

EXTRAORDINARY

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PART-I

GOVERNMENT OF SINDH

LAW DEPARTMENT

NOTIFICATION

Karachi the 7th July 2001.

No. S.LEGIS:1(2)/2001.—The following Ordinance made by the Governor of Sindh is hereby published for general information:—

*THE SINDH LOCAL GOVERNMENT ELECTIONS
(SECOND AMENDMENT) ORDINANCE, 2001
SINDH ORDINANCE NO. XXIV OF 2001.*

AN ORDINANCE

to further amend the Sindh Local Government Elections Ordinance, 2000.

WHEREAS, it is expedient to amend the Sindh Local Government Elections Ordinance, 2000, in the manner hereinafter appearing; **Preamble**

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AND WHEREAS, under the Local Government Elections Order, 2000 (No. 8 of 2000), the Chief Executive of Pakistan has been pleased to empower the Chief Election Commissioner to conduct local government elections in the Provinces;

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

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

Short title and commencement.

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

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

(2) It shall come into force at once.

Amendment of section 9 of Sindh Ordinance No. X of 2000.

2. In the Sindh Local Government Elections Ordinance, 2000, herein after referred to as the said Ordinance, for section 9, the following shall be substituted:-

“Special. Minority Seats. In a union where the population of minorities is in excess of ten percent of the total population of the union reserved seats for minority communities mentioned in the preceding section shall be allocated in the manner prescribed by the Government.”

Amendment of section 10 of Sindh Ordinance No.X of 2000.

3. In the said Ordinance, in section 10, in sub-section (2) the full stop at the end shall be replaced by a colon and thereafter the following proviso shall be added :-

“Provided that the electoral college for the election of reserved seats of Women for Zila council proportionately divided among talukas or towns shall be all the members of union councils in the concerned taluka or, as the case may be, town.”

4. In the said Ordinance -
- (a) the existing section 14 shall be re-numbered as sub-section (1) of that section and in sub-section (1) as so re-numbered, for clause (s), the following shall be substituted:-
- “(s) has not used directly or indirectly for his election the platform, flag, symbol, affiliation and financial or material resources or support of a political, religious, ethnic or sectarian party formation or organization.”
- (b) after clause (s) substituted as aforesaid the following new sub-section (2) shall be added:-
- “(2) Whoever -
- (a) is found by the Chief Election Commissioner to have contravened the provision of sub-section (1) shall stand disqualified from being a candidate for election to a local government for a period of four years; or
- (b) having been elected as a member of local government or being a holder of an elective office of local government is found by the Chief Election Commissioner to have contravened the provisions of sub-section (1) shall cease forthwith to be an elected member or to hold the office of such member and stand disqualified from being a candidate for election to a local government for a period of four years”
5. In the said Ordinance for section 15, the following shall be substituted, namely:-
- “15. Local government elections shall be held on non-party basis.”
6. In the said Ordinance in section 16, for sub-sections (2) and (3) the following shall be substituted, namely:-
- “(2) The Nazim and the Naib Nazim of a district government or a town government or a Taluka government securing as joint candidates more than fifty percent of votes shall be declared elected.
- (3) In case a Zila Nazim and a Naib Zila Nazim or a Town Nazim and a Naib Town Nazim or a Taluka Nazim and a Naib Taluka Nazim do not secure more than 50% of the total votes of the members of the union councils in the

Amendment
of section 14
of Sindh
Ordinance
No. X of
2000

Amendment
of section 15
of Sindh
Ordinance
No. X of
2000

Amendment
of section 16
of Sindh
Ordinance
No. X of
2000

respective district, or taluka / town, there shall be held a fresh election, within one week of the first election, in which the joint candidates for such offices securing the highest and the second highest number of votes shall be contestants, and the joint candidates securing the highest number of votes in the fresh election shall be declared elected.”

7. In the said Ordinance, in section 17 –

(i) for sub-sections (1) and (2), the following shall be substituted :-

“(1) Reserved seats for women in the Zila council shall be divided among the towns in a city district or Taluka in proportion to the number of unions in such towns or Talukas.

(2) A town in a city district or a Talukas shall be a multi-member ward of the reserved seats for women in the Zila Council, town council, in a city district or Talukas council.”;

(ii) after sub-section (2), the following new sub-section shall be added :-

“(3) The district shall be a multi-member ward for the reserved seats for Peasants and Workers and Minority population in the Zila council.”.

Karachi,
Dated:- 5th July, 2001

MOHAMMEDMIAN SOOMRO
GOVERNOR OF SINDH

SAYED GHULAM NABI SHAH
Secretary to Government of Sindh
Law Department

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Amendment
section 17 of
Sindh
Ordinance N
X of 2000.