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**EXTRAORDINARY**

**REGISTERED NO. S-2771**



**RECEIVED**

**26 JUN 2006**

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# **THE BALOCHISTAN GAZETTE**

## ***PUBLISHED BY AUTHORITY***

NO. 151 QUETTA WEDNESDAY SEPTEMBER 26, 2001.

GOVERNMENT OF BALOCHISTAN  
LAW DEPARTMENT.

NOTIFICATION.

Dated Quetta, the 26<sup>th</sup> September, 2001.

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

**BALOCHISTAN ORDINANCE NO. XXX OF 2001**

**THE BALOCHISTAN LOCAL GOVERNMENT (AMANDMENT)  
ORDINANCE, 2001.**

**AN.  
ORDINANCE**

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

Preamble

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

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

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

- |   |   |
|---|---|
| Short title and commencement.                       | <p>1. (1) This Ordinance may be called the Balochistan Local Government (Amendment) Ordinance, 2001.</p> <p>(2) It shall come into force at once.</p>   |
| Amendment of Section 2 of Ordinance XVIII of 2001.  | <p>2. In the Balochistan Local Government Ordinance, 2001, hereinafter referred to as the said Ordinance, after clause (xxvii) of section 2, the following shall be added namely:-</p> <p style="padding-left: 40px;">“(xxvii-a) Provincial Director General Audit” means an officer of the Auditor General of Pakistan nominated for the purpose.”</p>   |
| Amendment of Section 26 of Ordinance XVIII of 2001. | <p>3. In the said Ordinance, in section 26, the word “District” appearing after the words “set up by the” and before the word “Government” shall be omitted.</p>  |
| Amendment of Section 51 of Ordinance XVIII of 2001. | <p>4. In the said Ordinance, in section 51, after the word and comma “shall,” the words, figures and comma “subject to sections 35 and 36,” shall be inserted.</p>  |
| Amendment of Section 54 of Ordinance XVIII of 2001. | <p>5. In the said Ordinance, in section 54; after clause (n) the following new clause shall be added:-</p> <p style="padding-left: 40px;">“(nn) organize cattle fairs and cattle markets;”</p>  |
| Amendment of Section 66 of Ordinance XVIII of 2001. | <p>6. In the said Ordinance, for section 66, the following shall be substituted:-</p> <p style="padding-left: 40px;"><b>“66. Provisions of Tehsil Council apply to Town Council.-</b> The provisions relating to Tehsil Council shall subject to section 40, mutatis mutandis, apply to Town Council and any reference in these provisions to Tehsil Nazim, Naib Tehsil Nazim or Tehsil Municipal Administration shall, respectively, be read as reference to Town Nazim, Naib Town Nazim and Town Municipal Administration.”</p> |
| Amendment of Section 76 of Ordinance XVIII of 2001. | <p>7. In the said Ordinance, clause (h) of section 76, shall be omitted.</p>  |

Amendment of  
Section 109 of  
Ordinance XVIII  
of 2001.

8. In the said Ordinance, in sub section (5) of section 109, after the words and brackets "sub section (3)" the words and bracket "and sub-section (12)" shall be added.

Amendment of  
Section 111 of  
Ordinance XVIII  
of 2001.

9. In the said Ordinance, for sub section (4) of section 111, the following shall be substituted:-

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

Amendment of  
Section 115 of  
Ordinance XVIII  
of 2001.

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

Amendment of  
Section 119 of  
Ordinance XVIII  
of 2001.

11. In the said Ordinance, in section 119.-

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

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

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

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

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

(d) for sub section (3), the following shall be substituted:-

"(3) A cut off date before the presentation of the budget, shall be announced by each Local government for registration of all schemes proposed by Citizen Community Boards."

(e) for sub section (7), the following shall be substituted:-

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

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

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

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

Amendment of  
Section 131 of  
Ordinance XVIII  
of 2001.

12. In the said Ordinance, in sub section (3) of section 131, the words “chairman and” shall be omitted.

Amendment of  
Section 156 of  
Ordinance XVIII  
of 2001.

13. In the said Ordinance, in sub section (5) of section 156, after the words “Town Nazim”, the words, “Naib Tehsil Nazim or Naib Town Nazim; shall be added.

Amendment of  
Section 158 of  
Ordinance XVIII  
of 2001.

14. In the said Ordinance, after section 158, the following Explanation shall be added, namely:-

“Explanation:- For the purpose of this section, a holder of an “elective office” means a person who has taken oath in accordance with the rules made under this Ordinance.”

Amendment of  
Section 186 of  
Ordinance XVIII  
of 2001.

15. In the said Ordinance, after sub section (1) of section 186, the following new sub section shall be inserted:-

“(1A) Where local council has been validly constituted under sub-section (1), but seats of Nazim and Naib Nazim of the corresponding level have not been filled, the concerned council shall elect officiating Nazim and Naib Nazim from amongst its members until their seats are filled through by-election.”

Dated Quetta,  
the 25<sup>th</sup> September, 2001.

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

IMTIAZ HUSSAIN,  
SECRETARY LAW.