	-
(b)	Non-earmarked	-	-	-	-
	investments				
	Total	-	-	-	-

C- Reserve

(a)	Reserve for unforeseen expenditure	-	-	-	-
(b)	Miscellaneous unclassified	-	-	-	-
Total		-	-	-	-

D- Commercial Schemes

	E- Grants	-	-	-	-
	F- Civil Defence	-	-	-	-
	G- Scholar ships	-	-	-	-
(a)	Primary Schools students	-	-	-	-
(b)	High Schools students	-	-	-	-
(c)	Colleges students	-	-	-	-
(i)	Medical	-	-	-	-
(ii)	Engineering	-	-	-	-
(d)	Universities	-	-	-	-
Total		-	-	-	-
	H- Replacement costs	-	-	-	-
	I- Miscellaneous	-	-	-	-
Total		-	-	-	-

FORM B-3

(See Rule 7)

DEMANDS FOR GRANT

Head of Account	Sub-Head of account	Demand of grant
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FORM B-4

(See Rule 8)

FINANCIAL GRANTS

Serial No.	Head of Account	Budget year	Current year	Preceding year
1.	Total Income	-	-	-
2.	Capital Income	-	-	-
3.	Income of account of Arrears of previous year	-	-	-
4.	Total Income from taxes	-	-	-



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PART-IV

PROVINCIAL ASSEMBLY OF SINDH

NOTIFICATION

KARACHI, THE 12TH APRIL, 2017

NO.PAS/Legis-B-12/2016- The Sindh Food Authority Bill, 2016 having been passed by the Provincial Assembly of Sindh on 08th March, 2017 and assented to by the Governor of Sindh on 08th April, 2017 is hereby published as an Act of the Legislature of Sindh.

THE SINDH FOOD AUTHORITY ACT, 2016

SINDH ACT NO. XIV OF 2017

AN ACT

to provide for the safety and standards of food and for establishment of an Authority known as the Sindh Food Authority.

WHEREAS it is expedient to provide safe, hygienic and healthy food as per set standards of the Government and to provide for establishment of the Authority known as the Sindh Food Authority, and to provide for matters connected therewith or ancillary thereto;

Preamble.

CHAPTER 1 PRELIMINARY

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Food Authority Act, 2016.

**Short title,
extent and
commencement.**

- (2) It shall extend to the whole of the Province of Sindh.
- (3) **It shall come into force on such date as the Government may, by notification, specify;**

2. In this Act, unless there is anything repugnant in the subject or context -

Definitions.

- (a) "adulterated food" means the food -
 - (i) which is not of the nature, substance or quality which it purports or is represented to be; or
 - (ii) which contains any such extraneous substance as may adversely affect the nature, substance or quality of the food; or
 - (iii) which is processed, mixed, coloured, powdered or coated with any other substance in contravention of the rules or the regulations; or
 - (iv) any constituent of which has been wholly or in part abstracted so as to affect injuriously its nature, substance or quality; or
 - (v) which contains any poisonous or other ingredient that may render it injurious to human health; or
 - (vi) the quality or purity of which does not conform to the prescribed standards; or
 - (vii) which having been prepared, packed or kept under unhygienic and insanitary conditions; has been contaminated or has become injurious to health;
- (b) "advertisement" means any publicity, representation, launching or pronouncement made by any means for purposes of promoting the sale or disposal of any food;
- (c) "Authority" means the Sindh Food Authority established under section 3;
- (d) "Chairperson" means the Chairperson of the Authority;
- (e) "consumer" means a person who receives food against a consideration or otherwise and includes an end user of the food;
- (f) **"Code" means the Criminal Procedure Code, 1898;**

- (g) "Director General" means the Director General of the Authority;
- (h) "food" means anything used as food or drink for human consumption other than drugs, and includes -
 - (i) any substance which is intended for use in the preparation of food;
 - (ii) any flavouring agent or condiment;
 - (iii) any colouring matter intended for use in food;
 - (iv) chewing gum, confectionary and other products of like nature;
 - (v) water in any form including ice, intended for human consumption or for use in the composition or preparation of food; and
 - (vi) any other thing prescribed as food;
 - (vii) **canned food and soft drinks;**

Explanation-I.- A thing shall not cease to be food by reason that it is also capable of being used as drugs.

Explanation-II.- In this clause, the word "drugs" has the same meaning as is assigned to it in the Drugs Act 1976 (XXXI of 1976).

- (i) "food additive" includes any substance not normally consumed as food by itself or used as a typical ingredient of food but the addition of which to food affects the characteristics of the food;
- (j) "food business" means any undertaking, whether or not for profit, carrying out any of the activities related to any stage of manufacturing, processing, packaging, storage, transportation, distribution of food, import, export and includes food services, catering services, sale of food or food ingredients;
- (k) "food laboratory" means any food laboratory or institute established or recognized by the Authority;
- (l) "food operator" means a person or company or association of persons who manufactures for sale, transports, stores, sells, distributes, imports or exports food;

- (m) "Food Safety Officer" means a Food Safety Officer appointed under this Act;
- (n) "Fund" means the Fund established under section 50;
- (o) "Government" means the Government of Sindh;
- (p) "import" means bringing into any article of food by any means including land, sea, river, canal or air in the Province of Sindh;
- (q) "label" includes any tag, brand, mark, pictorial or other descriptive matter, written, printed, stenciled, marked, painted, embossed or impressed on, or attached to or included in, belonging to, or accompanying any food, **including date of manufacturing, expiry along with its batch number;**
- (r) "licence" means a licence granted under this Act or rules or regulations;
- (s) "Member" means a member of the Authority;
- (t) "misbranded food" means the food -
 - (i) which is an imitation of or resembles another food, in a manner that it is likely to deceive the consumer; or
 - (ii) which is so coloured, flavoured, coated, powdered or polished as to conceal the true nature of the food; or
 - (iii) which is contained in any package which, or the label of which, bears any statement, design or device regarding the ingredients or the substances contained in the food, that is false or misleading;
- (u) "package" includes anything in which food is wholly or partly cased, covered, contained, placed or otherwise packed in any manner and any such other receptacle of any kind whether opened or closed;
- (v) "premises" include any shop, stall, hotel, restaurant, airline services, canteens, place, vehicle, building or tent or any other structure and any adjoining land used in connection with it and any vehicle, conveyance, vessel or aircraft where any food is sold or manufactured or stored for sale;
- (w) "prescribed" means prescribed by the rules or regulations;

- (x) "public analyst" means a public analyst appointed under this Act;
- (y) "safe food" means an article of food which is safe for human consumption;
- (z) "Scientific Panel" means the Scientific Panel constituted under this Act;
- (aa) "standard", in relation to any article of food, means the prescribed standard and includes the standard notified by the Food Authority; and
- (bb) "unsafe food" means the food whose nature, substance or quality is so affected by any means as to render it injurious to human health.

CHAPTER II

ESTABLISHMENT OF FOOD AUTHORITY

3. (1) Government may, by notification in the official Gazette, establish the Sindh Food Authority for purposes of this Act.

Establishment of the Food Authority.

(2) The Authority shall be a body corporate, having perpetual succession and a common seal, with power to enter into contract, acquire or dispose of property, and may, by its name, sue or be sued, **its office should be at Karachi.**

4. (1) The Food Authority shall consist of--

Composition of the Food Authority.

- | | |
|--|-------------------------|
| (a) Minister/Advisor on Food, Sindh. | Chairperson |
| (aa) Chairman, Standing Committee on Food. | Member |
| (b) Secretary to Government, Food Department, Sindh. | Convener |
| (c) Secretary to Government, Health Department, Sindh. | Vice Chairperson |
| (d) Secretary to Government, Culture & Tourism Department, Sindh. | Member |
| (e) Secretary to Government, Agriculture, Livestock Department, Sindh. | Member |
| (f) Secretary to Government of Sindh, Social Welfare Department. | Member |
| (g) Secretary to Government, Local Government Department, Sindh. | Member |

- (h) Secretary to Government of Sindh, Public Health Engineering Department. **Member**
- (i) **Three Members of Provincial Assembly to be nominated by the Speaker.** **Member**
- (j) **One representative from Chamber of Commerce & Industry.** **Member**
- (k) One food technologist or scientist to be nominated by Government. **Member**

Legal Advisor

- (l) One representative of food operators. **Member**
- (m) **One representative of food operators and food industry.** **Member**
- (n) One representative of consumers. **Member**
- (o) Any other member/respective Divisional Commissioner, as co-opted by the **Chairman of the Authority.** **Member**

(2) Government shall appoint the non-official members on the recommendation of a committee consisting of the following:-

- (a) Secretary, Food Department, **Government of Sindh.** **Convener**
- (b) Secretary, Health Department, **Government of Sindh.** **Member**
- (c) Chairperson, Department of Food Sciences, University of Karachi. **Member**

(3) The Authority may, with the simple majority, co-opt any other person as a member but such person shall have not right of vote.

(4) The members, other than ex-officio members, shall be appointed in such a manner as to ensure the highest standards of professional competence and experience.

(5) **In the absence of Chairperson or Vice Chairperson any MPA may preside over the meeting.**

5. (1) The members, other than ex-officio members, shall hold office for a term of four years.

(2) A person shall not be appointed as member, other than ex-officio member, for more than two terms, whether consecutive or otherwise.

(3) A member, other than an ex-officio member, may resign from his office by serving one month's notice in writing to Government.

6. (1) Government may remove a member, other than an ex-officio member, if he-

- (a) has been adjudged an un-discharged insolvent; or
- (b) has been convicted of an offence which involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as the or the member; or
- (d) has abused his position and rendered his continuance in the office prejudicial to public interest.

(2) A member shall not be removed from office except after affording him a reasonable opportunity of being heard.

7. (1) The Authority shall regulate and monitor the food business in order to ensure provision of safe food.

(2) Without prejudice to the provisions of sub-section (1), the Authority may -

- (a) formulate standards, procedures, processes and guidelines in relation to any aspect of food including food business, food labeling, food additive, and specify appropriate enforcement systems;

Terms and conditions of Chairperson and members.

Removal of members.

Powers and functions of the Food Authority.

- (b) specify procedures and guidelines for setting up and accreditation of food laboratories;
- (c) formulate method of sampling, analysis of samples and reporting of results;
- (d) specify licensing, prohibition orders, recall procedures, improvement notices or prosecution;
- (e) determine terms and conditions of service of its employees;
- (f) provide scientific advice and technical support to the Government in matters relating to food;
- (g) collect and analyze relevant scientific and technical data relating to food;
- (h) establish a system of network of food operators and consumers to facilitate food safety and quality control;
- (i) organize training programmes in food safety and standards;
- (j) promote general awareness as to food safety and standards;
- (k) levy fee for registration, licensing and other services;
- (l) certify food for export;
- (m) perform any other function as may be prescribed; and
- (n) do any other thing which is incidental to or necessary for the discharge of its functions under this Act.

(3) The Authority shall exercise its functions, as far as possible, in accordance with the well-established scientific principles and international best practices.

8. Government may, as and when it considers necessary, issue directions to the Authority on matters of policy, and such directions shall be binding upon the Authority.

**Power of
Government to
Issue directives**

9. (1) The meetings of the Authority shall be regulated by regulations but until regulations are framed, the meetings shall be held as directed by the Chairperson; provided that the meeting shall be held atleast once in a quarter.

**Meetings of the
Authority.**

(2) The meetings of the Authority shall normally be presided over by the Chairperson but in case the Chairperson is absent, the member shall elect from amongst themselves a member to preside the meeting.

(3) One-third of the total members shall constitute a quorum for a meeting of the Authority.

(4) The members shall have reasonable notice of the time and place of the meeting and matters on which a decision by the Authority shall be taken in such meeting.

(5) The decision of the Authority shall be taken by the majority of its members present and, in case of a tie, the member presiding a meeting shall have a casting vote.

(6) All orders, determination and decision of the Authority shall be taken in writing and shall be signed by the Convenor.

10. (1) There shall be a full-time Director General of the Authority and shall be appointed by Government on such terms and conditions as it may determine.

**Appointment of
Director
General.**

(2) The Director General shall be an eminent professional of known integrity and competence having experience of public or private sector management especially in the context of managing human resources, financial management, program implementation and has technical understanding of standards, procedures, processes and guidelines in relation to any aspect of food.

(3) The Director General shall be appointed for a period of four years and shall be eligible for reappointment for more than one term on the basis of his performance provided that Government on a complaint regarding the performance of the Director General or otherwise reduce his term or as the case may be terminate his services.

(4) The Director General may at any time, on three months' notice, resign his office by writing under his hand addressed to the Chairperson.

(5) No person shall be appointed or continue as Director General, if he -

- (a) has been convicted of an offence involving moral turpitude;
- (b) has been removed from service for misconduct;
- (c) has been adjudicated as insolvent;

- (d) is incapable of discharging his duties by reasons of physical or mental incapacity and has been so declared by a Medical Board appointed by the Federal Government; or
- (e) fails to disclose any conflict of interest at or within the time provided for such disclosure by or under this Act or contravene any of the provisions of this Act.

11. (1) The Director General shall be the executive head of the Authority and have power and responsibility to -

**Powers of
Director General.**

- (a) exercise administrative control over the Authority and day to day functioning of the Authority, including management, financial management, human resource management;
- (b) submit the annual budget proposals to the Authority;
- (c) run the affairs of the Authority for attaining its objectives through the executive tier placed under therein;
- (d) prepare the annual report for placing before the Authority;
- (e) perform such functions and exercise such powers as the Authority may delegate to him; and
- (f) act on behalf of the Authority, in any emergency, subject to the obligation to report such action to the Authority at its next meeting and to seek the ratification of Authority of any action so taken.

12. There shall be established a fully-fledged organizational tier of the Authority, under the Director General in such manner and with such functions as may be prescribed by regulations.

**Organizational
Tier.**

13. The Authority may set up such administrative and technical committees for the efficient performance of its functions as may be necessary and entrust to the committees such functions as it may consider necessary.

Committees.

14. (1) The Authority may establish one or more Scientific Panels, which shall consist of the following:-

Scientific Panel.

- (a) Director of the Food Authority (Convener);

- (b) a representative, having background of food science or technology, of an organization established for determining standards and quality of food;
- (c) a representative, having background of food science or technology, of an organization established for scientific or industrial research on food;
- (d) a representative, having background of food science or technology, of the Agriculture University Tandojam;
- (e) a food technologist or scientist;
- (f) a medical practitioner registered with Pakistan Medical and Dental Council; and
- (g) one representatives of the food manufacturers in the relevant field.

(2) A Scientific Panel may co-opt any other member from the relevant industry.

(3) The Authority shall determine the terms and conditions, including tenure of members of a Scientific Panel other than ex-officio member.

(4) The Authority may refer any matter relating to food to the Scientific Panel for recommendation.

(5) The Scientific Panel may, after due deliberations with the relevant industry and consumer representatives, make recommendations to the Authority on standards, products, procedures, processes and guidelines in relation to any technical aspect of the food.

(6) If the Authority does not agree to the recommendations of the Scientific Panel, it may, with reasons, refer the case back to the Scientific Panel for reconsideration.

(7) The Scientific Panel shall reconsider the reference and forward its reconsidered recommendations and the Food Authority shall act accordingly.

15. (1) The Authority may, by notification, appoint Food Public Analysts for such areas as it may assign to them.

Food Analysts.

(2) A Food Analyst shall possess such qualifications as may be prescribed.

(3) The production in a trial of a certificate under the hand of a Food Analyst shall, until the contrary is proved, be sufficient proof of the facts contained in the certificate.

(4) The Court may, of its own accord or on the request of the accused, cause any food or sample of food to be sent for analysis to the public analyst.

(5) Unless otherwise directed by the Court, the accused, on whose request any food or sample of food is sent to the public analyst, shall bear its cost.

16. (1) The Authority may, by notification, appoint Food Safety Officers for such areas as it may assign to them.

Food Safety Officer.

(2) A Food Safety Officer shall possess such qualifications as may be prescribed.

(3) Notwithstanding anything in sub-section (2), the Authority, in public interest, may confer the powers of a Food Safety Officer on a Government servant.

17. (1) A Food Safety Officer may -

Powers of Food Safety Officer.

- (a) take sample of any food or any substance, which appears to him to be intended for sale, or has been sold as food;
- (b) seize any food, apparatus or utensil which appears to the Food Safety Officer to be in contravention of this Act, the rules or the regulations;
- (c) enter or seal any premises where he believes any food is prepared, preserved, packaged, stored, conveyed, distributed or sold, examine any such food and examine anything that he believes is used, or capable of being used for such preparation, preservation, packaging, storing, conveying, distribution or sale;
- (d) open and examine any package which, he believes, to contain any food;
- (e) examine any book or documents with respect to any food and make copies of or take extracts from the book or document;
- (f) demand the production of the identity card, the business registration certificate, licence or any other relevant document from a food operator;

(g) mark, seal or otherwise secure, weigh, count or measure any food or appliance; and

(h) search and seize any vehicle carrying food.

(2) A Food Safety Officer shall prepare a statement describing the food, apparatus, utensil or vehicle seized and shall deliver a copy of the statement to the person from whom it is seized or, if such person is not present, send such copy to him by mail.

(3) A person claiming any seized item or property under subsection (1) may, within seven days of the seizure, apply to the Court and the Court may confirm such seizure, wholly or in part, or may order that it be restored to the claimant.

(4) If the Court confirms the seizure of the food, apparatus or utensil, it shall be forfeited to the Authority or the Court may direct that such food, apparatus, utensil may be destroyed at the cost of the owner or person in whose possession it was found.

(5) If an application is not made within fifteen days under subsection (3), the food, apparatus or utensil seized, shall be forfeited to the Authority.

(6) Any person may make an application in writing to the Food Safety Officer asking him to obtain a sample of any food from a food operator and get it analyzed from the public analyst.

18. The Authority may, from time to time and within its resources, create posts, appoint such officers, servants, advisers, consultants and experts as it considers necessary for the performance of its functions in such manner and on such terms and conditions as may be prescribed.

**Appointment
of officers
and staff.**

CHAPTER-III ENFORCEMENT MECHANISM

19. (1) No person shall use any place for food business except under the prescribed registration and possessing of a valid licence.

**Licensing of food
business.**

(2) The Authority may, in the prescribed manner, exempt a class of food operators from obtaining compulsory registration or possessing of licence.

20. (1) If a Food Safety Officer has reasons to believe that any food operator has failed to comply with any provisions of this Act, the rules or the regulations, he may serve an improvement notice upon the food operator -

**Improvement
notice.**

- (a) stating the grounds for believing that the food operator has failed to comply with any provisions of the Act or the rules or the regulations;
- (b) specifying the matters which constitute the food operator's failure so to comply; and
- (c) intimating the measures which the food operator should take in order to secure compliance with the relevant provisions of the law.

(2) If the food operator fails to comply with the improvement notice within the prescribed time, the Authority may cancel or suspend his licence or take such other action as it deems appropriate.

21. If any food operator is convicted of an offence under this Act and the Court is satisfied that the health risk exists with respect to the food business, the Court, may impose the following prohibitions:-

**Prohibition
orders.**

- (a) a prohibition on the use of a process, treatment, premises or equipment for purposes of the food business; or
- (b) a prohibition, with or without specifying period of prohibition, on the food operator to conduct or operate the food business.

22. (1) If the Food Safety Officer is satisfied that the health risk condition exists with respect to any food business, he may, after serving a notice on the food operator and for reasons to be recorded in writing, restrain him from carrying on the food business with or without specifying conditions or period of such restraint.

**Emergency
prohibition
orders.**

(2) The Food Safety Officer shall, within twenty four hours of the action taken under sub-section (1), report such action to the Authority which may, after serving a notice on the food operator and for reasons to be recorded in writing, confirm, modify, set aside or annul the order of the Food Safety Officer.

23. The Authority may, by notification, require medical practitioners carrying on profession in any local area to report all occurrences of food poisoning to the Food Safety Officer or the Authority.

**Notification of
food poisoning.**

24. (1) If the Director General has reasons to believe that some food is not in compliance with this Act, rules or regulations, he may, after recording reasons, order immediate lifting or withdrawal of the said food from the market.

**Food recalls
procedures.**

(2) Any person, who is aggrieved by any action taken under this section, may, in the prescribed manner, prefer an appeal to the Authority.

(3) The Authority may, on its own accord or on the application of an aggrieved person, set-aside or modify an order made under subsection (1).

25. (1) The Authority may establish a food laboratory for purposes of carrying out analysis of samples of any food or food related equipments or utensils.

**Establishment of
food laboratories.**

(2) The Authority may recognize or accredit a food laboratory for any of the purposes contained in sub-section (1).

CHAPTER IV OFFENCES AND PENALTIES

26. A person, who sells or offers for sale any adulterated food or food which is not in compliance with the provisions of this Act, the rules or the regulations, shall be liable to imprisonment for a term which may extend to six months or fine which may extend to one million rupees or with both.

**Selling food not in
compliance of the
Law.**

27. Any person, who manufactures for sale, stores, sells, distributes, imports or exports any food which is not of standard or misbranded, shall be liable to imprisonment for a term which may extend to six months and fine which may extend to one million rupees or with both.

**Substandard or
misbranded food.**

28. A food operator, who manufactures for sale, stores, sells, distributes, imports or exports any unsafe food, shall be liable -

Unsafe food.

- (a) where the unsafe food does not result in injury to any person, to imprisonment for a term which may extend to six months and fine which may extend to two hundred thousand rupees;
- (b) where such unsafe food results in injury or partial disability to any person, to imprisonment for a term which may extend to three years and fine which may extend to one million rupees; or

- (c) where such unsafe food results in complete disability or death of a person, to imprisonment for a term which may extend to imprisonment for life and fine which shall not be less than two million rupees.

29. (1) Any person, who for purposes of effecting or promoting the sale of any food, publishes or causes to be published, any advertisement which -

False advertisement.

- (a) falsely describes any food, or
- (b) is contrary to any rules or regulations; or
- (c) is likely to deceive a purchaser with regard to the character, nature, value, substance, quality, strength, purity, composition, merit or safety, weight, proportion, origin, age or effects of any food or of any ingredient or constituent of the food, shall be liable to imprisonment for a term which may extend to six months and/or fine which may extend to one million rupees.

(2) Any person, who publishes or causes to be published an advertisement, which does not contain the true name of the person by whom the advertisement is published or the address of his place of business, shall be liable to imprisonment for a term which may extend to six months or fine which may extend to one million rupees or with both.

30. (1) Any person, who prepares, packages, labels any food which does not comply with the prescribed standard, shall be liable to imprisonment for a term which may extend to six months and or fine which may extend to one million rupees or with both.

False labeling.

(2) Any person, who labels any food in a manner which is false, misleading or deceptive as regards its character, nature, value, substance, quality, composition, merit or safety, strength, purity, weight, origin, age or proportion shall be liable to imprisonment for a term which may extend to six months or fine which may extend to one million rupees or with both.

31. If any person, without reasonable cause, fails to comply with any order or notice issued by the Authority or a Food Safety Officer, he shall be liable to imprisonment for a term which may extend to three months or fine which may extend to five hundred thousand rupees or with both.

failure to comply with the directions.

32. Any person, who manufactures or processes or keeps any food under unhygienic or unsanitary conditions, shall be liable to imprisonment for a term which may extend to six months or fine which may extend to one million rupees or with both.

Unhygienic or unsanitary conditions.

33. If a person, who commits an offence prescribed under the rules, for which no penalty has been provided under this Act, shall be liable to imprisonment for a term which may extend to three months or fine which may extend to five hundred thousand rupees or with both.

Penalty for prescribed offences.

34. If a person makes a false or misleading statement, provides false or misleading information or produces any false or misleading document before the Authority or a Food Safety Officer, he shall be liable to imprisonment for a term which may extend to six months and fine which may extend to five hundred thousand rupees or with both.

False information.

35. (1) Any person, who obstructs a Food Safety Officer in the performance of his duties, shall be liable to imprisonment for a term which may extend to six months or fine which may extend five hundred thousand rupees or with both.

Obstructing the Food Safety Officer.

(2) Any person, who unlawfully removes, alters or interferes, in any manner, with any food, equipment or vehicle seized or any premises sealed under this Act, shall be liable to imprisonment for a term which may extend to six months and or fine which may extend to five hundred thousand rupees or with both.

36. If a food operator manufactures, sells, offers for sale, stores or distributes or imports any food without the prescribed registration or licence, he shall be liable to imprisonment for a term which may extend to one year and or fine which may extend to five hundred thousand rupees or with both.

Business without licence.

37. (1) A food operator who is a manufacturer, distributor or dealer of a prescribed food shall not sell such food to any food vendor unless a written warranty or other written statement is given that the food complies with the provisions of this Act, the rules and regulations.

Warranty.

(2) Any person, who contravenes the provisions of subsection (1), of **Clause-37**, shall be liable to imprisonment for a term which may extend to six months and or fine which may extend to one million rupees or with both.

(3) Any food vendor, who gives to the purchaser a warranty in writing which is false, shall be liable to imprisonment for a term which may extend to six months or fine which may extend to five hundred thousand rupees or with both.

38. If any person, after having been previously convicted of an offence under this Act, commits subsequent offence under this Act, his licence shall be cancelled forthwith and shall also be liable to-

Punishment for subsequent offence.

- (a) twice the punishment of imprisonment and fine, which is provided for the offence under this Act; or
- (b) further fine which may extend to two hundred thousand rupees;

39. (1) In case of injury or death of a consumer due to unsafe food, the Court, in addition to any other penalty under this Act, shall direct the food operator to pay compensation to the consumer or, as the case may be, the legal heirs of the consumer, an amount which is-

Compensation in case of injury, partial disability, complete disability or death of a consumer.

- (a) not less than one million rupees in case of complete disability or death; or
- (b) not exceeding five hundred thousand rupees in case of partial disability or injury.

(2) If the food operator fails to pay the compensation under this section, the Authority shall recover the compensation as arrears of land revenue and make payment of the recovered amount to the consumer or, as the case may be, the legal heirs of the consumer.

40. In case of a conviction under this Act, the Court may direct that any food, equipment, machinery, vehicle or any other thing, to which the conviction relates, shall be confiscated and shall vest in the Authority.

Forfeiture of food, etc.

41. (1) Where an offence under this Act has been committed by a Company, every person, who at the time of the commission of the offence, was in charge of the Company shall be liable to punishment for the offence and the Company shall also be liable to the punishment of fine or compensation specified for the offence.

Offences by companies.

(2) Notwithstanding anything contained in sub-section (1), where it is proved that the offence is attributable to any neglect on the part of any director, manager, secretary or

other officer of the Company, such director, manager, secretary or other officer shall also be liable to punishment for such offence.

Explanation.- In this section, "Company" means a body corporate and includes a firm or any other association of persons.

Publication in newspapers.

42. If a person is convicted of an offence and the conviction has attained finality, the Authority may, keeping in view the nature or intensity of the offence, publish the name of the person together with the name and place of his business, the nature of the offence and the fine, forfeiture, or other penalty imposed on him, in newspapers or in any other mode for information of the people for awareness of general public and the convict shall be liable to pay the cost of such publication.

CHAPTER V JURISDICTION AND PROCEDURE

43. (1) On information received from a Food Safety Officer or any other person, the Authority may, for reasons to be recorded in writing-

Jurisdiction of the Food Authority.

- (a) order prosecution of a food operator under this Act;
- (b) suspend or cancel the licence of the food operator;
- (c) impose on the food operator fine which may extend to, unless otherwise provided in this Act, five hundred thousand rupees; or
- (d) decide, if the circumstances so warrant, not to take any action on the information.

(2) If the Authority cancels the licence or imposes fine on a food operator, the food operator may, within fifteen days of the communication of the order, prefer an appeal against such order to such Appellate Authority as Government may specify by notification in the official Gazette.

(3) The Authority or the Appellate Authority shall not pass any order relating to suspension or cancellation of the licence or imposition of fine without providing an opportunity of hearing to the food operator.

(4) An order of suspension of a licence under this section shall not be passed for a period exceeding seven days at a time and, unless sooner withdrawn or the licence is cancelled, shall cease to have effect on the expiry of the thirtieth day from the date of first such order.

44. An offence punishable under this Act shall be tried by a Judicial Magistrate of First Class.

Jurisdiction of the Court.

45. (1) Subject to sub-section (2), no Court shall take cognizance of an offence under this Act except on a complaint in writing made by or on behalf of the Authority.

Cognizance of offences.

(2) If the offence causes death of, or injury to, a person, the aggrieved person may also file a complaint in the Court under Chapter XVI of the Code of Criminal Procedure 1898 (V of 1898).

46. The prosecution for an offence under this Act shall not be allowed after the expiry of three years from the date of the commission of the offence or one year from its discovery by the complainant.

Time limit for prosecutions.

47. (1) Notwithstanding anything contained in the Code of Criminal Procedure 1898 (V of 1898) but subject to sub-section (3), the Court shall summarily try an offence punishable under this Act and impose punishment of imprisonment for a term not exceeding six months or fine not exceeding one million rupees or with both.

Summary trial.

(2) The Court shall conduct the summary trial of an offence under the Act in accordance with the provisions of Chapter XXII of the Code of Criminal Procedure 1898 (V of 1898) relating to the summary trials.

(3) If the Court is of opinion that the nature of the offence does justify summary trial, it may conduct proceedings in accordance with the provisions of Chapter XX of the Code of Criminal Procedure 1898 (V of 1898).

48. In any proceedings for an offence under this Act, the exercise of due care and caution shall be valid defence if it is proved that the food operator took all reasonable precautions and exercised due diligence to prevent the commission of the offence.

Defence available.

49. (1) The Authority shall recover the fine, fee or any other amount, imposed or levied, under this Act, the rules or the regulations, as an arrears of land revenue and, for the purpose, authorize an officer to exercise the powers of Collector under the Sindh Land Revenue Act 1967 (XVII of 1967).

Recovery of fines etc.

(2) The fine imposed or the fee charged under this Act, rules or regulations shall be deposited with the Authority and shall form part of the Authority Fund.

CHAPTER VI FINANCES AND REPORTS

50. (1) There shall be established a fund to be known as the Sindh Food Authority Fund to be administered and controlled by the Authority.

**Food Authority
Fund.**

(2) The Fund shall consist of -

- (a) funds provided by Government or the Federal Government;
- (b) loans or grants made by Government or the Federal Government;
- (c) other loans or funds obtained by the Authority;
- (d) grants and loans negotiated and raised, or otherwise obtained, by the Authority with the prior approval of Government;
- (e) fee, charges, rentals and fines collected by the Authority;
- (f) income from the lease or sale of the property;
- (g) funds from floating bonds, shares, debentures, certificates, or other securities issued by the Authority; and
- (h) all other sums received by the Authority.

(3) The Authority shall meet all of its expenses from the Authority Fund.

(4) The Fund shall be managed and operated in the manner as may be prescribed.

51. The Authority may open and maintain its accounts at such scheduled banks as may be prescribed, and until so prescribed, as the Government may determine.

Bank accounts.

52. (1) The Authority shall maintain proper accounts and other records relating to its financial affairs including its income and expenditures and its assets and liabilities in such form and manner as may be prescribed.

**Budget and
accounts.**

(2) After the conclusion of a financial year, the Authority, in the manner prescribed, shall cause to be prepared for the financial year statements of account of the Authority which shall include a balancesheet and an account of income and expenditures.

(3) The Authority shall approve its annual budget for a financial year in the prescribed manner.

(4) No expenditure for which provision has not been made in any approved budget shall be incurred without prior approval of the Authority.

53. (1) The Auditor General of Pakistan shall annually audit the accounts of the Authority.

Audit

(2) Government, in addition to the audit under sub-section (1), shall cause the accounts of the Authority annually audited by a Chartered Accountant or a firm of Chartered Accountants.

(3) The auditor appointed under sub-section (2) shall be provided such access to the books, accounts and other documents as may be considered necessary for the audit of accounts.

(4) The auditor shall submit the annual or any special audit report to the Authority, and the Authority, under intimation to Government, shall take appropriate remedial or other action in the light of the audit report.

54. (1) The Authority shall, within three months of the close of a financial year, submit to Government an annual performance report.

Annual report.

(2) The report under sub-section (1) shall consist of -

- (a) the statement of accounts and audit reports of the Authority;
- (b) a comprehensive statement of the work and activities of the Authority during the preceding financial year and its proposed projects and schemes; and
- (c) such other matters as may be prescribed or as the Authority may consider appropriate.

(3) Government shall, within ninety days of receiving the report from the Authority, give notice for laying the report in the Provincial Assembly of Sindh, and shall lay the report in the first available session of the Assembly.

CHAPTER VII MISCELLANEOUS

55. The Authority may delegate, subject to such conditions and restrictions as may be specified in the order, any of its functions to a body, committee or an officer, except the function to-
- (a) frame or amend regulations;
 - (b) constitute a committee or fill a vacancy in a committee;
 - (c) formulate standards, procedures, processes and guidelines in relation to any aspect of food; and
 - (d) approve the annual report, annual budget and audited accounts.
- Delegation of powers.**
56. The Authority may, in the manner prescribed by the rules, make payment of reward from the Fund to any person who has made an exceptional effort towards accomplishing the objective of this Act.
- Reward by the Food Authority.**
57. The Chairperson, the members and the employees of the Authority shall be deemed, when acting in the discharge of their functions under this Act, to be public servants within the meaning of section 21 of the Pakistan Penal Code 1860 (XLV of 1860).
- Public servants.**
58. No suit, prosecution or other legal proceedings shall lie against Government, any officer of Government, the Authority, the Chairperson, a member or any employee of the Authority for anything which is done in good faith under this Act, the rules or regulations.
- Immunity.**
59. The provisions of this Act shall have effect notwithstanding anything contained in any other law, for the time being in force.
- Overriding effect.**
60. Government may make rules for carrying out the purposes of this Act.
- Government to make rules.**
61. (1) Subject to this Act and the rules, the Authority may, with the prior sanction of Government, frame regulations to give effect to the provisions of this Act.
- Food Authority to frame regulations.**
- (2) Without prejudice to the generality of sub-section (1), such regulations may provide for -
- (a) procedure for transaction of business of the Authority;
 - (b) terms and conditions of service of the employees of the Authority;
 - (c) procedure and conduct of business by a scientific panel;
 - (d) standards and guidelines in relation to any food, food places, food workers and food handlers;

- (e) limits of additives, contaminants, toxic substance, heavy metals pesticides, veterinary drugs, residues, in the food;
- (f) marking, packaging, labeling, advertising and warranty of any food;
- (g) food recall procedures, improvement notices and prohibition orders;
- (h) licensing and registration procedures;
- (i) inspection of food business, safe and hygienic storage and transportation practices;
- (j) recognition and accreditation of laboratories and scale of fee for a laboratory test;
- (k) search of a premises, vehicle or person and guidelines for taking and handling samples of any food;
- (l) prosecutions and appeals under this Act; and
- (m) finances, accounts, budget and reporting procedures.

63. (1) The West Pakistan Pure Food Ordinance 1960 (VII of 1960), in its application to the Province of Sindh, is hereby repealed.

Repeal and savings.

(2) Notwithstanding the repeal of the provisions of the Ordinance under sub-section (1), all orders, rules or regulations made, notifications issued, actions and proceedings taken under the said Ordinance shall continue to remain in force until altered, amended or repealed under the provisions of this Act.

(3) Subject to this Act, any licence or order issued under the repealed Ordinance, which is in force on the date of coming into force of the Act, shall be deemed to have been issued under the Act and shall continue to be in force until expired, cancelled or withdrawn.

(4) The standards, safety requirements and other provisions of the repealed Ordinance or the rules made there-under, shall, to the extent of consistency with the Act, continue to remain in force till the standards, safety requirements are prescribed under the Act.

**BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH**

**G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH**

Published by Authority

No. 22

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PART-I
NOTIFICATIONS BY THE GOVERNMENT OF SINDH

LOCAL GOVERNMENT AND
HOUSING TOWN PLANNING
DEPARTMENT

No.RO(LG)/MISC./4(74)/2016: In exercise of the powers conferred by section 138 of the Sindh Local Government Act, 2013 read with section 124 and entry 12 of Schedule VII thereto, the Government of Sindh are pleased to make the following rules, namely:-

PART-I

GENERAL

1 Short title and commencement. (1) These Rules may be called the Sindh Local Councils Employess (Service Rules, 2017.

(2) They shall come into force at once

(3) They shall apply to all employees of the Council wherever they may be, but shall not apply to casual or work-charged staff and persons employed on contract or on deputation with the Council, who will be governed by the terms and conditions of their contract or deputation as the case may be.

2. Definitions. (1) In these rules, unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them that is to say -

- (a) "Act" means Sindh Local Government, Act, 2013
- (b) "appointment" means the appointment made by initial appointment or by promotion;
- (c) "appointing authority" in relation to a post means the appointing authority specified in rule 6;
- (d) "basic pay scale" means scale of pay in which a post or group of posts is placed;
- (e) "cadre" means the strength of a service or a part of a service sanctioned as a separate unit;
- (f) "competent authority" means the authority designated by virtue of these rules or delegation or authorization made by Government;
- (g) "Commission" means the Sindh Public Service Commission;
- (h) "contract appointment" means an appointment of a duly qualified person made against permanent post for a limited period, in accordance with the prescribed method of recruitment;
- (i) "Council" means the Council as defined under section 3(xvii) of the Act;
- (j) "deputation" means the temporary transfer on lien of the services of any person from or to the Council;
- (k) "Department" means departments as prescribed in the Sindh Councils (Budget) Rules, 2016;
- (l) "Departmental Promotion Committee" means a Committee constituted for the purpose of making promotion to the posts under a Department or Office of a Council;
- (m) "Departmental Selection Committee" means a Committee constituted for the purpose of making selection for initial appointment to the posts under a department or office of a Council;
- (n) "employee" means an employee of the Council;
- (o) "Government" means the Government of Sindh;
- (p) "initial Recruitment" means appointment made other than by promotion or transfer;
- (q) "pay" means the amount monthly drawn by an employee as pay and includes technical pay, special pay, personal pay and other emoluments or allowances declared by the Council to be pay;
- (r) "personal pay" means additional pay granted to an employee -

- (a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or
- (b) in exceptional circumstances, on other personal considerations;
- (s) "post" means a post mentioned in the sanctioned Schedule of Establishment of a Council;
- (t) "recognized university" means any University incorporated by the Law in Pakistan and recognized by the Higher Education Commission or any other University declared by Government to be a University for the purpose of these rules;
- (u) "Schedule of establishment" means the Schedule of establishment prepared by a Council and approved by the Government under Section 123 of the Act;
- (v) "Secondary Board" means a Board of Secondary Education established under any law for the time being in force in Pakistan or any other authority or institution declared by Government as such;
- (a) "service" means a Service constituted for a Council under these Rules.

3. Constitution of the Service: (1) For every Council there shall be a Service to be known by the name of the Council concerned.

(2) Each service shall comprise of such cadres, basic pay scales and shall consist of such number of posts as may be specified by the Council with the approval of Government.

(3) The members of one cadre of service shall not be eligible for appointment to a post borne on any other cadre of the service.

PART-II APPOINTMENT, PROMOTION AND TRANSFER

4. Appointment to be made under these rules. No appointment to a post shall be made except in accordance with these rules.

5. Method of Appointment. Appointments to the posts shall be made by any of the following methods, namely: -

- (a) by promotion or transfer; or
- (b) by initial appointment

(2) The method of appointment and the qualification and other conditions applicable to a post shall be laid down by the Council concerned with the approval or Government.

(3) Subject to other provisions of these rules, no appointment to a post shall be made except on the recommendations of the Selection Committee.

6. Appointing Authority. (1) The Council shall be the appointing authority in respect of all posts as approved by the Government in the Schedule of Establishment; provided that the appointments to posts in basic pay scales 16 and above shall be made in case of initial appointment by the Commission and in case of promotion with the approval of Government.

(2) The Council may authorize any officer to exercise its powers of appointing authority in respect of the posts specified by it.

7. Selection and Promotion Committees. (1) In each Council there shall be one or more Departmental Promotion Committees and Departmental Selection Committees.

(2) Each such committee shall consist of at least three members one of whom shall be appointed as Chairman.

PART-III INITIAL APPOINTMENT

8. Initial appointment. (1) Initial appointment to the posts in all basic pay scales shall be made if these posts -

- (a) fall within the purview of the Commission, on the basis of examination or test to be conducted by the Commission;
- (b) do not fall within the purview of the Commission, in the manner provided in rule 6.

(2) Initial appointment to a post not falling within the purview of the Commission shall be made on the recommendations of the Selection Committee on the basis of interview or test to be held by the Selection Committee after the vacancies have been advertised in leading newspapers in Urdu, Sindhi & English Languages;

(3) While making recommendations under sub-rule (1), the Selection Committee may also assign position of merit to the candidates so recommended.

(4) no person shall be appointed who has been convicted for an offence by any Court of Law or involved in plea bargain with National Accountability Bureau Authorities or removed under the provisions of the removal from service (Special Powers) Sindh Ordinance, 2000.

9. Appointment of women, disabled and minority persons. The appointment of disabled and minority persons shall be made against the quota as reserved by Government from time to time; provided that if such suitable candidate is not available the appointment shall be made from other candidates on merit.

10. Qualification, age limit etc. (1) A candidate for appointment by initial recruitment must possess the educational qualifications and experience and be within the age limit laid down for that appointment;

Provided that for persons already in service of Government or statutory body including the Council, maximum age limit shall be relaxable upto the extent of five years by the Mayor or, as the case may be, the Chairman of the Council in cases where no suitable candidate within the prescribed age limit is available.

Provided further that the upper age limit in respect of a disabled person as defined in the Disabled persons (Employment and Rehabilitation) Ordinance, 1981, shall stand relaxed up to ten years in addition to the relaxation of five years which may be granted by the Mayor or, as the case may be, the Chairman of the Council.

(2) For the purpose of sub-rule (1), the age shall be reckoned as on the last date fixed for submission of application for appointment.

(3) Every person appointed by initial appointment shall declare the date of his birth with the valid documentary evidence, such as matriculation certificate, school leaving certificate or a municipal birth certificate and in the absence of any such documentary evidence it shall be determined by the appointing authority on the basis of medical certificate issued by the Medical Board.

11. Nationality and domicile. (1) No person shall be appointed by initial appointment to a post unless he is a citizen of Paksitan and domiciled in any district in Sindh Province.

(2) The vacancies in -

- (a) basic pay scales 11 and above shall be filled on provincial basis;
- (b) basic pay scale 6 to 10 in the offices which serve only a particular region or district shall be filled on regional and district basis;
- (c) basic pay scale 1 to 5 shall ordinarily be filled on local basis; provided that this requirement may be relaxed in exceptional cases with the approval of Government.

(3) the domicile declared by an employee and accepted by the appointing authority at the time of entry into the service shall not be allowed to be changed.

12. Production of Character and Medical Cetificates. (1) No person, not already in the service of Government or statutory body shall be appointed to a post unless -

- (i) he produces certificates of character from two responsible persons (not being his relatives) who are well acquainted with such person:
- (ii) he produces a medical certificate issued by the Medical Board:

Provided that blindness or any other physical defect shall not be a bar to the appointment, if the Medical Officer or Medical Board, certifies that such defect shall not affect his performance

- (iii) the antecedents of the candidate like academic qualifications, technical and professional qualification, experience, age and place of domicile etc should be collected and got verified/confirmed by the concerned authority.

PART-IV

APPOINTMENT BY PROMOTION OR TRANSFER

13. Promotion. (1) Promotions to all posts shall be made on the recommendations of a Promotion Committee.

(2) appointment by promotion shall be made on the basis of seniority-cum-fitness, but in the case of Selection post the promotion will be made on the basis of merit;

Provided that no promotion on regular basis shall be made to posts in Basic Pay Scales 16 and above unless the officer concerned has completed such minimum length of service as specified by Government.

(3) An employee declining to avail the benefit of order of his first promotion shall not be considered for such promotion for the next four years from the date of such order and he shall stand superseded permanently on his foregoing such promotion for second time.

(4) An employee shall be considered for promotion to a post subject to his suitability and assessment of the following aspects by the Departmental Promotion Committee: -

- (a) seniority position;
- (b) must have satisfactorily completed the probationary period;
- (c) should possess the qualification and experience and fulfill other conditions prescribed for the post;
- (d) should possess the minimum length of service as prescribed by the Government for the post or pay scales;
- (e) service record comprising of Performance Evaluation Report (PERs);
- (f) details of minor or major penalties;
- (g) details of anticorruption, NAB and other law enforcing agencies enquiries/cases/investigations;
- (h) any other condition laid down with the approval of the competent authority for a specific category of officers/officials.

14. Appointment by transfer. (1) Appointment by transfer shall be made on a tenure bases for the period specified by the appointing authority which may, from time to time, if necessary, be extended.

(2) The appointing authority may repatriate the officer appointed by transfer to his parent department or original post even before the expiry of the period of his tenure.

CHAPTER-V CONTRACT AND TEMPORARY APPOINTMENTS

15. Contract Appointment. (1) When the appointing authority considers it to be in the public interest to fill in a post falling within the purview of the Selection Committee on urgent basis, it may proceed to fill in such post on contract basis:

(2) The posts shall be advertised and the procedure laid down for initial appointment shall be followed.

(3) Temporary posts falling within the purview of the Promotion or Selection Committee and occurring as a result of creation of temporary post for a period not exceeding twelve months may be filled by the appointing authority otherwise than through the promotion or Selection Committee on a purely temporary basis after advertising the posts.

PROBATION, CONFIRMATION AND SENIORITY

16. Probation. (1) A person appointed to a post by initial appointment shall be on probation for two years and a person appointed otherwise may, if the appointing authority so directs, be on probation for one year.

Explanation:- Service on deputation to an equivalent or higher post shall count towards the period of probation.

(2) The appointing authority may, for reasons to be recorded in writing -

- (a) curtail the period of probation;
- (b) extend the period of probation by a period not exceeding one year at a time, and during or on the expiry of the extended period, pass such orders as are passed during or on the expiry of the initial probationary period; provided that if no orders are passed by the following the completion of -
 - (i) the initial probationary period, the period of probation shall be deemed to have been extended by one year;
 - (ii) the extended period of probation, the appointment shall be deemed to be continued until further orders.

17. Confirmation. (1) Confirmation of an employee shall be made in the order of seniority in a permanent post of which no other employee holds any lien.

(2) On confirmation of an employee in a post, his lien, if any, on any other post shall stand terminated.

(3) No employee who holds a lien on any post in any department shall be confirmed in any post in any other department unless his consent and the consent of the department, where he holds such lien, has been obtained in writing.

(4) An employee eligible for confirmation in more than one posts, shall be confirmed first in the lower post and then in the higher post from the date he is due for confirmation in such posts.

(5) If any employee becomes due for confirmation, his confirmation shall not be deferred unless a disciplinary action is pending against him or the appointing authority, for reasons to be recorded in writing, defers his confirmation:

Provided that if during the deferment of the confirmation of an employee his junior becomes due for confirmation the post in which such senior employee is due for confirmation shall be kept vacant and the junior employee shall be confirmed in the next available post.

(6) There shall be no confirmation against any temporary post.

(7) An employee who, during the period of his service, was eligible to be confirmed against any post retires from service before being confirmed shall not, merely be reason of such retirement, be refused confirmation in such post or any benefits accruing therefrom.

(8) Confirmation of an employee in a post shall take effect from the date of occurrence of permanent vacancy in that post or from the date of continuous officiation, in such post, whichever is later,

(9) Notwithstanding the provisions of this rule, no employee shall be confirmed unless he has successfully completed such training and passed such departmental examination as may be prescribed by Government or Council, as the case may be.

18. Seniority. (1) In each basic pay scale there shall be a separate seniority list of a group of employees doing similar duties and performing similar functions and for whose appointment same qualifications and experience have been laid down.

(2) The appointing authority shall, in the month of January every year, cause to be prepared, or, as the case may be, revise the seniority list under sub-rule (1) but nothing herein contained shall be construed to confer any vested right to a particular seniority in such cadre or post.

(3) Subject to sub-rule (5), the seniority of an employee shall be reckoned from the date of his regular appointment.

(4) No appointment made on contract basis shall be regularized retrospectively.

(5) Inter-se seniority of employee appointed in a batch or on the same date shall be determined -

(a) in the case of persons appointed by initial appointment, in the order of merit assigned by the selection committee, and if such authority is either not competent to assign such order of merit or has omitted to do so and is unable

to overcome the omission for reasons beyond its control, the seniority shall be determined by the appointing authority:

Provided that a person selected in an earlier selection shall rank senior to a person selected in a later selection;

- (b) in the case of persons appointed by promotion on the basis of their inter-se seniority in the lower post.
 - (c) in the case of persons appointed by initial appointment vis-a-vis persons appointed by promotion, on the basis that the person appointed by promotion shall rank senior to the persons appointed by initial appointment;
 - (d) in the case of persons not covered by clauses (a) to (c), on the basis that persons older in age shall rank senior to persons younger in age.
- (6) An employee, who is not promoted on turn on the ground that -
- (i) his seniority is under dispute or is not determined; or
 - (ii) he is on deputation, training or leave; or
 - (iii) disciplinary proceedings are pending against him; or
 - (iv) he is not considered for promotion for any reason other than his unfitness for promotion,
- shall, on subsequent promotion, subject to any order made by the competent authority in this behalf for the purpose of inter-se seniority in the higher grade, be deemed to have been promoted in the same batch as his juniors
- (8) An employee declining to avail of benefit of order of his promotion shall on his subsequent promotion, rank junior, in the higher having declined to avail the benefit of such promotion.

PART-VII RETIREMENT

19. (1) An employee shall retire from service -
- (i) on such date after he has completed twenty five years of service qualifying for pension or other retirement benefits as the competent authority may, in the public interest, direct; provided that no employee shall be retired unless he has been given an opportunity of showing cause against such action; or
 - (ii) where no direction is given under clause (i) on the completion of the sixty years of age.
- (2) an employee on leave preparatory to retirement shall be deemed to be in the service of the Council and be liable to retire on completion of sixty years of his age irrespective of the fact whether such leave has or has not expired.

Explanation:- In this rule, "competent authority" means the appointing authority or a person duly authorized by the appointing authority in that behalf, not being a person lower in rank than the employee concerned.

PART-VIII
GENERAL CONDITIONS OF SERVICE

20. Employee at the disposal of Council. (1) Unless in any case it be otherwise distinctly provided, the whole time employee shall be at the disposal of the Council and he may be employed in any manner required by the Council without claim for additional remuneration.

(2) No employee shall absent himself from his duty nor leave his station without having obtained the permission of the competent authority.

(3) The transfer and posting of officers of the Council working in basic pay scale 19 and above shall be subject to the approval of Government.

21. Maintenance of service record. (1) A record of service and a Performance Evaluation Report (PER) about the work of each employee shall be maintained or, as the case may be, recorded in the form and manner specified by the Government for civil servants.

(2) An employee shall not have access to his confidential reports; provided that such employee shall be informed of adverse remarks, if any, relating to remedial effect in order to given him an opportunity to explain his position or to correct himself.

22. (1) A service book on record containing events relating to the service in the Council shall be maintained in respect of all employees of the Council.

(2) The identification marks of the employee shall be given in the service book/record and a passport size photograph and finger prints of left hand and in case left hand is defective the right hand of the employee shall be affixed to the service book/record.

(3) All entries in the service book/record shall be initialed by the Head of the office concerned.

(4) Reference(s) relied upon for writing date of birth of an employee should be mentioned in the respective column of service book.

23. Conviction and suspension. (1) If an employee is imprisoned for any criminal charge, he shall forthwith be placed under suspension by the competent authority.

(2) Where an employee is placed under suspension, the appointing authority shall, on the expiry of three months from the date of suspension, place the matter before the next higher authority regarding the advisability of continuing the person under suspension, and the authority may, if it so deems fit, further extend period of suspension as it may think necessary and review the case on the expiry of the period so fixed.

(3) If an employee under suspension is acquitted by the Court or exonerated in a departmental enquiry, he shall be reinstated and the period of suspension shall be treated as on duty, and he may in the discretion of the appointing authority be given promotion retrospectively in a higher post from the date he would otherwise have been promoted to such post but for his suspension. However he shall not be entitled to the pay of the higher post retrospectively in which he has not actually worked.

24. Resignation. A permanent employee shall not resign from his post without giving to the appointing authority one month's previous notice in writing failing which he shall be liable to pay to the Council a sum equal to his substantive pay for one month.

25. Cessation of an employee. Unless the competent authority, in view of any special circumstances of the case, otherwise determines, an employee shall cease to be in the employment after two years absence from duty, elsewhere than on deputation.

26. Applicability of Government rules. In all matters not provided for in these rules or any other rules, the rules or terms and conditions of service applicable to the civil servants of Government shall mutatis mutandis apply to the employees of the Council.

27. Relaxation rules. The Council may with the prior approval of the Government, for reasons to be recorded in writing, relax any provision of these Rules in an individual case, in such a manner as may appear to it to be just and equitable and where it is satisfied that the strict application of the Rules would cause hardship to the individual concerned.

Provided that no such relaxation shall be made so as to deal with the case of an employee in any manner less favorable to him than that provided in these rules.

-MUHAMMAD RAMZAN AWAN-
SECRETARY TO GOVERNMENT OF SINDH

REVENUE DEPARTMENT

Hyderabad dated -05-2017

No.12/08/2017-Admn:/ . On the recommendations of the Departmental Promotion Committee-I and with the approval of Competent Authority, the following Computer Date Processor (BPS-16) of Stamp Wing, Board of Revenue Sindh, Karachi are hereby promoted to the post of Competer Programmer (PBS-17), Stamp Wing Board of Revenue Sindh, Karachi against the departmental promotion quota, with effect from 15.05.2017.-

1. Mr. Khalid Hussain
2. Mr. Nasir Hussain

The will remain on the probation period of one year as required under Rule-2 of Sindh Civil Servants (Probation, Confirmation & Seniority) Rule, 1975.

SECRETARY TO GOVT OF SINDH
REVENUE DEPARTMENT

DIRECTORATE OF INSPECTION, REGISTRATION OF PRIVATE INSTITUTION OF SINDH, SCHOOL EDUCATION DEPARTMENT GOVERNMENT OF SINDH

NO.DIR/I&R/GOS/COR/() /2017, On the basis of evidence produced by the applicant **Mr. Muhammad Owais Khan** son of **Muhammad Aftab Khan** relating to his own correct name, date of birth & father's correct name, the Director General Directorate of Inspection & Registration of Private Institution Sindh, School Education Department, Govt. of Sindh, Karachi is pleased to accord his permission to make under noted corrections.

The father's correct name of the student is **Muhammad Aftab Khan** (instead of **Aftab Khan**), the correct name of the student is **Muhammad Owais Khan** (instead of **Muhammad Owais**) & the correct date of birth of the student is **28-03-1996** (instead of **08-03-1996**). **Muhammad Owais Khan S/o Muhammad Aftab Khan** was a student of Muslim Boys Secondary Shcool, Sector-I, Manzoor Colony, Mehmoodabad, Karachi and passed his S.S.C. Supplementary Examination-2015, Science Group vide Roll No. 925154 in "E" Grade from the Board of Secondary Education, Karachi.

FUNCTIONS TO BE PERFORMED BY CORPORATIONS, MUNICIPAL
COMMITTEES AND TOWN COMMITTEES

PART - I

COMPULSORY FUNCTIONS

FUNCTIONS TO BE PERFORMED BY
THE METROPOLITAN CORPORATION EXCLUSIVELY

1. Planning development and maintenance of Inter-district roads, bridges, street lights and storm water drains.
2. Special Development Programme.
3. Co-ordination. Monitoring and supervision of all inter-district development / maintenance work.
4. Maintenance of Abattoirs and Cattle Colonies to be specified by Government.
5. Medical College and Teaching/Specialized Hospitals e.g. Karachi Medical and Dental College, Abbasi Shaheed Hospital, Sobhraj Maternity Home, Sarfaraz Shaheed Hospital, Spencer's Eye Hospital, Leprosy Hospital and such other institutions as were being managed by City District Government Karachi or Karachi Metropolitan Corporation or as may be specified by Government before commencement of this Act.
6. Zoological Gardens, Safari Park, Aquarium, Sports Complex and Beeches.
7. Art Gallery, Museum and Metropolitan Library.
8. Municipal Watch and Ward.
9. Fire Fighting Service.
10. Civil Defence.
11. Traffic Engineering.
12. Milk Supply Schemes.
13. Control of Land owned by Metropolitan Corporation and Removal of Encroachments from the properties owned by Metropolitan Corporation.
14. Celebration of National Days.
15. Reception of Foreign dignitaries / distinguished guests.
16. Providing protection against stray animals and animal trespass, and establishing cattle pounds; and
17. regulation or prohibition of the establishment of brick kilns, potteries and other kilns within the residential areas;
18. Any other function which Government may assign.

PART - I-A

FUNCTIONS TO BE PERFORMED BY THE DISTRICT MUNICIPAL CORPORATION

All functions of the Municipal Committees except those in Part-I.

PART - II

COMPULSORY FUNCTIONS

FUNCTIONS TO BE PERFORMED BY CORPORATIONS, OTHER THAN METROPOLITAN CORPORATION MUNICIPAL COMMITTEES AND TOWN COMMITTEES

PUBLIC HEALTH

1. Promotion of Public Health:- Subject to the provisions of the Act and the rules, an urban council may take such measures for promoting public health, including education in health, as it considers necessary, or, as the case may be, Government directs.
2. Responsibility for Sanitations:- A Corporation, Municipal Committee or Town Committee shall be responsible for the sanitation, and may for that purpose cause such measures to be taken as are required by or under this Act.
3. Removal, Collection and Disposal of Refuse:- A Corporation, Municipal Committee or Town Committee shall make adequate arrangements for the removal of refuse from all public streets, public latrines, urinals, drains and all buildings and lands vested in the Council concerned and for the collection and proper disposal of such refuse.
4. Birth, Deaths and Marriages:- A Corporation, Municipal Committee or Town Committee shall, subject to any other law for the time being in force, register all births, deaths and marriages within the Local Area and information of such births, deaths and marriages shall be given by such persons or Authorities, and shall be registered in such manner as the bye-laws may provide.
5. Infectious diseases:- A Corporation, Municipal Committee or Town Committee shall adopt such measures to prevent infectious diseases and for restraining infection within the Local Area as the rules and bye-laws may provide.

WATER SUPPLY AND DRAINAGE

6. A Corporation, Municipal Committee or town Committee shall, within the limits of the funds at its disposal provide or cause to be provided, a supply of wholesome water sufficient for public and private purpose.
7. Private Source of water supply:- All private sources of water supply within the Local Area concerned shall be subject to control, regulation and inspection by the Corporation, Municipal Committee or Town Committee.
8. Drainage:- A Corporation, Municipal Committee or Town Committee shall, within the limits of the funds at its disposal provide adequate system of public drains in the Local Area and all such drains shall be constructed, maintained kept cleared and emptied with due regard to the health and convenience of the public.

SLAUGHTER HOUSE

9. A Corporation, Municipal Committee or Town Committee shall, provide and maintain at such site or sites within or without Local Area as may be approved by Government one or more Slaughter Houses for the Slaughter of animals generally or of any specified description of animals for sale.

STREETS

10. Public Streets. A Corporation, Municipal Committee or Town Committee shall provide and maintain such public streets and other means of public communication as may be necessary for the comfort and Convenience of the inhabitants of the local area concerned and of the visitors thereto.
11. Streets. No new streets shall be laid out except with the precious sanction of the Corporation, Municipal Committee or Town Committee, and in conformity with the terms and conditions of such sanction.
12. Streets Lights. A Corporation, municipal Committee or Town Committee shall take such measures as may be necessary for the proper lighting of the public streets and other public streets and other public places vesting in the Council concerned by oil, gas, electricity or such other illuminate as the Council may determine.
13. Public Vehicle. No person shall keep or let for hire, or drive or propel within the Local Area any public vehicle, other than a motor vehicle, except under a licence granted by the Corporation, Municipal Committee or Union Committee and in conformity with the conditions of such licence.

EDUCATION

14. (a) Adult Education.
A Corporation, Municipal Committee, or Town Committee shall take such measures as may be necessary for promotion of adult education.
- (b) Primary Education
Monitoring of Primary Education and related facilities and reporting any violations, failures, omissions in provision thereof by the authority concerned to the Government.

MISCELLANEOUS

15. Providing protection against stray animals and animal trespass, and establishing cattle pounds; and
16. regulation or prohibition of the establishment of brick kilns, potteries and other kilns within the residential areas;

OPTIONAL FUNCTIONS

1. Removal, collection and disposal of refuse.
 - 1) The occupiers of all buildings and lands within the local area shall be responsible for the removal of refuse from such buildings and lands subject to the general control and supervision of the Corporation, Municipal Committee or Town Committee, as the case may be.
 - 2) The Council concerned may cause public dustbins or other suitable receptacles to be provided at suitable places including streets, or other places conveniently accessible to the public, and where such dustbins or receptacles are provided, the Council concerned, may by public notice, require that all refuse accumulating in any premises or land shall be deposited by the owner or occupier of such premises or land in such dust-bins or receptacles and be removed by the Council.
 - 3) All refuse removed by or under the supervision of the staff of the Council concerned shall be the property of the Council.
2. Public Toilets.
 - 1) A Corporation, Municipal Committee or Town Committee may and if required by Government, shall provide and maintain sufficient number of public toilets for separate use of each sex at appropriate places, and shall cause the same to be kept and maintained in proper order of cleanliness.
 - 2) The occupier of any public premises or land to which any latrine or urinal pertains shall keep such latrine or urinal in a proper state to the satisfaction of the Council concerned and shall employ such staff for the purpose as may be necessary, or as may be specified by the Council.
 - 3) Where any premises are with privy or urinal accommodation, or without adequate privy or urinal accommodation, or the privy or urinal is on any ground objectionable, the Council concerned may by notice require the owner of such premises:-
 - a) to provide such or such additional privy or urinal accommodation as may be specified in the notice; or
 - b) to make such structural or other alterations in the existing privy or urinal accommodation as may be so specified; or
 - c) to remove the privy or urinal, and
 - d) where there is an underground sewerage system, to substitute connected privy or connected urinal accommodation for any service privy or service-urinal accommodation.
3. Infectious diseases.
 - a. A Corporation, Municipal Committee or Town Committee may and if required by Government shall, establish and maintain one or more hospitals for the reception and treatment of persons suffering from infectious diseases.
 - b. The Council concerned may in the prescribed manner frame and implement schemes for the prevention and control of infectious diseases.

4. Health and maternity centers etc.

A Corporation, Municipal Committee or town committee may, and if required by Government shall-

- a) establish, manage, maintain, or contribute towards the maintenance of health centers, maternity centers, and centers for the welfare of women, infants and children;
- b) provide for the training of dais; and
- c) adopt such other matters as may be necessary to promote the health and welfare of women, infants and children.

5. (a) Promotion of public health.

Subject to the provisions of this Act and the rules, the Council may, and if Government so directs, shall take such measures for promoting public health including education in health as it considers necessary or, as the case may be, Government directs.

(b) Primary Health

Monitoring of Primary Health and related facilities and reporting any violations, failures, omissions in provision thereof by the authority concerned to the Government.

6. Hospitals & Dispensaries.

- 1) A Corporation, Municipal Committee or Town Committee may, and if so required by Government shall, establish and maintain such number of hospitals and dispensaries as may be necessary for the medical relief of the inhabitants of the Local Area and the people visiting it.
- 2) Every hospital and dispensary maintained by a Council shall be managed and administered in such manner as may be prescribed.
- 3) Subject to any directions that may be given in this behalf by Government, every hospital and dispensary maintained by a Corporation, Municipal Committee or Town Committee shall be provided with such drugs, medicines, instruments, apparatus, appliances, equipments and furniture in accordance with such scale and standard as may be prescribed.

7. Medical aid and relief and medical education, etc.

A Corporation, Municipal Committee or Town Committee may, and if necessary or so required by Government, shall, take such measures as may be necessary or be specified by Government for-

- a) the provision and maintenance of first aid centers;
- b) the provision and maintenance of mobile medical aid units;
- c) the promotion and encouragement of societies for providing medical aid;
- d) the promotion of medical education;
- e) the payment of grants to institutions for medical relief; and
- f) the medical inspection of school children.

8. Water supply.
 - a. A Corporation, Municipal Committee or Town Committee may, and if required by Government, shall, in the prescribed manner, frame and execute a water supply scheme for the construction and maintenance of such works for the provision, storage and distribution of water as may be necessary.
 - b. Where a piped water supply is provided, the Council concerned may supply water to private and public premises in such manner and on payment of such charges as the bye-laws may provide.
9. Private sources of water supply.
 - 1) No new well, water-pump or any other sources of water for drinking purposes shall be dug, constructed, or provided except with the sanction of the Council, concerned.
 - 2) The Council concerned may by notice require the owner or any person having the control of any private source of water supply used for drinking-
 - a) to keep the same in good order and to clear there from silt, refuse and decaying matter from time to time;
 - b) to protect the same from contamination in such manner as the Council concerned may direct, and
 - c) if the water therein is proved to the satisfaction of the Council concerned to be unfit for drinking purposes to take such measures as may be specified in the notice to prevent the use of such water for drinking purposes.
10. Drainage.
 - 1) Every owner or occupier of any land or building within the Local Area may, with the previous permission of the Council concerned and subject to such terms and conditions, including the payment of fees, as the Council may impose, cause his drains to be emptied into public drains.
 - 2) All private drains shall be subject to control, regulation and inspection by the Council concerned and the Council may, in such manner as the bye-laws may provide, require the provision, alteration, covering, clearing and closing of private drains.
11. Drainage Schemes.
 - (1) A Corporation, Municipal Committee or Town Committee may, and if so required by Government, shall prepare a drainage scheme in the prescribed manner for the construction of drains at public and private expenses, and other works for the effective drainage and disposal of sullage.
 - (2) A drainage scheme prepared under clause (1) shall be submitted for approval to Government which may approve it, reject it, or approve it subject to such modifications as it may deem fit.
 - (3) The drainage scheme as approved by Government shall be executed and implemented in such manner within such period and by such authority as may be specified by Government.

- (4) The Council concerned may, by notice, require the owner of any building or land within the local area.-
 - a) to construct such drains within the building or land or the street adjoining such building or land, as may be specified in the notice;
 - b) to remove, alter, or improve any such drains; and
 - c) to take such other steps for the effective drainage of the building or land as may be specified.

12. Bathing, and washing places.

- (1) A Corporation, Municipal Committee or Town Committee may, from time to time.
 - (a) set apart suitable places for use by the public for bathing, washing clothes, or for drying clothes;
 - (b) specify the times at which and the sex of the persons by whom such places may be used; and
 - (c) prohibit by public notice, the use by the public for any of the said purposes of any place not so set apart.
- (2) No person shall establish, maintain or run a hammam or a bath for public use except under a licence granted by the Council concerned and in conformity with the conditions and terms of such licence.

13. Dhobi ghats and washermen.

- (1) A Corporation, Municipal Committee or Town Committee may provide dhobi ghats for the exercise of their calling by washermen, and may by bye-laws regulate the use of dhobi ghats and levy fees for their use.
- (2) The Council concerned may by bye-laws provide for the licensing of washermen and the regulation of their calling.

14. Public Water Courses.

- (1) A Corporation, Municipal Committee or Town Committee may with the previous sanction of Government, declare any source of water, spring, river, tank, pond or public stream, or any part thereof within the Local Area, which is not private property, to be a public water-course.
- (2) The Council concerned may, in respect of any public watercourse provide such amenities, make such arrangements for life-saving, execute such works, and, subject to the provision of any law for the time being in force relating to irrigation, drainage and navigation, regulate the use thereof, as the bye-laws may provide.

- 15. (1) A Corporation, Municipal Committee or Town Committee may by bye-laws provide for the licensing of boats and other vessels and may prescribe the terms and conditions for the grant of licences and the fees to be charged therefore-

(2) Public Ferries:-

Government may declare any part of a public water-course to be a public ferry and may entrust the management thereof to the Council concerned, and thereupon the Council shall manage and operate the public ferry in such manner and levy such tolls as may be prescribed.

16. Public Fisheries.

A Corporation, Municipal Committee or Town Committee may, with the previous sanction of Government declare any public water-course as a public fishery, and thereupon the right of fishing in such water-course shall vest in the Council concerned, which may exercise such right in such manner as may be prescribed by bye-laws.

ARTICLES OF FOOD AND DRINK

17. Bye Laws for Articles of Food and Drink.

A Corporation, Municipal Committee or Town Committee may, by Bye-laws.

- (a) prohibit the manufacture, sale or preparation, or the exposure for sale of any specified article of food or drink in any place or premises not licensed by the Council concerned;
- (b) prohibit the import into the Local Area for sale of any specified article of food or drink except by persons licensed under clause (a);
- (c) prohibit the hawking of specified articles of food and drink in such parts of the Local Area as may be specified;
- (d) regulate the time and manner of transport within the Local Area of any specified article of food or drink;
- (e) regulate the grant and withdrawal of licences under this paragraph and the levying of fees therefor; and
- (f) provide for the seizure and disposal of any animal, poultry or fish intended for food which is deceased, or any article of food or drink which is noxious.

18. Milk Supply.

- (a) Except, under a licence granted by the Corporation Municipal Committee or Town Committee no person shall, within the Local Area, keep milk cattle for the sale of milk, or sell milk or expose or import milk for sale or manufacture butter, ghee, or any other milk or dairy product, or keep or maintain any premises therefor.
- (b) The Council concerned may, in the prescribed manner, and with the previous sanction of Government, frame and enforce a milk supply scheme, which may, among other matters, provide for the establishment of milkmen's colonies, the prohibition of the keeping of milk cattle in the Local Area or any part thereof and the adoption of such other measures as may be necessary for ensuring an adequate supply of pure milk to the public.

19. Public Markets.

- (1) A Corporation, Municipal Committee or Town Committee may establish and maintain public markets of any article of food and drink and provide places for

use as public markets for the sale of articles of food and drink and of animals and secure the proper management and sanitation of such markets.

- (2) The Council concerned may, in respect of a public market, provide by bye-laws-
 - (a) the fees to be charged for the use or for the right to expose food for sale in the market;
 - (b) the fees to be levied on vehicles and animals bringing goods therein for sale;
 - (c) the fees to be charged for the use of shops, stalls, pens or stamps;
 - (d) the fees to be charged in respect of animals brought for sale or sold; and
 - (e) the fees to be charged from brokers, commission agents, weighmen, and other persons practicing their calling therein.

20. Private Markets.

No private markets for the sale of articles of food or drink or for the sale of animals shall be established or maintained within the Local Area, except under a licence granted by the Corporation, Municipal Committee or, as the case may be, Town Committee and in conformity with the conditions of such licence.

21. Notwithstanding the provisions of paragraph 20, the owner of every private market within the Local Area for the sale of articles of food or drink or for the sale of animals, maintained immediately before the coming into force of this Act, shall within three months apply for a licence to the Council concerned and until the licence is granted shall continue to maintain the same.
22. If Government is satisfied that in public interest any private market should be discontinued or taken over by the Corporation, Municipal Committee or Town Committee it may direct that the market should be discontinued, or rights or interest thereto should be acquired the market shall be discontinued, taken over by the Council concerned subject to the payment of such compensation as would have been payable if the market had been acquired under the Land Acquisition Act, 1894 (Act I of 1894).
23. The Council concerned may by notice require the owner of any private market to construct such works provide such convenience and make such arrangements for the maintenance of the market, and within such period as may be specified in the notice.

ANIMALS

24. Animal Husbandry.

- (1) A Corporation, Municipal Committee or Town Committee may, and if so required by Government, shall, provide for the establishment and maintenance of Veterinary Hospitals and Dispensaries and by bye-laws regulate their working and fix the fees to be charged for treatment in such Hospitals and Dispensaries.
- (2) The Council concerned may, subject to the provisions of any other law for the time being in force, by bye-laws define contagious diseases among animals and provide for measures that shall be adopted for prevention of the spread of such

diseases, including the compulsory inoculation or subjection to such treatment as may be necessary of animals as may be suspected to have been infected with carriers of any such disease.

25. Stray Animals.

- (1) A Corporation Municipal Committee or Town Committee may, by bye-laws provide for the seizure, detention and impounding of animals found straying in any street, public place or cultivated land.
- (2) The Council concerned may, and if so required by Government, shall in accordance with the bye-laws establish and maintain cattle pounds for the impounding of cattle and charge fines and fees therefore.
- (3) No animal shall be picketed or tethered in such streets or places as may be specified by the Council concerned and any animal found picketed or tethered in any such street or place shall be liable to seizure and impounding.

26. Animal Homes and Farms.

- (1) A Corporation Municipal Committee or Town Committee may, with the previous approval of Government, establish and maintain Animal Homes, where, subject to such terms and conditions and on payment of such fees and other charges, as the bye-laws may provide, the animals of private persons may be kept.
- (2) Registration of the sale of cattle. The Council concerned may, with the previous approval of Government, establish and maintain Cattle Farms and Poultry Farms, and such farms shall be managed and administered in such manner as the bye-laws may provide.

27. Livestock improvement.

A Corporation, Municipal Committee or Town Committee may by bye-laws require that every sale of such animals as may be specified shall be registered with the Council concerned in such manner and subject to the payment of such fees, as the bye-laws may provide.

28. Dangerous animals.

A Corporation, Municipal Committee or Town Committee may, with the previous approval of Government, frame and execute a livestock scheme, which may, among other matters, provide that no person shall keep such animals above such age as may be specified, unless they are castrated or are certified by competent Authority to be fit for breeding.

29. A Corporation, Municipal Committee or Town Committee may by bye-laws define the animals which shall be deemed to be dangerous animals and the circumstances under which animals not otherwise dangerous shall be deemed to be dangerous and such bye-law may, among other matters provide for the detention, destruction or disposal otherwise of such animals.

30. Cattle Shows, Zoo etc.

- (1) A Corporation, Municipal Committee or Town Committee may hold cattle shows and fairs within the limits of the Local Area and charge such fees from the people attending such shows or fairs as the bye-laws may provide.
- (2) The Council concerned may, with the previous approval of Government, maintain or contribute towards the maintenance of Zoological Gardens.

31. Disposal of Carcasses.

Whenever an animal in the charge of a person dies, otherwise, than by being slaughtered for sale or consumption, or for some religious or other purpose, such person shall either-

- (a) convey the carcass within twenty-four hours to a place, if any, fixed by the Corporation, Municipal Committee or Town Committee for the disposal of the dead bodies of animals, or to a place at least one mile beyond the limits of the Local Area.
- (b) give notice of the death to the Council concerned whereupon the Council shall cause the carcass to be disposed of and charge such fees from the person concerned as the bye-laws may provide.

STREETS

38. Public Streets.

The Council concerned shall, in the prescribed manner, prepare and execute road maintenance and development programme which shall form part of the budget, and Government may alter or amend the programme in such manner as it considers necessary.

39. Streets.

- (1) All streets other than public streets shall be maintained in such manner as the bye-laws may provide.
- (2) The Council concerned may by notice require that any street may be paved, metalled, drained, channelled, improved or lighted in such manner as may be specified in the notice, and in the event of default, the Council concerned may have the necessary work done through its agency and the cost incurred thereon shall be deemed to be a tax, levied on the persons concerned under this Act and be recovered accordingly.
- (3) Government may prescribe the manner in which a street other than a public street may be converted into a public street.

40. General Provision about Streets.

- (1) The Council concerned may, in the manner provided in the bye-laws, lay down street lines and building lines, and may, among other things, require the setting back of any building to conform to such street lines and building lines.

- (2) The Council concerned may by bye-laws define nuisances and offences with regard to streets, and provide for their prevention and abatement.

41. Street light.

The Council concerned may, with the previous sanction of Government frame and enforce street lighting scheme in the prescribed manner.

42. Street Watering.

A Corporation Municipal Committee or Town Committee may take such measures as may be necessary for the watering of public streets for the comfort and convenience of the public, and may, for the purpose, maintain such vehicles, staff, and other apparatus as may be necessary.

43. Traffic Planning

A Corporation, Municipal Committee or Town Committee may by bye-laws make arrangements for smooth flow of traffic and regulation of traffic as may be necessary to prevent danger to and ensure the safety, convenience and comfort of the public.

Provided that control and regulation of traffic shall remain vested with traffic police.

44. Public vehicle.

- (1) No horse or other animal shall be used for drawing a public vehicle within the Local Area except under a licence granted by the Council concerned and in conformity with the conditions of such licence.
- (2) The Council concerned shall in such manner as bye-laws may provide, and with the previous approval of Government, fix the fares for the use of public vehicles, and no person plying a public vehicle shall charge a fare in excess thereof.

Explanation:- In this paragraph, a "public vehicle" means any vehicle which ordinarily plies for hire.

PUBLIC SAFETY

45. Fire Fighting.

- (1) For the prevention and extinction of fire a Corporation, Municipal Committee or Town Committee may , and if so required by Government, shall maintain a fire brigade, consisting of such staff and such number of fire stations, and such implements, machinery, equipment and means of communicating intelligence as may be prescribed.
- (2) On the occurrence of a fire within the Local Area, any Magistrate or any official of a fire brigade directing the operations or any Police Officer not below the rank of Sub Inspector, may-
 - a) remove or order the removal of any person who by his presence interferes or impedes the operations for extinguishing the fire or for saving life and property;
 - b) close any street or passage in or near which any fire is burning;

- c) for the purpose of extinguishing the fire, break into or through, or pull down, or use or cause to be broken into or through, or pulled down, or used any premises for the passage of houses or other appliances, and any damage or loss suffered thereby by the owner or occupier of the premises shall, subject to the provisions of clause (4), be compensated by the Council concerned by reasonable repairs of the premises;
- d) cause mains and pipes to be shut off so as to give greater pressure of water in or near the place where the fire has occurred;
- e) call on the persons in charge of any fire engine to render such assistance as may be possible; and
- f) generally take such measures as may appear necessary for the preservation of life and property.

(3) No person shall be liable to pay damages in respect of anything done or in good faith intended to be done under this paragraph.

(4) Notwithstanding the provisions of clause (3) or of any other law, or the terms of any insurance policy, any damage done in the exercise of a power conferred, or in the discharge of a duty imposed by this paragraph shall be deemed to be damage by fire for the purposes of any policy of insurance against fire.

46. Civil Defense.

A Corporation, Municipal Committee or Town Committee shall be responsible for the civil defense of the Local Area, and it shall in this behalf, perform such functions as may be prescribed.

47. Floods.

For the fighting of floods, rescuing of people from flood-affected areas, and affording relief to flood-stricken people, a Corporation or Municipal Committee or Town Committee may and if so, required by Government, shall provide such boats, appliances and equipment as it deems necessary or as may be specified by Government.

48. Famine.

In the event of a famine, a Corporation, Municipal Committee or Town Committee may, with the sanction of Government, execute such famine works and undertake such famine relief measures as may be necessary or may be specified by Government.

49. Dangerous and Offensive Articles and Trades.

(1) Government may by rule define the articles and trades which shall be deemed to be dangerous or offensive for the purpose of this paragraph.

(2) Except under and in conformity with the conditions of a licence granted by the Corporation, Municipal Committee or Town Committee-

- (a) no person shall carry on any dangerous or offensive trade;
- (b) no premises shall be used or suffered to be used for any dangerous or offensive trade; and
- (c) no person shall store or keep in any premises;
 - (i) any dangerous or offensive article except for domestic use; or
 - (ii) any dangerous or offensive article excess of such limit as may be fixed by rules.

- (3) The Council concerned may, with the previous sanction of Government, prepare and enforce a scheme providing for the prohibition of dangerous and offensive trade in any specified part of the Local Area, and for the restriction of such trades another part of such area.
- (4) In case of contravention of clause (2) any officer not below the rank of Assistant Health Officer authorized by the Council concerned may seize the dangerous and offensive article, and seal the premises where such article is found;

Provided that the seized article which is of perishable nature may be disposed in such manner as deemed fit;

Provided further that as soon as possible after the seizure of the article but not later than forty-eight hours therefrom, a case shall be registered in a Court of competent jurisdiction which may confirm, modify or set aside the action taken by the officer.

- (5) No electricity, gas or water connection shall be provided to any premises for a dangerous and offensive trade, unless a licence for carrying on such trade at such premises is granted by the Corporation, Municipal Committee or Town Committee, as the case may be, and in case any such licence is revoked, the electricity, gas or water connection shall, on receipt of the intimation of revocation of licence be discontinued by the concerted authorities.

50. Burial and Cremation Places etc.

- (1) A Corporation, Municipal Committee or Town Committee may, and if so required by Government, shall provide suitable places for the burial and burning of the dead, and shall take necessary measures for the proper maintenance and administration of such burial and cremation places etc.
- (2) Government may, by notification in the official Gazette, declare that any burial or burning place which is open to public for burial or burning shall vest in the Council concerned, and thereupon such burial or burning place shall vest in the Council and the Council shall take all measures necessary for the proper maintenance and administration thereof.
- (3) Every burial or burning place which is not administered by the Council shall be registered with the Council and shall be subject to regulation, supervision and inspection by the Council in such manner as the bye-laws may provide.
- (4) No new burial or burning place shall be established within a Local Area, except under a licence granted by the Council concerned and in conformity with the conditions of such licence.

TREES, PARKS, GARDENS AND FORESTS

51. Arboriculture.

- (1) A Corporation, Municipal Committee or Town Committee may plant trees on public streets and other public places within the Local Area and take all such steps as may be necessary for the plantation and protection of trees on such streets and places.

- (2) The Council concerned may in the prescribed manner and with the previous sanction of Government, frame and enforce and arboriculture plan.

52. Gardens.

- (1) A Corporation, Municipal Committee or Town Committee may, and if so required by Government, shall lay out and maintain within the Local Area such public gardens as may be necessary for the recreation and convenience of the public, and such public gardens shall be maintained and administered in such manner as the by-laws may provide.
- (2) For every public Garden, there shall be framed and enforced, in the prescribed manner, a Garden Development Plan, which shall provide for the development and improvement of the garden.

53. Open spaces.

A Corporation, Municipal Committee or Town Committee may provide and maintain within the Local Area such open spaces as may be necessary for the convenience of the public, and such spaces shall be grassed, hedged, planted and equipped with such amenities and in such manner as the by-laws may provide.

54. Forests and Nurseries .

A Corporation, Municipal Committee or Town Committee may, in the prescribed manner, frame and enforce afforestation plans providing for the improvement, development and exploitation of forests, nurseries and plants, and shall maintain and work forests in accordance with such plans.

55. Nuisances Pertaining to Trees and Plants.

- (1) A Corporation, Municipal Committee or Town Committee may, by bye-laws specify the pests which destroy or cause damage to trees and plants and provide for their destruction.
- (2) If any land or premises within the Local Area is grown or being grown with rank or noxious vegetation, the Council concerned may be notice require the owner or occupier of such land or premises to clear such vegetation within the specified time, and if he fails to do so within such time the Council may have such vegetation cleared and the cost incurred therefor shall be deemed to be a tax levied on the owner or occupier under this Act and be recovered accordingly.
- (3) The Council concerned may, in the manner provided in the bye-laws, require the felling of any tree which is dangerous, or the trimming of the branches of any tree which overhang and are likely to interfere with traffic or are otherwise inconvenient.
- (4) The Council concerned may, in the manner provided in the bye-laws, prohibit the cultivation of any crop which is considered dangerous to public health within such part of the local area as may, be specified.

56. Tanks and Low Lying Areas.

A Corporation, Municipal Committee or Town Committee may, and if so required by Government, shall take such steps with regard to the excavation, and re-excavation of tanks and the rehabilitation of low lying areas as it thinks fit, or as are required by Government.

EDUCATION

57. Education.

- (1) The Corporation, Municipal Committee or Town Committee may maintain such Educational Institutions as may be required by Government, and may, with the previous approval of Government, maintain such other Educational Institutions as the Council concerned may establish or consider necessary for the promotion of education in the Local Area.
- (2) All educational institutions owned by the Council concerned or as may be by the Government shall be maintained in a state of efficiency and shall conform to such standards as may be prescribed.
- (3) The Council concerned may, with the previous approval of Government, give financial aid to private Educational Institutions within the Local Area.

58. Compulsory Education.

Subject to any law for the time being in force, the Corporation, Municipal Committee or Town Committee shall be responsible for the enforcement of compulsory education in the Local Area, and it may in this behalf adopt all such measures as may be necessary to ensure that every child of school-going age attends a school recognized by the Council concerned.

59. General Provisions About Education.

A Corporation, Municipal Committee or Town Committee may--

- (a) construct and maintain buildings to be used as hostels for students;
- (b) give scholarships to deserving or specially bright students;
- (c) provide for the training of teachers;
- (d) provide and promote religious education;
- (e) promote tolerance inter faith harmony
- (f) provide school books to orphans and indigent students free of cost or at concessional rates;
- (g) maintain depots for the sale of school books and articles of stationery; and
- (h) with the previous approval of Government:-
 - (i) promote and assist educational societies;
 - (ii) undertake educational survey and enforce educational plan;
 - (iii) provision of milk supply and meals for school children;
 - (iv) adopt any other measures likely to promote the cause of education.

CULTURE

60. Culture.

A Corporation, Municipal Committee or Town Committee may, and if so required by Government shall

- (a) establish and maintain information centers for the furtherance of civil education and dissemination of information on such matters as community development or matters of public interest;
- (b) maintain social media centres at public institutions and public places;
- (c) organize museums, exhibitions, and art galleries;
- (d) provide and maintain public halls and community centers;
- (e) celebrate the Holy Prophet's Birthday, Pakistan Day, Quaid-e-Azam's Birthday, and other national holidays;
- (f) provide for the reception of distinguished visitors visiting the Council concerned;
- (g) encourage national and regional languages;
- (h) promote physical culture, and encourage public games and organize rallies and tournaments;
- (i) promote tours to the Council concerned and adopt measures for the preservation of the historical and indigenous characteristics of the Local Area;
- (j) provide or promote subsidized facilities for the recreation of the public; and
- (k) adopt any other measures likely to promote cultural values, mutual tolerance and interfaith harmony.

61. Libraries.

A Corporation, Municipal Committee or Town Committee may, and if so required by Government, shall establish and maintain such public libraries, reading rooms and digital libraries as may be necessary for the use of the public.

62. Fairs and Shows, etc.

- (1) A Corporation, Municipal Committee or Town Committee shall, with the previous approval of Government, make such arrangements on the occasion of any fairs, shows or public festivals within the Local Area as may be necessary for the public health, public safety, public convenience, entertainment and may levy fees on the persons attending such fairs and shows.

SOCIAL WELFARE

63. A Corporation, Municipal Committee or Town Committee may, and if so required by Government, shall-

- (a) establish, manage and maintain welfare homes, asylums, orphanages, widow and shelter homes and other institutions for the relief of the distressed;
- (b) provide for the burial or cremation paupers found dead within the Local Area at its own expense;

- (c) adopt such measures as may be prescribed for the prevention of beggary, prostitution, gambling, taking of injurious drugs and consumption of alcoholic liquor, juvenile delinquency and other social evils;
- (d) organize social service volunteers;
- (e) adopt such measures as may be prescribed for the promotion of the welfare of backward classes, and destitute women and children; and
- (f) adopt any other measures likely to promote social welfare.

DEVELOPMENT

64. Development Plans.

- (1) A Corporation, Municipal Committee or Town Committee may, and if so required by Government shall, prepare and implement development plans for such periods and in such manner as may be specified.
- (2) Such plans shall be subject to the sanction of the prescribed authority, and shall provide for:-
 - (a) the promotion, improvement and development of such function or functions of the Council concerned as may be specified;
 - (b) the manner in which the plan shall be financed, executed, implemented and supervised;
 - (c) the agency through which the plan shall be executed, and implemented; and
 - (d) such other matters as may be necessary.
- (3) Government may direct any specified items of income to be earmarked and applied in the implementation of a Development Plan.

65. Community Development Projects.

A Corporation, Municipal Committee or Town Committee may, in the prescribed manner sponsor or promote Community Development Projects for the Local Area or any part thereof and may in this behalf perform such functions as may be prescribed.

66. Commercial Schemes.

A Corporation, Municipal Committee or Town Committee may, in the prescribed manner, and with previous sanction of Government promote, administer execute and implement schemes for undertaking any commercial or business enterprise.

67. Miscellaneous Functions.

A Corporation, Municipal Committee or Town Committee may-

- (a) prepare and implement land development and improvement schemes of land owned by respective councils;
- (b) development of public housing schemes;
- (c) plan preservation of landscape and flood control;
- (d) undertake construction and maintenance of religious places;
- (e) provision of training to professional divers and lifeguards; and
- (f) provide assistance in disasters and emergencies.

FUNCTIONS OF DISTRICT COUNCILS

PART - I

COMPULSORY FUNCTIONS

1. Aggregation of the financial allocations and physical programmes and targets received from the Provincial Governments in different sectors and to draw up a District Development Programme. In this work the Council will take into Account Federal Projects, their allocations and the physical targets falling in or Benefiting Districts. (Generally, the organization may develop and take on complete planning functions).
2. To make proposals, if necessary to the Provincial Planning and Development Departments for modifications in the aggregate District Programme after identifying the (a) gaps (b) internal inconsistencies, (c) compatibility of the programme with the capacity available in the District for implementation, maintenance and supervision and (d) evaluating it in the light of local priorities.
3. To discharge the overall responsibility for the identification of projects and appraisal and approval of projects prepared and to be constructed by Union Councils in the following sub-section:-
 - Primary, Middle and Secondary Schools
 - Rural Health Centers
 - Basic Health Units
 - Family Welfare Clinics
 - Piped Water Supply
 - Potable Water Storage Tanks
 - Hand Pumps
 - Sanitation
 - Rural Roads
4. To supplement the programme of the District derived from the Provincial Development Programme with-
 - (a) Voluntary Resources; Labour, Land and cash contributions;
 - (b) Taxes; on property, consumption and other sources identified by the community (except on trade).
 - (c) Fees and charges for the use of utility services provided by the Council such as water supply, sanitation, etc.
5. Disbursement of ADP funds for the approved projects (placed at the disposal of District Council by the Provincial Government) to various Union Councils.
6. To arrange the procurement and distribution of locally made equipment and material for Health Centers and Schools.
7. To take appropriate measures for the development of skills, Crafts and Cottage Industries. (Development of skills would include promotion of Industrial Homes, domestic and cottage level crafts and trades, modest repairs of agricultural and other machinery and training of rural labour.

8. To review the implementation of the District Development Programme (as an extension of the function of P&D Department and as their agent) by holding review meetings within the District as well as through periodic inspections and progress reports from the Council.
9. To submit to the Planning and Development Department regular progress reports on the implementation or development projects at different levels within the District.
10. To monitor the supply of agricultural inputs and to make appropriate recommendations to the concerned authorities.
11. To formulate Union Development Programmes derived from the District Development Programme in consultation with the respective Union Councils and to review periodically its implementation.
12. Disseminate information about the projects and allocations of funds for the District Development Programmes throughout the District to keep the people fully informed about the projects to be executed in the District. This will not only mobilize the interest of the people in the development work for the District but also make them more watchful about the use of development funds by the Government functionaries thus leading ultimately to better community supervisions.
13. Provision and maintenance of public Libraries and Reading Rooms.
14. To promote adult education.
15. Provision and maintenance of their respective Hospitals and Dispensaries including Veterinary Hospitals and Dispensaries.
16. Provision, maintenance and improvement of public roads, culverts and bridges.
17. Plantation and preservation of trees on road sides and public places.
18. Provision and maintenance of Public Gardens, Public Playgrounds and Public Places.
19. Maintenance and regulation of Public Ferries other than those maintained by Government Departments.
20. Maintenance and regulation of Cattle Pounds.
21. Provision and maintenance of Serais, Dak Bungalows, Zailghars, Rest Houses and other buildings for the convenience of Travelers.
22. Prevention, regulation and removal of encroachments.
23. Prevention and abatement of nuisances.
24. Holding of fairs and shows.
25. Promotion of public games and sports.

26. Celebration of public festivals.
27. Promotion of sanitation and Public Health.
28. Prevention, regulation and control of Infectious Diseases.
29. Enforcement of Vaccination.
30. Protection of foodstuffs and prevention of adulteration.
31. Permission to organize Cattle Piri (Mall Piri).
32. Provision of water supply, construction, repair and maintenance of water work and other sources of water supply.
33. Adoption of appropriate measures, on its own, or behalf of the Zila Council for the development of rural skills, crafts and cottage industries.
34. Adoption of measures for increased agricultural production.
35. Regulation of traffic; licensing of vehicles other than motor vehicles and the establishment and maintenance of public stands for vehicles.
36. Improvement of the breeding of cattle, horses and other animals and the prevention of cruelty to animals.
37. Relief measures in the event of any fire, hailstorm, earthquake, famine, or other natural calamity and disasters.
38. Co-operation with other organizations engaged in activities similar to those of the District Councils.
39. Promote tolerance and interfaith harmony.
40. Any other functions that may be directed by Government to be undertaken by District Council either generally or by a particular District Council.
41. Promotion of social, civic and patriotic virtues among the people and discouraging of parochial, racial, tribal, sectarian and provincial prejudices.
42. Providing protection against stray animals and animal trespass, and establishing cattle pounds; and
43. Regulation or prohibition of the establishment of brick kilns, potteries and other kilns within the residential areas;

PART - II

OPTIONAL FUNCTIONS

(a) Education.

1. Provision and maintenance of Schools.
2. Construction and maintenance of buildings to be used as Hostels for students.
3. Provision of scholarships.
4. Training of teachers.
5. Payment of grants and subsidies to Educational Institutions.
6. Promotion and assistance of Educational Societies.
7. Undertaking of educational survey, framing of Educational Plans and implementation thereof.
8. Provision and promotion of religious education.
9. Provision of milk supply and meals for school children.
10. Publication of books and their respective printing presses.
11. Provision of school books to orphans and indigent students free of cost or at concessional rates.
12. Maintenance of depots for the sale of school books and articles of stationery.
13. Any other measure likely to promote the cause of education.
14. Establishment and maintenance of information centers.
15. Organization of general cultural activity.
16. Maintenance of social media Centres at public institutions and public places.
17. Organization of museums, exhibitions and Art Galleries.
18. Provision and maintenance of Public Halls, Public Meeting Places and Community Centers.
19. Furtherance of civic education and the dissemination of information on such matters as Local Government, Rural Reconstruction, Hygiene, Community Development, Agriculture, Industries, Cattle breeding and other matters of public interest.
20. Celebration of the Holy Prophet's birthday, Pakistan Day, Quaid-e-Azam's Death Anniversary and other National occasions.

21. Reception of distinguished visitors.
22. Encouragement of National and regional languages.
23. Promotion of physical culture, the encouragement of public games and sports and the organization of rallies, matches and tournaments.
24. Preservation of the historical and indigenous characteristics of the Local Area.
25. Any other measures likely to promote cultural progress and advancement.

(b) Social Welfare.

26. Establishment, management and maintenance of Welfare Homes, Asylums, Orphanages, Widow and Shelter Homes and other Institutions for the relief of the distressed.
27. Burial and cremation of paupers found dead within the Local Area.
28. Prevention of beggary, prostitution, gambling, taking of injurious drugs and consumption of alcoholic liquor, juvenile delinquency and other social evils.
29. Organization of social service volunteers.
30. Organization of Legal Aid for the poor.
31. Adoption of measures for the promotion of the welfare of women, backward classes and destitute children.
32. Adoption of measures for the settlement of disputes by conciliation and arbitration.
33. Any other measures likely to promote social welfare.

(c) Economic Welfare.

34. Establishment and maintenance of Model Agricultural Farms.
35. Popularization of improved methods of agriculture maintenance of improved agricultural implements and the lending of such implements to cultivators and adoption of measures for bringing waste lands under cultivation.
36. Maintenance of crop statistics, protection of crops, the lending of seeds for sowing purposes, distribution of fertilizers and the popularization of their use and the maintenance of fodder reserves.
37. Promotion of Agricultural Credit; Agricultural Education; and adoption of other measures likely to promote Agricultural Development.
38. Construction and repair of embankments, supply, storage and control of water for agricultural purposes.
39. Preservation and reclamation of soil and the drainage and reclamation of swamps.

40. Management, protection and maintenance of village forests.
41. Provision, regulation and maintenance of markets.
42. Provision of facilities for the procurement of raw materials and the marketing of products of village industries.
43. Establishment, maintenance and management of Industrial School and the training of labourers in Village Industries.
44. Adoption of other measures likely to promote the development of Village Industries.
45. Organization, maintenance and management of village stores and Godawns.
46. Popularization of the co-operative movement and the promotion of education in co-operation.
47. Any other measures likely to promote economic welfare.
- (d) Public Health.
48. Education and awareness in public health.
49. Framing and implementation of schemes for anti-malaria, water born diseases including dengue, and prevention and control of infectious diseases.
50. Organization and maintenance of first-aid centers.
51. Provision and maintenance of mobile medical aid units.
52. Promotion and encouragement of societies for the provision of medical aid.
53. Promotion of medical education and the payment of grants to institutions for medical relief.
54. Medical inspection of compounders, dispensers, nurses and other medical workers.
55. Establishment, management, maintenance and inspection of Unani, Ayurvedic and Homoeopathic dispensaries.
56. Establishment, management, maintenance and inspection of Health Centers, Maternity Centers and centers for the welfare of infants and children, the training of dais, mid-wives and the adoption of other measures likely to promote the health and welfare of women, infants and children.
57. Measures to alleviate diseases of animals and birds, and the prevention and control of contagious diseases among birds and animals.
58. Preservation of cattle health.
59. Provision, maintenance and improvement of pastures and grazing grounds.

60. Regulation of milk supply, establishment of milk colonies, and provision, and regulation of sanitary stables.
61. Establishment and maintenance of Cattle Farms and Dairies.
62. Establishment and maintenance of Poultry Farms.
63. Preservation and protection of endangered species.
64. Any other measures, likely to promote Public Health, Animal Husbandry and Welfare of Birds.
- (e) Public Work.
65. Improvement of the means of communications.
66. Drainage water supply, pavement of streets and other works of public utility.
67. Framing and execution of Village Plans, Village Improvement Schemes, Town Planning Schemes and Regional Planning Schemes.
68. Maintenance of maps for Local Areas.
69. Construction, management and maintenance of such other works of public utility not specified elsewhere as may be required for fulfilling any obligation imposed by or under this Act or any other law for the time being in force.
- (f) General.
70. Construction and maintenance of mosques, Imam Barghs and places of worships.

SCHEDULE - IV

FUNCTIONS OF UNION COUNCILS

- (1) To act as construction agency for the following sub- sectors:-
 Primary, Middle and Secondary Schools;
 Rural Health Centres; Family Welfare Clinics; Basic Health Units; Piped Water Supply; Potable Water/Storage Tanks/Tube-wells, and Wells; Hand Pumps;
 Sanitation;
 Rural Roads;

 In pursuance of the above, the Union Councils shall be responsible for site selection, project preparation, land acquisition where necessary, construction and maintenance of new buildings as well as the maintenance of already completed projects.
- (2) To raise local resources through-
 - (a) Voluntary resources; labour, land and cash contribution.
 - (b) Taxes; property, consumption and other sources identified by the community (except on trade).
 - (c) Fees and charges for the use of utility services provided by the Councils such as water supply, sanitation, etc.

- (3) Procurement and distribution of equipment and materials for Health Centers, and Schools.
- (4) Take appropriate measures, on its own or on behalf of the District Council, for the development of rural skills, crafts and cottage industry.
- (5) Monitor the implementation of development projects of line departments by regular review meetings, inspections and review of periodic progress reports and to take appropriate action within the sphere of their jurisdiction.
- (6) Make recommendations about the location of various facilities to the District Council.
- (7) Identify gaps in various sectors (e.g. non-availability of teachers and medicines in the schools and dispensaries) for the provision of facilities in the Union Area and to take steps within the available sources and in accordance with priorities laid down by District Council.
- (8) Keep a watch over the actual supplies and delivery of various agricultural and service inputs within the Union Area and to report any inadequacies to the supplies Organization/District Council.
- (9) Widely circulate information on the projects, allocations and physical programmes to be executed by various line departments and the Union Councils within the Union Area to enlist the voluntary financial and material support to the Local Development Programmes and to stimulate better community supervision.
- (10) To encourage and to facilitate the formation of associations for collective use and collection of charges for services such as electric supply and water course management, co-operative tubewell development, co-operative for input supplies and output marketing, water-course management, etc.
- (11) Provision and maintenance of public ways and public streets.
- (12) Provision and maintenance of Eid Gahs, public open spaces, public gardens and public playgrounds, common meeting places and other common property.
- (13) Lighting of public ways, public streets and public places.
- (14) Plantation and preservation of trees in general, and plantation and preservation of trees on public ways, public streets and public places in particular.
- (15) Management and maintenance of graveyards, shamilats and cremations and burial grounds.
- (16) Provision and maintenance of accommodation for travelers.
- (17) Prevention and regulation of encroachments on public ways, public streets and public places.
- (18) Prevention and abatement of nuisances in public ways, public streets and public places.

- (19) Sanitation, conservancy, and the adoption of other measures for the cleanliness of the Union.
- (20) Regulation of collection, removal and disposal of manure and street sweepings.
- (21) Regulation of offensive and dangerous trades.
- (22) Regulation of the disposal of carcasses of dead animals.
- (23) Regulation of the slaughter of animals.
- (24) Regulation of the erection and re-erection of buildings in the Union.
- (25) Regulation of dangerous buildings and structures.
- (26) Provision and maintenance of wells, water pumps, tanks, ponds, and other works for the supply of water.
- (27) Adoption of measures for preventing the contamination of the sources of water supply for drinking.
- (28) Prohibition of the use of the water of wells, ponds, and other sources of water supply suspected to be dangerous to Public Health.
- (29) Regulation or prohibition of the watering of cattle, bathing or washing at or near wells, ponds or other sources of water reserved for drinking purposes.
- (30) Regulation or prohibition of the steeping of hemp jute or other plants in or near ponds or other sources of water supply.
- (31) Regulation or prohibition of dying or tanning of skins within residential areas.
- (32) Regulation or prohibition of the excavation of earth, stones or other material within residential areas.
- (33) Regulation or prohibition of the establishment of brick kilns, potteries and other kilns within residential areas.
- (34) Registration and computerization of data regarding births and deaths, marriages and divorces and the maintenance of such vital statistics as may be prescribed.
- (35) Holding of fairs and shows.
- (36) Celebration of public festivals.
- (37) Provision of relief measures in the event of any fire, flood, hailstorm earthquake or other natural calamity and disasters.
- (38) Relief for the widows and orphans and the poor, and persons in distress.
- (39) Promotion of public games and sports.

- (40) Agricultural, industrial and community development of co-operative movement, village industries, forests, livestock and fisheries.
- (41) Adoption of measures for increased food production.
- (42) Provision of First-Aid Centers.
- (43) Provision of libraries and reading rooms.
- (44) Co-operation with other organization engaged in activities similar to those of the Union Council.
- (45) Providing protection against stray animals and animal trespass, and establishing cattle pounds; and
- (46) regulation or prohibition of the establishment of brick kilns, potteries and other kilns within the residential areas;
- (47) Any other measures likely to promote the welfare, health, safety, comfort or convenience of the in habitants of the Union or of visitors.

SCHEDULE - V

(See Section 103)

TAXES, RATES, TOLLS AND FEES WHICH MAY BE LEVIED BY THE KARACHI
METROPOLITAN CORPORATION, CORPORATIONS, MUNICIPALITIES AND DISTRICT
COUNCILS.

PART - I

TAXES, RATES, TOLLS AND FEES TO BE LEVIED BY

KARACHI METROPOLITAN CORPORATION

1. Fire Tax.
2. Conservancy Tax.
3. Drainage Tax.
4. Fees for slaughtering of Animals.
5. Fee on conversion of land use all over the City.
6. Fee on licences / sanctions / permits granted by KMC.
7. Market fee on land owned by KMC
8. Tolls on roads and bridges owned and maintained by KMC
9. Charged Parking on the roads maintained by KMC
10. BTS Towers
11. Entertainment Tax
12. Tax on transfer of immovable property
13. Cess on any taxes levied by the Government

PART - II

TAXES, RATES, TOLLS AND FEES WHICH MAY BE LEVIED BY MUNICIPAL COMMITTEES, TOWN COMMITTEES AND CORPORATIONS EXCLUDING THE METROPOLITAN CORPORATIONS

1. Property Tax as may be determined by the Government
2. Tax on the transfer of immovable property.
3. Tolls on road and bridges and ferries owned and maintained by Council.
4. Tax on professions, trades and callings.
5. Fee on births, marriages, adoptions and feasts.
6. Advertisements including hoarding and billboard.
7. Animals.
8. Tax on cinemas, dramatic and theatrical shows and other entertainments and amusements as may be determined by Government.
9. Tax on vehicles, other than motor vehicles and boats.
10. Street lighting Rate and Fire Rate.
11. Conservancy Rate.
12. Rate for the execution of any work of Public Utility.
13. Rate for the provision of water works or the supply of water.
14. Cess on any of the taxes levied by Government.
15. School Fees.
16. Fees for benefits derived from any works of public utility maintained by the Council.
17. Fees at fairs, agricultural shows, industrial exhibitions, tournaments and other public gatherings.
18. Fees for Markets
19. Fees for licences sanctions and permits granted by the Council.
20. Fees for specific services rendered by the Council.
21. Fees for the slaughtering of Animals.
22. Parking Fee on roads.
23. Any other fee leviable under any of the provisions of this Act.
24. Any other tax which is levied by Government.

PART - III

TAXES, RATES, TOLLS AND FEES TO BE LEVIED BY DISTRICT COUNCILS AND UNION COUNCILS

1. Tax on the annual value of buildings and lands.
2. Tax on lands not subject to local rate.
3. Tax on the transfer of immovable property
4. Not Printed in Official Gazette
5. Not Printed in Official Gazette
6. Not Printed in Official Gazette
7. Tax on professions trades and callings.
8. Fee for registration and certificates of birth and death, marriages and divorces.
9. Advertisements including bill board and hoarding as determined by Government.
10. Cinemas, dramatic and theatrical shows, and other entertainments and amusements.

11. Animals.
12. Vehicles (other than motor vehicles but including carts bi-cycles and all kinds of boats).
13. Tolls on roads, bridges and ferries.
14. Street Lighting Rate.
15. Drainage Rate.
16. Rate for the execution of any works of Public Utility.
17. Conservancy Rate.
18. Rate for the provision of water works or the supply of water.
19. Fees on application for the erection and re-erection of building.
20. Schools fees in respect of schools established or maintained by the Council.
21. Fee for the use of benefits derived from any works of public utility maintained by the Council.
22. Fees at fairs, agricultural shows, industrial exhibitions, tournaments and other public gatherings.
23. Fees for Markets.
24. Fees for licences, sanctions and permits granted by the Council.
25. Fees for specific services rendered by the Council.
26. Fees for the slaughtering of Animals.
27. Parking Fee
28. Fee on BTS Tower
29. Surface minerals
30. Fisheries
31. Any other Tax which is levied by Government.

SHEHRI-CITIZENS FOR A BETTER ENVIRONMENT

Shehri-Citizens for a Better Environment was formed in 1988 (based in Karachi City), as a non-political, noncommercial, non-governmental organization (under the Societies Registration Act XXI of 1860) by a group of concerned citizens to provide the citizens with a platform to effectively voice their concerns in determining their future and taking action in arresting the deterioration in their living environment and propose reform with a view to improve the same. Shehri-Citizens for a Better Environment is now fighting at the forefront of various issues of public concern related to the environment. The organization is actively engaged in areas of work like public advocacy and public interest litigation, right to information, freedom of information, good governance, community policing and police reforms, nature conservation, corporate social accountability, and last but not the least institutional reforms.

Objectives

- Establishment of an aware and pro-active civil society, good governance, transparency and rule of law
- Promotion of research and documentation, dialogue and influence of public policies
- Setting up an effective and representative local government system, e.g. capacity building and training
- Observance of basic human rights in society

Management

The core decision making body of the organization is the 'Managing Committee' (MC) that is answerable to the 'General Body' members. The MC is a volunteer body. The members of the MC hold office for a period of two years, after which there is a fresh election. Annual audit is conducted regularly and the audit report is duly shared with all members.

Financial and Program Management

Shehri-Citizens for a Better Environment has been certified (year 2005) with the Non Profit Certification Award by the Pakistan Center for Philanthropy in the areas of internal governance, financial management and program delivery. The organization has also been, in the year 2006, certified to comply with the USAID Management Standards after successfully participating in the Institutional Management and Certification Program implemented by the NGO Resource Center (A project of the Aga Khan Foundation). Donations to the organization are approved under section 47(1) (d) of the Income Tax Ordinance 1979.



SHEHRI - CITIZENS FOR A BETTER ENVIRONMENT

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