# GILGIT - BALTISTAN (EMPOWERMENT AND SELF-GOVERNANCE) ORDER, 2009

As amended upto April, 2016

**GOVERNMENT OF PAKISTAN**
**MINISTRY OF KASHMIR AFFAIRS AND GILGIT-BALTISTAN**
**ISLAMABAD.**

**(9th September, 2009)**

(COUNCIL SECTION)

Scanned with CamScanner

# PREFACE

This Edition is published officially and is an authentic version of the Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009. Gilgit-Baltistan (Northern Areas) comprising Gilgit and Baltistan region, after its liberation from the Dogra rule in 1947, have been governed under various governance models. The first noticeable administrative improvement came through the Northern Areas Legal Framework Order, 1975 wherein major administrative, judicial and political reforms were introduced. To ensure more internal autonomy further democratization was done through the Northern Areas Legal Framework Order, 1994. The elected representatives of the people were thus taken closer to a democratic and just system. Amendments to the Order of 1994 were also made in 1999 and 2007.

The present democratic government banking on the efforts started in 1975 and furthered in 1994 decided to consolidate the democratic process further and to bring the area at par with the Provinces of Pakistan. The Prime Minister of Pakistan was therefore, pleased to constitute a High Powered Committee to evolve a system of governance under which maximum devolution of powers could be ensured but keeping in view the special status of the area and the international commitments of the Government of Pakistan.

The KA&GB Division prepared a draft Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009 based on the above policy parameters. The draft was discussed with all stakeholders whose views were incorporated to further improve the document. Finally, the Order was vetted by the Law and Justice Division, Islamabad and presented to Federal Cabinet before soliciting the approval of the President of Pakistan.

It may be mentioned that the provisions of Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009 contain a major improvement over all past efforts and may rightly be added as one of the major achievements of the present Government.

MOHAMMAD IHTESHAM KHAN
Secretary
Ministry of Kashmir Affairs and Gilgit-Baltistan

Islamabad :
The 9th September, 2009

Scanned with CamScanner

# Gilgit-Baltistan (Empowerment and Self - Governance) Order, 2009

## CONTENTS


| Article | | Page |
|---|---|---|
| | 1 Short title, extent and commencement. | 1 |
| | **PART. I** | |
| | **Preliminary** | 1-2 |
| 2. | Definitions. | |
| | **PART II** | |
| | **Fundamental Rights** | 2-7 |
| 3. | Security of person. | |
| 4. | Safeguard as to arrest and detention. | |
| 5. | Slavery and forced labour prohibited. | |
| 6. | Protection against retrospective punishment. | |
| 7. | Freedom of movement. | |
| 8. | Freedom of Assembly. | |
| 9. | Freedom of association. | |
| 10. | Freedom of trade, business or profession. | |
| 11. | Freedom of Speech. | |
| 12 | Freedom of religion. | |
| 13 | Safeguard against taxation for purposes of any particular religion. | |
| 14 | Safeguard as to educational institutions in respect of religion etc. | |
| 15 | Provisions as to property. | |
| 16 | Protection of property. | |
| 17 | Equality of citizens. | |
| 18 | Non-discrimination in respect of access to public places. | |
| 19 | Safeguard against discrimination in services. | |
| | **PART III** | |
| | **The Governor** | 8-9 |
| 20. | The Governor. | |
| 21. | Governor to act on advice, etc. | |




Scanned with CamScanner

PART. IX

Financial Procedure 29-31

54. Council Consolidated Fund.
55. Gilgit–Baltistan Consolidated Fund.
56. Budget.
57. Special provisions regarding Budget etc.
58. Restriction on expenditure.

PART. X

Ordinance 32

59. Power to make Ordinance.

PART. XI

The Judicature 33-45

60. Gilgit–Baltistan Supreme Appellate Court.
61. Original Jurisdiction.
62. Issue and execution of processes of Supreme Appellate Court.
63. Decisions of Supreme Appellate Court binding on other Courts.
64. Seat of the Supreme Appellate Court.
65. Review of judgment or order by the Supreme Appellate Court.
66. Supreme Judicial Council.
67. Power of Supreme Judicial Council to enforce attendance of persons, etc.
68. Bar of Jurisdiction.
69. Gilgit–Baltistan Chief Court.
70. Acting Chief Judge.
71 Jurisdiction of Chief Court.
72 Rules of procedure.
73. Decision of Chief Court binding on subordinate Courts.
74 Seat of the Chief Court.
75. Contempt of Court.
76. The Chief Court to superintend and control all courts subordinate to it, etc.
77. Advisory jurisdiction.
78. Administrative Courts and Tribunals.
79. Employees of Court.

PART. XII

Services 46-47

80. Public Service Commission.
81. Services.
82. Chief Election Commissioner.
83. Auditor General.




Scanned with CamScanner

THIRD SCHEDULE 62-64

Council Legislative List.

FOURTH SCHEDULE 65-67

Assembly Legislative List.

FIFTH SCHEDULE 68

Services.



Scanned with CamScanner

No. F. 3 (1)/2009 NA-I
GOVERNMENT OF PAKISTAN
MINISTRY OF KASHMIR AFFAIRS AND
GILGIT-BALTISTAN
****

Islamabad, the 9th September, 2009

AN

ORDER

*to provide greater political empowerment and better governance to the people of Gilgit-Baltistan;*

WHEREAS it is expedient to undertake necessary legislative, executive and judicial reforms for granting self-governance to the people of Gilgit-Baltistan and for matters connected therewith or incidental thereto;

NOW, THEREFORE, the Government of Pakistan is pleased to make the following Order:-

1. **Short title, extent and commencement.-** (1) This Order may be called the Gilgit-Baltistan (Empowerment and Self-Governance) Order, 2009.

(2) It extends to the whole of areas Gilgit-Baltistan.
(3) It shall come into force on at once.

## PART. I-PRELIMINARY

2. **Definitions.-** (1) In this Order, unless there is anything repugnant in the subject or context.-

(a) "**Assembly**" means the Gilgit-Baltistan Legislative Assembly;

(b) "**Citizen**" unless otherwise expressed in this Order "citizen" means a person who has a domicile of Gilgit-Baltistan;

(c) "**Council**" means the Gilgit-Baltistan Council constituted under this Order;

(d) "**Chairman**" means the Chairman of the Council who shall be the Prime Minister of Pakistan;

(e) "**Financial year**" means the year commencing on the first day of July and ending on the thirtieth day of June;

Scanned with CamScanner

3. **Security of person.**- No person shall be deprived of liberty save in accordance with law.

4. **Safeguard as to arrest and detention.**- (1) No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds for such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.

(2) Every person who is arrested and detained in custody shall be produced before the nearest Magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the Court of the Magistrate, and no such person shall be detained in custody beyond the said period without the authority of a Magistrate.

(3) Nothing in Clauses (1) and (2) shall apply to any person-

(a) who for the time being is an enemy alien, or

(b) who is arrested or detained under any law providing for preventive detention.

(4) No law providing for preventive detention shall authorize the detention of a person for a period exceeding three months unless the review board set up by the Government has reported before the expiration of the said period of three months that there is, in its opinion, sufficient cause for such detention.

(5) When any person is detained in pursuance of an order made under any law providing for preventive detention, the authority making the order shall as soon as may be, communicate to such person the grounds on which the order has been made, and shall afford him the earliest opportunity of making a representation against the order:

Provided that the authority making any such order may refuse to disclose facts which such authority considers it to be against the public interest to disclose.



Scanned with CamScanner

relation to his profession or occupation shall have the right to enter upon any lawful profession or occupation, and to conduct any lawful trade or business:

Provided that nothing in this Article shall prevent-

(a) the regulation of any trade or profession by a licensing system; or

(b) the regulation of trade, commerce or industry in the interest of free competition therein; or

(c) the carrying on, by Government or the Council, or by a corporation controlled by Government or the Council, of any trade, business, industry or service, to the exclusion, complete or partial, or other persons.

**11. Freedom of speech.**- Every citizen shall have the right to freedom of speech and expression, subject to any reasonable restrictions imposed by law in the interest of the security of area Gilgit-Baltistan, public order, decency or morality, or in relation to contempt of Court, commission of, or incitement to an offence.

**12. Freedom of religion.**- Subject to law, public order and morality-

(a) every citizen has the right to profess and practice his religion; and

(b) every religious denomination and every sect thereof has the right to establish, maintain and manage its places of worship.

**13. Safeguard against taxation for purposes of any particular religion.**- No person shall be compelled to pay any special tax the proceeds of which are to be spent on the propagation or maintenance of any religion other than his own.

**14. Safeguard as to educational institutions in respect of religion etc.**- (1) No person attending any educational institution shall be required to receive religious instructions or take part in any religious ceremony, or attend religious worship, if such instruction, ceremony or worship relates to a religion other than his own.



Scanned with CamScanner

any manner, contrary to law ; or

(d) any law providing for the taking over of the management of any property by the Government for a limited period, either in the public interest or in order to secure the proper management of the property, or for the benefit of its owner; or

(e) any law providing for the acquisition of any class of property for the purpose of-

(i) providing education and medical aid to all or any specified class of citizen; or

(ii) providing housing and public facilities and services such as roads, water supply, sewerage, gas and electric power to all or any specified class of citizen; or

(iii) providing maintenance to those who, on account of unemployment, sickness, infirmity or old age, are unable to maintain themselves; or

(f) any law in force immediately before the coming into force of this Order.

**Explanation**.- In clauses (2) and (3), the expression 'property' means immovable property, or any commercial or industrial undertaking, or any interest in any undertaking.

17. **Equality of citizens**.- All citizens are equal before law and are entitled to equal protection of law.

18. **Non-discrimination in respect of access to public places**.- In respect of access to places of public entertainment or resort, not intended for religious purposes only, there shall be no discrimination against any citizen on the ground only of race, religion, caste, sex or place of birth, but nothing herein shall be deemed to prevent the making of any special provision for women.

19. **Safeguard against discrimination in services**.- No citizen otherwise qualified for appointment in the services of areas comprising Gilgit-Baltistan shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste or sex:

Provided that, in the interest of the said service, specified posts or services may be reserved for members of either sex.



Scanned with CamScanner

(8) The Governor shall not be a candidate for election as a member of the Assembly, and, if a member of the Assembly is appointed as Governor, his seat in the Assembly shall become vacant on the day he enters upon his office.

**21. Governor to act on advice, etc.-** (1) Subject to this Order in the performance of his functions, the Governor shall act in accordance with the advice of the Cabinet or the Chief Minister:

Provided that the Governor may require the Cabinet or, as the case may be, the Chief Minister to reconsider such advice, whether generally or otherwise, and the Governor shall act in accordance with the advice tendered after such reconsideration.

(2) The question whether any, and if so what, advice was tendered to the Governor by the Chief Minister or the Cabinet shall not be inquired into or by, any court, tribunal or other authority.

---



Scanned with CamScanner

votes of the members present and voting shall be declared to have been elected as Chief Minister:

Provided further that, if the number of votes secured by two members securing the highest number of votes is equal, further poll shall be held between them until one of them secures a majority of the members present and voting.

(4) The member elected under clause (3) shall be invited by the Governor to assume the office of Chief Minister and he shall, before entering upon the office make before the Governor oath in the form set out in the First Schedule.

**24. Ministers.-** (1) The Governor shall appoint Ministers from amongst the members of the Assembly on the advice of Chief Minister

(2) Before entering upon office, a Minister shall make before the Governor oath in the form set out in the First Schedule.

(3) A Minister may, by writing under his hand addressed to the Chief Minister, resign his office or may be removed from office by the Chief Minister.

**25. Advisors to Chief Minister.-** The Governor may, on the advice of Chief Minister, appoint not more then two Advisors on such term and conditions, as he may determine.

**26. Parliamentary Secretaries.-** (1) The Chief Minister may appoint Parliamentary Secretaries from amongst the members of the Assembly to perform such functions as may be prescribed.

(2) A Parliamentary Secretary may, by writing under his hand addressed to the Chief Minister, resign his office or may be removed from office by the Chief Minister.

**27. Resignation of Chief Minister.-** (1) Subject to clause (2) the Chief Minister may, by writing under his hand addressed to the Governor, resign his office and, when the Chief Minister resigns, the Ministers shall cease to hold office.



Scanned with CamScanner

(2) If the Assembly is in session at the time when the Chief Minister dies or the office of the Chief Minster becomes vacant, the Assembly shall forthwith proceed to elect a Chief Minister, and if the Assembly is not in session the Governor shall for that purpose summon it to meet within fourteen days of the death of the Chief Minister or, as the case may be, of the office becoming vacant.

(3) When, for any reason, the Chief Minister is unable to perform his functions, the most senior Minister for the time being shall perform functions of Chief Minister until the Chief Minister resumes his functions.

(4) In this Article 'most senior Minister' means the Minister for the time being designated as such by the Chief Minister by notification in the official Gazette.

**31. Extent of Executive Authority of Government.-** (1) Subject to this Order, the executive authority of the Government shall extend to the matters with respect to which the Assembly has power to make laws.

(2) The executive authority of the Government shall be so exercised as to secure compliance with the laws made by the Council and Pakistan laws.

(3) Notwithstanding anything contained in this Order, the Government may with the consent of the Council, entrust, either conditionally or unconditionally, to the Council, or to its officers functions in relation to any matter which the executive authority of the Government extends.

**32. Advocate General.-** (1) The Governor shall appoint a citizen, being a person qualified to be appointed as Judge of the Gilgit-Baltistan Chief Court, to be the Advocate General for Gilgit-Baltistan.

(2) It shall be the duty of the Advocate General to give advice to Government upon such legal matter, and to perform such other duties of a legal character, as may be referred or assigned to him by the Government.

(3) The Advocate General shall hold office during the pleasure of the Governor.

(4) The Advocate General may, by writing under his hand addressed to the Governor resign his office.



Scanned with CamScanner

## PART. V-GILGIT-BALTISTAN COUNCIL

**33. Gilgit-Baltistan Council.-** (1) There shall be a Gilgit-Baltistan Council consisting of.-

(a) the Prime Minister of Pakistan;

(b) the Governor;

(c) six members nominated by the Prime Minister of Pakistan from time to time from amongst Federal Ministers and members of Parliament:

Provided that the Federal Minister for Kashmir Affairs and Gilgit-Baltistan shall be an *ex officio* member and Minister-in-Charge of the Council:

(d) the Chief Minister of Gilgit-Baltistan;

(e) six members to be elected by the Assembly in accordance with [1][single non-transferable majority vote.]

(2) The Prime Minister of Pakistan shall be the Chairman of the Council.

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

(4) The Minister of State for Kashmir Affairs and Gilgit-Baltistan shall be an *ex officio* non voting member of the Council.

(5) The qualifications and disqualifications for being elected, as, and for being, a member of the Council shall, in the case of a member referred to in sub-clause (e) of clause (1), be the same as those for being elected as, and for being a member of the Assembly.

(6) The seat of a member of the Council elected by the Assembly, hereinafter referred to as an elected member, shall become vacant,-

(a) if he resigns his seat by notice in writing under his hand addressed to the Chairman or, in his absence, to the Secretary of the Council;

(b) if he is absent, without the leave of the Chairman, from ten consecutive sittings of the Council;

(c) if he fails to make the oath referred to in clause (11) within a period of ninety days after the date of his election, unless the Chairman, for good cause shown, extends the period; or

---

1. Amended vide Order No. 3(1)/2009 GB-I dated 13-04-2016.



Scanned with CamScanner

(13) The Chairman may from among the elected members of the Council appoint not more than three Advisors on such terms and conditions as he may determine.

(14) An advisor shall, before entering upon office, make before the Chairman oath in form set out in the First Schedule.

(15) An Advisor who is a member of the Assembly shall have the right to speak in, and otherwise take part in the proceedings of the Council, but shall not by virtue of this clause be entitled to vote.

(16) The Council may make rules for regulating its procedure and the conduct of its business, and shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings of the Council shall not be invalid on the ground that a person who was not entitled to do so sat, voted or otherwise took part in the proceedings.

(17) Orders and other instruments made and executed in the name of the Council shall be authenticated in such manner as may be specified in rules to be made by the Council and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Council.

(18) The Chairman may regulate the allocation and transaction of the business of the Council and may, for the convenient transaction of that business, delegate any of its functions to officers and authorities subordinate to it.

**Explanation:** In this Article the expression 'Chairman' means Chairman of the Council.

**34. Chairman of Council power to pardon and reprieve.-** The Chairman shall have power to grant pardons, reprieves and respites and to remit, suspend or commute any sentence passed by any court, tribunal or other authority.



Scanned with CamScanner

Provided also that if the Chief Minister, the Leader of the Opposition in the outgoing Assembly and the Minister for Kashmir Affairs and Gilgit-Baltistan do not agree on any person to be appointed as care-taker Chief Minister, the Chairman of the Council may appoint, in his discretion, a care-taker Chief Minister.

**36. Oath of members of the Assembly.-** (1) A person elected as a member of the Assembly shall not take his seat in the Assembly until he makes before such person as is prescribed by rules of the Assembly an oath in the form set out in the First Schedule.

(2) The oath may be made when the Assembly is in session.

(3) If any person sits or votes in the Assembly knowing that he is not qualified to be, or is disqualified from being a member of the Assembly he shall be liable in respect of every day on which he so sits or votes; shall be guilty of an offence punishable for a term which shall not be less than seven years and a fine which shall not be less than two hundred thousand rupees.

**37. Qualifications of members of the Assembly.-** (1) A person shall be qualified to be elected as, and to be, a member of the Assembly if-

(a) he is a citizen;

(b) he is not less than twenty-five years of age; and

(c) his name appears on the electoral roll of any constituency in Gilgit-Baltistan..

(2) A person shall be disqualified from being so elected if-

(a) he is of unsound mind and stands so declared by a competent court; or

(b) he is an undischarged insolvent unless a period of ten years has elapsed since his being adjudged as insolvent; or

(c) he has been on conviction for any offence sentenced to transportation for any term or imprisonment for a term of not less than two years unless a period of five years has elapsed since his release; or

(d) he holds any office of profit in the service of Gilgit-Baltistan or in the service of Pakistan other than a office which is not a whole time office remunerated either by salary or by fee other than an office specified in the Second Schedule; or



Scanned with CamScanner

(4) When except by dissolution of the Assembly, a seat in the Assembly has become vacant not later than one hundred and twenty days before the term of the Assembly is due to expire, an election to fill the seat shall be held within sixty days from the occurrence of the vacancy.

**39. Right of Governor to address the Assembly.** - (1) The Governor may address the Assembly and may for that purpose require the attendance of the members.

(2) The Advocate General shall have the right to speak and otherwise take part in the proceedings of the Assembly or any Committee thereof of which he may be named a member, but shall not by virtue of this Article be entitled to vote.

**40. Meetings of the Assembly.-** (1) The Assembly shall assemble at such times and at such places as the Governor may appoint, and the Governor may prorogue a session of the Assembly except when the Assembly has been summoned by the Speaker.

(2) Any meeting of the Assembly may be adjourned by the Speaker or other person presiding thereat.

(3) There shall be at least three sessions of the Assembly every year, and not more than one hundred and twenty days shall intervene between the last sitting of the Assembly in one session and the date appointed for its first sitting in the next session.

Provided that the Assembly shall meet for not less than one hundred and thirty working days in each parliamentary year.

(4) On a requisition signed by not less than one-third of the total membership of the Assembly, the Speaker shall summon the Assembly to meet, at such time and place as he thinks fit, within fourteen days of the receipt of the requisition, and when the Speaker has summoned the Assembly, only he may prorogue it.

**41. Dissolution of the Assembly.-** (1) The Governor shall dissolve the Assembly if so advised by the Chief Minister, and the Assembly shall, unless sooner dissolved, stands dissolved at the expiration of the forty-eight hours after the Chief Minister has so advised.



Scanned with CamScanner

when the office of the Speaker is vacant, or the Speaker is absent, or is unable to perform his functions due to any cause, the Deputy Speaker shall act as Speaker and if at that time, the Deputy Speaker is also absent or is unable to act as Speaker due to any cause, such member of the Assembly present as may be determined by the Rules of Procedure of the Assembly shall preside at the meeting of the Assembly.

(5) Soon after as the office of Speaker or Deputy Speaker becomes vacant, the Assembly shall elect one of its members to fill the office.

(6) The Speaker may resign from his office by writing under his hand addressed to the Governor.

(7) The Deputy Speaker may resign his office by writing under his hand addressed to the Speaker.

(8) The office of the Speaker or Deputy Speaker shall become vacant if-

(a) except as provided in clause (9) he ceases to be a member of the Assembly; or

(b) he is removed from office by a resolution of the Assembly, of which not less than seven days' notice by not less than one-fourth of the total membership of the Assembly has been given and which is passed by a majority of total membership of the Assembly.

(9) When the Assembly is dissolved, the Speaker shall continue in his office till the person elected to fill the office by the next Assembly enters upon his office.

**43. Voting in Assembly and quorum.-** (1) Subject to this Order,-

(a) a decision in the Assembly shall be taken by a majority of the votes of the members present and voting but the Speaker or the person presiding in his absence shall not vote except when there is an equality of votes in which case he shall exercise his casting vote;

(b) the Assembly may act notwithstanding any vacancy in its membership; and

(c) any proceedings in the Assembly shall not be invalid on the ground that some person who was not entitled to do so sit, voted or otherwise took part in the proceedings.



Scanned with CamScanner

# PART. VII-DISTRIBUTION OF LEGISLATIVE POWERS

47. **Legislative Powers.-** (1) Subject to the succeeding provisions of this Article, both the Council and the Assembly shall have the power to make laws,-

(a) for the territories of Gilgit-Baltistan;

(b) for all citizens of Gilgit-Baltistan; and

(c) for the officers of the Council or as the case may be, the Government, wherever they may be.

(2) Subject to clause (3)-

(a) the Council shall have exclusive power to make laws with respect to any matter in the Council Legislative List set out in the Third Schedule, hereinafter referred to as the Council Legislative List; and

(b) the Assembly shall, and the Council shall not, have power to make laws with respect to any matter enumerated in the Fourth Schedule referred to as the Assembly Legislative List.

(c) The Council shall have the powers to adopt any amendment in the existing Laws or any new Law in force in Pakistan.

(3) The Government of Pakistan shall have exclusive power to make laws in respect of any matter not enumerated in the Council Legislative List or the Assembly Legislative List by Order notified in the official Gazette.

**48. Tax to be levied by laws only.-** No tax shall be levied for the purposes of the territories of Gilgit-Baltistan except by or under the authority of an Act of the Council or the Assembly and all taxes and levies competently imposed under an Act of the Assembly or the Council or under any law made by the Government of Pakistan shall remain in force..



Scanned with CamScanner

(3) A member of, or a person entitled to speak in, the Council or the Assembly, shall not be liable to any proceedings in any Court in respect of anything said by him or any vote given by him in the Council or the Assembly or in any Committee thereof.

(4) A person shall not be liable to any proceedings in any Court in respect of publication by or under the authority of the Council or the Assembly, of any report, paper, vote or proceedings.

(5) No process issued by a Court or other authority shall except with the leave of the Chairman of the Council or the Speaker be served or executed within the precincts of the place where a meeting of the Council or, as the case may be, the Assembly is being held.

(6) Subject to this Article, the privileges of the Council, the Assembly, the Committees and members of the Council, or the Assembly and of the persons entitled to speak in the Council, or the Assembly, may be determined by law.

**52. Authentication of Bills Passed by the Council.-** A Bill passed by the Council shall not require the assent of the Governor and shall, upon its authentication by the Chairman of the Council, become law and be called an Act of the Council.

**53. Governor's assent to Bills.-** (1) Subject to this Order, when a Bill has been passed by the Assembly it shall be presented to the Governor for assent.

(2) When a Bill is presented to the Governor for assent, the Governor shall, within thirty days,-

(a) assent to the Bill; or

(b) in the case of a Bill other then a Money Bill, return the Bill to the Assembly with a message requesting that the Bill, or any specified provision thereof, be reconsidered and that any amendment specified in the message be considered.

(3) When the Governor has returned a Bill to the Assembly, it shall be reconsidered by the Assembly and, if it is again passed, with or without amendment, by the Assembly, by the votes of the majority of the members of the Assembly present and voting, and in accordance with the provision of this Order and in not in any manner prejudicial to the security, integrity, solidarity



Scanned with CamScanner

## PART. IX-FINANCIAL PROCEDURE

54. **Council Consolidated Fund.-** (1) All revenues received by the Council, all loans raised by the Council and all moneys received by it in payment of any loan shall form a part of Consolidated Fund, to be known as the Council Consolidated Fund.

(2) All other moneys-

(a) received by or on behalf of the Council; or

(b) received by or deposited with the Gilgit-Baltistan Supreme Appellate Court or any other Court established under the authority of this Order shall be credited to the Public Account of the Council.

(3) The Custody of the Council Consolidated Fund, the payment of money into that Fund, the withdrawal of money there from, the custody of other moneys received by or on behalf of the Council, their payment into, and withdrawal from the Public Account of the Council, and all matters connected with or ancillary to the matters aforesaid, shall be regulated by the Act of the Council or, until provision in that behalf is so made, by rules made by the Chairman of the Council.

(4) The Council shall, in respect of every financial year, cause to be prepared, and approve, a statement of estimated receipts and expenditure of the Council for that year.

(5) The Chairman of the Council shall authenticate by his signature the statement approved by the Council under clause (4), and no expenditure from the Council Consolidated Fund shall be deemed to be duly authorized unless it is specified in the statement so authenticated.

(6) If in respect of any financial year it is found:

(a) that the amount authorized to be expended for a particular service for the current financial year is insufficient, or that a need has arisen for expenditure upon some new service not included in the statement referred to in clause (4) for that year; or

(b) that any money has been spend on any service during a financial year in excess of the amount granted for that year, the Chairman of the Council shall have the power to authorize expenditure from the Council Consolidated Fund and shall cause to be laid before the Council a supplementary statement or, as the case may be, an



Scanned with CamScanner

(4) The Annual Budget as passed by the Assembly shall be placed before the Governor who shall authenticate it by his signature.

(5) If in respect of any financial year it is found_

(a) that the amount authorized to be expended for a particular service for the current financial year is insufficient, or that a need has arisen for expenditure upon some new service not included in the Annual Budget for that year; or

(b) that any money has been spend on any service during a financial year in excess of the amount granted for that year, the Government shall have the power to authorize expenditure from the Gilgit-Baltistan Consolidated Fund and shall cause to be laid before the Assembly a Budget or, as the case may be, an excess Budget, setting out the amount of that expenditure, and the provisions of this Article shall apply to those Budgets as they apply to the Annual Budget.

(6) Notwithstanding anything contained in the foregoing provisions of this section, the Assembly shall have power to make any grant in advance in respect of the estimated expenditure for a part of any financial year, not exceeding four months, pending completion of the procedure prescribed in clause (2) for the voting of such grant and the authentication of the Budget as passed by the Assembly in accordance with the provisions of clause (4) in relation to the expenditure.

**57. Special provisions regarding Budget, etc.-** (1) Where the Annual Budget for any financial year cannot be passed by the Assembly by reason of its having been dissolved, the Chief Minister shall cause to be prepared an Annual Budget for that year and, by his signature, authenticate the Budget.

(2) The Annual Budget for any financial year authenticated by the Chief Minister under clause (1) shall, for the purpose of this Act, be deemed to have been passed by the Assembly.

**58. Restriction on expenditure.-** No expenditure shall be incurred by the Government except authorized by the Annual or Supplementary Budget as passed or deemed to have been passed by the Assembly.



Scanned with CamScanner

## PART. XI-THE JUDICATURE

**60. Gilgit-Baltistan Supreme Appellate Court.-** (1) There shall be constituted a Gilgit-Baltistan Supreme Appellate Court, referred to as the Supreme Appellate Court to be the highest Court of Appeal.

(2) Subject to the provisions of this Order, the Supreme Appellate Court shall have such jurisdiction as is or may be conferred on it by this Order or by under any law.

(3) The Supreme Appellate Court shall consist of a Chief Judge to be known as Chief Judge of Gilgit-Baltistan and **two other Judges**:

Provided that the Government of Pakistan may from time to time increase the number of judges.

(4) The person holding office as Chief Judge or other Judge of the Supreme Appellate Court immediately before the commencement of this Order shall be deemed to be the Chief Judge or other Judge as the case may be appointed under this Order.

(5) The Chief Judge of Supreme Appellate Court shall be appointed by the Chairman of the Council on the advice of the Governor and other Judges shall be appointed by the Chairman on the advice of Governor after seeking views of the Chief Judge.

(6) A person shall not be appointed as the Chief Judge or Judge of the Supreme Appellate Court of Gilgit-Baltistan unless he_

(a) has been a judge of Supreme Court of Pakistan or is qualified to be a judge of the Supreme Court of Pakistan; or

(b) has for a period of, or for periods aggregating, not less than five years been a Judge of a Chief Court; or

(c) for a period of or for periods aggregating, not less than fifteen years has been an advocate of a High Court.

**Explanation.-** In this sub-clause, the expression 'High Court' includes,-



Scanned with CamScanner

(b) if the Chief Court has withdrawn for trial before itself any case from any court subordinate to it and has in such trial convicted the accused person and sentenced him as aforesaid; or

(c) if the Chief Court has imposed any punishment on any person for contempt of the Chief Court; or

(d) if the amount or value of the subject matter of the dispute in the court of first instance was, and also in dispute in appeal is, not less than fifty thousand rupees or such other sum as may be specified in that behalf by Act of the Council and judgment, decree or final order appealed from has varied or set aside the judgment, decree or final order of the court immediately below; or

(e) if the judgment, decree or final order involved directly or indirectly some claim or question respecting property or the like amount or value and the judgment, decree or final order appealed from has varied or set aside the judgment, decree or final order of the court immediately below; or

(f) if the Chief Court certifies that the case involves a substantial question of law as to the interpretation of this Order.

(13) An appeal to the Gilgit-Baltistan Supreme Appellate Court of from a judgment, decree, order or sentence of the Chief Court in a case to which clause (11) does not apply shall lie only if the Supreme Appellate Court grants leave to appeal.

(14) (a) an appeal to Gilgit-Baltistan the Supreme Appellate Court shall be heard by a Bench consisting of not less than two judges to be constituted or reconstituted by the Chief Judge;

(b) if the Judges hearing a petition or an appeal are divided in opinion, the opinion of majority shall prevail;

(c) if there is no such majority as aforesaid the petition or appeal, as the case may be, shall be placed for hearing and disposal before another Judge to be nominated by the Chief Judge:

Provided that in case of difference of opinion as aforesaid, the decision of the Supreme Appellate Court shall be expressed in term of opinion of the senior of the two Judges.

(15) The person holding office as Chief Judge of the Gilgit-Baltistan Supreme Appellate Court of Gilgit-Baltistan immediately before the



Scanned with CamScanner

(4) Subject to this Order and Law, the Supreme Appellate Court may, in consultation with the Council, make rules regulating the practice and procedure of the Court:

Provided that till the new rules are framed, the rules framed by the Supreme Appellate Court shall, so far as they are not inconsistent with this Order and any other law, deemed to have been made by the Supreme Appellate Court until altered or amended and references to the Supreme Appellate Court in these rules shall be construed to be referred to the Supreme Appellate Court.

**63. Decisions of Supreme Appellate Court binding on other Courts.-** Any decision of the Supreme Appellate Court shall, to the extent that it decides a question of law or is based upon or enunciates a principle of law, be binding on all other Courts in the Gilgit-Baltistan.

**64. Seat of the Supreme Appellate Court.-** (1) The Seat of the Supreme Appellate Court shall be at Gilgit.

(2) The Supreme Appellate Court may sit at such other place or places as the Chief Judge of Gilgit-Baltistan, with the approval of the Governor, may appoint.

**65. Review of judgment or order by the Supreme Appellate Court.-** The Supreme Appellate Court shall have powers, subject to the provisions of an Act of the Assembly or the Council and of any rules made by the Supreme Appellate Court, to review any judgment pronounced or any order made by it.

**66. Supreme Judicial Council.-** (1) There shall be a Supreme Judicial Council of Gilgit-Baltistan.

(2) The Supreme Judicial Council shall consist of,_

(a) the Chief Judge of Gilgit-Baltistan who shall be its Chairman.

(b) the Senior Judge of the Supreme Appellate Court; and

(c) the Chief Judge of the Chief Court .

(3) A Judge of the Supreme Appellate Court or of the Chief Court shall not be removed from office except as provided by this Article.



Scanned with CamScanner

Chief Court, shall, act as a member of the Supreme Judicial Council in his place.

(9) If, upon any matter inquired into by the Supreme Judicial Council, there is a difference of opinion amongst its member, the opinion of the Supreme Judicial Council shall be expressed in terms of the view of the majority.

67. **Power of Supreme Judicial Council to enforce attendance of persons, etc.-** (1) for the purpose of inquiring into any matter, the Supreme Judicial Council shall have the same powers as has the Supreme Appellate Court, to issue directions or order for securing the attendance of any person or the discovery or the production of any document and any such direction or order shall be enforceable as if it has been issued by the Supreme Appellate Court.

(2) The provisions of Article 60, shall, mutatis mutandis apply to the Supreme Judicial Council as they apply to the Gilgit-Baltistan Supreme Appellate Court and the Gilgit-Baltistan Chief Court.

68. **Bar of Jurisdiction.-** The proceedings before the Supreme Judicial Council, and the removal of a Judge under Article 66, shall not be called in question in any Court.

69. **Gilgit-Baltistan Chief Court.** - (1) There shall be a Gilgit-Baltistan Chief Court, hereinafter called the Chief Court, which shall consist of a **Chief Judge and four other judges of whom 60% will be appointed from lawyers community and 40% from subordinate judiciary:**

Provided that the Government of Pakistan may from time to time increase the number of judges.

(2) The function of the Chief Court may be performed by a Single Bench, a Division Bench or a Full Bench:, but the Chief Judge may recall a case pending before a Bench and make it over to another Bench or constitute a larger Bench for the purpose.

(3) In case of difference of opinion in a Full Bench, the opinion of the majority shall prevail;



Scanned with CamScanner

as a Judge of the Chief Court to be an Additional Judge for the period for which the Judge is absent or unable to perform his functions.

(11) A Judge of the Chief Court shall not,-

(a) hold any other office of profit in the service of the Gilgit-Baltistan if his remuneration is thereby increased; or

(b) occupy any other position carrying the right to remuneration for the rendering of services, but this clause shall not be construed as preventing a Judge from holding or managing private property.

(12) A person who has held office as Judge of the Chief Court shall not hold any office of profit in the service of Gilgit-Baltistan not being a Judicial or quasi-Judicial office or the office of Chief Election Commissioneror of Chairman or member of the Public Service Commission, before the expiration of two years after he ceased to hold that office.

(13) The remuneration and other terms and conditions of service of the Chief Judge and Judges of Chief Court shall be such as admissible the Chief Justice and the Judges of the High Courts of Pakistan.

70. **Acting Chief Judge.-** At any time when-

(a) the Office of Chief Judge of Chief Court is vacant;

(b) the Chief Judge of Chief Court is absent or is unable to perform the functions of his office due to any other cause, the Governor shall appoint the most senior Judge of the Chief Court to act as Chief Judge.

71. **Jurisdiction of Chief Court.-** (1) The Chief Court shall have such jurisdiction as is conferred on it by this Order or by any other law.

(2) Subject to this Order, the Chief Court may if it is satisfied that no other adequate remedy is provided by law,-

(a) the Government, exercising any power or performing any function in, or in relation to, Gilgit-Baltistan as may be appropriate for the enforcement of any of the fundamental rights conferred by this Order. on the application of any aggrieved party, make an order,--

(i) directing a person performing functions in connection with the affairs of Gilgit-Baltistan or local authority to refrain from doing that which he is



Scanned with CamScanner

other than the Gilgit-Baltistan Supreme Appellate Court, the Chief court or a Court or tribunal establish under a law relating to the Armed Forces of Pakistan.

72. **Rules of procedure.**- Subject to this Order and law the Chief Court may in consultation with the Government, make rules regulating practice and procedure of the Court or of any Court subordinate to it.

73. **Decision of Chief Court binding on subordinate Courts.**- Subject to Article 47, any decision of Chief Court shall, to the extent that it decides a question of law or is based upon or enunciates a principle of law, be binding on all Courts subordinate to it

74. **Seat of the Chief Court.**- (1) The permanent seat of the Chief Court shall be at Gilgit.

(2) The Chief Court may, from time to time, sit at such other place as the Chief Judge of the Chief Court, with the approval of the Governor, may appoint.

75. **Contempt of Court.** - (1) In this Article the expression "Court" means the Gilgit-Baltistan Supreme Appellate Court or the Chief Court.

(2) A Court shall have power to punish any person who-

(a) abuses, interferes with or obstructs the process of the Court in any way or disobeys any order of the Court;

(b) scandalizes the Court or otherwise does anything which tends to bring the Court or a judge of the Court into hatred, ridicule or contempt;

(c) does anything which tends to prejudice the determination of a matter pending before the Court; or

(d) does any other thing which, by law, constitutes contempt of the Court.

(3) The exercise of the power conferred on a Court by this Article may be regulated by law and, subject to law, by rules made by the Court.

76. **The Chief Court to superintend and control all courts subordinate to it, etc.-** (1) The Chief Court shall superintend and control all other courts that are subordinate to it.



Scanned with CamScanner

may be pending before such other court immediately before the establishment of the Administrative Court or Tribunal shall abate on such establishment.

(3) An appeal to the Gilgit-Baltistan Supreme Appellate Court from a judgment, decree, order or sentence of an Administrative Court or Tribunal shall lie only if the Supreme Appellate Court of Gilgit-Baltistan being satisfied, that the case involves a substantial question of law of public importance, grants leave to appeal.

79. **Employees of Court.-** The Gilgit-Baltistan Supreme Appellate Court and the Gilgit-Baltistan Chief Court, with the approval of the Governor, may make rules providing for the appointment of employees of the Court and for their terms and conditions of employment.

---



Scanned with CamScanner

**83. Auditor-General.-** (1) There shall be an Auditor General of Gilgit- Baltistan who shall be appointed by the Governor on the advice of the Council.

Provided that till the appointment of Auditor-General of Gilgit-Baltistan, the Chairman of the Gilgit-Baltistan Council may ask Auditor- General of Pakistan to work as Auditor-General of Gilgit-Baltistan also.

(2) Before entering upon office, the Auditor General shall make before the Chief Judge of Gilgit-Baltistan oath in the form set out in the first Schedule

(3) The terms and conditions of service, including the terms of office, of the Auditor-General shall be determined by Act of the Council and, until so determined, by rules made by the Council.

(4) The Auditor-General shall, in relation to-

(a) the accounts of the Council and any authority or body established by the Council; and

(b) the accounts of the Government and any authority or body established by the Government, perform such functions and exercise such powers as may be determined, by or under Act of the Council and, until so determined, by rules made by the Council.

(5) The accounts of the Council and of the Government shall be kept in such form and in accordance with such principles and methods as may be determined by the Auditor-General with the approval of the Council.

(6) The reports of the Auditor-General relating to the accounts of the Council shall be submitted to the Chairman of the Council; who shall cause them to be laid before the Council; and the reports of the Auditor-General relating to the accounts of the Government shall be submitted to the Governor who shall cause them to be laid before the Assembly.



Scanned with CamScanner

process whatsoever shall be issued from any court or tribunal against the Governor or the Chairman of the Council, whether in a personal capacity or otherwise, while he is in office.

(5) Subject to this Order, the Governor, the Chief Minister, the Chairman of the Council, the Federal Minister who is a member of the Council, a Minister or an Advisor shall not except in respect of anything done or not done by him in contravention of law , be answerable to any court or Tribunal in the exercise of the powers, or the performance of the duties, of his office or for any act done or purporting to be done by him in the exercise of those powers or in the performance of those duties:

Provided that nothing in this clause shall be construed as restricting the right of any person to bring appropriate proceedings against the Council or as the case may be, the Government.

**86. Power to acquire property and to make contracts, etc.-** (1) The executive authority of the Government and of the Council shall extend, subject to any Act of the appropriate authority to the grant, sale, disposition or mortgage of any property vested in, and to the purchase or acquisition of property on behalf of, the Government or as the case may be, the Council, and to the making of contracts.

(2) All property acquired for the purpose of the Government or of the Council shall vest in the Government or, as the case may be, in the Council.

(3) All contracts made in the exercise of the executive authority of the Government or of the Council shall be expressed to be made in the name of the Governor, or as the case may be, the Council and all such contracts and all assurances of property made in the exercise of that authority shall be executed on behalf of the Governor or the Council by such persons and in such manner as the Governor, or as the case m ay be, the Council may direct or authorize.

(4) Neither the Governor, nor the Chairman of the Council, shall be personally liable in respect of any contract or assurance made or executed in



Scanned with CamScanner

## PART. XIV-EMERGENCY PROVISIONS

87. **Power to issue proclamation.**- (1) If the Chairman of the Gilgit-Baltistan Council ,on receipt of a report from Governor of Gilgit- Baltistan or otherwise, is satisfied that a grave emergency exists in which the security of Gilgit-Baltistan is threatened by war or external aggression or by internal disturbances, in which the Government of the Gilgit-Baltistan cannot be carried on in accordance with the provisions of this Order, Chairman of the Council shall issue Proclamation of Emergency, hereinafter referred to as the Proclamation.

(2) Assume to himself, or direct the Governor of the Gilgit-Baltistan to assume on behalf of the Chairman of the Council , all or any of the functions of the Government of the Gilgit-Baltistan, and all or any of the powers vested in, or exercisable by, any body or authority in the Gilgit-Baltistan, other than the Assembly;

(3) A Proclamation shall be laid before a Joint Sitting of the Council and the Assembly which shall be summoned by the Chairman of the Council on the advice of Governor to meet within thirty days of the Proclamation being issued and-

(a) shall, cease to be in force at the expiration of two months unless before the expiration of that period it has been approved by a resolution of the Joint Sitting; and

(b) shall, subject to the provisions of sub-clause (a), cease to be in force upon a resolution disapproving the resolution being passed by the votes of the majority of the total membership of the Joint Sitting.

(4) Notwithstanding anything contained in clause (2), if the Assembly stands dissolved at the time when the Proclamation is issued, the Proclamation shall continue in force for a period of four months but, if a general election to the Assembly is not held before the expiration of that period, it shall cease to be in force at the expiration of that period unless it has earlier been approved by a resolution of the Council.

(5) A Proclamation may be made before the actual occurrence of war or external aggression if the Governor is satisfied that there is imminent danger thereof.



Scanned with CamScanner

## PART. XV-MISCELLANEOUS

**91. Oath of office.-** (1) An oath required to be made by person under this Order shall be made in a language that is understood by that person.

(2) Where, under this Order, an oath is required to be made before a specified person and for any reason, it is impracticable for the oath to be made before that person, it may be made before such other person as may be nominated by that person.

(3) Where, under this Order, a person is required to make an oath before he enters upon an office, he shall be deemed to have entered upon the office on the day on which he makes the oath.

**92. Order not to prejudice stance.-** The provision of this Order shall not derogate form, or in any manner prejudice, the declared stand of the Government of Pakistan regarding the right of self-determination for the people of Jammu and Kashmir in accordance with the United Nations Resolutions.

**93. Power to amend.-** The Government of Pakistan may, by notified Order, amend the provisions of this Order.

**94. Power to make rules.-** The Governor or as the case may be, the Chairman of the Council, may make rules for carrying out the purposes of this Order.

**95. Order to override other laws, etc.-** (1) The provision of this Order shall have effect notwithstanding anything contained in the provisions of any law for the time being in force except that in case of conflict between the laws of Pakistan and the laws framed under this Order, the laws of Pakistan shall prevail.

(2) No Court, including the Gilgit-Baltistan Supreme Appellate Court and the Gilgit-Baltistan Chief Court, shall call into question or permit to be called into question, the validity of this Order or an Act to amend it.

**96. Repeal and saving.-** (1) The Northern Areas Governance Order, 1994 hereinafter referred to as the said Order, together with the Orders amending it, and the rules made there-under are hereby repealed.



Scanned with CamScanner

# FIRST SCHEDULE
## OATH OF OFFICE OF- GOVERNOR
[*See* Article 20(7)]

I,.....do hereby solemnly swear in the name of Allah;

That, as Governor of Gilgit-Baltistan, I will remain loyal to Pakistan;

That I will perform my functions as Governor honestly and faithfully; and

That I will not directly or indirectly communicate or reveal to any person any official secret which, may, come to my knowledge as Governor.

So help me Allah.

Signature of Governor

Place
Date

Signature of Chief Judge
Supreme Appellate Court, Gilgit-Baltistan

## CHIEF MINISTER
[*See* Article 23(4)]

I,.....do hereby solemnly swear in the name of Allah;

That, as Chief Minister of Gilgit-Baltistan, I will remain loyal to Pakistan;

That I will perform my functions as Chief Minister honestly and faithfully; and

That I will not directly or indirectly communicate or reveal to any person any official secret which, may, come to my knowledge as Chief Minister;

So help me Allah.

Signature of Chief Minister

Place
Date

Signature of Governor
Gilgit-Baltistan



Scanned with CamScanner

## MEMBER OF LEGISLATIVE ASSEMBLY
[*See* Article 36]

I,.....having been elected as Member of Gilgit- Baltistan Legislative Assembly do hereby solemnly swear in the name of Allah;

That I will remain loyal to Pakistan;

That I will perform my functions as Member of the Legislative Assembly honestly and faithfully; and

That I will not directly or indirectly communicate or reveal to any person any official secret which, may, come to my knowledge as Member of the Legislative Assembly;

So help me Allah.

Signature of Member

Place
Date

Signature of Speaker
Gilgit-Baltistan Legislative Assembly

## MEMBER OF GILGIT-BALTISTAN COUNCIL
[*See* Article 33 (11)]

I,.....having been elected as Member of Gilgit- Baltistan Council do hereby solemnly swear in the name of Allah;

That I will remain loyal to Pakistan;

That I will perform my functions as Member of the Gilgit-Baltistan Council honestly and faithfully; and

That I will not directly or indirectly communicate or reveal to any person any official secret which, may, come to my knowledge as Member of the Council;

So help me Allah.

Signature of Member

Place
Date

Signature of Chairman/Vice Chairman
Gilgit-Baltistan Council



Scanned with CamScanner

## OATH OF ADVISOR

[*See* Article 33 (14)]

I,..... do hereby solemnly swear in the name of Allah;

That I will remain loyal to Pakistan.

That I will perform my functions as Advisor honestly and faithfully; and

That I will not directly or indirectly communicate or reveal to any person any official secret which, may, come to my knowledge as Advisor;

So help me Allah.

Signature of Advisor

Place
Date

Signature of Chairman of Council
Gilgit-Baltistan

## AUDITOR-GENERAL

[*See* Article 83]

I,.....do hereby solemnly swear and bear true faith and allegiance to Pakistan.

That, as Auditor-General of the Areas comprising Gilgit- Baltistan, I will perform my functions honestly, faithfully, in accordance with the Gilgit - Baltistan (Empowerment and Self-Government) Order, 2009, and the law and to the best of my knowledge, ability and judgment, without fear or favour, affection or ill-will.

Signature of Auditor General

Place
Date

Signature of Chief Judge of Supreme Appellate Court
Gilgit-Baltistan



Scanned with CamScanner

# SECOND SCHEDULE

[*See* Article 37(2)(d)]

1. An office, which is not a whole time office remunerated either by salary or by fee.

2. The office of Lamberdar, Inamdar, Sufedposh and Zaildar, whether called by this or any other title.

3. The office of the Chairman of any elective body constituted under any law relating to the Local Government.

4. Reserve of the Armed Forces.

5. Any other office which is declared by an Act of the Assembly not to disqualify its holder from being elected as, or from being a member of the Assembly.

---



Scanned with CamScanner

coordination of scientific and technological research.

18. Highways, continuing beyond the territory of the Gilgit-Baltistan excluding roads declared by the Government of Pakistan to be strategic importance.

19. Council surveys including geological surveys and Council meteorological organizations.

20. Works, lands and buildings vested in, or in the possession of the Council, for the purpose of the Council (not being Military, Naval or Air Force works), but as regards property situated in the Gilgit-Baltistan, subject always to law made by the Legislative Assembly, save in so far as law made by the Council otherwise provides.

21. Census.

22. Establishment of standards of weights and measures.

23. Extension of the powers and jurisdiction of members of a police force belonging to the Gilgit-Baltistan or any Province of Pakistan to any area in such Province or the Gilgit-Baltistan, but not so as to enable the police of the Gilgit-Baltistan or such province to exercise powers and jurisdiction in such Province or the Gilgit-Baltistan without the consent of the Government of that Province or the Gilgit-Baltistan; extension of the powers and jurisdiction of members of a police force belonging the Gilgit-Baltistan or a Province of Pakistan to railway areas outside the Gilgit-Baltistan or that Province.

24. Election to the Council.

25. The salaries, allowances and privileges of the members of the Council and Advisors.

26. Railways.

27. Mineral oil natural gas; liquids substances declared by law made by the Council to be dangerously inflammable.

28. Development of industries, where development under Council control is declared by law made by Council to be expedient in the public interest.

29. Removal of prisoners and accused persons from the Gilgit-Baltistan to Pakistan or from Pakistan to the Gilgit-Baltistan.

30. Measures to combat certain offences committed in connection with matters concerning the Council and the Government and the establishment of police force for that purpose or the extension to the Gilgit-Baltistan of the jurisdiction of police force established in Pakistan for the investigation of offences committed in connection, with matters concerning the Government of Pakistan.

31. Prevention of the extension from the Gilgit-Baltistan to Pakistan or from Pakistan to the Gilgit-Baltistan of infections or contagious diseases or pests affecting men, animals or plants.



Scanned with CamScanner

## FOURTH SCHEDULE
## ASSEMBLY LEGISLATIVE LIST
[See Article 47 (2) (b)]

1. Public order (but not including the use of Naval, Military, Air Force, or any other armed forces of the Federation in aid of the civil power).

2. Preventive detention for reasons in connection with the maintenance of public order; persons subjected to such detention.

3. Prisons, reformatories, borstal institution and other institutions of a like nature and persons detained therein, arrangements with other provinces for the use of prisons and other institutions.

4. Land, that is to say, rights in or over land; land tenures, including the relation of landlord and tenant, and the collection of rents; transfer, alienation and devolution of agricultural land; land improvement and agricultural loans; colonization.

5. Land revenue, including the assessment and collection of revenue, the maintenance of land records, survey for revenue purpose and records of rights and alienation of revenues.

6. Works, lands and buildings vested in or in the possession of the Gilgit-Baltistan Administration.

7. Compulsory acquisition or requisitioning of property.

8. Agriculture, including agricultural education and research protection against pests and prevention of plant diseases.

9. Local Government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district councils settlement authorities and other local authorities for the purpose of local self-government or village administration.

10. Preservation, protection and improvement of stock, and prevention of animal diseases; veterinary training and practice.

11. Pounds and the prevention of cattle trespass.

12. Drinking water supplies, irrigation and canals, drainage and embankments; flood control.

13. Libraries, museums and ancient and historical monuments.

14. Botanical, zoological and anthropological surveys.

15. Theaters; cinemas; sports; entertainments and amusements.

16. Public health and sanitation; hospitals and dispensaries.

17. Registration of births and deaths.



Scanned with CamScanner

43. Taxes on profession, trades, callings and employment.

44. Relief of poor; un-employment.

45. Offences against laws with respect of any of the matters in this list.

46. Inquiries and statistics for the purpose of any of the matters in this list.

47. Cesses on the entry of goods into a local area for consumption, use or sale therein.

48. The salaries, allowances and privileges of the Speaker, Deputy Speaker, Chief Minister, Ministers and Members of the Assembly.

49. Dues on passengers and goods carried on roads or inland water-ways.

50. Management of Gilgit – Baltistan Consolidated Fund.

51. Environmental pollution and ecology.

52. Population planning and social welfare.

53. The setting up and carrying on of labour exchanges, employment information bureaus and training establishments.

54. Regulation of labour and safety in mines and factories.

55. Trade unions; industrial and labour disputes.

56. Gilgit–Baltistan public services and Public Service Commission.

57. Gilgit–Baltistan pensions, that is to say, pension payable out of Gilgit–Baltistan Consolidated Fund.

58. Administrative Courts for subjects within purview of Gilgit – Baltistan Legislative Assembly.

59. Gilgit–Baltistan agencies and institutions for the following purpose, that is to say, for research, for professional or technical training, or for the promotion of special studies.

60. Fees in respect of any of the matters enumerated in this list, but not including fees taken in any court.

61. Jurisdiction and powers of all Courts with respect to any of the matters enumerated in this list.

---



Scanned with CamScanner

Scanned with CamScanner