

PROVINCIAL ASSEMBLY OF THE PUNJAB

NOTIFICATION

24 December 2014

No.PAP/Legis-2(54)/2014/1166. The following Bill, which was introduced in the Provincial Assembly of the Punjab on Wednesday, 24 December 2014, is hereby published for general information under rule 93(1) of the Rules of Procedure of the Provincial Assembly of the Punjab, 1997:-

THE PUNJAB LOCAL GOVERNMENT (THIRD AMENDMENT) BILL 2014

Bill No. 34 of 2014

A BILL

further to amend the Punjab Local Government Act 2013.

Whereas it is expedient further to amend the Punjab Local Government Act 2013 (XVIII of 2013) for purposes hereinafter appearing;

It is enacted as follows:

- 1. Short title and commencement.**— (1) This Act may be cited as the Punjab Local Government (Third Amendment) Act 2014.
(2) It shall come into force at once.
- 2. Amendment in section 2 of Act XVIII of 2013.**— In the Punjab Local Government Act 2013 (XVIII of 2013), hereinafter referred to as the said Act, in section 2, after clause (n), the following clause (na) shall be inserted:
“(na) “election” means an election held under this Act and includes a bye-election;”
- 3. Amendment in section 6 of Act XVIII of 2013.**— In the said Act, in section 6:
 - (a) in subsection (4), the words and commas “subject to the condition that no revenue estate shall be divided and the size of population in the relevant local area shall, as far as possible, be close to the average population of similar local areas in the District” shall be omitted; and
 - (b) after subsection (4), the following subsection (5) shall be inserted:
“(5) The Government shall not make any alteration in the limits of a local area under this section after the initiation of proceedings of delimitation of constituencies by the Election Commission without the concurrence of the Election Commission but the Government shall not alter the limits of a local area after the announcement of election schedule for election in the local area.”
- 4. Amendment in section 22 of Act XVIII of 2013.**— In the said Act, in section 22, in subsection (1), for the expression “the Election Commission, the Government”, the expression “the Election Commission, the Federal Government, the Government” shall be substituted.

5. Amendment in section 32 of Act XVIII of 2013.— In the said Act, in section 32, for the marginal heading “Casual vacancy”, the marginal heading “Bye-election” shall be substituted.

6. Omission in section 37 of Act XVIII of 2013.— In the said Act, in section 37, in subsection (2), in clause (b), the word and comma “election,” shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Hon’ble Supreme Court of Pakistan in Constitution Petition No.77 of 2010 vide order dated 01-12-2014 has, *inter alia*, directed the Punjab Government to hold meeting with Election Commission on 02-12-2014 to provide assistance for carrying out delimitation for holding of the local bodies elections and submit report on 08-12-2014. Pursuant to the said directions, a meeting was convened with Election Commission on 02-12-2014 wherein certain amendments in the Punjab Local Government Act 2013 have been proposed by the Election Commission. The Election Commission has proposed that word ‘election’ needs to be defined; no alteration be made in in the boundaries of a local area after announcement of election schedule; it should also have authority to appoint returning officers from amongst officers of the Federal Government; and casual vacancy may be substituted with bye-elections. One clerical error in section 37 is also proposed to be corrected. Hence this Bill.

MINISTER INCHARGE

Lahore:
24 December 2014

RAI MUMTAZ HUSSAIN BABAR
Secretary